
Info-FIAV

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Fédération internationale
des associations vexillologiques

Federación Internacional de Asociaciones Vexilológicas
International Federation of Vexillological Associations
Internationale Föderation Vexillologischer Gesellschaften

www.fiav.org

TWENTY-FOURTH SESSION OF THE FIAV GENERAL ASSEMBLY SEPTEMBER 1, 2015

Every FIAV Member is **strongly** encouraged to appoint a delegate and alternate to represent it at the Twenty-Fourth Session of the FIAV General Assembly on September 1, 2015. If no person from a FIAV Member is able to come to the General Assembly Session, that FIAV Member is **strongly** encouraged to appoint as its delegate either the delegate of another FIAV Member or one of the three FIAV Officers. This will be the third General Assembly session to which current article 8 of the FIAV Constitution applies.

Credentials should be brought to the General Assembly Session. If at all possible, credentials should be on the Member's official stationery.

The suggested form of written credentials is as follows:

To the President of the Fédération internationale des associations vexillologiques:

[Name of FIAV Member association or institution] appoints [name of person (and alternate, if desired)], as its delegate to the Twenty-Fourth Session of the FIAV General Assembly, to be convened September 1, 2015, in Sydney, New South Wales, Australia.

[Delegate's name] has full powers to act on behalf of [name of FIAV Member association or institution] during the Twenty-Fourth Session of the General Assembly [or] The powers of [delegate's name] to act on behalf of [name of FIAV Member association or institution] during the Twenty-Fourth Session of the General Assembly are limited as follows: [describe].

[signature of authorized representative of FIAV Member association or institution]
[printed name]
[title]
[date]
[seal (optional)]

Information on candidates for membership is included in this issue. The General Assembly agenda will be issued shortly.

The FIAV Board also welcomes suggestions for recipients of the Vexillon and Fellows. Any such suggestions should be sent to the Secretary-General by e-mail to sec.gen@fiav.org no later than July 15, 2015. The Vexillon is awarded for the most important contribution to vexillology during the two years preceding an International Congress of Vexillology. Fellows of the Federation are named by the FIAV Board for making significant contributions to vexillology and/or for rendering significant service to FIAV or a FIAV Member. Suggestions for recipients of the Vexillon and Fellows should explain why the recipient qualifies.

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APPLICATIONS FOR FIAV MEMBERSHIP

The Secretary-General has received two applications for FIAV membership since the Twenty-Third Session of the FIAV General Assembly in Rotterdam (August 6, 2013). The first application, from the Thai Vexillological Association (TVA), has been voluntarily withdrawn:

The June 2nd, 2015

(2559 BE)

To The FIAV Board:

Michel R. Lupant (President)
Charles A. Spain (Secretary-General)
Graham M.P. Bartram, (Secretary-General for Congresses)

Gentlemen,

It is with regret that I, Pluethipol Prachumphol, am not going to be present at the ICV 26 Congress that is going to be held in Sydney, Australia. In light of this decision, there is not a possible way for the Thai Vexillological Association (TVA) to be presented in front of the FIAV Membership for voting to become a member. This letter is to inform the board that the TVA requests for our membership application to be withdrawn at this time with the possibility of having an application ready in the near future.

With Regret,

Pluethipol Prachumphol

The second application, from the Australian Flag Society, appears on pages 8 to 88.

Correspondence regarding the application and the Board's decision on a recommendation on the application appear in this issue.

MEMBER CANDIDATE

Note: An "autochthonous and authorized representative of the applicant" must be present at the session of the General Assembly at which there is to be a vote on the application.

Australian Flag Society (AFS) (received January 26, 2015)

P.O. Box 756
GUNNEDAH NSW 2380
Australia

President/Other:	Nigel Morris, national convenor
Secretary:	**, secretary
Telephone:	61 402 671 633 (Nigel Morris)
e-mail:	nigelrmorris@hotmail.com
Home Page:	(nonfunctional)
Established:	July 4, 2001
Territory:	Australia
Periodical Publication:	<i>Flag Breaking News Bulletin</i> (ISSN 2203-2118; English; annual; since 2013)
Note:	changed name on April 15, 2003 from Australian Capital Territory branch of the Australian National Flag Association

July 1, 2015

Dear Mr. Morris:

The FIAV Board has reviewed the membership application of the Australian Flag Society (AFS). In its review, the Board has considered whether the application demonstrates that AFS is an "association or institution anywhere in the world having as a substantial purpose the scientific study of vexillology," see FIAV Constitution article 7(a), and whether AFS satisfies the criteria of article 7(c):

The Board and the General Assembly, in making their decisions about an applicant, shall have regard to the following:

- (1) the existence of a written constitution and its provisions;
- (2) the vexillological and non-vexillological activities of the applicant, including meetings, publications, and international relations;
- (3) in the case of an association, the number of its dues-paying members (minimum of five);
- (4) registration of its members in International Congresses of Vexillology;
- (5) the length of time it has existed; and
- (6) the presence of an autochthonous and authorized representative of the applicant at the session of the General Assembly at which there is to be a vote on the application.

This review is ministerial, meaning that if the application complies with article 7, then the Board will recommend AFS's admission. Please note that the nonministerial decision whether to admit a candidate as a FIAV Member lies with the General Assembly, not the Board, and the Board's recommendation, or lack thereof, is not a guaranty of what action the General Assembly will take.

The FIAV Board decided that beginning with the Twenty-Third Session of the General Assembly in 2013, the Board, absent extraordinary circumstances, will not recommend the admission of a new Member unless one or more representatives from the applicant have participated in a previous International Congress of Vexillology. Similar to a delegate to the General Assembly, an applicant's representative need not be directly affiliated with the applicant, but can be an individual who is familiar with the applicant.

This policy means that the Board is unlikely to recommend any applicant's admission in 2015 unless one or more representatives from the applicant participated in a previous International Congress of Vexillology. Because AFS's application does not state there has been previous participation, the Board is unable to recommend to the General Assembly the admission of AFS in 2015. The Board therefore strongly urges AFS to have one or more representatives present at the Twenty-Sixth International Congress of Vexillology (2015) in Sydney, Australia (<http://www.icv26.com.au>) with the goal of a General Assembly vote on AFS's candidature at the Twenty-Seventh International Congress of Vexillology (2017) in London, United Kingdom.

The Board believes that interaction between representatives of AFS and current Members attending ICV 26 will be beneficial. Accordingly, the Board encourages AFS to voluntarily withdraw its application from consideration in Sydney and resubmit it in London in 2017 with additional information, based on participation at ICV 26 in Sydney. If AFS informs the Secretary-General no later than July 8, 2015 that it chooses not to withdraw its application, it will be considered at the Twenty-Fourth Session of the FIAV General Assembly to be convened on September 1, 2015, in Sydney. Remember that an "autochthonous and authorized representative of the applicant" must be present at the session of the General Assembly at which there is to be a vote on the application. Absent a statement from AFS that it chooses not to withdraw its application, the Secretary General will not place AFS's application on the agenda for the Twenty-Fourth Session of the FIAV General Assembly.

Info-FIAV

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The Board looks forward to seeing your representative in Sydney and working together constructively to promote the scientific study of vexillology in Australia.

Very truly yours,

Charles A. Spain
Secretary-General
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July 1, 2015

Dear Mr Spain,

I still think the FIAV must have a pretty good side if my Australian Flag Society can't get a game. A lot could happen between now and then and probably will. So at this stage I think we will press ahead with our application. This is not for the benefit of any of us personally of course. The most important thing. The only thing. Is solving the mystery of the Eureka Jack. I do not think it is a particularly good look to reject us, when you are going to be awarding yourselves fellowships and laureates and all the rest of the regalia that goes along with it at the same time. Recognising each other. When we ourselves are not even recognised in the print edition of any dictionaries of essential English that I can find. This business of looking up dates and names. Discoveries of that nature is all vital work. But it is only something like a successful conclusion to our search for a lost national treasure - which could be a red letter day in the history of world vexillology of truly folkloric significance - that really has the potential to make a lasting difference to the minuscule standing vexillology presently enjoys in the popular culture.

I look forward to the opportunity to make some final oral submissions in September.

Yours faithfully,

Nigel Morris

July 2, 2015

Dear Mr. Morris:

As you request, I will put AFS's application for membership on the agenda for consideration at the Twenty-Fourth Session of the FIAV General Assembly in Sydney.

As I previously explained, based on FIAV Constitution article 7(c)(4) and the 2013 Board policy, the FIAV Board as a ministerial matter has no choice but to not recommend the admission of AFS.

The nonministerial decision whether to admit AFS as a FIAV Member notwithstanding article 7(c)(4) lies with the General Assembly and require a two-thirds majority vote. Please be advised that the practice of the General Assembly in the past two decades has been to conduct respectful discussions on items on the agenda such that the General Assembly can conclude its work in a timely fashion.

Very truly yours,

Charles A. Spain
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BOARD RECOMMENDATION ON MEMBERSHIP APPLICATION

The Board's recommendation on a membership application is ministerial. The Board considers whether an application demonstrates the candidate is an "association or institution anywhere in the world having as a substantial purpose the scientific study of vexillology," see FIAV Constitution article 7(a), and whether the application satisfies the criteria of article 7(c):

The Board and the General Assembly, in making their decisions about an applicant, shall have regard to the following:

- (1) the existence of a written constitution and its provisions;
- (2) the vexillological and non-vexillological activities of the applicant, including meetings, publications, and international relations;
- (3) in the case of an association, the number of its dues-paying members (minimum of five);
- (4) registration of its members in International Congresses of Vexillology;
- (5) the length of time it has existed; and
- (6) the presence of an autochthonous and authorized representative of the applicant at the session of the General Assembly at which there is to be a vote on the application.

If the application complies with article 7, then the Board will recommend the acceptance of the applicant as a Member. If the application does not, then the Board will not recommend the acceptance of the applicant as a Member. The nonministerial decision whether to accept an applicant as a FIAV Member lies with the General Assembly, not the Board.

The Board has summarized AFS's membership application as it relates to the criteria set out in article 7(c) of the FIAV Constitution as follows:

Candidate name	Constitution	Interest in vexillology; Activities	Dues-paying members	Registration at past ICVs	Existence since	Representative at General Assembly
AFS	constitution	secondary; primary interest is patriotic promotion of the Australian national flag; makes civic, educational, vexillological, and other resources available to organizations and general public; conducts primary research into flags such as the Eureka Jack; website is inoperable; serial publication is online, but unavailable	25	no	2001 as Australian Capital Territory branch of the Australian National Flag Association; 2003 as separate association	has indicated a representative will be present

In 2013, the Board took the following action, which was originally published in *Info-FIAV* number 35, at page 5 (July 2013):

Pursuant to FIAV Constitution article 7(c)(4) and in response to concerns raised by Members, the Board, absent extraordinary circumstances, will not recommend the admission of a new Member unless one or more representatives from the applicant have participated in a previous International Congress of Vexillology. Similar to a delegate to the General Assembly, an applicant's representative need not be directly affiliated with the applicant, but can be an individual who is familiar with the applicant.

Consistent with the Constitution and the 2013 policy, the Board **does not recommend** the acceptance of AFS's application for FIAV membership.

INFO-FIAVISSN

The Secretary-General has registered *Info-FIAV* with the ISSN International Centre as an online publication. *Info-FIAV* was previously registered with the U.S. national ISSN Center as a print publication. The number remains unchanged.

May 12, 2015

Dear Sir/Madam,

We are pleased to inform you that your online publication has been recorded permanently in the ISSN Register as follows:

ISSN 1560-9979

Key title: Info-FIAV

Please note the instructions hereafter (taken from the ISO standard 3297 which defines the ISSN and its uses):

§ **display this ISSN prominently on the title screen or homepage of your online publication**, preceded by the letters ISSN;

§ **distinct ISSN have to be assigned if different versions of your publication** are published (different languages versions, different media versions such as print, CD-ROM, etc.). Please submit one ISSN request for each version at <http://www.issn.org/2-22652-Requesting-an-ISSN.php>;

§ **as the ISSN is permanently linked to the key title, please let us know any changes in the title of your publication** and send the appropriate information to issnic3@issn.org so that we can check whether a new ISSN assignment is needed or not;

§ please let us know also all the other changes (publisher's name, place of publication, frequency ...) so that we can update the description of your publication accordingly in the ISSN Register.

Do not hesitate to contact us at issnic3@issn.org if you need more information.

Yours sincerely,

Data, Network & Standards Department

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UPCOMING DATES

- July 15, 2015** Deadline to submit final version of presentations for ICV 26 (www.icv26.com.au)
- July 15, 2015** Deadline for Members to submit suggestions for Laureate and Fellow recipients to the Secretary-General for consideration by the FIAV Board (send to sec.gen@fiav.org)
- August 31–September 4, 2015** Twenty-Sixth International Congress of Vexillology, Sydney, New South Wales, Australia
- September 1, 2015** Twenty-Fourth Session of the General Assembly convenes

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“C'est avec ces hochets qu'on mène les hommes.”



PO Box 756
Gunnedah NSW 2380
Australia

29 December 2014

Secretary-General
International Federation of Vexillological Associations
504 Branard Street
Houston, Texas
77006

Dear Mr Charles A. Spain Jr,

Further to our series of correspondence, please find attached an application by the Australian Flag Society for affiliation with the *International Federation of Vexillological Associations*. I trust it shall meet your requirements and I look forward to hearing back from you in due course.

Should you require anything further please feel free to respond to the same.

Yours faithfully,

A handwritten signature in black ink, appearing to read "NRM", followed by a stylized flourish.

Nigel Morris CEO

Australian Flag Society

m: 0402 671 633

e: mail@flagsociety.org.au

w: www.flagsociety.org.au



Application for Fédération internationale des associations vexillologiques (FIAV) affiliation

Applicant: Australian Flag Society (AFS).

Founded: 4 July 2001 (as Australian National Flag Association (ACT) Inc).

Current legal status: Unincorporated association since 15 April 2003 (see attachment 1).

General headquarters: Gunnedah, New South Wales, Australia

Mission statement: “Proudly promoting patriotism”.

Activities and Goals:

- (a) Making civics education, vexillological and other resources available to organisations and the general public and considering all requests for grants of aid and materiel.
- (b) Due recognition of the Australian National Flag and observance of Australian National Flag Day, 3 September.
- (c) Facilitating contact between supporters of the Society to discuss ways to promote the Australian National Flag and patriotism in general.
- (d) Maintaining a general headquarters and preservation of the Society’s collection.
- (e) Continuing to add to the body of knowledge through primary research.

Public Officer: Nigel Morris (see appendix 2).

Membership: 25 (as at 12 December 2014).

Bulletin: Flag Breaking News (ISSN 2203-2118).

Grounds for application:

The AFS continues to popularise the study and investigation of flags through news of a \$10,000 AUD bounty for information leading to the discovery of the long lost “Eureka Jack” (see appendix 3). Other original research published by the Society includes findings in relation to the vexillological aspects of the commissioned portrait of the 1927 opening of the provisional parliament house, Canberra (see appendix 4).

The Society’s collection includes the garrison sized Australian National Flag which flew over capitol hill on Australian National Flag Day 2001, and as since seen in circulation in the national capital, New England and greater Brisbane in conjunction with the 3 September anniversary (see appendix 5).

Early FIAV affiliation would serve as recognition of the good work of the Society and assist with the aforementioned national treasure hunt, and further efforts to add to the body of knowledge of the art and science of vexillology.

Appendix 1



Constitution of the Australian Flag Society

1. Title

This body shall be known as the Australian Flag Society.

2. Objects

(a) Making civics education, vexillological and other resources available to organisations and the general public and considering all requests for grants of aid and materiel.

(b) Due recognition of the Australian National Flag and observance of Australian National Flag Day, 3 September.

(c) Facilitating contact between supporters of the Society to discuss ways to promote the Australian National Flag and patriotism in general.

(d) Maintaining a general headquarters and preservation of the Society's collection.

(e) Continuing to add to the body of knowledge through primary research.

3. National Convenor

The executive power of the Society is vested in the National Convenor and extends to control and management of the Society.

Any vacancy in the office of National Convenor shall be filled by a ballot of the members of the Society at a special meeting called by the Secretary as soon as practicable, or, if this office is or should become vacant, the most senior officer of the Executive Council, or, should no officers have been appointed, the longest standing voting rights member.

A vacancy shall have arisen where the National Convenor:

- (a) dies;
- (b) resigns by notice in writing;
- (c) ceases to be a member of the Society;
- (d) or has a continuing and long-term incapacity to fulfill the functions of the position.

4. Membership

Membership shall be at the discretion of the National Convenor. The Society shall maintain a register of members. A person whose name appears in the register shall be a member of the

Society. The register shall be updated after each general meeting by the Secretary or his nominee.

Subject to the rules of the Society if it is the opinion of the National Convenor that a member has refused or neglected to comply with these rules, or has been guilty of conduct unbecoming a member or prejudicial to the interests of the Society, he may terminate their membership effective immediately.

5. Executive Council

- (a) The National Convenor shall appoint an Executive Council from among the members to advise him and it shall consist of a Secretary and a Treasurer and whatever other offices he may establish. Members of the Executive Council shall not receive any remuneration or other material benefit by reason of their position in the Society. A member of the Executive Council shall be instantly dismissable by the National Convenor.
- (b) The National Convenor shall summon the Executive Council and preside at all meetings except that, in the absence of the National Convenor, the member of the Executive Council he nominates preside or, in the absence of the National Convenor and his nominee, the Executive Council shall elect a chairperson.
- (c) The Secretary shall attend all meetings of the Society and keep a record of all business conducted. On relinquishing office the Secretary shall hand over records, minutes, account books, etc. to the incoming Secretary.
- (d) The Treasurer shall receive and deposit monies, maintain records, draw cheques and present accounts to each general meeting, present all records for auditing each year and shall hand over all records to the incoming Treasurer on relinquishing office. Should it be necessary during the unavoidable absence of the Treasurer, another officer of the Executive Council may receive any monies, issue receipts and either deposit the monies in the Society account or hand the monies to the Treasurer within 7 business days, taking a receipt for same.

6. General Convention

The National Convenor may appoint the date, time and place of a general convention of the Society. A general convention of members shall meet every year unless the National Convenor deems it expedient to postpone it. The audited balance sheet(s) and annual report(s) will be presented. An auditor who is not an officer of the Society shall be appointed.

7. General Meetings

The National Convenor may appoint the date, time and place for holding a general meeting of the Society.

At least seven days before the date fixed for holding a general meeting of the Society, the Secretary must cause to be sent to each member of the Society a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting. The notice may be sent by prepaid post, facsimile or electronic transmission. No business other

than that set out in the notice convening the meeting may be conducted at the meeting.

A member intending to bring any business before a meeting may notify in writing, or by electronic transmission, the Secretary of that business, who must include that business in the notice calling the next general meeting.

8. Special Meetings

A special meeting shall be called by the National Convenor at any time upon written request signed by at least 10 members of the Society. The special meeting shall be held within one month of the date the National Convenor receives the request. Members shall be given at least seven days' notice of the meeting which notice shall also state the time, date, place and business of the meeting.

9. Quorum

The quorum at all meetings of the Society shall be 3 members.

10. Subcommittees

The National Convenor may establish subcommittees, however styled, to carry out specific functions on his behalf. Any subcommittees that are established shall report regularly to the National Convenor and follow any directions received from him. The National Convenor may dissolve a subcommittee at any time. Any funds raised or handled by a subcommittee shall be, for all purposes, funds of the Society.

11. Dissolution

The Society may be dissolved in terms of a resolution carried at a general meeting or a special meeting of members, providing at least seven days' notice has been given to members.

- (a) Where the Society is dissolved minute books, audited accounts and other records, together with the residue of funds, shall be given to a kindred organisation determined by a resolution of members. The transmission shall occur within two months of the dissolution and only after the books of account have been audited as provided under clause 13.
- (b) Where the Society is dissolved, assets and funds on hand after payment of all expenses and liabilities shall not be paid to or distributed among the members.

12. Executive Orders

The National Convenor shall make such executive orders as are required to carry out the Society's functions. The executive orders shall not contravene the terms of this constitution. The executive orders shall provide for the procedure to be followed:

at meetings of the Society;

to convene a substitute meeting when a quorum is not attained at a meeting; and

in making an application for membership.

13. Accounts

The funds of the Society shall be banked in the name of the Society with any institution holding trustee status within the meaning of the *Trustee Act 1925* (NSW), provided interest is allowed on the balance. The account shall be operated by one or more officers of the Executive Council delegated in that behalf by the Society. No commitment shall be entered into for the expenditure of Society funds, except by resolution of a meeting of the Society. The Society must make such financial reports about its affairs (including reports of its auditors) as are required by its rules.

14. Amending the Constitution

It shall require a two-thirds majority of a general meeting to change articles in this constitution. The resolution containing the proposed amendment must be included in the notice of the general meeting.

Appendix 2

ACT student rapt with Aussie flag



By CARIN PICKWORTH

Canberra student Nigel Morris is rapt with the Australian National Flag.

Founding president of the newly established ACT branch of the Australian National Flag Association, Mr Morris is a long-time supporter of the Australian national flag, which he describes as "the finest ensign known to man".

"The flag succeeds in capturing the key elements on which our nation has been developed," he said.

Some groups in the community, principally Ausflag, feel Australia should adopt a more distinctive design that does not feature the Union Jack of Britain.

But Mr Morris said he saw no compelling reason to change the flag we currently had to represent the country.

"John Howard said shortly after the Olympics that people now accept the Union Jack as a reminder of our history, and the institutions we inherited from Great Britain that continue to enrich us today," he said. "I find it hard to disagree with the Prime Minister's assessment."

According to Mr Morris, retaining the existing flag was of immense historical and emotional value, given that it had been used by Australian soldiers in all conflicts since Federation.

"The stone cold fact of the matter is that Australian soldiers have fought and died under the present Australian flag," he said. "Preserving the current design would be an appropriate recognition of their generations of sacrifice."

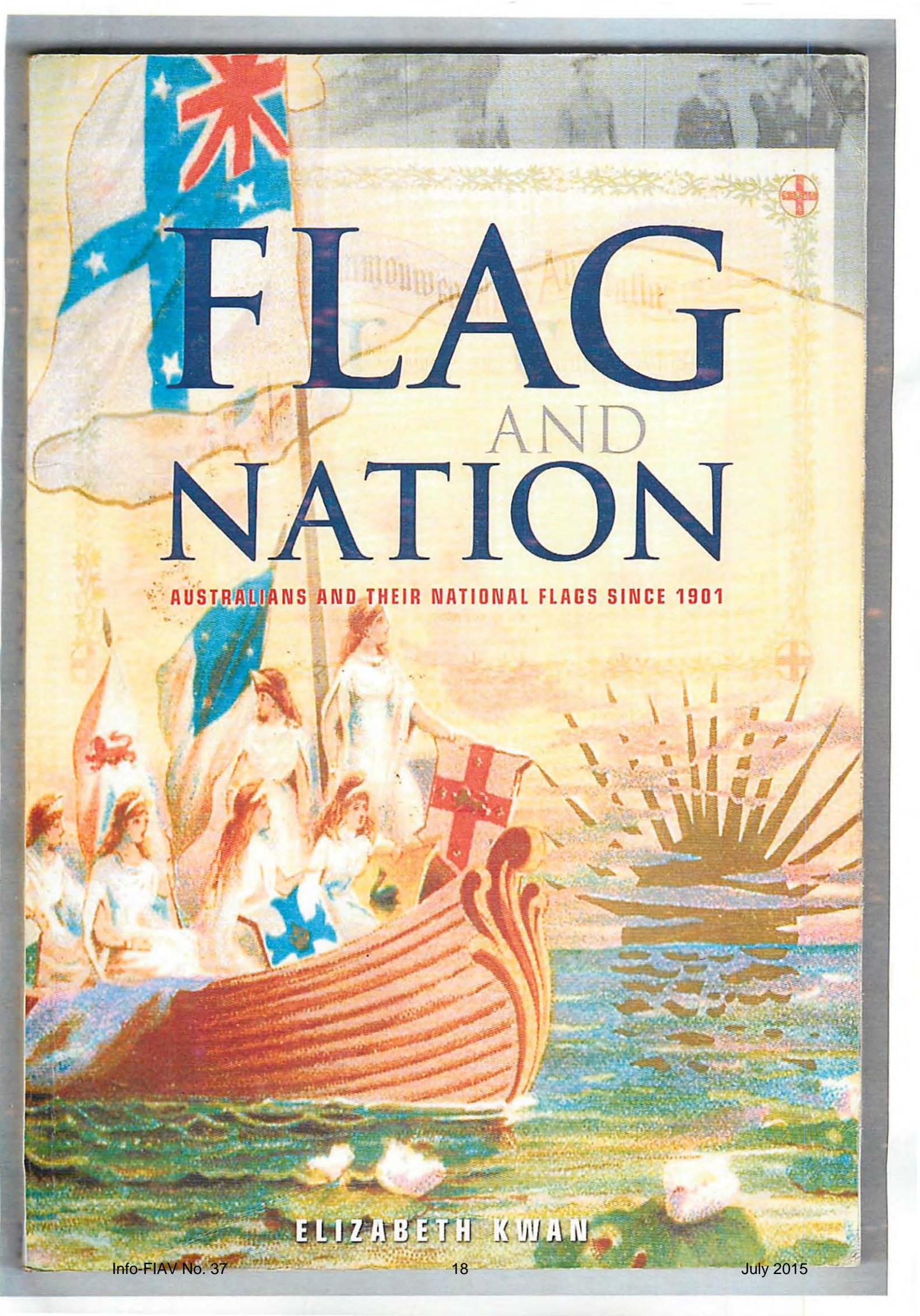
Mr Morris believed presenting the Australian flag to an estimated audience of three billion viewers at the 2000 Olympic and Paralympic Games further justified its importance to the country.

"This is surely one of the biggest international showings any nation's flag has had. I find it difficult to believe the argument that our flag is unrecognisable can be sustained at this point in time."

Mr Morris looked forward to his role as ACT president of ANFA as a chance to promote and communicate the importance and significance of the Australian flag.

Picture: ADAM McLEAN

Ensign of the times ... Australian National Flag Association, ACT branch president Nigel Morris.
Info-FIAV No. 37

The book cover features a detailed illustration of a wooden boat on a body of water. Several women in white dresses are on board, some holding flags. A large Australian flag is visible on the left. In the background, a large sunburst or fan-like structure is reflected in the water. The overall style is reminiscent of early 20th-century art.

FLAG AND NATION

AUSTRALIANS AND THEIR NATIONAL FLAGS SINCE 1901

ELIZABETH KWAN

Flag organisations in Australia

Three flag organisations, emerging early in the 1980s, became active in the debate about the Australian national flag as Australians looked towards the bicentenary of 1988. Ausflag promoted flag change; the Australian National Flag Association opposed flag change. The Flag Society of Australia, a neutral body in the flag debate, encouraged interest in the history and design of flags through vexillology, the study of flags.

Incorporated in January 1983, Ausflag campaigned for a distinctively Australian national anthem, flag and colours. One of its founders, Harold Scruby, a Sydney consultant in management and marketing, remains Ausflag's executive director. On its board are prominent Australians from business, the media, politics and sport.

The RSL, concerned about Ausflag's campaign and Labor's win in March 1983, sponsored Australian National Flag Association (ANFA) branches later that year. John Vaughan, one of the NSW branch founders and its president from 1991,

became the association's national spokesman in June 2000. Long interested in flags, especially early Australian flags, he had gradually developed that interest into a business. His experience marketing for a bank in schools and administering the Royal Australian Historical Society facilitated the association's work in promoting the flag. Ausflag looked to a series of flag design competitions between 1985 and 2000 to raise interest in and enthusiasm for designing a distinctively Australian flag. The groups' competition for Australian hearts and minds entered a new stage with Ausflag's move to the internet in 1995.

The Flag Society of Australia played an important role: correcting misinformation, providing advice, and publishing research in its journal *Crux Australis*. Not to be confused with this society is the Australian Flag Society of 2003 (once the Australian National Flag Association (ACT) branch), headed by Nigel Morris, with broader aims than opposing flag change.

of the competition required it to be based on British ensigns. Sydney vexillologist Ralph Kelly corrected both organisations in revealing the facts behind the myths about the competition and its aftermath.⁹ His views represented the neutral expertise of the Flag Society of Australia, established in August 1983 to encourage interest in flag design and history.

Others were also concerned to verify the historical basis of the debate. This author's work in 1994 on flags in the early 1920s showed the continuing importance of the Union Jack in validating the use of Australian ensigns. Further work by the author in 1995 explained the Commonwealth government's selection in 1950 of the blue ensign as the national flag.¹⁰ Carol Foley, a member of the law faculty at Monash University, analysed in 1996 the opposing versions of the blue ensign's history.¹¹ But her particular

Ambiguity has marked the use of national flags in Australia since federation in 1901. The absence of a documented history of the transition from Union Jack to Australian national flag has left Australians dependent on the views of groups arguing for and against flag change. *Flag and Nation* explains Australians' changing relationship to their national flags since 1901 and the perceptions of national identity they represent.



The theme of Australian national identity has never been more topical than now, and this book is an ingenious and illuminating guide to the subject. Kwan's scholarship will impress other students of our culture. General readers will find her deft and economical text readily accessible.

Author and publisher have collaborated, moreover, to incorporate an unusually rich and revealing body of illustrations.

K S Inglis, Emeritus Professor of History, Australian National University

This book will surprise both defenders and critics of our flag. The strange history of our flag, unfolded so clearly by Elizabeth Kwan, should be read by anyone who cares about our national symbols.

John Hirst, Reader in History, La Trobe University

Flag and Nation is a landmark in Australia's vexillological record.

Using a fresh approach and an abundance of new information Elizabeth Kwan tells the story of Australia's flag clearly and honestly, without the patriotic platitudes that are the stuff of myth and error.

Ralph Kelly, Vexillologist, Flag Society of Australia

Dr Elizabeth Kwan, born and educated in South Australia and formerly a senior lecturer in history and Australian studies, is a senior researcher at Parliament House, Canberra.

UNSW PRESS

ISBN 0-86840-567-1



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Ceremony to celebrate flag's 100th birthday



Picture: GRAHAM TIDY

ANU student and Australian National Flag Association president Nigel Morris prepares to celebrate the flag's 100th birthday outside Government House.



*Their Excellencies
The Governor-General and Mrs Ann Hollingworth
have pleasure in inviting*

Mr N. Morris

*to a Flag Raising Ceremony to mark the Centenary of the Australian National Flag
on Monday, 3 September 2001 at Government House, Canberra at 2.00 pm*

Lounge Suit/Jacket and Tie

Function concludes at 2.30 pm

*To Remind
Enquiries to the Invitations Officer
Government House, Canberra
Telephone (02) 6283 3524*



Flag lobbyist Nigel Morris draped with the national colours.

History of the Aussie flag to be given to schools

THERE'S more to the Australian flag than the red, white and blue and schoolchildren Australia-wide will learn about our national symbol and the patriotism it evokes through a new video.

The 22-minute production, which cost \$50,000 to make by the Australian National Flag Association, will be distributed to 8000 primary schools to teach students the history and origins of the Union Jack, Southern Cross and Commonwealth Star.

Our National Flag . . . since 1901 was launched two years ago, but, since coming to the attention of federal Minister for Education, Science and Training Brendan Nelson, will be re-released through the public education system.

The video also aims to increase awareness of the Aboriginal and Torres Strait Islander flags. All federal parliamentarians will receive a copy, in time for Australian National Flag Day on September 3. For further information, go to: www.australianflag.org.au

Redesign bid to make ACT flag easier on the eye

By DAVID McLENNAN

Modifications to the bland ACT flag to make it more aesthetically pleasing could see Canberrans buying and using it, the Australian National Flag Association said yesterday.

Association ACT president Nigel Morris said he had slightly redesigned the current flag, which was designed by Ivo Ostyn and adopted by the ACT Legislative Assembly on March 25, 1993, after design competitions.

Mr Morris recalled going to



The ACT flag proposed by Nigel Morris and the present one.

see the ACT cricket team play and being the only person there with an ACT flag. He thought one of the main reasons people were not using it was because it was bland.

His version kept all the existing elements of the flag, and ad-

ded two more to make it more aesthetically pleasing.

"What I am proposing is a slight improvement to the flag, it is not a radical overhaul to what we have," he said.

"... The upper canton is the honour point of the flag, and to

put the Australian flag there, it has obvious symbolic connotations. It keeps the best points of the existing flag but also enhances the overall meaning. I think people will be more likely to use a flag that highlights the importance of Canberra."

He would take the flag to Probus groups, where he often gave talks, to gauge response to it. If it received a positive response, he would consider organising a petition and lobbying the ACT Government to put the matter to the people at the next election.

Society flags national Captain Cook Day

Yesterday marked 235 years since Captain Cook changed the course of Australian history by declaring "the whole eastern coast" in British possession, making way for European settlement and today's progressive nation.

It's a date the Australian Flag Society believes should be commemorated by making August 22 Captain Cook Day.

President Nigel Morris said it was important Australians were aware of the explorer's impact on our nation.

"Because Cook discovered the east coast of Australia, within less than 200 years there was a modern Western nation established here. I think that's the real significance of it."

Captain Cook chartered the Australian east coast in HM Bark Endeavour in 1770. On August 22 he laid claim to the coast from Possession Island on behalf of King George III of England, naming eastern Australia New South Wales.

Mr Morris said the act facilitated the arrival of the First Fleet in January 1788.

Mr Morris has written to every politician in Australia about the concept of Captain Cook Day. While the majority of responses had been positive, a politician from Western Australia believed it would be disrespectful to the indigenous people of Australia.

Mr Morris said the society had discussed the issue and discovered through Cook's journals that he was a man "who tried to see beyond his own culture".

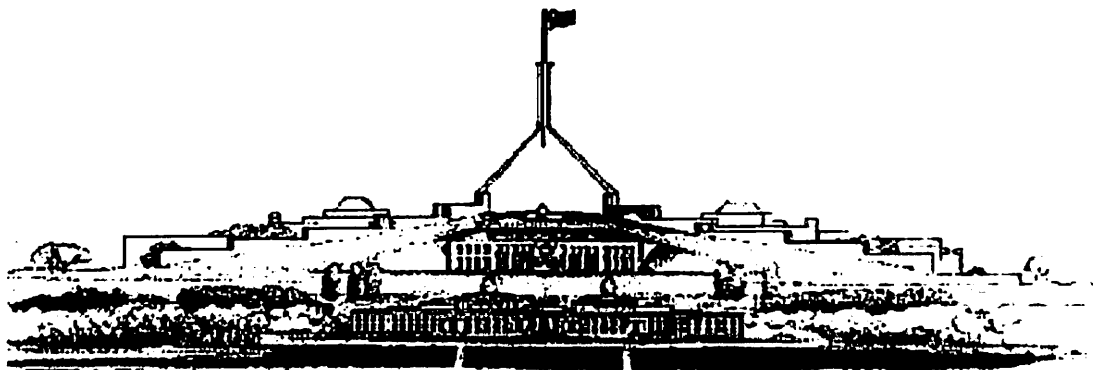
The society did not want to impose the commemoration on to the community, instead it planned to promote the day over a number of years until the level of support could be gauged.

The first commemoration will be held next year at "Captain Cook's Landing Place" at Kurnell, NSW.



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES
QUESTIONS TO MR SPEAKER

Australian Flag

QUESTION

Tuesday, 18 September 2001

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

QUESTION

Date Tuesday, 18 September 2001
Page 30853
Questioner Neville, Paul, MP
Speaker

Source House
Proof No
Responder SPEAKER, Mr
Question No.

Australian Flag

Mr NEVILLE (Hinkler)—On 3 September we celebrated the 100th anniversary of the first flying of the Australian flag. Indeed, we celebrated that in the House on the last sitting day of the last—

Mr SPEAKER—Does the member for Hinkler have a question to me? Is he seeking indulgence? What is his procedure?

Mr NEVILLE—If I could have indulgence to make a brief statement first, and then I will ask a question.

Mr SPEAKER—I would appreciate the member for Hinkler indicating what precisely he is intending to question me about.

Mr NEVILLE—The Australian flag above this building.

Mr SPEAKER—The member for Hinkler may proceed.

Mr NEVILLE—As I said, Mr Speaker, the flag was flown on the first occasion on 3 September 1901, and we celebrated that in the last sitting fortnight. Could I suggest to you that the flag that flew above this building on 3 September this year, before it becomes too faded or too tattered, be taken down and perhaps offered to a museum or an art gallery as the seminal flag that flew over this building 100 years from the time the first flag was flown?

Mr SPEAKER—I will take up with the Joint House Department the matter raised by the member for Hinkler.



20 August 2002

Mr Nigel Morris
Australian National Flag Association
3 Bobialla Street
O'CONNOR ACT 2602

Parliament House
Canberra ACT 2600
ABN 54 589 947 681

Contact officer June Ey
Direct (02) 6277 5226
Facsimile (02) 6277 5220
June.Ey@aph.gov.au
Reference

Dear Mr Morris

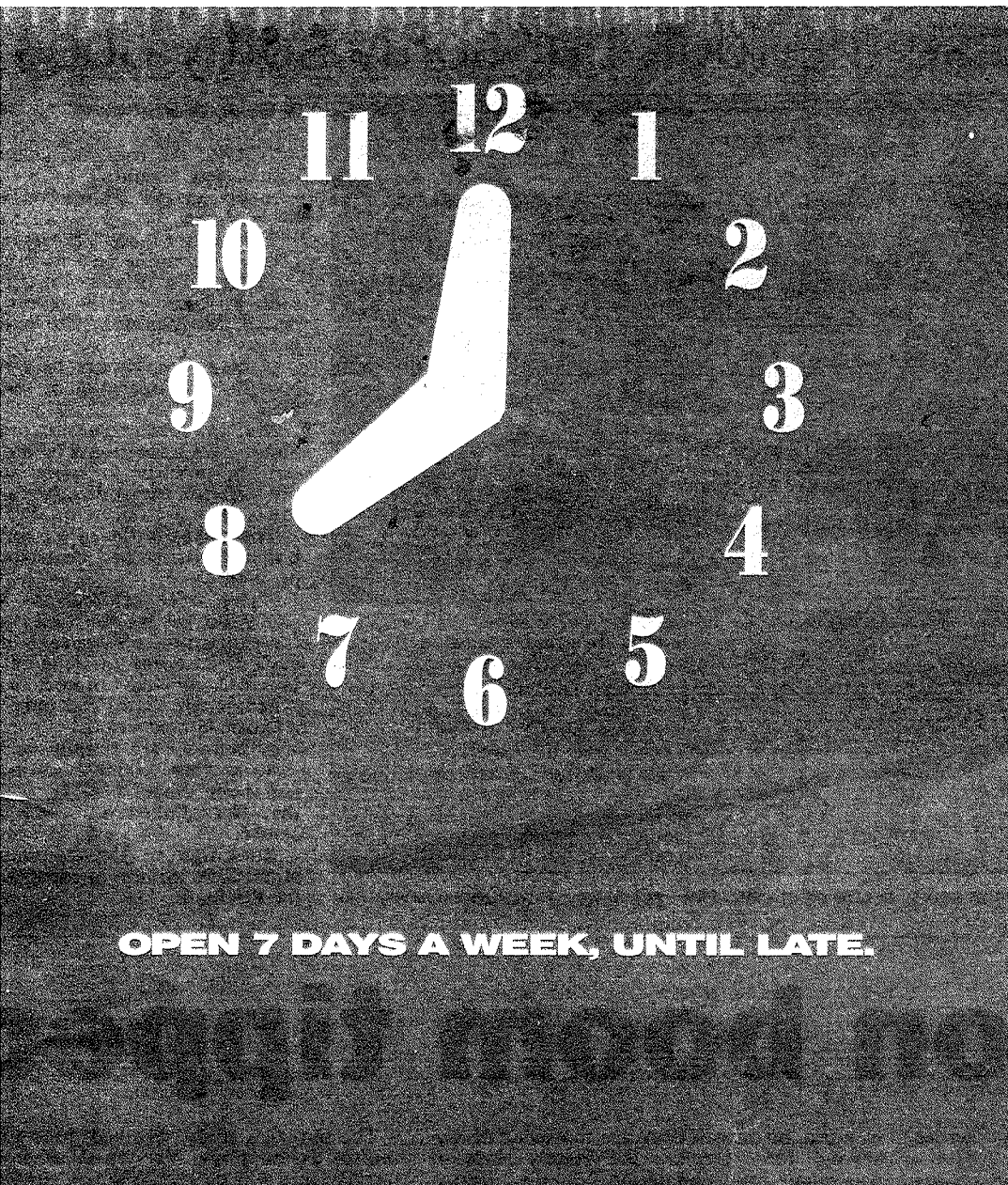
I am pleased to formally hand over the Australian National Flag which flew over Parliament House on 3 September 2001 to the Australian National Flag Association.

Kindly ensure that your Association takes great care of this significant flag and maintains it in accordance with flag protocol set down by the Awards and National Symbols Branch of the Department of the Prime Minister and Cabinet.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'June Ey'.

JUNE EY
Manager
Facilities Management



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 Mildura Sunrise Fruit Drink Sel. Var.
1.99

International Roast
 200g International Roast Coffee
4.99

Fancy Feast
 85g Fancy Feast Cat Food Sel. Var.
75c

Burn candles as nation's flag flies free

By Jodie Thomson

IT HAS flown above Australians at war and been burnt at protests — the Australian flag has been both a symbol of pride and the centre of debate for more than a century.

But today the nation celebrates the flag's 102nd birthday.

National Flag Day marks the anniversary of Prime Minister Edmund Barton first raising the flag in 1901.

Featuring the Southern Cross, Union Jack and a six-pointed star, the design was the winning entry in a Melbourne newspaper competition which attracted 32,823 entries.

It has represented Australia through heroic wartime efforts and sporting glory and deserves its day of recognition, says Australian Flag Society president Nigel Morris.

He encourages people to attend ceremonies, display the flag or simply spare a thought for it today as a symbol of national unity.

"It has played an integral role in Australia's history — it is the flag that our country has grown up under and the flag that has been associated with all of our many achievements on the international scene," Mr Morris said.

Aboriginal and Torres Strait Islander Commission State council chairman Barry Taylor said the

'It is the flag that our country has grown up under.'

— Flag society president Nigel Morris

Southern Cross had historical importance at the Eureka Stockade and was a symbol of Australians prepared to defend their rights.

But the Aboriginal flag was the only symbol Aboriginal people commonly accepted and a flag was needed for all Australians. He suggested a combination of the boomerang, recognised worldwide as Australian and symbolising the original owners, pointing towards the Southern Cross.

"Colour blue for the ocean, the sky and the wide open spaces," he said. "Colour red for the land we love and live in and red for the blood of the people, both the original land owners and those who died in wars to protect this land."

"Colour yellow for the sun and life force. Colour black bordering the flag, identifying the original people embracing their sacred country and keeping it safe."

"This is a colourful flag for a colourful, young land promising a vibrant future."

Ausflag executive director Harold Scruby says it will not be long before the flag debate resurfaces. "When Jerry Seinfeld came to Australia he said 'I love the Australian flag ... Britain at night'. I think that sums it up," he said.

RSL members will pay tribute to the flag at the National Congress today when they will push for desecrating the flag to become a Federal offence.

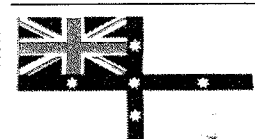
FLYING THE FLAG



1. Union Flag 1788-1801: The Union Flag officially flew on Australian soil on January 26, 1788.



2. Union Flag 1801-1901: The flag was changed to include the cross of Saint Patrick to represent the formation of the United Kingdom.



3. Australian Federation Flag 1880-1920: Chief symbol of the political movement towards federation of the six Australian colonies.



4. Australian National Flag 1901-1903: Australia's first Federal flag, chosen from a public national flag competition which attracted 32,823 entries.



5. Australian National Flag 1903-1909: The design of the Southern Cross was changed so all but the smallest star had seven points.



6. Australian National Flag 1909 onwards: In 1906 Australia acquired the Territory of Papua and the points on the federation star were increased to seven.

2000 AUSFLAG DESIGN COMPETITION



The people's choice



The judges' choice

SOURCE: Ausflag and Australian Flag Society

Facelift for Sydney Harbour

SYDNEY

SOME of Sydney Harbour's landmarks are to get a \$115 million makeover.

Federal Environment and Heritage Minister David Kemp will today unveil the plan, under which former Commonwealth-owned land will be rehabilitated over eight years and returned to the NSW public.

Patrick Fletcher, of the Sydney Harbour Federation Trust, which was created to draft and carry out the plan, said 3000 submissions were made during a three-year process.

"The aim is to transform places that have been largely off-limits to the public into places all Sydneysiders and all Australians can visit and enjoy while learning about the military, maritime and industrial history," he

said. Historic shipbuilding site Cockatoo Island will undergo decontamination work before emerging as a modern recreational and maritime site.

Middle Head will become a park with reminders of its military history and the former School of Artillery on North Head is to become a nature sanctuary.

Also included in the foreshore facelift are Woolwich Dock, Snapper Island, Macquarie light station and the former biological station at Watsons Bay.

Work has already begun on some parts of the plan, including the removal of concrete from the Middle Head site and the restoration of power to Cockatoo Island.

The money for the improvements was announced in the Federal Budget.

— AUSTRALIAN ASSOCIATED PRESS

Appendix 3

The Courier ⁽¹⁾

\$10,000 reward to track down the 'other' Eureka flag

By TOM COWIE

Oct. 22, 2013, 10:30 p.m.



The Eureka Flag on display at the Museum for Australian Democracy at Eureka. PICTURE: ADAM TRAFFORD

WAS a second flag flown below the famous Eureka flag in 1854?

A reward of \$10,000 is being offered to anyone who can help find the Union Jack flag believed to have been flown at the Eureka Stockade.

The Australian Flag Society has launched a worldwide quest to locate the flag, which is said to have been hoisted under the Eureka flag during the tumultuous events.

They point to early newspaper reports of the stockade, which claim that both the Eureka flag and Union Jack were captured by police and soldiers.

A cartoon which appeared in 1950s book *The Revolt at Eureka* shows the arrangement of flags as it would have appeared to eyewitnesses, with the Eureka flag above the Union Jack.

Many of the memoirs written about the period make no mention of the "Eureka Jack" and it has not surfaced since that fateful day.

Australian Flag Society chief executive officer Nigel Morris said he hoped the

\$10,000 reward would get people looking for the flag.

• News • Business



An artist's depiction of the "Eureka Jack". PICTURE: SUPPLIED

"I think that's enough of an incentive. You just never know, it could be in an attic or somewhere that we can authenticate," he said.

"They could have heard granddad talking about it."

An Australian Flag Society paper on the subject called "What happened to the Eureka Jack?" theorises that the colours were raised in response to divided loyalties in the rebel force.

Mr Morris said there had been other attempts over the years to try to locate the flag but to no avail.

"You don't know what could come of it – \$10,000 for a flag like that, a historic artefact. I reckon that's a handsome reward," he said.

"It needs to be in some collection somewhere, a flag like that."

tom.cowie@fairfaxmedia.com.au

News Business

Eureka Jack

From Wikipedia, the free encyclopedia

The **Eureka Jack**, also properly referred to as the **Eureka War Flag**,^[1] is the portmanteau term given to a specimen Union Jack reportedly hoisted beneath the Eureka flag at the 1854 Battle of the Eureka Stockade in Ballarat, Victoria, Australia.^[2]



There is a possibility, based on the first reports of the battle, that a second Union Flag was being flown on 3 December 1854 by the rebels besieged at the Eureka Stockade

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- 1 What happened to the Eureka Jack?
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 - 1.1.1.1 Charles Doudiet rendition
 - 1.1.1.2 High treason trials
 - 1.1.1.2.1 John King testimony
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 - 1.1.1.3 Captain Thomas' reports
 - 1.1.1.4 Carboni memoirs and other civilian accounts
 - 1.1.1.5 Other examples of erroneous reports
 - 1.1.1.5.1 *The Argus*
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 - 1.1.2.1 Eleventh hour response to divided loyalties and the Vinegar Hill blunder
 - 1.1.2.2 Protesters demanded rights of free men in the British Empire
 - 1.1.3 Optical illusion
 - 1.1.4 Conspiracy theories
 - 1.1.4.1 Circumstances surrounding omission as exhibit in Victorian high treason trials
 - 1.1.4.1.1 *Mens rea* requirement
 - 1.1.4.1.2 Defence submits no inferences from the hoisting of flags

20th and 21st century investigations into sightings of other Eureka flags

According to pioneering vexillologist Dr Whitney Smith, writing in 1975, the Eureka flag “perhaps because of its association with labor riots and a time of political crisis in Australian history, was long forgotten. A century after it was first hoisted, however, Australian authors began to recognise that it had been an inspiration, both in spirit and design, for many banners up to and including the current official civil and state flags of the nation.”^[8] The Eureka flag used in the 1949 motion picture *Eureka Stockade* (starring Chips Rafferty) and associated promotional material was not five stars arrayed on a white cross but the free floating stars of the Southern Cross, as per the official Flag of Australia.^[9] The original specimen was not put on public display until 1973,^[10] and was only irrefutably authenticated in 1996 when sketchbooks of Canadian artist Charles Doudiet sold at auction,^[11] with the practice of the custodians snipping bits off and giving them to visiting dignitaries still going on within living memory.^[12]

Since becoming the custodian of the Eureka flag the Ballarat Fine Art Gallery has searched for the reported second flag in response to public inquiries without success.

In 2013 the Australian Flag Society announced the release of their exhaustive vexillological study of the subject and a worldwide quest and \$10,000 reward for information leading to the discovery of the reported second Eureka Jack flag.^{[2][13]}

Criticism of the 1854 *Argus* report

There is some debate over whether this sole contemporaneous report of an otherwise unaccounted for Union Jack being flown over the Eureka Stockade on the morning of 3 December 1854 is accurate.^[13] Among 20th century historians, Manning Clark would publish the text of the first report in *Sources of Australian History*,^[14] which had first been published in *The World's Classics* in 1957. However, in volume IV of his *A History of Australia*, Clark only refers to one rebel battle flag, saying that the British soldiers were ordered to march to “the place where the revolutionary flag was flying” and that during the fighting John King “climbed the flagstaff, pulled down the rebel flag and tore it to shreds.”^[15] Geoffrey Gold published a facsimile of the original newsprint, yet similarly makes no mention of the Eureka Jack despite his extensive treatment of the vexillology of the Eureka rebellion.^[16]



Artistic recreation of the early morning siege at the Eureka Stockade, 3 December 1854

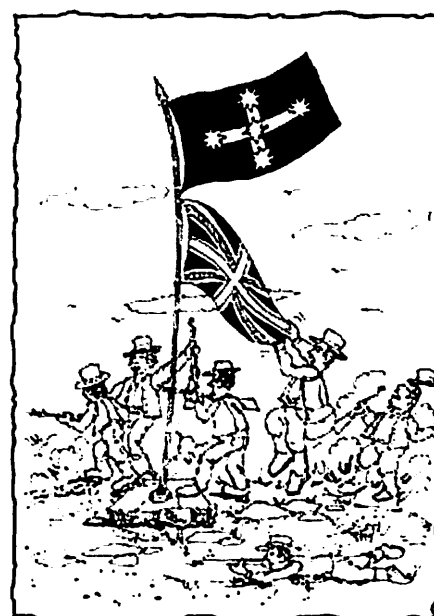
In 2012 Peter FitzSimons, in *Eureka: The Unfinished Revolution*, would reach the conclusion:

In my opinion, this report of the Union Jack being on the same flagpole as the flag of the Southern Cross is not credible. There is no independent corroborating report in any other newspaper, letter, diary or book, and one would have expected Raffaello Carboni, for one, to have mentioned it had that been the case. The paintings of the flag ceremony and battle by Charles Doudiet, who was in Ballarat at the time, depicts no Union Jack. During the trial for High Treason, the flying of the Southern Cross was an enormous issue, yet no mention was ever made of the Union Jack flying

beneath.^[17]

Private Hugh King of the 40th regiment, who was part of the besieging forces, swore in a signed affidavit made at the time that he recalls:

three or four hundred yards a heavy fire from the stockade was opened on the troops and me. When the fire was opened on us we received orders to fire. I saw some of the 40th wounded lying on the ground but I cannot say that it was before the fire on both sides. I think some of the men in the stockade should - they had a flag flying in the stockade; it was a white cross of five stars on a blue ground. - flag was afterwards taken from one of the prisoners like a union jack - we fired and advanced on the stockade, when we jumped over, we were ordered to take all we could prisoners.^[18]



A folk cartoon entitled "Fall back with the Eureka Jack". Two flag theorists have speculated that the Union Jack-like flag captured on the person of a rebel prisoner was seized from the Eureka Stockade flag pole.

Supporters of the two flag theory say the *sine quo non* of their hypothesis is that second flag may well have been much smaller than the rebel battle flag. Had it been attached to the flag mast at eye level, which it may, even with a block and toggle pulley system, which in the event appears to have been jammed, this would likely have rendered it invisible to the approaching colonial forces except at close range, in the minutes after the first shot was fired.

It has been said that the flag taken from the prisoner may have been souvenired from the flag pole as they were on the retreat. The siege began with "sharp and well directed" fire for a period of around 10 minutes. Gregory Blake notes that Captain Thomas' best formation, the 40th regiment, had to be rallied during the advance on the stockade.^[19] Carboni remembers that at one stage during the action the rebel garrison wavered as "a whole pack cut for [Mount] Warrenheip".^[20]

There was another report of two flags having been captured at the stockade which appeared in *The Argus* on 9 December 1854 following a committal hearing which stated "The great topic of interest to-day has been the proceedings in reference to the state prisoners now confined in the Camp. As the evidence of the witnesses in these cases is more reliable information than that afforded by most reports, I shall endeavor to give you an abstract of it."^[21] Hugh King had been called upon to give further testimony live under oath in the matter of Timothy Hayes and in doing so went into more detail than in his affidavit, as it was reported the Union Jack-like flag was found:

rollen up in the breast of a[n] [unidentified] prisoner. He [King] advanced with the rest, firing as they advanced ... several shots were fired on them after they entered [the stockade]. He observed the prisoner [Hayes] brought down from a tent in custody.^[22]

The Argus account was also published in December 1854 by the *The Courier* (Tasmania) (8th),^[23] *Empire* (9th),^[24] *Launceston Examiner* (9th),^[25] *The Maitland Mercury* and *Hunter River General* (13th),^[26] *Freeman's Journal* (16th),^[27] *Bathurst Free Press* and *Mining Journal* (16th).^[28] *The*

Moreton Bay Courier credits the *Empire* correspondent as the source for the article that appeared in their 19 December edition.^[29]

Charles Doudiet rendition

The first work of art inspired by the fall of the Eureka Stockade may be *Eureka Slaughter*, in which only one battle flag is shown flying from the flag pole. The Canadian artist, Charles Doudiet, may have taken part in the battle. Along with three others, it appears there are records to show that Doudiet was present at some stage to help convey the his old school friend, the mortally wounded Captain Henry Ross, whose vexillolatriy in relation to the Eureka flag was noted by Carboni,^[note 1] to the Star Hotel, where the rebel standard bearer died two days later.^[note 2]

The Doudiet sketch has been cited as evidence of the lone flag scenario, as in 2013 when a spokesperson for the Art Gallery of Ballarat stated in a letter to the editor that:

The Art Gallery of Ballarat holds drawings in its collection which are believed to be the only contemporary images of the Eureka flag, then usually referred to as the Southern Cross flag or Starry banner, made by an eyewitness to the events at Bakery Hill and the stockade on November 29 and December 3, 1854.

These watercolours by the Swiss-born digger Charles-Alphonse Doudiet, show the Southern Cross flag at these two events, but give no indication that there was a Union flag flown as well.

We do not know exactly when Doudiet made his sketches but the existing evidence suggests that he was present at both events and that he made these drawings shortly after they took place.

In any court of enquiry these drawings would have to take precedence over "early newspaper reports" and most especially over a cartoon from a book published in the 1950s.

The original flag of the Southern Cross (Eureka flag) is currently on loan to the Museum of Australian Democracy at Eureka (M.A.D.E), but from a curatorial perspective the Art Gallery of Ballarat still has a profound interest in the image-making related to these momentous events.

— Gordon Morrison, Director, Art Gallery of Ballarat ^[30]

However the Doudiet impression of the battle appears to have been depicted as happening later in the day, and not at first light on 3 December 1854, as in other inconclusive renditions considering the Eureka Jack may well have been half masted near the base of the flag pole and hanging limp on the afterside. Being called to give evidence during the Eureka trials, commissioner of crown lands, Gilbert Amos, said that "it was perfectly impossible for us to be seen until we came within 500 yards". A sergeant in the 40th regiment, James Harris, was unable to testify to the broad daylight as portrayed in *Eureka Slaughter*, saying that it was only possible to positively identify certain rebels at a distance of 50 yards as the fighting got underway, as did private John Donnelly, with the former swearing under oath: "It was scarcely light; it was light enough to see what we were doing" and that the sun was definitely

shining by the time the stockade was over run, stating that: "Ten minutes at the break of day makes a great deal of difference."^[31]

Like other aspects of the Eureka folklore, Doudiet's works were only unearthed relatively recently after being found in an attic during the late 20th century. It must be noted that Doudiet never did leave anything behind that actually mentions his presence at the Eureka Stockade during the battle on 3 September 1854 in as many words. He was clearly not among the rebels who were taken prisoner and marched to the government camp. In relation to this John Wilson would recall that "most of the prisoners taken were diggers that had rushed to see the affray, and were taken while succoring the wounded (the writer being one of them)."^[32] There has to be a possibility that Doudiet was not among the small garrison that remained until the end, and that he only arrived on the scene after the matter had been concluded and in doing so managed to avoid capture.^[33] It appears as if he was not part of the rebel command structure in any significant way, with his name not being listed by Carboni as being present at Diamond's store at the time Lalor was confirmed as leader,^[34] nor in any other contemporary accounts. He may not have been privy to any last minute decision to hoist the Eureka Jack, thereby attesting as an artist only to what he actually saw for himself in terms of the made for visibility Eureka flag which has been estimated by conservator Val D'Angri as measuring 2.6 x 4 metres.^[35] Doudiet's reconstruction of the battle being along historical lines may speak to his being an eyewitness. Although it has to be said there could have also been reliable heresay accounts of the fighting available to him at the time being contemporaneous to the events in question. Doudiet may have had his own reasons for placing the focus squarely on the Eureka flag, either as a partisan, or as someone who was well and favourably known to the by then surely deceased Ross, would presumably have been aware of the full extent of his alleged role as its creator and the leading member of its attendant colour guard.^[note 3]



Eureka Slaughter by Charles Doudiet

High treason trials

In 1896 an article by Withers appeared in the *Ballarat Star* on the subject of the then unauthenticated King Eureka flag remnant. Although Withers publishes here the disputed first *Argus* report in extract, he evidently made no fresh enquiries about any Eureka Jacks, at a time when he had the advantage of being able to interview survivors of the Eureka Stockade.

At the high treason trials, Withers publishes only testimony as to the Eureka flag being sighted. Based on "the files of the Melbourne dallies" (many *Ballarat Times* and *Geelong Advertiser* files from the 1850s had been lost), he records that government spy Henry Goodenough had deposed that:

There was a flag hoisted when the meeting (Bakery Hill) commenced. It was a blue flag with a white cross. I will not swear that the flag produced was the flag, but it was something like it.^[36]

The Age reporter added in parenthesis: "The flag was shown to the witness; it was that known as the diggers' flag, and bearing the sign of the much talked of Southern Cross. It is a plain white cross on a

blue ground.”^[37]

Goldfields commissioners Amos and Webster depose similarly as to the flag being "blue with a white cross", but neither they nor Goodenough say anything about the stars on the flag. Other witnesses similarly described the flag hoisted by the diggers. The Melbourne Herald reported that the defence barrister Chapman recognised that "the flag produced in court as that of the Anti-Transportation League" which was "presented to the League when the deputation from V. D. Land visited the colony, or it was so perfect a copy of the League flag that none could tell the difference between them." The Herald reporter also noted in parenthesis that: "The flag was here displayed: it bore the Southern Cross on a blue ground.”^[38]



Australian Anti-Transportation League Flag (1851 - 1853)

Withers published the quote from the first reports of two battle flags being seized, noting that Hugh King, who was "one of the attacking force", had also mentioned the presence of the Eureka flag in his sworn affidavit.^[39]

John King testimony

Constable John King testified to capturing the sole flag exhibited during the trials swearing that:

[he] took their flag, the Southern Cross, down - the same flag as now produced.^[40]

It appears, however, as if he volunteered for the task^[41] at a time when there was a small congregation of officers around the flag staff. Called as a witness in the state treason trials, during examination in chief assistant civil commissary and magistrate, George Webster, testified:

Attorney-General: What happened when they got into the stockade?

Witness: They immediately made towards the flag, and the flag was pulled down by the police.^[42]

Mr W. Bourke whose tent was situated 250 yards from the stockade would recall in 1904 that:

The soldiers charged the Stockade and took possession. The police negotiated the wall of the Stockade on the south-west, and I then saw a policeman climb the flag-pole. When up about 12 or 14 feet the pole broke, and he came down with a run.^[43]

Withers refers to the eyewitness statement of "Mr. Theophilus Williams, J.P., later mayor of Ballarat East" who stated that he was prepared to affirm on affidavit that:

his tent was hard by the Stockade, and he saw the fight, and ... that he saw "two red-uniformed soldiers haul down the flag.^[43]

John Lynch who served as one of Lalor's lieutenants also gave Withers a statement saying:

all that I remember distinctly of his allusion to it was that he helped to tear it down ... I take it as an established fact that the reavement of the Standard-pole, flag and all, was the work of the regular soldiery.^[44]

Commissioner Robert Rede, who commanded the British garrison in Ballarat during the rebellion, recalled during the Wither's investigation that:

The pensioners were old soldiers sworn in as police, were dressed as policemen and led by a police officer, Captain Carter, and were the first in the Stockade and pulled down the flag.^[45]

Under the common law heresy rule of evidence, King was not to say what could have happened before he arrived on the scene. It may have been that the Eureka flag was the only one left flying by the time the main body of the government forces reached the flag pole, which would agree with many standard accounts, and leave even fewer of those involved with any first hand knowledge of the original presence of the Eureka Jack to testify too.

Hugh King testimony

Withers would say during his 1896 investigation, that in relation to the original newspaper articles and official documents: "Whether "Hugh King" should be "John King" does not appear." However it is now clear that constable John King was no relation to private Hugh King (no 3189),^[46] who both gave sworn courtroom testimony at various stages of the Victorian high treason trials as to the capture of two different flags on the day of the battle.



they had a flag flying in the Stockade; it was a white cross of fine slaw on a blue ground — the flag was afterwards taken from one of the prisoners like a Union Jack.

Extract from the affidavit of Hugh King, 7 December 1854, mentioning a flag "like a Union Jack" seen taken from a prisoner at the Eureka Stockade

Hugh King was not called for the denovo hearings before the Supreme Court in Melbourne. He had previously made an affidavit and gave oral evidence at the committal hearings in Ballarat. According to his sworn statement the flag captured on the person of a prisoner was "like a Union Jack". There appears to be no evidence to show the deponent ever saw this Eureka Jack flying from the central flag mast at the stockade.

It has been noted that a sentry or any members of the garrison still present when the government forces arrived would seem to have little use for a flag during the pre dawn hours. Once captured by John King, the Eureka flag would be stored beneath his tunic in the same way as the suspected Union Jack was discovered on the prisoner.^[47] The Eureka Stockade is known to have been erected around an existing area of mine shafts on the Eureka gold reef.^[48] There is another real possibility that this prisoner was an uninvolved civilian who was carrying a homemade folk flag as a sign of loyalty to the powers that be. As an internationally recognised sign of surrender a white flag may have carried the risk of marking the bearer out as an enemy combatant.

The proprietor of the Waterloo Coffee House on the Eureka gold reef, Thomas Allen, who claimed to be a veteran of the Battle of Waterloo, would attend the government camp and complain to Captain Thomas that he was being held as a prisoner by the rebels, who had requested that he drill them. Worried about the impending clash, Allen would secure his store and journey to Melbourne to purchase more supplies. Upon his return he would discover that his inventory had been destroyed by the rebels, who would also confiscate his firearm. Allen would eventually receive compensation after his tent was burnt to the ground on the day of the battle.^[49] Benden Hassell, who was a storekeeper in Ballarat at the time of the uprising, would make an unsuccessful petition for damages after being shot in the thigh during the skirmish on 28 November 1854 between the miners and the 12th regiment which had arrived to reinforce the government camp.^[50] On 18 January 1854, a clerk of the local court, Arthur Akehurst, was acquitted of the manslaughter of Henry Powell, who made a statement whilst lying in custody

mortally wounded with three bullet wounds and slashes to his head, elbow and finger. He alleged that he was well away from the scene when fired upon by the official, who had joined the government force as an adventure, who also struck at him with a sword.^[51] The Victorian parliament would still be hearing compensation claims for alleged losses arising from the Eureka riots as late as 1867.^[52]

Captain Thomas' reports

In his first report of the battle dated 3 December, Captain John Wellesley Thomas who led the besieging forces mentions the “collision that took place this morning between the troops under my command, and the Ballarat rebels” and goes on to describe the following action, saying that his forces:

advanced quietly towards the intrenchment where the revolutionary flag was flying; at about 150 yards we were received by a rather sharp, and well directed fire from the rebels, without word or challenge on their part. Then, and not until then, I ordered the bugle to sound the " Commence Firing". For about ten minutes a heavy fire was kept up by the troops advancing, which was replied to to by the rebels; during this time I brought up the infantry supports and foot police. The intrenchment was then carried, and I ordered the firing to cease. All persons found within the intrenchment were taken prisoners, and many of the fugitives were intercepted by the cavalry.^[53]

In a report dated of 14 December 1854, Captain Thomas praises the qualities of one of his subordinates, saying:

I am extremely glad to take the present opportunity of more particularly bringing to notice the admirable steadiness of a body of foot police under Captain Carter on the occasion of The Resident Commissioner Ballarat our attack on the Eureka entrenchment on the 3rd Instant.

*I feel called on to remark the cool and determined manner of Capt. Carter when leading his men into the Stockade; and I further desire to mention the fact of the Flag belonging to the Insurgents (which had been nailed to the flagstaff) * being captured by Constable King of the Force under the Command of that Officer.*^[54]

The rebels may have been following a naval tradition known as nailing the colours to the mast. On one celebrated occasion at the Battle of Camperdown in 1797, the mast on board the royal navy flag ship HMS Venerable, where Admiral Adam Duncan’s personal colours were being worn had collapsed. Although unintentional, this was technically a striking of the colours and a sign of surrender. Although under heavy fire, Jack Crawford scaled the mast and nailed the colours in place once more.

Carboni memoirs and other civilian accounts

It has also been noted that it appears as if none of the Eureka men themselves ever acted to correct the seminal *Argus* report of the actual fighting itself, even Raffaello Carboni in his 1855 Eureka memoirs, where he would publish other newsprint articles verbatim.

Carboni would only recall one battle flag being seized, saying:

A wild 'hurrah!' burst out and 'the Southern Cross' was torn down, I should say, among their laughter, such as if it had been a prize from a May-pole ... The red-coats were now ordered to 'fall

in; ' their bloody work was over, and were marched off, dragging with them the 'Southern Cross' ... The digger's Standard was carried by in triumph to the Camp, waved about the air, then pitched from one to another, thrown down and trampled on.^[55]

The statement of Frank Arthur Hasleham published by Carboni similarly mentions only the Eureka flag as he recalls:

After I had gone outside the firing gradually fell off, the stockade was unoccupied, the insurgent's flag was struck, and whatever fighting was then going on was confined to the further slope of the hill on which the stockade was situated.^[56]

According to his diary, Samuel Lazarus who was living nearby was able to observe that:

Before I had walked a hundred yards I had met another body of soldiers coming down Bakery Hill driving before them a large number of prisoners at the point of the bayonet - a few hundred yards behind them again came a detachment of troopers with more prisoners and the diggers' flag. I guessed at once that the military had made an attack on the Eureka Stockade.^[57]

Interestingly, Carboni would make it his concern to take the editor of the Ballarat Times to task over the hyperbole in his first report of the formation of the Ballarat Reform League. The editor, Henry Seekamp, would greet the inauguration in the following terms:

This league is nothing more or less than the germ of independence. The die is cast, and fate has stamped upon the movement its indelible signature. No power on earth can now restrain the united might and headlong strides for freedom of the people of this country, and we are lost in amazement while contemplating the dazzling panorama of the Australian future. We salute the league, and tender our hopes and prayers for its prosperity. The League have undertaken a mighty task, fit only for a great people - that of changing the dynasty of the country. The League does not exactly propose, not adopt such a scheme, but know what it means, the principles it would inculcate, and that eventually it will resolve itself into an Australian Congress.^[58]

Seekamp has been described by Withers as "a little editor of big words".^[59] Carboni would later say "Indeed, it would ill become the Times to mince in matter of such weighty importance. This League is not more or less than the germ of Australian independence".^[60]

Carboni would also accuse other contemporaries making historical misstatements in relation to an apparently non-existent declaration of independence, even publishing a reply from an alleged signatory, American James McGill.^[61] It was claimed in an article written by H.R. Nicholls in 1890 that around the time of the death of Peter Lalor, the already long-deceased Alfred Black drafted a "long, very long, very flowery and decidedly verbose ... Declaration of Independence ... This declaration was read at



Raffaello Carboni was an Italian revolutionary and writer. He is primarily remembered as the author of the main eyewitness account of events at the Eureka Stockade.

night-fall on the Friday, I think, to a number of persons under arms, various kinds of arms, and was cheered very loudly".^[62]

Withers says such a document was framed at the premises of shop keeper Teddy Shannahan, and in the presence of Black, Vern, McGill, Raffaello, Curtin, Lessman, Kenworthy, and others.^{[63][64]} Carboni wrote that McGill described claims of such a declaration on the model of the American one being made as "a gratuitous falsehood", issuing an invitation to anyone to produce "the document in question, either the original or copy of it, of course with satisfactory evidence of its being a genuine article". Nicholls had probably made pre-existing claims about a declaration, and was possibly the unnamed source in Withers' account, with Carboni saying: "I express the hope that H.R. Nicholls... will take notice of the above".^[65]

Other examples of erroneous reports

Although the journalistic standards of the day have been cited by two flag theorists, according to the Samuel Huyghue memoirs, on the performance of 19th century colonial Victoria newsmen he states:

As is not unusual during periods of popular excitement, the press was very unreliable. Startling paragraphs appeared announcing the marching of troops, 'breaches of faith with the diggers', and brutal outrages on the part of the government authorities, which had no existence save in the imagination of 'Our Special Correspondent' from Melbourne or Geelong, who having a mission to fulfill, naturally strove to satisfy public demand by catching every flying rumour and colouring his effusions up to the bias of the hour, with a disregard for sober fact more characteristic than commendable.^[66]

He also mentioned the "special correspondent of the Melbourne Age newspaper who had taken up his quarters with the insurgents, and rendered himself obnoxious to the soldiery by his misstatements relative to the attack on the detachment of the 12th Regiment".^[67]

The initial headline setter for the disputed *Argus* report appears to have used language taken directly from Captain Thomas's own dispatches, which suggests the investigating journalist and editor may have had a sense of occasion, and that the history recorded in the first journal of record was based on reliable sources. The Geelong correspondent for the *Argus* had earlier stated on 30 November 1854 that:

The first blow has been struck, the first blood spilt. The standard of rebellion has been raised at Ballarat, and a collision has taken place between governed and the governing.

In 1946 a feature article appeared in the *Argus* where the olden days of the print industry was recalled, with the famous 1854 collision headline being cited. Readers were told that the editorial for the 4 December 1854 Eureka edition was typeset before the first reports of the battle had arrived on horse back from Ballarat.^[68]

It has been said there were bootleg alcohol merchants in and around where the garrison was camped and that "King Booze reigned over all on the night of the Eureka Stockade".^[69] Although the first report stating as it does that two flags had actually been physically captured by the foot police is harder to dismiss as the result of intoxication, as the men of the government force were only issued with a tot of rum to fortify their courage, which in the navy was traditionally a ration of 70 millilitres.^[70]

In a publication produced by the Ballarat Fine Art Gallery entitled *Eureka: The event and its continuing impact on the nation*, readers are given a word of caution on using primary sources, noting that "This was a period when newspapers were starting to take strong stands on a variety of social issues but we shouldn't forget the difficulties of transmitting news and the habit of reporters 'borrowing' each other's stories".^[71]

On 30 November 1854 the Creswick *Argus* correspondent would report that:

... this afternoon three or four delegates from the Ballarat Reform League addressed the (local) diggers on the anti-license question, the result of which a body of men variously estimated at two to four hundred, walked in a body through the township and demanded arms and ammunition from various storekeepers.

After receiving them they marched four deep into Ballarat. A band played martial music. Doubtless many of the diggers were excited by the reports which were freely circulating the gold fields.

One report asserted that the Ballarat Police Camp has been taken by the disaffected miners. Another that the British flag had given place to the colonial one. A third that the authorities had been imprisoned and a fourth that the soldiers had been ordered to fire on the people ...

It has been noted that this report was not published in the *Argus* until four days after the battle on 8 December 1854 and that "Today we would argue that this is a vague piece of evidence but it has great significance when we consider that many of the Creswick agitators were Americans."^[72]

The Argus was founded in 1846 by William Kerr. It would be sold two years later to Edward Wilson, becoming a daily paper on 18 June 1849. Ebenezer Syme would serve as editor during the Eureka uprising and was prominent in his support of the miner's cause. *The Times* in London ran reports on 1 March 1855 of the Eureka Stockade affair taken from *The Argus*.^[73] In publication until 1957, *The Argus* became the first daily newspaper to publish colour photographs on 28 July 1952, and have been described as conservative and Empire loyalist in orientation,^[74] and ironically not particularly interested in remembering the Eureka Stockade as anything other than a passing event, saying:

all but a mere insignificant atom of the public acknowledge that the lamentable Eureka Stockade affair reflects no credit upon either party, and the sooner it is buried in oblivion the better for the peace and well-being of the whole colony.^[75]

An extract of the disputed newspaper column of 4 December 1854 was included in the introduction to the centenary *Historical Studies: Eureka Supplement* which states:

By Express ... At the above time [3:00 am] a gentleman arrived in this office who had ridden through express, leaving Ballarat at half past one yesterday. He brought the following disastrous report...



Argus editor Ebenezer Syme would also serve as the Member for Loddon in the Victorian parliament from 1856 - 1859

The information furnished by this source could have been from an embedded reporter,^{[76][77][78]} government spy, rebel informant, or some other non combatant. Even though the Eureka Jack may have only been at the flag mast during the twilight hours leading up to the battle, the flag pole in the rebel camp was nevertheless a static sight, as opposed a mere fleeting one, it has been said that would make for a more snap frozen impression and leave less margin for error for the source in being able to recall the details of any dual flag arrangement.

Two flag theories

The first reports of two rebel flags having being captured during battle have been the subject of academic analysis. Some researchers have suggested alternative scenarios which dissent from the conventional wisdom that only the Eureka flag was flown.

Eleventh hour response to divided loyalties and the Vinegar Hill blunder

Two flag theorists have stressed that the contemporaneous report may be credible due to the exacting journalistic standards of the era and that the investigating reporter may have had eyewitness accounts of the two flags having being seized available, and that it was possibly an 11th hour response to the divided loyalties among the heterogeneous rebel force which was in the process of melting away (at one stage 1,500 of 17,280 men in Ballarat were present, with only 150 taking part in the battle).^[79] The rebel password for the night of 2 December - Vinegar Hill^[80] ^{[81][82][83]} - would give an Irish dimension to the struggle, being as it was a reference to the 1804 Castle Hill convict uprising in the colony New South Wales, sometimes known as the sequel to the Battle of Vinegar Hill fought in Enniscorthy, County Wexford, during the Irish Rebellion of 1798, causing support for the Eureka rebels to fall away among those who were otherwise disposed to resist the military, as word spread that the question of Irish home rule had become involved.^[84]

In the words of William Craig, who in his memoirs would give this account of the effect the Vinegar Hill blunder had on support for the Eureka rebellion:

the collapse of the rising in Ballarat may be regarded as mainly attributable to the password given by Lalor on the night before the assault. Asked by one of the subordinate leaders of the revolt for the "night pass", he gave "Vinegar Hill" ... Many at Ballarat, who were disposed before to resist the military, now quietly withdrew from the movement. They concluded that Lalor's object was more to strike a blow for Ireland than at official despotism. So instead of their being, as in the morning, some 700 men inside the defences, there were barely 230 at the time of the attack. Bendigo, Forrest Creek, and Creswick contributed contingents to assist the struggle. From the latter place alone a thousand men were on the march to Ballarat; but when the news circulated that Irish independence had crept into the movement, almost all turned back.^[85]



The Eureka flag was the only one flown from the platform at the mass meeting in Ballarat on 29 November 1854.



Vinegar Hill – view from Enniscorthy, County Wexford.

FitzSimons points out that although the number of reinforcements converging on Ballarat was probably closer to 500, there is no doubt that as a result of the choice of password "the Stockade is denied many

strong-armed men because of the feeling that the Irish have taken over.”^[86]

John Lynch who was also present recalls:

On the afternoon of Saturday we had a force of seven hundred men on whom we thought we could rely. We had no idea of the exact time when the encounter would take place, but we were not surprised to learn that it was imminent.

During the night an alarm was given that the soldiers were coming; but it proved false. At the “falling in” we noticed a large defection: there had been numerous desertions.^[87]

Ballarat born historian W.B. Withers has also noted:

Lalor, it is said, gave ‘Vinegar Hill’ as the night’s pass-word, but neither he nor his adherents expected that the fatal action of Sunday was coming, and some of his followers, incited by the sinister omen of the pass-word, abandoned that night what they saw was a badly organised and not very hopeful movement.^[88]

Phillip Benwell of the Australian Monarchist League has said that few contemporary historians are prepared to admit that the Union Jack was also seen around the diggings at the time as an expression of loyalty to the powers that be,^[89] attempts to stir up miners at nearby Creswick Creek are known to have failed when talk turned from abolition of the licence fee to 'separation from Great Britain'^[90] At the mass demonstration held on 29 November, there was disquiet among moderates that the Eureka flag was "the only flag hoisted over the platform".^[91] Although he does describe the stars of the Eureka Flag as diamond shaped, the writings of Raffaello Carboni, who was in Ballarat at the time, author of the main, complete eyewitness description and analysis of the causes of the attack on the Eureka Stockade, published a year after the event, make it clear that:

amongst the foreigners ... there was no democratic feeling, but merely a spirit of resistance to the licence fee; and he also disputes the accusations that have branded the miners of Ballarat as disloyal to their QUEEN.^[92]

Eureka historians know that a majority of those present were Irish and it has been discovered that, in the area where the stockade sprung up, there was a large concentration of Irish miners. According to the *Ballarat Times*: "[at] about eleven o'clock the “Southern Cross” was hoisted, and its maiden appearance was a fascinating object to behold." Peter Lalor, elected at a committee meeting as rebel commander in chief, was himself an Irish immigrant, and parading in front of the peak rebel force, knelt down, took off his hat, and holding a rifle in his left hand, pointed his right hand to the Eureka flag, and swore to the affirmation of his fellow demonstrators: "We swear by the Southern Cross to stand truly by each other and fight to defend our rights and liberties."^[93] Professor Geoffrey Blainey has advanced the view, that the white cross behind the stars on the Eureka flag "really [is] an Irish cross rather than being [a] configuration of the Southern Cross."^[94]

Protesters demanded rights of free men in the British Empire

Gregory Blake, military historian and author of *Eureka Stockade: A Ferocious and Bloody Battle*, concedes two flags may have been flown on the day of the battle, as the miners were claiming to be defending their British rights.^[95] The fractured mining tax protest movement consisted of those who

subscribed to the ideals of 19th century British chartism, and who saw the struggle in Ballarat as a continuation of “the centuries of heroic struggles in England which preceded the Australian Federation,”^[96] such as the 1688 Glorious Revolution which resulted in the enactment of the English Bill of Rights.^[97] In the same way as the 1960s civil rights movement in the United States was modelled at the time by the Northern Ireland Civil Rights Association,^[98] the earlier Ballarat Reform League had its origins in a 1839 Chartist National Convention held in London, and the democratic charter that was ratified is a substantial transcript of the British version. According to Smith, it was at this time the Union Jack became a true national flag, being “inscribed with slogans as a protest flag of the Chartist movement in the nineteenth century.”^[99]

The first record of the League are representations made to the government board of inquiry into the Eureka Hotel riot dated 10 November 1854, and it is possible that a steering committee had already been in place for some weeks.^[100] After five hours of debate it was formally resolved at the 11 November meeting attended by 10,000 people that there be a Ballarat Reform League to aggregate and articulate the interests of the miners and “on that day it became an organization supported by the whole of the mining community in Ballarat”.^{[101][102]} On 18 November 1854 it was reported by the *Ballarat Times* that at the appointed hour the “Union Jack and the American ensign were hoisted as signals for the people to assemble”.^[103]



The 31 star US flag (1851 – 1858) may have been one that flew alongside the Union Jack at the 11 November 1854 mass meeting on Bakery Hill.

Like a number leading lights in the rebellion, the inaugural secretary of the League, J.B. Humffray, who led the walkout by members of the "moral force" faction immediately before the rioting was put down, identified ideologically with chartism. During the years 1837-1848, there were 129,607 incomers to Australia from the British mainland, with at least 80 “physical force” chartists sentenced to penal servitude in Van Diemens Land. Currey agrees that the population at the time would have sufficiently politically awake such that: “it may be fairly assumed that the aims of the Anti-Corn-Law League and the Chartists were very familiar to many of the Victorian miners”.^[104] After the year of European revolutions in 1848, many chartists came to Australia. Indeed there were chartists involved in the movement to unite the colonies from the 1880s, including the “father of federation”, Sir Henry Parkes, who arrived in Sydney on 25 July 1839.^[105]

It may have been that the Eureka Jack was intended to be at once a chartist liberty symbol, in addition to being a response to the Vinegar Hill blunder. There were documented instances where the Union Jack was being used as a foil to republicans and revolutionary anarchists.

At a meeting held on 4 August 1853 at Protestant Hall in Melbourne to hear a report from a delegation dispatched to Government House, there was:

loud disapprobation and showers of hisses greeted the words of La Trobe. The ball had started to roll. La Trobe, Foster and Stawell had not seen what was before their eyes: the leaders of the diggers believed they could control the roll of the ball by moral suasion, but by the time their delegate, George Thompson, got back to Bendigo the tempers of the diggers had changed. Previously all the talk had been about moral suasion and the genius of the English people to compose their differences without resort to violence. At the meeting on 28 July the emphasis had been on loyalty. George Thomson had said jokingly, fingering the flag with that love of an

Englishman for the throne and the constitution and things as they are, that if the flag went, it would be replaced by a diggers' flag.^[106]

Later at the meeting at View Point on 12 August where the miners started parading under the flags of many nations:

ten to twelve thousand diggers turned up wearing a red ribbon in their hats. The old cabbage-tree hat of the Sydney radicals and republicans are now decorated with the red of revolution. Foreigners of all descriptions boasted that if the demands of the diggers were not instantly granted they would lead them on to blood an victory. In alarm George Thompson called three cheers for the good old Union Jack and asked them to remember that they were pledged to what he called 'necessary reform, not revolution'. William Dexter, waiving the diggers' flag, roared to them about the evils of 'English Tyranny' and the virtues of 'Republicanism'.^[107]

One of the early acts of defiance by the American colonists who were a model and a font of inspiration for the leaders of the Eureka rebels is said to have taken place at a central square known as The Green in Taunton, Massachusetts, where militia men used to assemble around the time of the American War of Independence. The British red ensign had served as the flag of the Bristol County Regiment since 1710, and now the same design inscribed with the words "Liberty and Union" along the foot was raised by the Sons of Liberty on 21 October 1774. It was attached to a "liberty pole" 112 feet tall with a broadside attached stating their rights as "American Englishmen".^[108] Their revolutionary flag design still flies at this place today alongside the stars and stripes flag of the United States, the former having been adopted by resolution of the Taunton City Council on 19 October 1974 as the official city flag, to commemorate the bicentennial of its first raising.



The Taunton City flag.



The Grand Union flag.

The Grand Union Flag, properly known as the Continental Colors, and also referred to as the Great Union Flag, Congress Flag, Cambridge Flag, Somerville Flag, First Navy Ensign, and the Colours of the United Colonies, was devised to be the first American national flag.^{[109][110][111]} It is of interest to note that the Grand Union Flag features thirteen red and white stripes, with the then circulating 1606 Flag of Great Britain in the canton. On 17 March 1776, the Grand Union Flag was hoisted over a captured fort at New Providence in the Bahamas. Then in April, it was featured on a bank note issued in North Carolina, and was flown by the Lexington during her victory over the British sloop Edward. Also on 16 November, after the Andrew Doria had sailed to the West Indies to deliver a copy of the Declaration of Independence, the Dutch governor ordered a canon salute as the vessel entered Saint Eustatius harbor. This was said to be the first time a distinctively American flag was accorded recognition by the foreign nation. A replica Grand Union Flag would be flown over Independence Hall on 4 July 1876 during the centennial celebrations.^{[112][113][114]}

The theory that the Australian Federation Flag, which by then was already in customary use in the eastern colonies, was the starting point for the Eureka flag appears to be well supported by the example of the aforementioned early flags of the American revolution and that "borrowing of the general flag

design from the country one is revolting against can be found in many instances of colonial liberation, including Haiti, Venezuela, Iceland, and Guinea".^[115]

However there also appears to be a strong resemblance with the Fleurdelisé flag of provincial Quebec, where Henry Ross who has been credited with the design concept was born. The tent where St Alipius chapel was founded also flew a blue and white flag bearing a couped cross.^[116]

Optical illusion



Swearing the Eureka Oath, Charles Doudiet rendition. The Union Jack being flown at the adjacent government camp is in the background.

Vexillographer and former CEO of the Royal Australian Historical Society, John Vaughan, posits that the Union Jack in the adjacent

government camp may

have created an optical illusion. There are known to have been some long range observations of Bakery Hill and the surrounding area as the situation in Ballarat deteriorated, both aided and with the naked eye,^[117] quite possibly from the same perspective chosen by artists such as Doudiet. On 30 November 1854, Commissioner Rede would receive intelligence that the government camp may be attacked at 4am the next day. At this time the rebels were observed to be massing on Bakery Hill, but a government raiding party finds the area vacated as Rede's

forces remain at a heightened state of alert.^[118]

However this explanation neither explains why the investigating reporter found pressure to fly the Union Jack at the stockade or the source of their information that both flags were by then in the possession of the foot police. The distance between Bakery Hill and the government camp can be conservatively estimated as around five hundred metres, making an earlier sighting within the realms of possibility. However the Eureka flag could not have been seen flying from this location any later than 1 December after being "shifted on the Friday evening to the Eureka stockade".^[119] The part of the Eureka gold reef where the barricades arose and the government camp might have been at least three times further apart or more.^{[120][121]} It is doubtful that anything other than proximate sightings of two rebel war flags flying could be made before sunrise on the day of the battle itself.^[13]

Conspiracy theories

Two flag theorists have conjectured the Eureka Jack may have been willfully destroyed or otherwise allowed to go missing.^[13]

Circumstances surrounding omission as exhibit in Victorian high treason trials

At the Victorian state treason trials matters of fact were determined by a lay jury chosen from among members of a general public who were largely sympathetic to the rebel cause, with the 13 defendants being acquitted jointly and individually in seven separate proceedings held between 22 February - 27



The Australian Federation Flag.



The Flag of Quebec.

March 1855.^[122]

The prosecution would have the burden of showing actual disloyalty to the sovereign in an indictment for high treason. According to the information the charges put to the prisoners included that they did "traitorously assemble together against our Lady the Queen" in an "attempt by force of arms to destroy the Government constituted there and by law established, and to depose our Lady the Queen from the kingly name and her Imperial Crown." In relation to the "overt acts" constituting the actus reus of the offence, the prisoners were asked to answer allegations including "That you raised upon a pole, and collected round a certain standard, and did solemnly swear to defend each other, with the intention of levying war against our said Lady the Queen" and "That being armed and arrayed in a warlike manner, you fired upon, fought with, wounded, and killed divers of the said soldiers and other subjects then fighting in behalf of our said Lady the Queen, contrary to your duty and allegiance."^[123]

According to Gregory Blake, Sergeant John McNeil at the time shredded a flag at the Spencer Street Barracks in Melbourne, which was said to be the Eureka flag, but which may well have been a Union Jack.^[124] Provided the Eureka Jack was not otherwise the victim of tampering with evidence, it may have been similarly returned to the officer of the peace in question but without being entered into evidence by the prosecution. It has been noted that there would also be immediate interest in the Eureka flag by souvenir hunters.^[125]

Mens rea requirement

The Eureka flag was the "certain standard" entered into the record as physical evidence. Given the legal position of the Union Jack as a royal flag representing a dynastic union, and customarily used as the de facto flag of the United Kingdom by permission of the reigning sovereign, the fact of its presence may have assisted the defence case against the indictments in relation to the mens rea requirement. As John Molony has said "No question could arise as to the legality of trying a foreigner for treason, as such a matter had been widely agreed upon as early as 1649", however the dilemma the prosecution may have faced in tendering the Eureka Jack as an exhibit in there case may have be attributable to the fact:



The Union Jack is colloquially known as the **King's colours**. Irish republicans have also referred to the flag as the **Butcher's Apron** in the pejorative.^{[126][127]}

it was another thing entirely to prove that any treasonable intent was harboured in the mind of John Joseph ... These matters were weighty and more conclusive of proof than a charge of murder, but they left the Crown with an arduous task of convincing the jury that Joseph had acted with such an elevated intent.^[128]

The Colonial Secretary, Lord John Russell, rebuked then Lieutenant Governor Charles Hotham over the decision to prosecute the captured rebels, saying in a despatch:

respecting the trial of the prisoners taken at Ballarat, I wish to say that, although I do not doubt you have acted to the best of your judgment, and under advice, yet I question the expediency of bringing these rioters to trial under a charge of High Treason, being one so difficult of proof, and so open to objections of the kind which appear to have prevailed with the jury.^[129]

The Eureka Jack being present may well have gone some way to showing the jury that: "The miners

rebelled not against the Queen, but against her corrupt and tyrannical administration in Ballarat”.[130] Even the language of Hotham’s proclamation of 4 December 1954, calling for the restoration of law and order demonstrates the altogether different public perception of the Union Jack, which states: “Recent events at the Mines at Ballaarat render it necessary for all true subjects of the Queen, and all strangers who have received hospitality and protection under Her flag, to assist in preserving Social Order and maintaining the Supremacy of the Law”.[131]

It is conceivable that if the defence raised the matter of the Eureka Jack, aside from any chain of evidence issues should a physical exhibit have been handed up, their argument may well have been taken to its logical conclusion and demolished by the prosecution. It could have been argued that the hoisting of the Eureka Jack in its narrowest sense would only be relevant to Lalor’s own personal state of mind, if it was he who as commander in chief gave the order to fly a second flag, in the same way as he was said to have devised the Vinegar Hill password. In this respect, it should be remembered that at the 29 November meeting, which was relevant to the indictments, Carboni states that a “universal well rounded AMEN” went up from the assembled mob after the flag raising and oath swearing ceremony had taken place with “some five hundred right hands stretched towards our [Eureka] flag.”[132]

Defence submits no inferences from the hoisting of flags

Evidence was heard at the J oseph trial as to the presence of up to 200 flags flying at any one time on the Ballarat diggings.[133] The opportunity presented by the Eureka Jack may have appeared to the defence as being similarly counter to their case, after not being mentioned in the indictment, based on closing submissions by Henry Chapman. One of the two surviving transcripts has the defence advancing this line of argument in relation to the Eureka flag stating:

and if the fact of hoisting that flag be at all relied upon as evidence of an intention to depose Her Majesty ... no inference whatever can be drawn from the mere hoisting of a flag as to the intention of the parties, because of the witnesses has said that two hundred flags were hoisted at the diggings; and if two hundred persons on the same spot choose to hoist their particular flag, what each means we are utterly unable to tell, and no general meaning as to hostility to the Government can be drawn from the simple fact that the diggers on that occasion hoisted a flag ... I only throw it out to you because it is utterly impossible, in the multiplicity of flags that have been hoisted on the diggings, to draw an exact inference as to the hoisting of any one particular flag at one spot.[134]

John McNeil interview

The Eureka Encyclopedia entry referred to by Gregory Blake may be referring to one of the other attempts to physically embody the rebel colours in bunting where it says that the Eureka flag was put beyond use by a military officer at the time.[135][136] In a 1896 newspaper article Withers says of his interview with John McNeil that he was “a keen-witted man of evidently exceptional faculty for observation and retention of facts.”[137] However, when confronted by the now authenticated Eureka flag which had by then been donated to the Art Gallery in Ballarat, McNeil was certain it was not the 1854 original. And the Withers article is clearly not the source of anything attributed to McNeil by the *Eureka Encyclopedia*, which was published in 2004, and apparently relies on some other oral source. This means that all the information we have about McNeil’s involvement could well be unreliable.

In 1885, John W. Wilson, a rebel sympathiser who was employed by the Victorian Works Department at

Ballarat as a foreman, would claim that he had originally conceptualised the Eureka flag, which he then had constructed by a tarpaulin maker, before enlisting the help of prisoners to procure a flag pole upon which was flown his design of “five white stars on a blue ground, [which] floated gaily in the breeze”.[138] However it is possible this rebel battle flag was only one of several constructed at Eureka, with Withers revealing that two women, Mrs Morgan and Mrs Oliver, claimed to have sewn a starry banner around the time, but “they could not positively identify it as the one flown at Eureka”. Frank Cayley also concludes that “There seems little doubt that more than one flag was made at Eureka”.[139] with his colleague and fellow Eureka investigator, Melbourne journalist Len Fox, also stating “Flags were popular on the goldfields, and it may well be that among the diggers at Ballarat were smaller (and different) versions of the Eureka flag.”[140]



Illustration of Eureka flag from the front cover of Raffaello Carboni's 1855 *The Eureka Stockade* featuring diamond shaped stars.

If spare Eureka flags were also kept in and around the stockade, it may also be the case that one of these facsimiles was the source of McNeil's claim that he shredded a flag at the time - if indeed he did - and may be the reason for the differing description in Carboni's book, which could be him recalling one of these additional Eureka flags which most suited his design preferences.

Earliest Eureka investigators were communists and radical nationalists

The earliest Eureka investigators were from among the ranks of communists and radical nationalists who may have had ideological motives for allowing the artifact to fade into obscurity or be intentionally done away with.

The Eureka flag was commonly referred to at the time as the Australian flag, and as the Southern Cross, with *The Age* variously reporting, on 28 November: "The Australian flag shall triumphantly wave in the sunshine of its own blue and peerless sky, over thousands of Australia's adopted sons";[141] the day after the battle: "They assembled round the Australian flag, which has now a permanent flag-staff";[142] and during the 1855 Eureka trials, that it was sworn that the Eureka flag was also known as the "digger's flag" and also as "the Southern Cross".[143]

As Vaughan says, the Eureka flag was not the first concept for a continental flag for Australia, nor the first to symbolise Australia with the Southern Cross:

It is a myth that the Eureka flag flown at the stockade rebellion in 1854 was the first Southern Cross emblem. The acknowledged designer, Henry Ross of Toronto, Canada, would have been influenced by the popularity of already existing starry flags and the 1831 design had its colours reversed to a blue field and white cross and the Union Jack deleted.

The Eureka flag was lost to general public imagination until after WW2 when, for mainly political reasons it was re-discovered and promoted as a 'rebel' symbol.[144]

Len Fox was representative of the early Eureka historians who would not have had too many ideological sympathies for a retelling of the Eureka story involving a second battle flag, being as it was, reportedly a Union Jack, as a committed communist and editor of their mouthpiece the *Tribune*. Described as a “keen republican”, in 1973 he was the author of *Eureka and Its Flag*, which adopted “a Republican

viewpoint on the importance of the Eureka flag”.[145]

In 1941 a communist affiliated Eureka Youth League was formed, with the “aim of supporting the war effort while protecting the rights and conditions of women, youth and juveniles in industry”. It was announced by the organisation’s state council in October 1942 that the League intended to “draw into its ranks the clearest thinking youth of our generation. We aim to help the labour movement win the youth for the advance to the new socialist order and to train our members to be honest, clear thinking and energetic builders of the new socialist order.” In 1942 a procession of 3,000 members of the League and allied unionists led by a Eureka flag bearer marched through the streets of Melbourne on the occasion of the 94th anniversary of Eureka.



Eureka Youth League Badge.

After the war the League served as an educational, social and political organisation, with one notable event being the hosting a Youth Carnival for Peace in 1952.[146][147]

When one considers the politics of radical nationalists who have also sought to co-opt the Eureka flag for their own political purposes, and at other times have established a similar youth organisation of the same name,[148] it has to be possible the Eureka Jack may have been deliberately obscured from history as the victim of either acts of commission or omission by the first researchers and scholars to rediscover the Eureka folklore from the 20th century.

Other evidence of two flag theories

According to Wilson’s eyewitness account, the original Eureka flag pole was 60 ft long and felled from the area known as Byle’s Swamp, Bullarook Forest, and was set into an abandoned mineshaft on Bakery Hill which would allow it to be seen across the extent of the Ballarat goldfields.[149][150]

The widely reported flag raising ceremony on 29 November 1854 where the oath was sworn was not the first flying of the Eureka flag, as according to Lalor, upon hearing news of the fracas at the Eureka gold reef involving the military reinforcements which had just arrived, he headed towards Baker and Hunt’s store on Specimen Hill where:

The ‘Southern Cross’ was procured and hoisted on the flagstaff belonging to Barker and Hunt; but it was almost immediately hauled down, and we moved down to the holes on the Gravel Pits Flat.[151]

The letter written by Mrs J. King sent along with the main remnant of the Eureka flag when it was conveyed to the Art Gallery for preservation confirms the original type flag had rope running along the headband as can still be seen.[152]

It cannot be ascertained with certainty what was preventing the Eureka flag from being hauled down via the halyard after it had been taken and flown from the flag pole at the stockade about which not as much is known. Wilson would recall that on the night of 2 December it was still operable saying “Kennedy ran down the flag at sundown taking it with him to his tent, as he said, for safekeeping.”[153] However the Eureka flag was there flying again when the government force arrived at dawn the next day, if it ever had been taken down.

Captain Thomas’ report of 14 December 1854 does not say exactly how the Eureka flag was ‘nailed’ to the flag mast.[154] Whilst it may be assumed that the nails he refers to were driven through the headband,

there appears to be no damage along this section as would be consistent with nail holes;^[154] nevertheless the headband at some stage has been completely detached from the field. As a makeshift flag pole, it may also be the case that it was the halyard that was nailed at the base, for lack of a cleat for securing the ropes. However this would appear easy enough to overcome so as John King need not have exposed himself to such additional risk in scaling the flag pole. It could also be the case that the Eureka flag was tied off directly underneath the foot via some half hitches of the halyard.

It is possible that with a long lead, the wooden toggle on the Eureka flag was caught up in the pulley system if one was used. It may even have been that the rebels fashioned a rough "V" shaped groove at the mast head, which had also somehow stalled when it was eventually raised again at the stockade, after having been first seen on nearby Bakery Hill.

According to the two flag scenario, there may have been problems with members of the advancing government force being able to pick up the Eureka Jack at a distance until after the attack was underway. This would not only be on account of the assumed size and positioning of the two Eureka flags, but also the early hour which had been appointed for the advance on the rebel position, and also for the height of the barricade. It was heard during the state treason trials that according to high end estimates there were up to 30 or 40 tents within the Eureka Stockade, five or six of which were of larger construction, with a number pitched in the area around the Eureka flag pole which was said to be situated close by the largest being the guard tent.^[155]



The restored Eureka flag.



British red ensign with toggle.



Three vintage pulleys.



1904 Eureka Jubilee re enactment in Ballarat. The Eureka Jack may have been hoisted even lower again than the Eureka flag replica shown here.



An exhibit in the Eureka high treason trials showing details of the stockade enclosure.



Assumed size and positioning of the two Eureka battle flags.

Full text of 4 December 1854 *Argus* report

BY EXPRESS.

FATAL COLLISION AT BALLAARAT.

Monday, 3 a.m.

At the above hour a gentleman arrived at this office who had ridden through express, leaving Ballaarat at half-past one yesterday. He brings us the following disastrous report:

(FROM OUR OWN CORRESPONDENT.)

At four a.m. this morning (Sunday) the troopers advanced on the right of the Warraneep Gulley, and another division on the left of the Eureka line, encompassing the camp of the diggers. A shout was raised, and after a sharp firing of about twenty minutes the troopers called to the soldiers, who were

advancing, that it was all over.

The camp of the diggers was constructed of piles of slabs collected from the neighboring holes.

I enclose the official return, as known at 9 a.m. To-morrow you shall have the real truth. I do not believe but that the loss of the military, to say nothing of the wounded, is considerably more than acknowledged.

Ballaarat, December 3, 1854. — Sir, — I have the honor to inform you that the casualties on the part of the military, are, 1 private of 19th regiment killed, two privates of 40th killed. Captain Wise, 40th, is dangerously wounded; Lieutenant Paul, 12th, seriously wounded. Several privates of 40th and 19th more or less wounded. No official return has yet been made, but the correspondent of the Argus can have it tomorrow, by applying at the Camp.

One hundred and twenty-five prisoners made, but the casualties on the part of the insurgents are not known.

I have the honor to be, Sir,

Your most obedient servant,

ROBT. REDE,

Resident Commissioner.

In the case of Captain Wise, amputation is considered necessary, he having received two wounds in the leg. This is but the beginning of the end. The reporter of the Ballaarat Times has been taken, and his life was with difficulty saved from the hands of the infuriated soldiers. A colored man, recognised by a soldier, would have been shot at the Camp had it not been for the officers. Nearly all the ringleaders are taken.

Fifteen are lying dead in the Eureka Camp. Sixteen are dangerously wounded.

A German has received five different wounds.

The Eureka Camp, as well as the stores and tents in the neighborhood, have been burnt to the ground, and considerable loss of property has ensued thereby.

A former reporter for the M. M. Herald, a Mr. Haslam, was shot in the shoulder by the troopers.

The London Hotel is the chief repository for the dead and wounded. The troopers swept the diggings, and are making several captures now at the moment of writing.

The most harrowing and heartrending scenes amongst the women and children I have witnessed through this dreadful morning. Many innocent persons have suffered, and many are prisoners who were there at the time of the skirmish, but took no active part.

10 a.m. Several waggons containing wounded and confiscated property have passed on their way to the Camp. At present every one is as if stunned, and but few are to be seen about.

The flag of the diggers, 'The Southern Cross,' as well as the 'Union Jack,' which they had to hoist underneath, were captured by the foot police.

Had the diggers fired longer the loss to the military would have been immense, and they, as it was, acted with a precision and regularity admired even by the officers of the military.

Report says that only a small division of the diggers were attacked this morning, merely a guard of relief enough to protect the "Eureka camp." Of the rest, some were off duty, but the majority were in the bush, and guarding the roads to Melbourne and Geelong.

Loftus Stephen Gray

Loftus Stephen Gray was called as a witness for the defence in the trial of Timothy Hayes. He testified that as a correspondent for The Argus, he had attended the 29 November 1854 meeting held on Bakery Hill that was chaired by the defendant.^[156] As the investigating journalist responsible for the Argus report of two rebel battle flags flying, he was apparently in the vicinity around the time of the battle, mentioning the "most harrowing and heartrending scenes amongst the women and children I have witnessed through this dreadful morning".^[note 4]

Gray has won high marks from 19th century historian William Withers for his seminal report on the burning of Bently's Hotel. Withers cites contributions made to the Ballarat Star by Samuel Irwin, whose letters to the editor were adopted in part by Hotham in his despatches, and who had stated that in relation to arson attack "who caused the fire is among the secrets of that day." However Withers goes on to say:

How it could have been a secret seems remarkable if the description given by the Argus correspondent be considered. His narrative may, in the absence of a statement to the contrary, be taken as given by an eye witness, He Says:-

About half-past two or three o'clock in the afternoon, and when the crowd had increased to about 8,000 or 10,000, a man carried an armful of paper and rags to the windward end of the bowling-alley, and placing them under the calico covering, deliberately struck a match and fired the building in the presence of the military. The cool, resolute manner in which everything was carried on resembled more the proceedings of the "Porteous mob" than of anything of the kind that has occurred since.

Contrasting with present rapidity of communication, the tardy publication of the Bently hotel burning in the towns on the seaboard is notable. The disturbance and burning happened on the 12th October, but it was not mentioned in the Argus till the 19th, and then only in a letter from Geelong dated 18th, and saying the news had been "just received." The Ballarat correspondent of the Argus seems to have acted with considerable deliberation, for he did not write till the 18th, his letter appearing on the 23rd. To make the deliberation more judicial by contrast with facts, the letter began with the words, "the exciting events, &c."^[157]

It appears as if Gray left Australia soon after the high treason trials. Research has shown he may have moved to the United States and taken up residence in Kansas. There are records of a Loftus Gray serving with the 13th Infantry Regiment raised in Kansas from August 1862 to March 1863, before being discharged with an injury. It is known that this person was born in Ireland in 1818, and lived on a farm at Wayne, Doniphan, Kansas, with his children and wife Mary. They last show up in 1880 as residing in Liberty, Woodson County, Kansas.^[158]

Affidavit of private Hugh King, 7 December 1854

And this deponent Hugh King on his oath saith I am a Constable at Ballarat. On Sunday the third instant I was at the attack on the stockade at Eureka. After the firing ceased I saw prisoner taken out of the stockade.

At about daylight I was called up and sent to Eureka in company with the soldiers of the 40th and a body of police, under the orders of Captain Thomas of the 40th -. Captain Carter was in command of the foot police- we advanced on the right of the 40th towards the Eureka we approached a stockade an enclosure of slabs about four or five in depth. As we approached, when within three or four hundred yards a heavy fire from the stockade was opened on the troops and me. When the fire was opened on us we received orders to fire. I saw some of the 40th wounded lying on the ground but I cannot say that it was before the fire on both sides. I think some of the men in the stockade should-they had a flag flying in the stockade; it was a white cross of five stars on a blue ground. - flag was afterwards taken from one of the prisoners like a union jack – we fired and advanced on the stockade, when we jumped over, we were ordered to take all we could prisoners and several shots were then fired on us from behind tents. The fire was continued from different posts I noticed the prisoner in the stockade – I saw no arms in his hand but he was in custody coming from one of the tents, which were inside the stockade. - numbers of others prisoner were bought from the same tent; many were armed with revolvers and pistols - I saw a great number of arms lying about the stockade double barrellled guns, pistols and iron pikes. One I saw was all iron and others with wooden handles.I saw a man fire at the troops, while we were getting over the stockade.

By prisoners Counsel it was about 4 o'clock. Hugh King Sworn before me At Ballarat this 7 December 1854

Vintage star spangled Eureka flags

With respect to the provenance of the star spangled Eureka flag, in his 1896 article Withers quotes John McNeil, who recalled a meeting on Bakery Hill where one Robert McCandlish “unbuttoned his coat and took out an unfurled a light blue flag with some stars on it, but there was no cross on it”.^[159]

It appears from all reports that Harry Watt, producer of the 1949 feature film *Eureka Stockade*, had went as far as engaging experts to examine the then unauthenticated King remnant held by the Ballarat Fine Art Gallery. Such doubts had been raised as that the apparent bullet holes were actually caused by moths, with others saying the ecclesiastical cross was a later adaptation, and that the King flag was made for a footballers picnic. In the end most probably realising that the general public was no longer conscious of the original 1854 pattern, Watt opted to use a design featuring the free floating stars of the traditional Australian flag, which was the only Southern Cross audiences had any familiarity with by the late 1940s.^[160] The final scene features the flyhalf of what appears to be an Australian red ensign and pans out to reveal the defacto national flag design flying. The producers may have been attempting to remain faithful to the first reports of the fall of the Eureka Stockade with two battle flags appearing in the scenes where the oath is being administered to the rebel volunteers.

Artist Angus McBride used the star spangled Eureka flag in his *The Defence of the Eureka Stockade*, which would be featured on the front cover of the 14 February 1970 Eureka Stockade Australian edition of the London based *Look and Learn* magazine for school students.^[161]



Oath swearing scene from the 1949 motion picture *Eureka Stockade*.



Front cover of *Look and Learn* magazine, 14 February 1970 edition.

Similar controversy in Australian vexillology

Two flag theorists point to another similar, seemingly unresolvable controversy over the type of the Australian flags used at the 1927 opening of provisional parliament house in Canberra. A lithograph by an unknown artist showing the blue version being flown has now emerged. Whilst Australian red ensigns are shown in the official painting, when enlarged the flag shown in the second position in the order of precedence appears to be predominantly blue. There is also a blue streak in an Australian flag depicted flying from one of the vertical poles outside the building. Along with expert analysis of one of the photographs taken that day showing a red, white and blue Australian flag on display behind a Union Jack, there are now serious doubts as to whether only red ensigns were seen at the ceremony. It has been said that Power may have chosen the red ensign for dramatic effect or because it was the flag the Australian public was expected to use.^{[162][163]}



A colour lithograph by an unknown artist of the opening of provisional parliament house in Canberra, 9 May 1927.



“Royal Visit, May 1927 - Part of the official guests at Parliament House for opening ceremony”.

Other national treasures and symbols

Two flag theorists have pointed out that Australians have been known to lose track of the cultural wealth with mystery also surrounding the following objects:

- the first Australian flag which flew over the Royal Exhibition Building in Melbourne, which the custodians believe may have been disposed of due to wear.^[164]
- the Australian flag used at the first formal flag raising ceremony, attended by the inaugural Governor-General, Lord Hopetoun, at Townsville, Queensland, on 16 September 1901, was mentioned on 22 August 1922 as being received by the Royal Australian Historical Society.^[165]
- a portrait showing the scene in 1770 as Captain James Cook, hydrographer royal, laid claim to most of the Australian continent on Possession Island, in the name of King George III, has been missing from the Victorian headquarters of the Royal Society in Melbourne since around 1947.^[166]
- During his investigations into the Bradford fragment of the Eureka flag, Cayley claims to have found two sketches, which may be of the design on the drawing board,^[167] once part of the Ballarat Historical Society collection.^[168]



Two flag theorists point to a colour portrait of Captain Cook raising the Union Jack on Possession Island which is also currently unaccounted for.



Mystery Eureka flag sketches from Frank Cayley's 1963 investigation.

At a government level in Australia there have also been several serious bureaucratic errors made in relation to national symbols legislation and gazettals up until recent times.

The *Flags Act 1953* (Cth), which was the first federal statute reserved for Royal Assent by the reigning monarch, originally gave the width of the outer diameter of the Commonwealth Star as being three-eighths of the width of the flag, instead of the true value of three-tenths of the width of the flag, with Table A of the Act requiring further amendment later in 1954.^[169]

The *Legislative Instruments Act 2003* (Cth) required the proclamations of all the Flags of Australia appointed by the Governor-General to be lodged in a Federal Register. Due to an administrative oversight they were not, and the proclamations were automatically repealed,^[170] with His Excellency Major General Michael Jeffery issuing new proclamations backdated from 25 January 2008.^[171]

There is also a current instrument still in force declaring Advance Australia Fair to be the national anthem, and green and gold to be the national colours, proclaimed by the Governor-General, Sir Ninian Stephen, on the 19 of April 1984. The PMS colour specifications are transposed with the colour for

green (384C) being given as the colour for gold (116C).^[172]

Eureka Jack in the popular culture

The Eureka Jack was referenced in the 1949 motion picture *Eureka Stockade* appearing in the scenes where the oath is being administered to the rebel volunteers. In the 1950s artist and historian Ray Wenban also remained faithful to the first reports of the battle in his rendition of the fall of the stockade.

See also

- Union Flag
- Eureka Flag
- War flag
- Historical colours, standards and guidons
- List of Australian flags
- List of British flags
- Eureka Rebellion
- Australian Flag Society
- Battle of Vinegar Hill
- Battle of Vinegar Hill, Australia, 1804, also known as the Second Battle of Vinegar Hill, and the Castle Hill convict rebellion
- Victorian gold rush, Australian history (1851 - 1860s)
- Eureka Stockade (film)

Notes

- [^] Carboni recalls the conspicuous role that Ross played at the oath swearing ceremony saying: "Captain Ross, of Toronto, was the bridegroom of our flag, and sword in hand, he had posted himself at the foot of the flag-staff, surrounded by his division." (Carboni, 68).
- [^] In his sketchbook Doudiet would make a notation saying: "Joyce, Penny and Fletcher with myself carried Ross to the Star where he died of great pain about 2.00 am on the 5th". *Charles Doudiet: Australian Sketches 1852 - 1855* (Ballarat Fine Art Association, Ballarat, 1997).
- [^] Fox mentions an article which appeared in the Sydney *Sun* on 5 May 1941 (page 5) where it was stated that the *Ballarat Times* carried a story shortly after the fall of the stockade which referred to two women making the flag from an original drawing by a digger named Ross. (Fox, 49).
- [^] The *Geelong Advertiser* correspondent also reported that after the battle there were "Poor women crying for absent husbands, and children frightened into quietness ... " (Les Blake, 84 - 85).

References

- [^] Smith, *Flags Through the Ages and Across the World* (McGraw-Hill, Maidenhead, 1975) 31.
- [^] ^a ^b Cowie, Tom (October 22, 2013). "\$10,000 reward to track down the 'other' Eureka flag"

- (<http://www.thecourier.com.au/story/1858615/10000-reward-to-track-down-the-other-eureka-flag>). *The Courier*.
3. ^{a b} "Buninyong Veteran's Narrative". *Ballarat Courier* (Ballarat). 2 December 1904.
 4. ^a Raffaello Carboni, *The Eureka Stockade: The Consequence of Some Pirates Wanting on Quarterdeck a Rebellion* (Currey O'Neil, Blackburn, 1980) 98.
 5. ^a "ergo | Research, resources and essay writing" (http://www.slv.vic.gov.au/ergo/eureka_stockade). Slv.vic.gov.au. Retrieved 2011-11-29.
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 7. ^a Ray Wenban, *The Revolt at Eureka* (Australian Visual Education, Sydney, 1958) 25 - 27.
 8. ^a Whitney Smith, *Flags Through the Ages and Across the World*, 78.
 9. ^a *Eureka Stockade* (directed by Harry Watt, Ealing Studios, 1949).
 10. ^a Gough Whitlam, 'Eureka: Saga of Australian history', *Department of Immigration*.
 11. ^a Justin Corfield, Dorothy Wickham, Clare Gervasoni, *The Eureka Encyclopedia* (Ballarat Heritage Services, Ballarat, 2004) 157.
 12. ^a Anne Beggs Sunter, "Contesting the Flag: the mixed messages of the Eureka Flag", paper for the Eureka Seminar, University of Melbourne History Department, 1 December 2004, published in *Eureka: reappraising an Australian Legend*, edited by Alan Mayne, Network Books, Perth, 2007.
 13. ^{a b c d} Morris, Nigel (3 December 2013). "Ray Wenban and what happened to the Eureka Jack?" (http://www.flagsociety.org.au/what_happened_to_the_eureka_jack.pdf). *1(1) Flag Breaking News* (ISSN 2203-2118). Retrieved 4 December 2013.
 14. ^a Manning Clark (ed), *Sources of Australian History* (Oxford University Press, London, 1966) 300 - 301.
 15. ^a Manning Clark, *A History of Australia IV: The Earth Abideth Forever 1851-1888* (Melbourne University Press, Carlton, 1987) 78.
 16. ^a Geoffrey Gold, *Eureka: Rebellion Beneath the Southern Cross* (Rigby, Adelaide, 1977) 64.
 17. ^a Peter FitzSimons, *Eureka: The Unfinished Revolution* (Random House Australia, Sydney, 2012) 654 - 655, note 56.
 18. ^a King, Hugh. "Eureka Stockade:Depositions VPRS 5527/P Unit 2, Item 9" (http://wiki.prov.vic.gov.au/index.php/Eureka_Stockade:Depositions_VPRS_5527/P_Unit_2,_Item_9). Public Record Office Victoria.
 19. ^a Gregory Blake, *Eureka Stockade: A ferocious and bloody battle* (Big Sky Publishing, Newport, 2012) 133.
 20. ^a Carboni, 96.
 21. ^a *The Argus*, 9 December 1854, 5.
 22. ^a *The Argus*, 9 December 1854, 5.
 23. ^a *The Courier*, 8 December 1854, 3.
 24. ^a *Empire*, 9 December 1854, 3.
 25. ^a *Launceston Examiner*, 9 December 1854, 2.
 26. ^a *The Maitland Mercury and Hunter River General Advertiser*, 13 December 1854, 3.
 27. ^a *Freeman's Journal*, 16 December 1854, 2.
 28. ^a *Bathurst Free Press and Mining Journal*, 16 December 1854, 2.
 29. ^a *The Moreton Bay Courier*, 19 December 1854, 1.
 30. ^a Gordon Morrison, Letter to the editor, Nolan's Eureka drawing, painting display in gallery, *The Courier*, 25 October 2013.
 31. ^a *The Queen v John Joseph and others* 26, 30.

32. ^ J.W. Wilson, *The Starry Banner of Australia: An Episode in Colonial History* (Brian Donaghey, Brisbane, 1963) 16.
33. ^ Corfield, Wickham, Gervasoni, 156.
34. ^ Carboni, 60 - 64.
35. ^ Dorothy Wickham, Clare Gervasoni, Val D'Angri, *The Eureka Flag: Our Starry Banner* (Ballarat Heritage Services, Ballarat, 1996), 61 - 62.
36. ^ William Withers, 'The Eureka Stockade Flag', *Ballarat Star*, 1 May 1896, 1.
37. ^ Withers, 'The Eureka Stockade Flag'.
38. ^ Withers, 'The Eureka Stockade Flag'.
39. ^ Withers, 'The Eureka Stockade Flag'.
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41. ^ Bob O'Brien, *Massacre at Eureka: The untold story* (Australian Scholarly Publishing, Kew, 1992) 120.
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Miners' descendants demand ownership of the stockade flag

Eureka Rebellion rekindled

GAV MCGRATH

HUMAN rights lawyer Julian Burnside has put his support behind a campaign to strip ownership of the famous Eureka Flag from the Art Gallery of Ballarat and "return" it to the descendants of miners who participated in the rebellion.

The Melbourne-based Queen's Counsel, who has represented asylum seekers and members of the Aboriginal stolen generations, said the Eureka Flag was never the property of trooper John King – who removed the pennant after the Eureka stockade was stormed in the early hours of December 3, 1854 – and therefore could not have been legally given to the Art Gallery of Ballarat by King's descendants in 2001.

Mr Burnside confirmed he had provided legal advice to the Children of Eureka – an organisation whose members claim to be direct descendants of those who participated in the rebellion.

Paul Murphy, a member of the group, has since filed a request at the South Melbourne police station for a Victoria Police investigation into the ownership of the original Eureka Flag.

Mr Burnside had advised against a civil lawsuit, instead suggesting a police investigation, but said Trooper King had no right to hold onto the flag after arrested members of the rebellion were acquitted by a Victorian court.

"The flag never became (Trooper) King's property," he said. "If anything, he took it on behalf of the Crown.

"If it had been considered proceeds of crime, it may have been the property of the Crown, but not the trooper.

"Those involved in the case were acquitted, so it should have been returned. Keeping the flag was an act of theft.

"I don't think it would have been a good move to put up a civil case, so going the police route is the right one in my view.

"The moral point is just as strong, and this is



STILL CONTROVERSIAL: The legal ownership of the Eureka flag has come under contention, with claims Trooper John King, who removed the pennant after the Eureka Stockade, never actually owned the flag. **PICTURE:** JEREMY BANNISTER



Julian Burnside

The flag never became (Trooper) King's property. If anything, he took it on behalf of the Crown.

JULIAN BURNSIDE, QUEEN'S COUNCIL

a call on people's moral decency rather than a civil case."

After its capture in 1854, the flag was held by Trooper King's family for a number of decades before it was loaned to the Art Gallery of Ballarat in 1895.

The family donated the flag in 2001.

Mr Murphy submitted his request for a police investigation into the handling of stolen goods, at 4am on December 3

at the South Melbourne police station, the 160th anniversary of the attack on the stockade.

The station second-in-command, Acting Senior Sergeant Mark Robertson confirmed he had received the request but had advised Mr Murphy to address the request to the Victorian Chief Commissioner's office.

Mr Murphy said the Children of Eureka did not want to take physical possession of the flag

– currently located at the Museum of Australian Democracy at Eureka and likely worth millions of dollars – but wanted acknowledgement it was not the property of the Art Gallery of Ballarat.

"We don't want to claim it for ourselves," he said.

"We just want the gallery to walk away. As far as we're concerned, the flag stays where it is, and that the sign saying it was gifted by the King family is removed.

"We want it to stay at M.A.D.E forever and owned in trust for the Australian people by the Commonwealth government, the Victorian government and the City of Ballarat.

"We want the plaque to say it is the original property of the Ballarat Reform League formed in 1854 on behalf of the miners."

gavin.mcgrath@fairfaxmedia.com.au

Reward offered for evidence of the battle's Union Jack flag

AUSTRALIAN Flag Society chief executive officer Nigel Morris wants to commemorate the Eureka Jack legend in Ballarat.

Mr Morris is calling for a Eureka Jack exhibit at the Museum of Australian Democracy at Eureka (M.A.D.E).

Eureka Jack is believed to be a Union Jack flag hoisted beneath the Eureka flag on the morning of December 3, 1854.

FIONA HENDERSON

response to divided loyalties in the rebel force.

The Australian Flag Society has launched a worldwide quest to find the flag, which is believed to have been captured by police and soldiers.

A \$10,000 reward is offered to anyone who can find proof of the

flag's existence, or any part of the flag itself.

The flag society has also released a folk cartoon titled *Fall Back with Eureka Jack* to mark the 160th Eureka anniversary.

"It (publicity) may lead to the discovery of irrefutable evidence one way or another as to the veracity of the disputed first report which began to circulate the day after the battle," Mr Morris said.

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Appendix 4



Appendix 5

How cricketing animals were kept off Australia's national flag

By IAN WARDEN

At yesterday's National Flag Day ceremony at Forrest Primary School the children were given the chance to be thankful for our chosen flag and to be thankful that another proposed design (featuring kangaroos and wombats playing cricket) wasn't chosen.

Outdoors, under a pole flying an Australian flag of modest proportions, the whole school gathered around another Australian flag so huge that it took 40 children to unfurl and hold it.

This flag, 12m long, was the one that flew above Parliament House on last year's National Flag Day. Last year marked the 100th anniversary of the first flying of our flag in Melbourne on September 3, 1901, in the presence of Australia's first prime minister, Edmund Barton.

Member for Canberra Annette Ellis, one of the guests at what the principal Chris Cameron promised everyone yesterday was going to be a "short, sharp, shiny ceremony", told the children the flag chosen in 1901 (it has been a little modified since then) was chosen as the result of a public design competition that attracted 32,832 entries.

"Whilst there were some very serious designs, when you look at them today some of them were quite funny," Ms Ellis thought.

"Do you know that there was a design that had animals like kangaroos



The huge flag unfurled and displayed by 40 children at Forrest Primary School yesterday.

Picture: MARTIN JONES

and wombats playing cricket? [Its designers] thought that would be a pretty good national flag."

The children laughed as if they could have enjoyed a flag like that.

"Then there was another design entry where there was a kangaroo with six tails, with each tail representing one of each of the states," Ms Ellis said.

"Aren't we lucky that *that* wasn't chosen?"

But again from the children's laughter it seemed they might have

thought it was a shame and possibly a wasted opportunity.

Had Australia chosen that design, by now the kangaroo would have needed a seventh tail.

Another of yesterday's guests at Forrest, Justice Terence Higgins, said the ACT could be proud it was included in the flag.

The ACT's addition is one of the small modifications made to the flag since 1901.

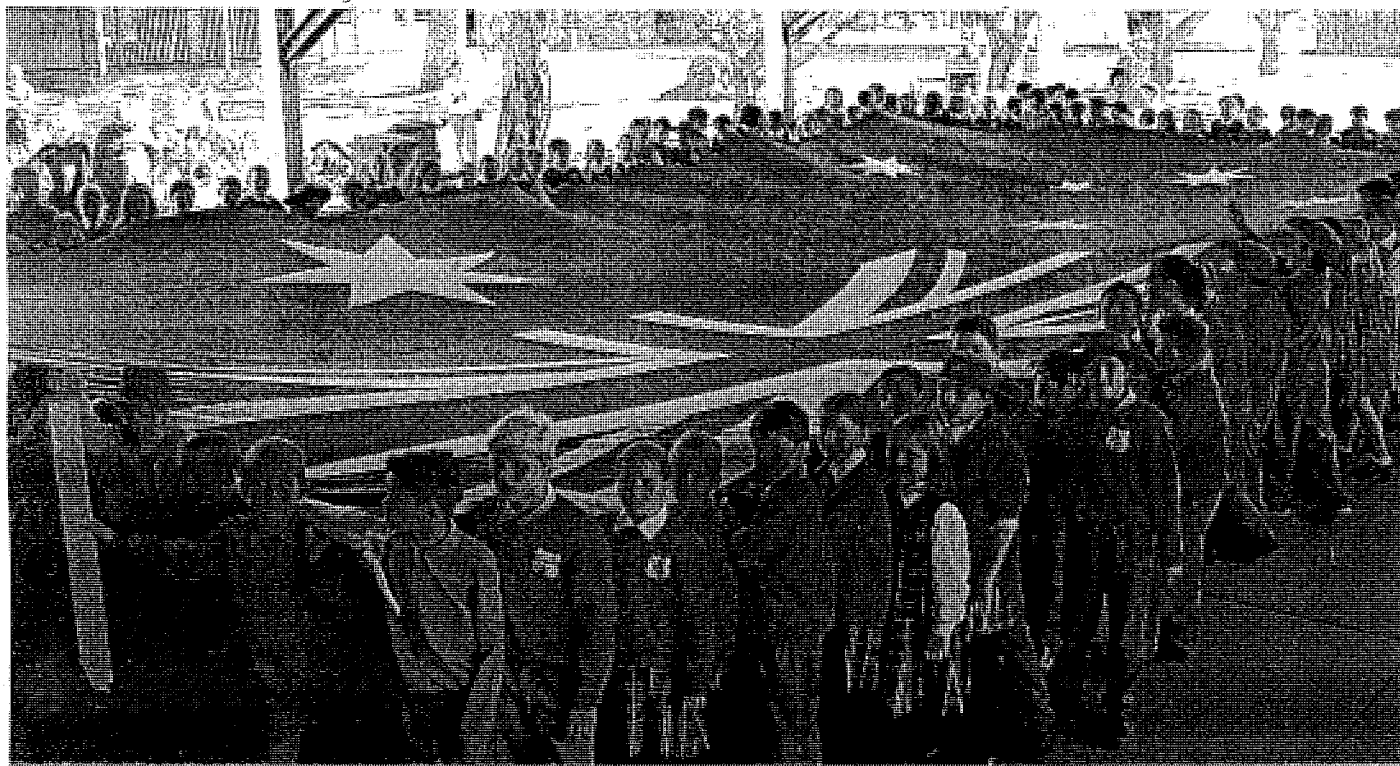
A seventh point was added representing the territories on the flag's Commonwealth star.

A part of a seventh point might not sound like very much, Justice Higgins thought, but he said it allowed "everyone to feel really proud to be an Australian" when we saw it on great occasions.

Yesterday's short, sharp, shiny ceremony finished with everyone singing the national anthem.

Away in the distance, visible above the trees, a flag as big as the one we were all gathered around fluttered high above Parliament House against a sky as blue as the blue of the flag.

Yesterday's National Flag Day was the sixth since former governor-general Sir William Deane proclaimed it in 1996. The Commonwealth is to provide an Australian National Flag Association video about the flag to 8000 primary schools.



GUNNEDAH South School pupils unfurling the Parliament House Flag at the celebration of Australian National Flag Day on Wednesday.

Celebrating the Australian Flag

AUSTRALIAN National Flag Day was opened yesterday with the giant flag raised on Porcupine Lookout and celebrations at Gunnedah South School.

President of the Australian Flag Society and former South School pupil, Nigel Morris, attended the ceremony at the school.

The assembly featured a large Australian flag, which flew over Parliament House on the 100th anniversary of the flag.

Nigel Morris also explained the significance of the Patriot Flag – an Aus-

tralian flag in the top left-hand corner of a gold flag, with green fringe, the patriotic colours of Australia.

Australian National Flag Day, a commemoration of the day in 1901 when the Australian flag was flown for the first time in Melbourne, was officially recognised by the Federal Government in 1996.

Gunnedah South School senior pupils presented short talks on the flag's history before the giant flag was unfurled using 150 children to hold it aloft.

The whole school was involved in the event, with pupils changing places to hold the flag and listening to a short address from Nigel Morris.

Gunnedah South School Principal, Greg Woods, outlined the passage of the flag in his life, from loyalty pledges as a schoolboy to the Scout movement, armed forces and Sydney Olympic Games volunteer.

"I always carry an Australian flag when I go overseas, to fly at tennis or rugby matches, and I have a patch stitched to my backpack so that people can see I am a proud Australian and proud of our flag," he said.

The Australian flag was designed by Perth artist Annie Whistler Dorrington, who won the 1900 design competition from 32,323 entries from all around the world.

When the winners of the competition were announced, it was explained that five almost identical entries had been received, one from 14-year-old Ivor Evans, of Victoria.

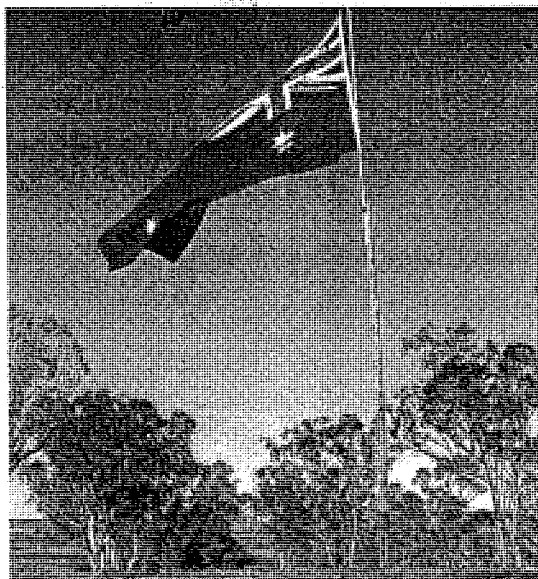
It was decided that all five should share the 200 pounds prize and the first name read out was Annie Dorrington. The five winning entries were combined to form Australia's first national flag.



INFANTS pupil Emma Taylor sang the National Anthem with great enthusiasm at Gunnedah South School's National Flag Day celebration on Wednesday.



GUNNEDAH South School Principal Greg Woods, left, and Australian National Flag Society President, Nigel Morris, with school leaders, Alex Coe, Mitchell Swain and Kelly Donnelly, and the Australian Patriot Flag.



THE Australian flag flew on Porcupine Lookout yesterday to mark Australian National Flag Day.

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08/09/04

Students celebrate as the Australian Flag turns 103



□ Federal Member for Moreton and Sunnybank Hills Primary School's flag raisers Anastasia Koutsis and Amy Ross with the giant Australian flag.

THE students at Sunnybank Hills State School helped show off a giant Australian flag on Friday as part of celebrations for National Flag Day.

Federal Member for Moreton Gary Hardgrave said the day gave residents a chance to remember what it means to be Australian.

"People who came to our nation, especially as refugees, have felt the emotion of our flag strongly," Mr Hardgrave said.

"Australian National Flag Day commemorates the first time our flag was flown and provides an opportunity for all Australians to reflect on how the flag united our diverse nation.

"Since the Australian flag was first flown on September 3, 1901,

our country has changed enormously, but the common values of tolerance, respect and mateship continue to bind us together."

Australian National Flag Association Queensland President, Allan Pidgeon said the flag demonstrated national unity at a time when world events had caused disharmony and social uncertainty.

Mr Pidgeon said the Australian National Flag Association was formed 20 years ago to promote wider appreciation of the history and significance of our chief national symbol - the Australian flag.

"Few people realise that the Australian flag was the first in the world to be chosen in an open public competition," he said.



Commonwealth
of Australia

Gazette

No. S 321, Tuesday, 3 September 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL



PROCLAMATION

I, WILLIAM PATRICK DEANE, Governor General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, declare that, to commemorate the day in 1901 on which the Australian national flag was first flown, 3 September in each year shall be observed as "Australian National Flag Day" throughout Australia and in the external Territories of Australia.

Signed and sealed with the
Great Seal of Australia
on 28 AUG 1996 1996.



WILLIAM DEANE
Governor-General

By His Excellency's Command,

Minister for Administrative Services

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GPO Box 2064, Brisbane Qld 4001 Phone 3892 2965

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AUSTRALIAN NATIONAL FLAG DAY

3 SEPTEMBER



FLAG RAISING CEREMONY

THE AUSTRALIAN NATIONAL FLAG ASSOCIATION OF QUEENSLAND (INC)

BRISBANE

To commemorate the anniversary of the
first unfurling of the Australian National Flag
3 September 1901, Melbourne

“Advance Australia Fair”

Australians all let us rejoice,
For we are young and free;
We’ve golden soil and wealth for toil;
Our home is girt by sea;
Our land abounds in nature’s gifts
Of beauty rich and rare;
In history’s page, let every stage
Advance Australia Fair.

In joyful strains then let us sing,
Advance Australia Fair.

The First “Flag Day” – September 3, 1901

“At the Exhibition Building yesterday afternoon the Countess of Hopetoun [wife of the Governor-General] formally opened the Commonwealth Flag and Seal Exhibition and announced the names of the successful competitors ...

As Lady Hopetoun entered, a large Blue Ensign with the prize design of the Southern Cross and a six-pointed star thereon was run up to the top of the flagstaff on the dome and, breaking, streamed out on the heavy south-westerly breeze, a brave and inspiring picture”.

- From the Melbourne Age, 4 September 1901

[Note that the six-pointed star referred to above, representing the founding states, gained an extra point in 1908 to represent the territories]

Programme

12.30 Guests and students assemble
12.45 Arrival of Her Excellency the Governor

12.53pm Message from HE the Governor-General
12.55pm Message from the Chief of the Defence Force

12.57pm Performance by Brisbane Grammar School Concert Band

1.07pm Address by Her Excellency

1.17pm Her Excellency presents awards to
- Ms Liz Deegan, Editor of the Sunday Mail
- Dr Graeme Potter, Executive Director of Q150

1.20pm Message from the Prime Minister
1.22pm Message from the Premier

1.24pm Giant flag is unveiled
1.27pm Ceremony concludes with National Anthem

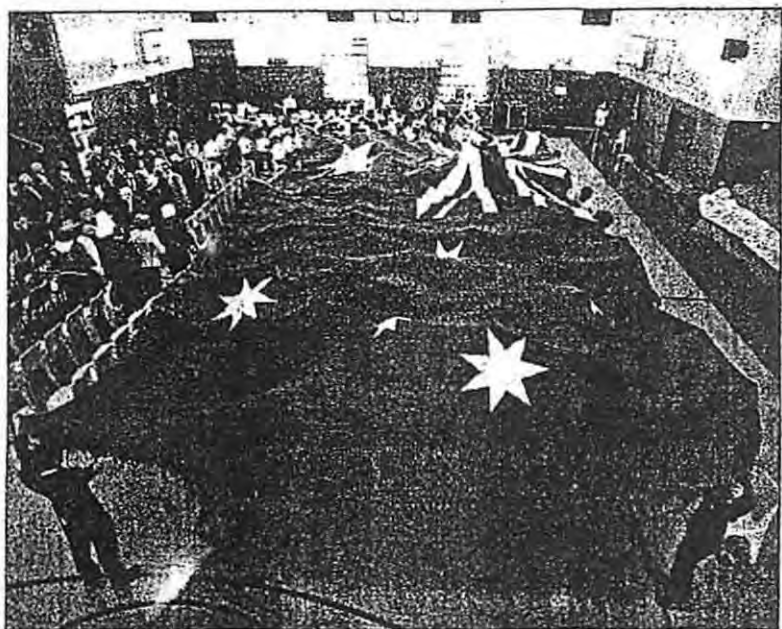
1.30pm (While all still standing) Official party departs

With sincere thanks to St James College for their generous hospitality, and to the Brisbane Grammar School Concert Band

Continued from 4.9.09

NEWS

Colour
Photo



PROUD HERITAGE: Brisbane's St James College students hold up a giant Australian flag at a Flag Day ceremony yesterday. Picture: Glenn Barnes

Huge flag for a big country

Annelie Hailes

AFTER 108 years of Australian flags gracing windows, backyards and more recently car bumpers and biceps, nothing beats a super-sized version.

An Aussie flag the size of a double-decker bus was displayed by St James College students to celebrate National Flag Day yesterday.

Australian National Flag Association president Allan Pidgeon said the flag was an enduring symbol of unity which has flown over Australians in times of war and peace.

"And it seems Australians are becoming more willing to show their Aussie pride," he said.

However, our flag hasn't always flown easily.

University of Queensland Australian Studies Professor David Carter says most of the meaning attached to the flag comes from a new form of patriotism sometimes misplaced with violence.

Governor Penelope Wensley yesterday said informed debate about the Australian flag was a healthy part of democracy.

"There are some who would like to see it changed... suggesting that some of its elements are no longer appropriate to contemporary Australia," she said.

The flag's design was chosen from a selection submitted by the public in 1901, with one design showing native fauna playing cricket with a winged cricket bat.

Another had a kangaroo with six tails.

Since the Flags Amendment Bill was adopted in March 1998, the power to change the flag has remained with voters.



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Chris Owen | 3rd Sep 2013 6:00 AM



THAT'S A FLAG: Ipswich Central State School students unveil the Australian flag to mark Flag Day.

David Nielsen

IPSWICH residents have been urged to show their support for our national flag as we celebrate its 112th birthday today.

And what better way to honour the occasion than to roll out an Aussie flag the size of a double-decker bus?

Students at Ipswich State School unfurled a huge 12m x 6m Australian flag during a special assembly to mark the anniversary.

The flag, which was previously hoisted in front of Parliament House in Canberra, was provided by The Australian National Flag Association of Queensland.

At the assembly ANFA Queensland president Allan Pidgeon used the opportunity to educate students about the history of our flag.

Mr Pidgeon said while the Australian flag was very popular, not many Australians were aware of its unique and proud history.

Not only is it the only national flag to fly over an entire continent, but also the first to be chosen in an open public competition.

Following Federation in 1901, the new Commonwealth Government arranged a contest to choose a flag for the new nation.

Entries were submitted from nearly 1% of the population at the time - 32,823

people.

The winning design was unveiled on September 3 that same year, which has been officially proclaimed as Australian National Flag Day.

"The way we chose our flag really says something about Australia," Mr Pidgeon said. "It's a very Australian thing to let everyone have a go.

"I think it's part of our history that deserves a bit more recognition."

The ceremony started a week of celebrations.



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Special day flagged by students

2nd Sep 2010 2:00 AM



Nathaniel Williams, Aaron Ball and Jordan Zande with the Australian flag that flew over Parliament House in Canberra in 2001. Photo: Rob Williams SE0110WB

GETTING an early start on National [Flag Day](#), students from Ipswich Central Primary School got their hands on a piece of national history.

Principal Damian Johnson said the school displayed a giant Australian flag at the school's assembly yesterday as part of an early celebration of National Flag Day tomorrow.

"It was a novelty for the kids to all stand underneath the flag and hold it up," Mr Johnson said.

He said the school's choir would perform at the city's Flag Day celebrations in d'Arcy Doyle Place from 10am.

Ipswich Mayor Paul Pisasale said he was proud the city would provide the premier event in Queensland to celebrate Australian National Flag Day.

"Ipswich is celebrating 150 years as a municipality, and this major flag-raising event, the state's largest, is a tribute not only to the city but also our national emblem, which is just 109 years old," Cr Pisasale said.

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A huge Australian flag is the centre of attention at the Ipswich Central State School.

Sarah Harvey

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A FLAG the size of a double-decker bus was unrolled at Ipswich Central State School for National Flag Day yesterday.

On the 111th anniversary of the first time the Australian flag was hung on

September 3, 1901 at the Royal Exhibition Building, Melbourne, the school's students took part in a cry of Aussie, Aussie, Aussie and held a moment's silence for the Australian soldiers who died in Afghanistan last week.

Yesterday is the second time this flag, which hung over Parliament House in Canberra on the design's 100th birthday, has visited Ipswich Central.

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Secret of Aussie flag discovered in attic

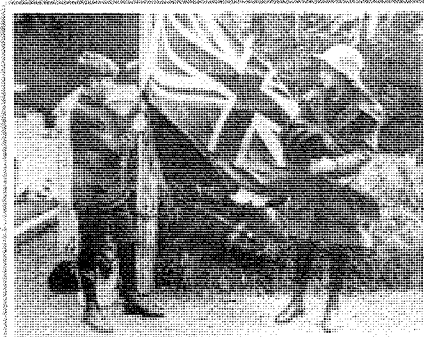
Elise Younger with photos of the flag presented to Harefield school in memory of Ross Gregory (below). Picture: Ella Pellegrini



CHARLES MIRANDA
LONDON

A FIND in the attic of an English country home has solved a 60-year mystery involving an Australian prisoner of war, a Test cricketer and an Aussie flag. Since December 1950 an Australian flag has flown at Harefield cemetery on Anzac Day as well as at the primary school. But no one in the Middlesex town could recall where it had come from — until now.

Elise



Harefield school children with the flag, and (right) the flag is handed over to the school.



Younger was cleaning out her father-in-law Cal's attic in Bedwyn, 150km west of London, after he passed away earlier this year and uncovered the flag's history. Melbourne-born Mr Younger, who joined the RAAF when war broke out in 1939, was on a bombing run over France in 1942 when he was shot down and spent the next three years as prisoner of the Germans in Stalag Luft III, the scene of the Great Escape.

In that same year one of his close mates, Australian

Test cricketer Ross Gregory — among one of the youngest cricketers to play for Australia and who helped secure the Ashes in 1936-37 — was killed in action.

After he was liberated, Mr Younger bought a flag and, together with a Gregory family aunt, presented it to the school where the Australian Cricket team had visited, having it dedicated by the local vicar.

"In his lifetime Ross Gregory was idolised by children and it is appropriate that this memorial to him,

the flag he served so well in the field of sport and in battle, should inspire children of another country and another generation," Mr Younger wrote at the time.

Mrs Younger sent the information to Harefield school, where principal Paul Dodd said the flag had been left in a school cupboard for many years and its history had been feared lost.

"I was amazed to receive the letter from Elise and to actually hold the flag that the story alluded to was thrilling," he said.

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