

THE EARLY VOLUNTEER CORPS—THE ORIGINS OF THE MODERN AUSTRALIAN ARMY*

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THOSE who are complacent about the present state of military preparedness of Australia might take comfort in the remark¹ of the Executive Council of the Colony of Queensland in 1861, that Queensland "is probably the only British Colony where there are no guns wherewith to fire a salute on the birthday of the Sovereign". The remark, according to the Governor, Sir George Bowen, who transmitted it to the Secretary of State for the Colonies, was made "with perfect truth". But the circumstances of a century ago can be shown to be so different from those of today that this comfort is short lived. It was a world in which Britain had effective naval mastery, for all her policies of retrenchment, a world in which the States of Germany had not united, a world in which Asian countries were still being opened up to and from the Western aspect, a world in which Russia, though occasionally threatening British interests, was not yet industrialised nor fortified by a new secular religion. Nor did any one land power dominate the continent of Europe. From the colonisation of Australia, settled from Britain, had recently come the separation from New South Wales of Queensland which, in common with Tasmania, South Australia, Victoria and the parent colony, had acquired a large measure of responsible government. That Queensland, one of the quite rich Australian group, whose woollen wealth had been augmented by gold, could be without a fort, and was, in fact, asking for red coats as a symbol of the Imperial connexion, evokes in us a nostalgia for the days of this apparent security, and causes us to reflect on the relationship between Great Britain and her Colonies at that time in the peace of the world—such a different nexus from that in the Russian Empire of today.

Our concern tonight is mainly with the development of the Volunteer Military Institution in New South Wales in the eighteen fifties, but we must reflect on its origins. After the Duke's victory at Waterloo the Australian Continent—and New South Wales was then the only Australian Colony—basked in the long peace of British power. The youth and the small population of this Australian British society

* An address delivered, in the presence of the Patron, to a Meeting of the Association, 4th November 1958. The speaker acknowledged the benefit of reading some notes and material in the possession of Sir Victor Windeyer, and his obligation to several libraries including the Mitchell Library, Sydney. Unless it is otherwise stated, references to manuscript and local archival material are to documents in the Mitchell Library.

¹ Extract from the Minutes of the Executive Council of Queensland, 11 February 1861 enclosed in Bowen to Newcastle, 9, 12 February 1861, No. 30 in "Papers Relative to the Affairs of Queensland". *H.C.P. Accounts and Papers*, 7, 1861, Vol. XL.

in this vast continent help us to understand the obstacles to sustaining military activity. In this continent which was for most, if not for all, of the time isolated, or at least insulated from the stresses of the antagonisms of foreign powers, military activity seemed, if not unnecessary, at least not urgent. Yet the institutions came from Britain and go back to a time when Britain herself was threatened. The importance of British victory over France in the Wars between 1793 and 1815 for the development of the Australian Continent in British hands is well understood by historians, and the form of British Volunteer preparation then was to mould attempts to introduce Volunteers and Militia into Australia half a century later.

The climate of the long peace in the nineteenth century and the combined influence of the Radicals, Colonial Reformers, and Manchester men in England favoured military retrenchment, especially in British garrisons in the Colonies.

The size of the British Army between the Revolution Settlement in 1688 and the middle of the nineteenth century is to be related not only to the garrisons required—in some objective sense but to the jealousy of the House of Commons and to the hostility of the country. The objection to the Crown's raising and keeping a standing army in time of peace without consent of Parliament had been expressed, not only in the Bill of Rights but in the Mutiny Acts that were passed almost every year specifying the number of men for the Army. The standing army was still in the eighteenth century regarded as something exceptional, as an evil to be avoided if there was a settled peace.² We cannot understand the British military tradition and the difficulty of sustaining active military institutions unless we remember this, as well as Clode's magnificent opening remark, "The primary object for which the military forces of the Crown are retained in arms is the defence of the realm; for offensive wars the law of England has made no provision".³ So it was that the war with France towards the end of the eighteenth century and in the opening years of the nineteenth century confronted Pitt and his successors with the task of finding men for the regular army and preparing the country to withstand invasion.

In the attempt to be ready for assault at home at a time when social and economic changes and the influence of American and French Revolutionary thought raised fears of riot and civil commotion the Militia and Volunteer organisations played their part. The Militia are often defined in terms of their legal obligations. Those who have read Sir John Fortescue's work⁴ will be aware of how these varied in detail. The 1757 Act was the basis of later legislation, and the size of the Militia was of course affected by several Acts relating to the Volunteer Force round the turn of the eighteenth century. The Militia was primarily organised by Counties, and the Militia of the County areas commanded by the Lord Lieutenant, originally a military officer, and then often as *custos rotulorum* honorary head of the Justices

² See F. W. Maitland, *The Constitutional History of England. A Course of Lectures* by F. W. Maitland, (1955 Reprint) pp. 324 *et. seq.*

³ C. M. Clode, *Military Forces of the Crown—their Administration and Government.* (1869) Vol. I.

⁴ J. W. Fortescue, *The County Lieutenancies and the Army, 1803–1814* (1909).

of the Peace, appointed by the Crown. The term for which Militia could be called out was usually defined in Statute. In case of actual invasion or imminent danger thereof, or in the case of rebellion, the King, notifying the occasion to Parliament, if it was in session, could draw out and embody the Militia and place it under general officers. Militiamen would then be obliged to serve in any part of the Kingdom. When embodied the Militia man would be paid the pay of a regular soldier and would come under the Mutiny Act and the Articles of War. In Great Britain the Militia was therefore subject to flogging—this was generally explicitly excluded as a punishment in legislation in the Australian Colonies. In general, we may say that the Militia was a compulsory obligation, allowing of course for the practice of substitutes and the procedure of the ballot. It was a paid force when embodied and it was supplied with uniforms.

In its nature, and because of the experimental and gradual development to be seen in the different Acts of Parliament, the Volunteer organization was not closely knit and there were many local variations. The Volunteer units proposed their own conditions of service which, however, under the 1804 Statute⁵ were not binding unless not disallowed by the Crown who could also annul rules that had been made. The Corps were often supported by private subscriptions, and were partially directed by Committees of subscribers, who did not all necessarily hold commissions. In most cases, the communication between the Corps and the Crown was through the Lord Lieutenants and the Home Department. When the Volunteers were actively engaged in service they would usually be placed under the local general, under the Horse Guards. In day-to-day affairs there could easily be conflict between the Volunteer Commanding Officer and the Committee, for the individual Corps was organized, as Fortescue has suggested,⁶ somewhat along the lines of a voluntary social organisation of egalitarian outlook.

But for the administrative nucleus, the Volunteers were not usually paid, except when they went out of their Counties to repel invasion or to suppress riots. In some cases and at some times a contribution was made towards uniforms and expenses, but the policy of Government varied, and such changes, and the amount of assistance given, were a substantial factor in Britain, as in New South Wales, affecting Volunteer activity and enthusiasm, and affecting also the general participation in volunteering. Broadly speaking, the Volunteers were not subject to disciplinary sanctions during their training and exercise, though when out of their County to repel invasion or suppress riots they were subject to military discipline, but could be court-martialled only by officers of Yeomanry or Volunteers. An Act of 1803⁷ submitted them to the Mutiny Act when called out to repel invasion and also provided for the levying of amounts which Volunteers refused to pay when

⁵ The Volunteer Consolidation Act. (44 Geo. III C 54) § 56, 57. See Fortescue, *op. cit.* p. 135.

⁶ *Ibid* p. 96.

⁷ The Billeting Act (43 Geo. III C 121) § 13, Fortescue, *op. cit.*, p. 34.

required under the rules of their Corps, and a subsequent Act⁸ (of 1804) gave some power of enforcing the payment of fines although, in fact, it might be unwise to try to collect them.

The Volunteers had certain privileges. For the most part if they attended their exercises they were exempted from the Militia, if not from the ballot for it. This was the most important but not the only privilege. Another was the exemption from the hair-powder tax. Hair-powder was made from pulverised starch, scented with perfume, and particularly in the seventeenth and eighteenth centuries, it was widely used, as Montefiore rather tritely notes,⁹ for powdering the head. For the Yeomanry Volunteers there was an exemption from the horse tax. Again speaking broadly, the effect of much of the legislation was to emphasise limitation of service as the basis for determining pay and allowances to the Volunteers. If Cavalry and Infantry, enlisted under the 1798 Act, extended their limits of service to the whole of the military district, they enjoyed advantages of pay, clothing and allowances and even exemptions which were withheld from strictly local Corps.¹⁰

It is very difficult, especially without the benefit of the British rolls, to speak generally, and yet accurately, of whom the Volunteer movement at the turn of the eighteenth century consisted. In rural districts, the men seem to have been of superior status and intelligence, anxious to stand in well with the landlord, and the gradations of English county society tended to ensure that officers with traditional and personal authority were elected, and the Lord Lieutenant would usually accept the nomination of the Committees of the Associations. In the towns, the absence of the older hierarchies and the likelihood that Volunteers were not acquainted with one another caused men to be elected as officers without either traditional or real personal authority, as, in some cases, happened in Sydney in 1854. The ranks of some of the Volunteer Corps consisted largely, if not entirely, of professional people. Such, for instance, were the Temple Companies of Lawyers, who acquired their colloquial name when the King reviewed them with other Volunteers in Hyde Park, London, in October, 1803. When the King asked their Lieutenant Colonel what was the composition of that Corps, "They are all Lawyers, Sir", said Erskine, "What! What!" exclaimed the King, "all lawyers? all lawyers? Call them the Devil's Own, Call them the Devil's Own", and the Devil's Own they were.¹¹

Another very respectable Corps was the Light Horse Volunteers of London and Westminster which had been re-formed in the seventeen nineties from some members of an earlier unit who had kept in touch with one another. These consisted largely of leading merchants and bankers of London. They re-formed with the

⁸ The Volunteer Consolidation Act. (44 Geo. III C 54) § 50, 51, Cited Sebag-Montefiori, *History of the Volunteer Forces from the Earliest Times to the year 1860. Being a recital of the citizen duty* (1908), p. 329.

The Volunteer Consolidation Act repealed the Billeting Act.

⁹ *Op. cit.* Note 3, p. 325.

¹⁰ *Ibid.*, p. 211.

¹¹ Earl Stanhope, *Life of the Right Honourable William Pitt*, Vol. IV (1862), p. 96.

proviso that they should not be called upon to serve outside a ten-mile radius of the Metropolis. The Magistrates commended them for their assistance in preventing acts of violence and mischief. There were some other Corps whose ranks were filled with professional and mercantile men but the ranks of many of the Corps consisted of ordinary working men.¹²

Early in the nineteenth century Windham, Secretary of State for War and Colonies in the Ministry of All the Talents, expressed¹³ his view that the Volunteer Corps should consist of "a higher class of life, of a better condition, of such a description as it would not be proper to mix with soldiers of the line, and whom no one would wish to see obliged to serve in the condition of a common soldier in a regular regiment". He thought that "the great body of the peasantry, that description of men from whom the regular army ought to be recruited" should not "be shut up" in these Volunteer Corps. In 1806, there was a withdrawal of all assistance apart from arms, and either this put the burden on the subscribers and on some prosperous members of the Corps, or else it confined the Corps to them in the absence of Government assistance and accounted for much declining enthusiasm. Windham's successor, Lord Castlereagh, himself wished to retain some of the best description of men, to serve both as a trained body for internal defence, and as a body to feed the regular army, springing mainly from urban centres. He was not optimistic as he saw, as most of the assistance to the Volunteers was withdrawn, the attraction of the Militia, "a service which required no stock purse".¹⁴ The Volunteers might be Infantry, Artillery, Light Horse or Yeomanry Cavalry, but the Infantry predominated and the Associated Companies formed for the defence of towns and urban districts were mostly Infantry.

Before we leave the English Volunteers at the beginning of the nineteenth century for the antipodes we must mention the Yeomanry. These, as their name suggests, were for the most part composed of farmers and landed men and over the first half of the nineteenth century, perhaps more than any other Volunteers, they functioned as an aid to the civil power in quelling riot and disturbance.¹⁵ Their best known role in this respect was in connexion with the Chartist movement, and for this they earned the commendation of the Duke of Wellington, but they tended to be unpopular with the industrial workers.

Sir John Fortescue was much more sympathetic to the Yeomanry with its County associations than to the Volunteers generally. The general impression he creates of the Volunteers as a rabble fails to appreciate their role of sustaining the national spirit and in some ways anticipating the Citizen Army. His judgment was based mostly on the very real difficulties of discipline and the consequent ineffectiveness of the Volunteer organisation as a military unit. He was also

¹² *Ibid.*, p. 366. Fortescue *op. cit.* pp. 111 *et seq.*

¹³ *Hansard Parliamentary Debates*, VI, Col. 681.

¹⁴ Sebag-Montefiori *op. cit.*, p. 353.

¹⁵ O. Teichman, "The Yeomanry as an aid to the Civil Power". Parts I and II. *Journal of the Society of Army Historical Research*. Vol. XIX, Nos. 74 and 75, Autumn, Summer, 1940.

concerned with the cost of the Volunteers having regard to the military result. It was natural that when some local military force was to be created here the Yeomanry and the élite Companies should be the models in the minds of the authorities in the eighteen forties and eighteen fifties for the convict tainted rural setting of New South Wales with its less stratified and, in the eighteen fifties, more unsettled society.

The Honourable Artillery Company of London was a body of Volunteers but an élite body with special privileges. It is relevant to our story in a number of ways. The Company, whose origin can be traced to the times of Henry VIII, was the parent body of the first formal military body in the European New World, the Military Company of Boston, Massachusetts. From the existence of the parent Company perhaps stemmed the suggestion in 1851 that a rifle Corps should be founded in New South Wales, as the originator of this petition was a member of its élite Rifle Company, the Yaegers. The Honourable Artillery Company's Commanding Officer at this time was Colonel FitzRoy, a relation of the Governor in New South Wales from 1847 to 1855, Sir Charles FitzRoy, who was for part of this period our first Governor-General. There were disputes between the Company's Court and its Commanding Officer reflecting the difficulties of Volunteer organisations,¹⁶ for such disputes were not unusual, and these may have been in the mind of Earl Grey and his advisers.

Early in the nineteenth century a species of Volunteer Force had existed in New South Wales for a few years, and on several occasions some form of Volunteer force or Militia was suggested. However, after the Loyal Associations of Sydney and Parramatta in the time of Captain John Hunter and Phillip Gidley King, no body emerged until the proposals of the eighteen forties and early eighteen fifties developed into the force of 1854. The main achievement of the Loyal Associations of Sydney and Parramatta was in helping to suppress the Irish convict Rebellion of 1804, although the Governor reported that the Associations might be useful in protecting the stores and towns at Sydney and Parramatta if the regular garrison was embroiled with the French.¹⁷ These Loyal Associations resembled the English urban Anti-revolutionary Associations, but the mixture between the Volunteer body and the compulsory Militia is to be accounted for by the abnormal local circumstances, as New South Wales at this time was primarily a penal Colony. After 1809 these bodies had lapsed. Lachlan Macquarie, Governor of New South Wales between 1809 and 1821, was characteristically led¹⁸ in 1814 to express himself with "the Greater Earnestness, being well assured that even the annoyance of the infant settlement is an Object seriously in contemplation with the restless and ambitious Despot of France, and with our present means we are very ill-enabled to make an effectual resistance to such an attack". He proposed to arm the "better and most

¹⁶ G. Goold Walker, *The Honourable Artillery Company 1537-1947* (1954), pp. 41 *et seq.*, 207 *et seq.*, 213 *et seq.*

¹⁷ See King to Hobart. General Letter No. 3, 11 March, 1804. *H.R.A.* 1, IV p. 484, and General Orders relating to the Irish Insurrection Encl. 2 in King to Hobart, 15, 12 March 1804, *H.R.A.*, 1, IV, pp. 571 *et seq.*

¹⁸ Macquarie to Bathurst No. 3 of 1814, 28 April 1814, *H.R.A.* 1, VIII pp. 40 *et seq.*

trustworthy description of settlers as a Temporary Militia on any sudden emergency or invasion by a foreign enemy". He did not put his whole reliance in the Militia, asking unsuccessfully for some extra troops. The extension of settlement prompted Macquarie again, this time in 1817, after the Battle of Waterloo had been fought, to refer¹⁹ to the need for protection—not this time against a foreign enemy, for the Empire was now at peace. Macquarie referred to "the Event of any Internal Insurrection or Commotion or the Recurrence of Hostilities on the part of the native blacks". And with the encouragement of the Secretary of State,²⁰ the Governor submitted an establishment for a Militia—"In the present extension of the population and its mixed peculiar character Militia Cavalry would be useful." Something of the later tradition and evolution can be seen in Macquarie's view that many young men would cheerfully enrol themselves particularly in the Cavalry. Macquarie's comment was not acknowledged and the matter lapsed.

In 1825 in response to an official request, Edward MacArthur, then in London as a Captain in the 19th Regiment, later to be the first Australian to attain General rank, submitted²¹ a scheme for a Militia force. MacArthur thought that such a force would alleviate and ultimately remove the need for the garrison to be increased. A Militia "raised from amongst the peasantry . . . commanded by those whose property and connexions give them a strong local interest in the preservation of the public peace" was important, whether for "repressing insubordination and tumults at home" or for "resisting the sudden and hostile attacks of foreign enemies". It would have many advantages including a tendency to restrain the violence of runaway convicts and the occasional aggressions of hostile tribes of natives. It should be formed of young men born in New South Wales, and from, as MacArthur delicately put it, "persons who had proceeded hither as voluntary settlers". This limitation would "at once contribute to maintain respectability of character," would "afford the means of training and disciplining the free inhabitants, and gradually inculcate that respect for their superiors, that observance of . . . gradation in society, and that loyal attachment to the Crown, the acquisition of which is unfortunately too little facilitated by their present habits and situation".

In view of MacArthur's fears that "a democratic spirit is sedulously encouraged in the Colony, and that efforts are constantly made to applaud and uphold the Republican institutions of America in preference to those of England", he thought the time was ripe for the "commencement, and gradual establishment of such military institutions as may have the effect of encouraging habits of subordination, of connecting the regular forces of the Crown with the great body of free inhabitants, by similarity of duties and feelings, and thus repressing the jealousy and dislike which are too apt to arise, when the preservation of the public is entrusted to strangers".

¹⁹ Macquarie to Bathurst. No. 18 of 1817. 4 April 1817. *H.R.A.* I, IX, pp. 340 *et seq.*

²⁰ Bathurst to Macquarie, 20, 29 September 1819. *H.R.A.* I, IX, p. 837; Macquarie to Bathurst, 31 of 1819, 19 July 1819. *H.R.A.* I, X pp. 183 *et seq.*

²¹ E. MacArthur to Wilmot Horton, 4 July 1825 with Horton to Darling 26 July 1825. Government House set Despatches to Governor of New South Wales July–December 1825.

Captain MacArthur's detailed proposals show he was acquainted with English legislation and with the problems of a Militia. But the most interesting aspect of his memorandum is his attempts to create a military tradition in the upper reaches of Colonial society while adapting the force to the "prejudices of a population who are widely dispersed, whose personal attention to their property is constantly required and who will therefore be unwilling to subject themselves to much military duty in time of peace." And so, until "some progress . . . is made in the introduction of military habits, the periods for mustering, drilling, or permanent service must not be of frequent occurrence, and should be appointed with careful reference to the Seasons and the agricultural occupations of the officers and men". The new Governor regarded²² the plan as "well digested", but he emphasised the obstacles to carrying it out successfully. When Sir Ralph Darling had taken stock after his arrival in the Colony, he wrote that attendances at Militia training would be considered a grievance by colonists: "What man in his senses would leave his family and his property for any length of time at the mercy of convict servants?" Internal order and defence against bushrangers and natives would, thought Darling, be better served by an efficient Mounted Police, and by owners' remaining on their properties. MacArthur's plan, therefore, was not adopted at this time, but the later suggestions of his brother James MacArthur were essentially similar.

The modern Volunteer movement springs in conception from the late eighteen forties in New South Wales and from the proposals of Earl Grey, the Secretary of State for War and Colonies in Lord John Russell's Cabinet.

The curtailment of British responsibility stimulated a review of the institutions of law enforcement by a Select Committee of the New South Wales Legislative Council. The witnesses before this Select Committee on Police spoke in the course of discussing the domestic problem of internal security, and the Governor, Sir Charles FitzRoy, considered the practicability of a Militia was rather small. However, both Sir Charles Nicholson, the Speaker, and Mr. James MacArthur who was then a Member of the Legislative Council, suggested that a local force be established, and referred to its use against an external enemy. Sir Charles Nicholson suggested²³ the force might deal with outrages on the part of the natives or with bushranging. He believed that "irrespective of all considerations connected with Police, the existence of such a Corps . . . would appear to be absolutely necessary". He thought that the likelihood of adequate protection by the Mother Country against invasion was very small. James MacArthur was less directly concerned with the internal police purposes of the military force, but thought²⁴ it would "be highly advisable that as soon as may be practicable the germs of Military institutions should be created in the Colony". His proposals were not specific, but envisaged a mixed

²² Darling to Hay, 1 February 1827. *H.R.A.* I, XIII, p. 63.

²³ *Report from the Select Committee on Police with the Appendix, Minutes of Evidence and Replies to a Circular Letter*, ordered by the Council to be printed 14 September 1847, N.S.W.L.C., V & P, 1847, Vol. II, Evidence 3 July 1847, Qns. 15, 16.

²⁴ *Ibid.*, 1 July 1847. Qn. 96.

force of mounted and foot soldiers, who might act in combination with the police on the basis of local Volunteer associations. In these remarks there is a sign of the awareness of the growth of the community, a manifestation of national feeling; and the views of the English statesman, W. E. Gladstone, expressed later, resemble James MacArthur's opinions. MacArthur²⁵ said: "I think it only right that every community should possess the means within itself for repelling aggression and maintaining peace, and good order, and the inhabitants of this Colony should, therefore, be trained to the use of arms and to military evolutions as soon as practicable. So impressed am I with the expediency, not to say necessity, of effecting this at the earliest possible time, that if it should be found that voluntary arms fail to produce the desired effect, I would strongly urge the passing of a Militia Enrolment Act, which should compel the enrolment and service for a limited period of the male adults in the several districts throughout the Colony". In contrast with the official view in 1854 and again in 1860, both Nicholson and MacArthur envisaged a force composed of companies spread over many of the country districts. In Nicholson's proposals this was required by the police function, in MacArthur's views²⁶ "many young men in the Colony would look upon it as an agreeable change from the monotony of their ordinary country pursuits". In the English rural tradition MacArthur suggested that officers would be prepared to supply their own uniforms and equipment.

The Select Committee did not consider that a Militia was then needed, but it commended the evidence of MacArthur, Nicholson and another witness which, it stated²⁷ "will be very useful when the necessity will arrive as it may do at any time, and must do before long, for the establishment of a militia or yeomanry corps". The Select Committee itself preferred a Yeomanry Corps as the least expensive and most suitable body, but without additional taxation the expense was felt to be beyond the Colony's resources at that time. Nothing was done immediately to establish the Corps but the proposal attempted to meet pending changes in British military colonial policy foreshadowing the reduction of the garrisons.

When Earl Grey in 1848 discussed the need for a Colonial contribution towards the local defences, and when he commented on the absence of permanent imperial Artillery in New South Wales, he suggested²⁸ to Sir Charles FitzRoy the advantage of forming a Volunteer Artillery Corps, and he had approved of the Governor's granting commissions in a Corps if it were formed. Grey even warned FitzRoy that by a judicious distribution of commissions in a Corps of this kind which would "carry with them a certain rank and consideration in the Colonial Society" the "just influence of the Government may be extended and a spirit of loyalty encouraged". The principal gentlemen, "the inhabitants of higher station", could be stimulated

²⁵ *Ibid.*, Qn. 105.

²⁶ *Ibid.*, Qn. 99.

²⁷ *Report . . .*, *op. cit.*, p. 14.

²⁸ Grey to FitzRoy, Military Separate Confidential, 4 March 1848, WO 1/519. And ordinary despatch of the same date.

to form Corps at Sydney and Melbourne which could be composed of the labouring population. But the Governor was to take care not to encourage the formation of any such Corps unless they were placed entirely under his control, and unless the appointment of officers rested exclusively in him. Sir Charles FitzRoy drew²⁹ to Earl Grey's attention the opinion of the New South Wales Executive Council that it was impracticable to form a Volunteer Artillery Corps, and inexpedient to enrol a Militia. The Governor himself suggested the unwisdom of arming the population in a Militia.

So matters stood until in August, 1851, Sir Charles FitzRoy, now Governor-General, forwarded³⁰ to Grey an application from Mr. Joseph Pettingell on behalf of the members of the Sydney Rifle Club for permission to form themselves into a Volunteer Rifle Company which would act under the authority of the Government. Pettingell had, it seems, been a member of the Honourable Artillery Company and the Royal Cumberland Rifle Corps³¹ before he migrated in the eighteen thirties. He was interested in rifles and had suggested earlier that the Government make arrangements for proofing firearms. He collected signatures from among public servants, and his enthusiasm perhaps outran the Governor-General's wishes. Sir Charles FitzRoy stated that he had not been able to act because of the shortage of arms and accoutrements in the Colony but he thought such a body should be formed, and in December, 1851, Earl Grey agreed³² warmly. One of his official advisers suggested to Grey that this was a suitable opportunity to found a local force. As, however, there seemed little chance that the New South Wales Legislative Council would vote funds for arms for the Rifle Company, Grey was prepared to provide

²⁹ FitzRoy to Grey, 227 Military, 7 November, 1849. Despatches from the Governor of New South Wales, Vol. 63, 1849; Minute No. 47, 24 September 1849. Minutes N.S.W. Executive Council, Vol. 9.

³⁰ FitzRoy to Grey, Military No. 144, 4 August 1851. Transcripts Missing Despatches from Governor of New South Wales, pp. 2409 *et seq.*

³¹ A copy of Pettingell's printed letter soliciting signatures to form a Rifle Corps is to be found in the Dixon Library interleaved in the Register of Volunteers. The Secretary of the Honourable Artillery Company has confirmed that Pettingell was a member of the Honourable Artillery Company. I have not been able to confirm that he was a member of the Cumberland unit as he indicated on this letter.

The letters from Pettingell to Sir Charles FitzRoy and the Colonial Secretary of New South Wales are dated respectively 10 and 11 July 1851 and 1 July 1851 and are to be found in N.S.W. Archives, Col. Sec. In letters 1851. 51/6795, 51/6741 (call number 4/2940).

In 1854 Pettingell said (*Report from the Select Committee on the Volunteer and Yeomanry Corps Bill with minutes of evidence*, ordered to be printed 11 July 1854, N.S.W. L.C., V. & P. 1854, I, Evidence 28 June, Qns. 2, 6, 7, 8) that he did not at the time of the application belong to the Sydney Rifle Club nor did he "have anything to do" with the Club whose application he put in. He was not a member. If the despatch stated that the application was made on behalf of the Rifle Club "it was a mistake". Nevertheless, even if Pettingell's activity stemmed from eccentricity (observable in his letters to the *Herald* under the *nom de plume* of "The Old Rifleman" and his willingness to take Sir Charles FitzRoy's name in vain), his proposals gave an opportunity for the force to be established and at least arms were sent. (When the Bill lapsed these, to the annoyance of the English authorities, were issued to the Police.) Pettingell's suggestions for the proofing of firearms addressed to the Governor and laid before the Executive Council in October 1847, together with a letter to the Colonial Secretary dated 10 October 1847 indicating his interest in pistols and rifles, are to be found in N.S.W. Archives Col. Sec. In letters and Col. Sec. Executive Council 47/7460, 47/8144 (call numbers 4/2770 and 4/1024).

³² Grey to FitzRoy, 12 December 1851. WO 1/523.

them, and in view of the reduction of the British garrison, he expressed his satisfaction that the colonists saw "the policy and necessity of taking measures for their own defence against any danger which may arise", and he again emphasised that care was to be taken in the mode of appointment and selection of officers.

Although the introduction of a Bill into the New South Wales Legislative Council in September, 1852, to provide for the enrolment of a Volunteer Corps and a Yeomanry Corps stemmed, then, directly from the approval given by the Secretary of State to the local request of Mr. Pettingell, there was some interest in the Colony in local forces against attack from without and internal disturbances within. For instance, a pamphlet entitled "Suggestions on the Combination of the Police and Militia Systems to Serve the Purposes of Protection from External Attack and Internal Disturbance in New South Wales", written by Brigadier General O'Connell, Knight Commander of Isabella la Catholique, who had been formerly commanding the British Legion in Spain, in New South Wales a Commissioner of Crown Lands, was reviewed in the *Herald*.³³ O'Connell's object was to awaken the colonists to a sense of their altered circumstances now gold had been discovered. He dealt with the situation of the Colony in time of war. He dwelt also on what he regarded as the more probable danger of internal disturbance from the influence of the large gold-seeking population. One of its supporters gave the impression that the Bill to establish these Corps had been introduced prematurely and without clear purpose or enthusiastic drive, when he said³⁴ that if it did no good it could do no harm—although the matter had been considered for some time.

The Governor-General summarised³⁵ the reasons why the Bill was withdrawn late in 1852 as being a reluctance to incur expense and a fear of inefficiency. He believed that some members of the Legislative Council wished to postpone the establishment of a force, as "the Military relations of the Colony with the Mother Country were then undetermined".

The firm intention of the British authorities to reduce the Imperial Garrison—to which FitzRoy alluded—was not matched by an equal readiness on the part of the legislators in the Colony to take up the responsibility. Not even in their conceptions of responsibility were colonists and the officials completely at one.

In 1854 misgivings as to the defences of the Colony increased as the international situation seemed to grow less peaceful and the *Sydney Morning Herald*³⁶ considered that since the Imperial Government had ceded the land revenue to the Colony of New South Wales it was entitled to call upon New South Wales to provide its fair share towards the general defence of the Empire—a partial recognition that responsibilities had to be assumed when the rights of self-government were gained. As Australia was unlikely to become the *locale* of big military operations, and as the British Army was likely to be occupied in Europe if war broke out, the formation

³³ *S.M.H.* 31 July 1852, p. 2 Cols. 6, 7.

³⁴ *N.S.W.L.C.*, 24 November 1852, reported *S.M.H.* 25 November 1852, p. 2, Col. 2.

³⁵ FitzRoy to Pakington, 45, *Military*, 25 March 1853, WO 1/524.

³⁶ *S.M.H.* 16 January 1854, p. 5, Col. 4.

of a Volunteer Corps in New South Wales seemed to the *Herald* at this time to be the safest and best means of providing for the security of the Colony, although later this paper canvassed the advantages of a Militia.

A meeting of the members of the Sydney Chamber of Commerce on the defence of the Harbour and City in April, 1854, proposed³⁷ that Volunteers be established, and in 1853 and early in 1854, this was proposed by correspondents to the papers. One of these was William Windeyer, then a student in the University of Sydney, later to be its Chancellor, and there is evidence that he was aware of his ancestors' English volunteering during the French Wars. He himself was very active in the second Volunteer movement.

In this climate of opinion the local Executive Council³⁸ decided to create a Volunteer Force. The Act of 1854,³⁹ was derived from, though it was not identical with, the English legislation of 1804,⁴⁰ and was the legislative authority for the first Volunteer Corps, and indeed, until 1867, it provided the local legislative basis for the movement which sprang up in 1860.

The essence of the Volunteer arrangement generally, leaving aside the Naval Volunteers, was that except for the nucleus of instructing and organising staff, Volunteers in peace time would be unpaid, and that military duty would be fitted into their daily lives. At the end of August, 1854, recruiting began and was responded to "with an enthusiasm which merits the highest praise".⁴¹ Even then, however, one woman, complaining of the lack of Volunteers, suggested⁴² that the government should make it compulsory for bachelors to join the Corps "and then if the Colony does not get gentlemen soldiers at least we, or some of us, will get husbands". *Au contraire*, Mr. James MacArthur had reminded⁴³ the Select Committee on Police of the law in some Cantons of Switzerland that no man could marry until he was provided with the arms and equipment necessary for the Militia Service.

Colonel Bloomfield, the Commander of the Troops, was appointed to be the Inspecting Field Officer of the Corps. The Inspecting Field Officer was apparently often, though not always, regarded as the proper liaison with the Governor, and probably exercised⁴⁴ more influence than the title would suggest to those unacquainted with English Volunteering. Whereas in England there was controversy as to whether the Volunteers should be more "Horse guarded" as Major Sir George Denys, the Major of the First Administrative Battalion of the North Riding of Yorkshire

³⁷ *S.M.H.* 5 April 1854, p. 5 Cols. 5 and 6.

³⁸ Minute No. 18, 19 April 1854. Minutes N.S.W. Executive Council, Vol. 15, p. 120.

³⁹ 18 Vic. No. 8.

⁴⁰ 44 Geo. III C 54. FitzRoy to Grey, 139 Legislative. Despatches from the Governor of New South Wales, Vol. 76.

⁴¹ *S.M.H.* 26 August 1854, p. 4, Col. 3.

⁴² Bertha Smith in *S.M.H.* 26 August 1854, p. 7, Col. 6.

⁴³ *Report from the Select Committee on Police, op. cit.*, 1 July 1847, Qn. 101.

⁴⁴ *Progress Report from the Select Committee on the Volunteer Corps Act of 1854, with Minutes of Evidence*, ordered by the Council to be printed 19 December 1855, N.S.W.L.C., V & P, 1855, III, Brownriggs's evidence 25 July 1855. Qns. 50-54.

Volunteer Corps, put it,⁴⁵ "in Australia there was some restlessness, particularly in the eighteen sixties, that the Corps should be inspected by someone who had more time than had a Senior Imperial Officer in the Colony, and who would be more subject to the authority of the Colonial Government."⁴⁶ In New South Wales this was achieved when Richardson succeeded Kempt who was the first Inspecting Field Officer in the Second Volunteer movement.

In 1854 the Volunteer Corps consisted of some Volunteer Rifles, some Yeomanry Cavalry, a Battery of Volunteer Artillery. At their peak enrolment the Rifles numbered approximately 320, the Artillery about 70 and the Yeomanry perhaps about 50.⁴⁷

The *Illustrated Sydney News* in October, 1854,⁴⁸ praised the Rifles for their highly satisfactory appearance at drill, though it disapproved of talking in the ranks during parade.

The Volunteer Artillery at Fort Macquarie were not as efficient as the Rifles in spite of half a dozen "tolerably smart gunners". Some of the Artillery "are not of the alert and nimble build which distinguishes the Rifle men. Various of our portly middle aged citizens have taken refuge in this branch of the service". The paper complimented their Commander as one of the most gentlemanly and good tempered commanders in the Corps but suggested that some of the men took advantage of this characteristic and the similar traits of the drill sergeant. In April, 1855⁴⁹ the Corps gave a very enjoyable dinner at the Exchange Hotel to Captain Mann and presented a salver and claret jug to Sergeant Major Morehead as he then was.

Later in 1854, however, the Volunteers' *esprit de corps*, and probably their efficiency, and certainly their numbers, were affected by dissatisfaction over the quality of some of the officers. The Act of 1854 had provided⁵⁰ that the actual commissions would be granted by the Governor but the procedure was that the names submitted to him were chosen by Companies, the composition of which, to avoid canvassing, was not announced in advance. At the beginning, according to Gideon Lang,⁵¹ a man of affairs, an enthusiastic member of the Volunteer Rifle Corps and a strong believer in colonial self reliance, the elections were normally a farce.

⁴⁵ *Report of Commissioners Appointed to Inquire into the Conditions of the Volunteer Force in Great Britain together with Appendix. H.C.P. Reports from Commissioners (11) 1862 Vol. XXVII, Evidence 8 July 1862. Qn. 4406.*

⁴⁶ E.g. *S.M.H.*, 21 March 1865, p. 10, Col. 2. Into this matter entered the desire of the Colonial Volunteers to have a Commanding Officer who was not at the time in the Imperial Regular Army. This stemmed partly also from differences between the Volunteer Force and the Regular Army.

⁴⁷ From the Volunteer Rifles N.S.W. Records 1854-68 (Dixson Library); and a list (apparently privately compiled) of the Volunteer Artillery in the Mitchell Library. The Blue Book states the numbers at the end of 1854 as Cavalry 45, Artillery 46, Rifles 244+51, but the next Blue Book gives the Artillery as 77 (though the figure for the Rifles is only 167).

⁴⁸ *Illustrated Sydney News*. Vol. 3, No. 54, 14 October 1854, p. 296. Vol. 3, No. 56, 28 October 1854 p. 321.

⁴⁹ *Ibid.*, Vol. IV, No. 81, 28 April 1855, p. 205; Vol. IV, No. 82, 5 May 1855, pp. 222-3.

⁵⁰ § 2.

⁵¹ *Progress Report, op. cit.*, Evidence, 1 August 1855, Qns. 4 and 5.

It seems that the problem of the English urban volunteering democracy had recurred, for when few of the members knew one another well the elections could not reflect their mature judgment of the capacity of candidates.

When the Governor-General came actually to grant the commissions from the names submitted to him as the result of the elections, his appointments did not avoid criticism. Sir Charles FitzRoy, it seems, appointed most of those who had been recommended, but, according to the Commander of the Troops and the Inspecting Field Officer,⁵² was "entirely guided by a desire to give precedence to those who had been in the Army. Everything was done . . . to place the military men at the top of the list so far as the elections permitted".

The Governor was not obliged to take the advice of his Executive Council on this matter, and there is no record of proposed appointments being considered first by the Executive Council. By the middle of October, 1854, Sir Charles FitzRoy had recognised⁵³ that the selection of Officers by Companies did "not work well or give general satisfaction" and reserved to himself the right of selecting and appointing all officials of the Volunteer Force. He announced that the officers would be selected from those members who "by their zeal and attention to their duties" were best qualified.

Some of the Governor's appointees were able men. There was Thomas Wingate,⁵⁴ the bearer of what has since become a famous military name. He had served in the 78th Highlanders in Persia, and also in Ceylon and India. From his experience he was able to encourage his men. He took advantage of special occasions to arrange ceremonial parades such as on the farewelling of Sir Charles FitzRoy in January, 1855,⁵⁵ and other activities such as the march to the country in July, 1855.⁵⁶ Others, of course, did this as well. A Brigade order provided the Volunteers for a guard at the Opening of the Railway to Parramatta in September, 1855.⁵⁷

We have Wingate's statement⁵⁸ that the appointment of officers caused rumblings but no formal complaints. Some of the high number of resignations from the Rifles in September and October, 1854,⁵⁹ probably are accounted for by those who joined in excitement but who did not contemplate the arduous work that followed their gesture; but some may be regarded as criticisms of the Corps' activities.

It is more difficult to assess how the quality of those appointed as officers affected the efficiency of the Corps, and those who stayed in it. Gideon Lang,

⁵² *Ibid.*, Evidence Col. Bloomfield, 18 July 1855, Qn. 51.

⁵³ Jenner to Wingate, 11 October 1854 in Regimental Orders 12 October 1854, *1st N.S.W. Rifles Regimental Order Book*.

⁵⁴ *Illustrated Sydney News*, Vol. IV, No. 82, 5 May 1855, p. 223.

⁵⁵ Order 25 January 1855, *1st N.S.W. Rifles Regimental Order Book*, *op. cit.*

⁵⁶ *Ibid.*, Order 27 July 1855.

⁵⁷ *Ibid.*, Brigade Order, 24 September 1855.

⁵⁸ *Progress Report op. cit.*, Evidence 18 July 1855. Qn. 29.

⁵⁹ The accessible records are incomplete but it seems from an analysis of the Volunteer Rifles N.S.W. Records 1854-68 in Dixson Library that in September at least 15, and in October, at least 25, members of the Rifles alone resigned.

apparently a hard critic, considered some officers efficient, but he commented⁶⁰ that unless officers had previous military experience they could not always carry out the drill and movements that they were supervising. In 1856 the Volunteer Office in New South Wales offered⁶¹ extra instruction to officers who had not previous military experience. It was not until later that examinations for officers were begun although they were suggested as early as 1855. In Volunteering as well as in regular service proper officer training was of crucial importance, as was recognised later for instance by the Royal Commission on the Militia and Volunteers in 1904, which commented⁶² on the superiority of Swiss training and the much shorter time spent by the British Volunteer in acquiring such skills as he had.

Originally each member of the Sydney Volunteer Rifles was to drill for a minimum of four hours a week, but by November there were only two parades a week, one of which was a dress parade.⁶³ The parades were often held in the Inner Domain.

Attendances varied. Major Wingate praised⁶⁴ Mr. John Turner of the Customs Department who had missed only one parade of the Volunteer Rifles though he lived three miles out of town, and every time he attended parade during the week he had to walk the distance four times in the day; there were several others like him. But Wingate presented less impressive figures of effectives.⁶⁵ Of a total enrolment of 316 to 30th June 1855 transfers, absconded and resignations amounted to 189, total on strength at 1st July 1857, and of these 80 were effective. Employers were criticised⁶⁶ for not allowing their staff time off and perhaps the Government gave the assistance of a patron in this respect, just as today, very commendably, it makes it easy for its employees to attend at the Red Cross Blood Transfusion Service. Fearing to cause resignations, the Volunteer Commanders were reluctant to use their power of imposing fines on absentees, even if payment could be enforced.⁶⁷ The Inspecting Field Officer's statement,⁶⁸ "the difficulty of getting people together who are in other occupations and employment is great" referred to the fundamental problem of the colonial unpaid part-time force.

By contrast, the Major commanding the Wick Volunteers in 1799 had given⁶⁹ an officer leave for six weeks as "you find it necessary to go to the South Firth to

⁶⁰ *Progress Report, op. cit.*, 1 August 1855, Qn. 25.

⁶¹ Memorandum 14 April 1856, *1st N.S.W. Rifles Regimental Order Book, op. cit.*

⁶² *Report of the Royal Commission on the Militia and Volunteers* (Great Britain) Cmd. 2061, 1904, Paras. 40, 41, 43.

⁶³ Orders 27 September 1854, 18 November 1854, *1st N.S.W. Rifles Regimental Order Book, op. cit.*

⁶⁴ *Progress Report, op. cit.*, Evidence, 18 July 1855, Qn. 27.

⁶⁵ *Ibid.*, Qns. 1 and 2.

⁶⁶ *Ibid.*, Evidence Wingate 18 July 1855, Qn. 7, Brownrigg, 25 July 1855, Qn. 93; e.g. Incipient Artilleryman and The Old Rifleman, *S.M.H.* 31 December 1854, p. 3, Col. 5, and 8 February 1856 p. 3, Cols. 1 and 2 respectively.

⁶⁷ See *Progress Report, op. cit.*, Evidence Captain Brownrigg, 25 July 1855, Qns. 32, 35. Captain Mann, Qns. 36, 47.

⁶⁸ *Ibid.*, Colonel Bloomfield, 18 July 1855, Qn. 6.

⁶⁹ See Major Perevia's note "Leave for Volunteers, 1799" in *Journal of the Society for Army Historical Research*, Vol. XXX, No. 124 (1952), p. 180.

prosecute the fishing". The comment on the rolls of the first Volunteers here "gone up country" or "gone to England" probably explains a continued absence rather than records the granting of leave. Major Wingate had written⁷⁰ in a regimental order in September 1854 that "he would feel obliged if certain gentlemen . . . were more punctual since it was impossible they could attain efficiency without some little trouble on their part at the outset".

For the first Corps the Government did not provide uniforms. Gideon Lang's uniform may have been of superior quality, or made by an established tailor, since it cost him nine or ten pounds, although he said⁷¹ the general price was eight pounds. He knew "a very great number of men and officers who would have joined, and family men who would have sent their sons but for this". And even serving members would retire when their uniforms wore out. This was to happen in the eighteen sixties in Britain. In the second movement in New South Wales in the eighteen sixties the Government did often provide uniforms.⁷² This had been recommended by a Select Committee of the New South Wales Legislature in 1855.⁷³ One of the witnesses⁷⁴ had then thought that providing uniforms would be an inducement to volunteer, but feared that if they were paid for the force would not remain a Volunteer Corps. This was the kind of problem that vexed the Commissioners on the Volunteers in Britain in 1862 and also some of the Volunteers themselves. Gideon Lang saw⁷⁵ that it was not just a matter of the cost of a uniform; the giving of a uniform was important as a "symbol of worth to the public". In fact "one of the feelings that has operated most strongly against the efficiency of the Corps is the idea that the public regard us as vain fools, soldiering for mere show instead of men devoting time and trouble to an irksome duty; there has been little in our service to gratify vanity." He suggested making the uniform more attractive for young men. "There is no reason why an Australian rifleman should not have a peculiar uniform."

Over half a century earlier a reviewer in the *Gentleman's Magazine* had quoted⁷⁶ a criticism, "It has always been judged wise . . . to cloathe the guardians of their country in a way that may ftrike with respect and awe. In the cloathing of the Volunteer cavalry in the midland counties, some of the committees have brought

⁷⁰ Regimental Order No. I. 21 September 1854. *1st N.S.W. Rifles Regimental Order Book op. cit.*

⁷¹ *Progress Report, op. cit.*, 1 August 1855, Qn. 35.

⁷² The 1862 Commission in Great Britain concluded (with an however awareness of the need for care) that more assistance should be given by Government. The "Rules and Regulations for the guidance of N.S.W. Volunteer Rifle Corps" formed in the second movement provided a safeguard that members resigning or expelled within a year should pay for the uniform. (In N.S.W. Col. Sec. In letters Box 50.)

⁷³ *Progress Report, op. cit.*, Para. 4.

⁷⁴ *Ibid.*, Evidence, R. Ronald (of the Volunteer Artillery) 8 August 1855, Qn. 15.

⁷⁵ *Ibid.*, 1 August 1855, Qn. 35.

⁷⁶ Reviewer of *Thoughts on the Provincial Corps raised and now raising in support of the British Constitution* by A Private in the Leicestershire, *Gentleman's Magazine*, Vol. 65, Part 2, November 1795, p. 931.

forth a kind of go-between thing in drefs, neither foldier nor yeoman; fomewhat like a recruit from the plough, juft enlisted, feen at the head of a recruiting party, with a fword, belt, and a ferjeant's hat or helmet on, and in his ruftic drefs; at once a figure of ridicule and the fport of boys. . . ." The uniform for the 1st New South Wales Volunteer Rifles, who were the lineal ancestors of the 1st City of Sydney Regiment, was not unprepossessing. It was⁷⁷ "a short single-breasted frock coat of dark rifle green cloth, a stand-up collar black velvet facings, black silk braid three-quarters of an inch broad along the cap, the bottom of the collar and up the front of it and also on the caps, eight buttons in front and four behind, black cord shoulder-straps." The trousers were to be the same dark green cloth with stripes of black braid one and a half inches broad up the entire seam. The cap was to be also dark green, similar to that worn by regiments of the line, with a black band. There was to be an oakleaf pattern with a bugle and a figure on it in bronze, figure 1 to be worn in front of the cap. The boots were to be Wellington or ankle boots, but shoes were not to be worn. The undress uniform was to be similar to this except that white trousers would be worn.

In September 1854⁷⁸ members were told that the undress uniform with white trousers would be worn until further notice and they did not need to have the regimental cloth trousers. But in an order in December 1854⁷⁹ they were ordered to appear at the Inspection on 16th December in full dress with cloth trousers.

Late in 1856 the Legislative Assembly refused⁸⁰ a vote for the Volunteer Corps, and this discouraged all but a few stout enthusiasts. It is perhaps significant that the last Brigade order in the Order Book is for a parade on the public holiday in July 1856 declared after the news of the end of the war was received.

The apparent lack of efficiency on the one hand, and the passing of the Russian threat on the other, were the most obvious reasons for this grudging spirit in the Legislature. For instance it was argued that the Volunteers were no longer necessary as no organisation was required against aggression from without or for the preservation of order within. Mr. Henry Parkes spoke in support of the Corps, referring to the need to develop qualities of patriotism and self-reliance. If the colonists were to have a permanent force it would be better to have one formed of their own citizens than a standing body such as the troops responsible to the Imperial authorities. As even these two remarks show, speakers in the debate did not all share, nor perhaps did they really understand, the conception of the Volunteer Corps as an auxiliary force. And yet this conception explains the more easily the Legislature's disinclination to vote funds for it if it thought the need for preparedness had passed. The *Sydney Morning Herald* commented⁸¹ editorially: "The Assembly in a freak

⁷⁷ At the beginning as specified at the Meeting of Board of Officers 5th September 1854 (Volunteer Rifles N.S.W. Records 1854-68, *op. cit.*); Regimental Order 27 September 1854, 1st N.S.W. Rifles Regimental Order Book, *op. cit.*

⁷⁸ Order 27 September 1854, 1st N.S.W. Rifles Regimental Order Book.

⁷⁹ *Ibid.*, Order No. 3, 5 December 1854.

⁸⁰ N.S.W.L.A., 10 December 1856, Reported *Empire* 11 December 1856, p. 2, Col. 5.

⁸¹ S.M.H. 7 January 1857, p. 5, Col. 3.

of pleasantry have voted down the Volunteers. The foolish taunts of idle apprentices who could see nothing but a joke in the first efforts of our young men to discipline their valour have been echoed by our Solons. The same grand spirit awaits a triumph over our regulars."

This attitude was not confined to New South Wales, as caricatures of the Victorian Volunteers in the eighteen sixties show. One of the most prized possessions of the Honourable Artillery Company of London is a drawing by Thomas Rowlandson. It is called "Storming the Dunghill at Bunhill Fields". It is dated 1772, and shows a regiment of City Militia marching down City Road past Armoury House. As Major Goold Walker points out,⁸² the leading company is composed of one-eyed or one-legged rascallions, one of whom is picking a comrade's pocket as he marches; the officers (who would, as such, be members of the Artillery Company) are ridiculous figures and some are shown drinking and brawling in a tavern instead of marching with the regiment.

In June 1857 Major Wingate told⁸³ the Colonial Secretary that some of those who had been most zealous attendants "resolved not to expend the time in attendance but still remained on the strength in the hope that a revival may take place".

In a society already disrespectful of rank and pomp and formality, already tending to make judgments of people primarily on the basis not of social position but of personal performance in some way appropriate in the environment, the attitude of the public aggravated the absence of a military tradition and the absence of a traditional and responsible ruling class. There was not a sufficiently large number of those who within their own circles could regard the officering of an amateur military force as a responsibility accompanying their public status. There was nothing quite corresponding to the social status of the Lord Lieutenancy with its associated functions in civilian and military society in England. Even there, activity could be sustained only with difficulty; but the English Channel was not so wide as the Pacific and the ridicule and petty quarrelings assumed more importance in the absence of tangible financial support, and in the presence of doubts as to the role of the Corps, these doubts themselves being partly products of peace and isolation. It is hard to know if hostility or indifference to the Corps infected one Parliamentary group more than another. After the second Volunteer movement had begun the *Herald* suggested⁸⁴ the "Liberal Party" had some special responsibility for the decline of the earlier effort. "The Liberal Party of that day was foremost in their childish ridicule of military discipline; abuse never ceased until they extinguished the Corps by withdrawing from it the meagre funds which the State had engaged to supply."

In one of the military debates one of the MacArthur family explained that the matter had been dealt with as a matter of party. One can only express one's

⁸² G. Goold Walker, *op. cit.*, p. 173.

⁸³ Wingate to Colonial Secretary 23 June 1857 (in N.S.W. Col. Sec. In letters, Box 50).

⁸⁴ *S.M.H.* 18 January 1861, p. 1, Col. 3.

conviction that conservatives and royalists seem usually more zealous of the safety of the realm (not of the State). It may be that the Liberal Party of those days is to be linked with those more interested in internal development. In so far as it is possible to identify them, the local non-official suggestions for a Volunteer movement came from among military men or those who had known of the English movement or from the Australian counterparts of the English County families. It is clear that the movement of the fifties and also that of the sixties benefited by the enthusiasm and support of families such as the MacArthurs, the Rileys and the Windeyers.

The wages of the unskilled labourer were approximately 7/- to 9/- a day, those of a bricklayer 13/- to 14/- a day.⁸⁵ If it was the case that⁸⁶ "no gentleman could get into his saddle fully equipped as a member of the Volunteer Cavalry under an expenditure of £200", and that it would cost £200 per annum to maintain the status of a trooper, it is unlikely that the Volunteers of the eighteen fifties could have included all strata of citizens even if the participation of the more humble had been sought, unless some members subsidized others. And there are indications that at the time when the population of Sydney was about 80,000⁸⁷ the Corps, which after all consisted of only several hundred men, was recruited from what we might dub upper middle and lower middle class men, except that it is hazardous to delineate too distinctly separate social classes, and it is by no means clear that the Corps was solidly and consistently supported even by and within a very wide social group. It seems that about twenty were government clerks, and the rest were barristers, solicitors, surgeons, dentists, manufacturers, squatters, farmers, agents, surveyors, auctioneers, warehouse-keepers, wealthy and respectable tradesmen, bankers' clerks, lawyers' clerks besides independent gentlemen.⁸⁸

The *Herald* complained⁸⁹ that the Volunteer bodies ". . . by no means represent that portion of the citizens who are most interested in the defence of the city and who have the greatest stake in the Colony. In the ranks of the Volunteers may be found hardly any of these wealthy and pursy citizens—fathers of families—householders, and men with large cash balances at the banks who should be most sensible of the necessity of protection against the invading foe. The greatest majority of those to whom the national defence is entrusted are the flower of the country's youth and manhood, who in their jackets of blue, green or scarlet, their guns, swords and sabre-sashes—their pipe clay and pumice stone, and all the 'pomp, pride and circumstances of war' realise rather their own sentimental notions of martial glory, than fulfil the dull duties of citizenship."

⁸⁵ Appendix referred to in letter Emigration Agents to Secretary for Lands, 25 September 1861 in *Return to an Address*. Ordered to be printed 5 December 1861. N.S.W.L.A., V & P, 1861-2, Vol. 2.

⁸⁶ Letter from "A Member of the Corps", *S.M.H.*, 21 May 1855, p. 10, Col. 1.

⁸⁷ *Census of the Colony of New South Wales taken on the 1st March 1856, under the Act of Council, 19 Victoria No. 8*. Sydney (1857), p. 23 and Appendix p. xxxii. *Return of the Colony of New South Wales*, 1855, p. 88.

⁸⁸ Rocket, *S.M.H.*, 22 June 1855, p. 8, Col. 3.

⁸⁹ *Ibid.*, 9 June 1855, p. 4, Cols. 3 and 4.

Apart from the disposition of party attitudes the debate of January 1857 over the expense and size of the Imperial military force well illustrated some of the fundamental factors in the decline of support for the local Volunteer Corps. The Solicitor General said⁹⁰ that the difficulties attending the establishment of a military force in the colony might be removed when circumstances arose which would stir up the patriotism of the country and induce the people to come forward to give their assistance. But until they found themselves surrounded by some danger he had little hope of their being able to raise a force in the Colony which would be sufficiently well disciplined to make them serviceable. If any force were raised in the Colony it would "draw men from industrial pursuits so necessary for the advancement of the Colony". A paid force would be more expensive than the English force. Mr. Charles Cowper, then no longer in office, said that all he and other members required was "so to remodel the expenditure of the country as to leave something like a fair porportion for the public works so necessary and so much required". They were asked for money for public works on all sides but were compelled to refuse them because the greater part of the funds was absorbed by matters such as this. In fact, of course, the amount of money spent by the Colony for military purposes was negligible. These twin aspects of isolation and the pre-occupation of a growing country with its development, the competing demands of peaceful avocations in the absence of a military tradition, explain the long-term obstacles of the Volunteers.

With the failure of the Volunteer Corps, however, the question of a Militia did arise again. The Government in September 1859 indicated⁹¹ that it was not in favour of a Militia, but would produce a measure to establish the Volunteer force if the House was prepared to supply the money. Mr. Cowper, now Prime Minister (for the second time), considered whether the best way of manning the ports in the harbour was with regular troops "not with mere volunteers". The motion⁹² of Mr. Parkes which the Legislative Assembly adopted towards the end of 1859 expressed the view that a national Militia should be formed as a substitute for the British garrison. Parkes thought a Militia could have roots in the native soil, and his advocacy of a national responsibility for defence did not contain any bitterness that British troops might not be available when necessary. If his resolutions did not lead to the formation of a Militia, at least their adoption provided some vague expression of the legislative opinion in favour of a local force. But the creation of a local force required a willingness to spend money and a clarity of conception which were then lacking in New South Wales leaders although Sir William Denison saw things more clearly. The Governor-General thought⁹³ that a Militia was more

⁹⁰ N.S.W.L.A., 6 January 1857, Reported *S.M.H.* 7 January 1857, p. 3, Col. 4.

⁹¹ *S.M.H.*, 16 September 1859, p. 3 Col. 2.

⁹² With Amendment. See the Debate N.S.W.L.A., 20 December 1859, reported *S.M.H.* 21 December 1859, p. 4, col. 6, pp. 7, 8, col. 1.

⁹³ Denison to Forster (Cowper's successor as Prime Minister) 22 December 1859, Government House Miscellaneous Correspondence 1855-1861, Vol. 1, p. 467.

expensive than a Volunteer Force and "under the present circumstances of the Colony it would be wholly inoperative unless indeed inducements held out are such as will cause a very heavy expense to the community; and a militia even if we succeed in embodying it will be of little or no use in the defences of the Harbour of Sydney which will be the only point of attack."

The Executive Council would not express⁹⁴ a hasty opinion upon "a question of such importance as the organisation of a militia involving as it does questions of finance, as well as others peculiar to itself."

In 1859, then, the Volunteer Corps was moribund but not dead. The Statute of 1854 had not been repealed, and the nucleus of the Volunteer Corps organisation remained. However, despite its reliance on the statutory charter of the old Volunteer movement, that of 1860 can be regarded as distinct in its origins and in some respects in its organisation. The Volunteer organisation seems to be taken much more seriously. The Volunteer movement in England, the state of international relations (which of course was one of the important factors accounting for the Volunteering in England) and the New Zealand episode of the outbreak of the war with the Maoris, account for the upsurge of activity in New South Wales in early 1860. Later that year the Governor-General, Denison, was to remark⁹⁵ that the organisation of the Volunteers was a spontaneous movement on the part of the population unsuggested by the Government, "although we were glad to take advantage of it in order to obtain the assistance of a body of trained men to aid the regular troops in the defence of Sydney". Denison's account does not indicate either his own encouragement, or his careful enunciation of problems and of arrangements to be made, which both goaded and guided the Cowper Ministry—somewhat lethargic on this issue at least.

The movement of the eighteen sixties differed in some respects but revealed the same problems. It followed the English movement of 1859 rather than the movement at the beginning of the century. In April 1860 the Bench of Magistrates at Penrith transmitted⁹⁶ to the Colonial Secretary a request from a number of persons to be enrolled in a local Corps. The signatories impatiently awaited the clarifying of Government policy, were eventually interviewed by the Governor-General and offered to supply their own uniforms. The Governor-General agreed to the recommendation that their services be accepted. Even here with the enthusiastic Captain Riley the characteristic waxing and waning occurred. The Penrith officers tendered their resignation when they had travelled some distance to find only four men on parade.⁹⁷ In Sydney a meeting in the Victoria Theatre, one of the prime

⁹⁴ Minute No. 5, 30 January 1860, Minutes N.S.W. Executive Council, Vol. 23, p. 124.

⁹⁵ Denison to Kempt, 24 November 1860. Government House Miscellaneous Correspondence 1855-1861, Vol. I, p. 578.

⁹⁶ Minute, 3 May, 1860, N.S.W. Colonial Secretary, In letters Box 50.

⁹⁷ See letter from "A Member of the Penrith Volunteer Rifles", *S.M.H.* 5 March, 1862, p. 2, Col. 4.

movers in which was Mr. Windeyer, and another in the Domain, led to a formation of the Sydney Volunteer Rifles, and suburban companies were formed, of which Penrith became one. The Sydney Volunteer Artillery was also established with Committees. Mounted Rifles were formed but existed only for a short time as they collapsed on dissatisfaction with their officers and the expense of maintaining their horses. At first, the Government did not establish Corps outside the metropolis except at Newcastle and for a short time at Grafton. "Against whom is it to act?" wrote⁹⁸ Denison on an application from Goulburn. The reason given was shortage of equipment, but later we do find a change. The old Volunteer Corps had been abolished⁹⁹ by a proclamation to enable new appointments to be made. There were some disagreements over the appointment of officers but Denison firmly insisted on his prerogative powers.¹⁰⁰ A matter which was only very gradually clarified was the power of the Governor over the Volunteers and the extent to which he was obliged to accept the advice of the local Ministry in this period of responsible government. This, as well as a desire to put the Corps on a firmer basis, led to the draft of legislation which emerged in its ultimate form as the Act of 1867. The Act provided that Volunteers deemed efficient receive a land order, and they were also to be exempted from jury service.¹⁰¹ The creation of criteria of efficiency and more rigorous rules for Volunteers was important, and the Act seems to have been followed by a wider enrolment. The more permanent difficulties remained and later in the century after the alterations in the eighteen seventies the Commissioners in 1881 and in 1892 considered the relationship of Unpaid, Partially paid, and Permanent Forces—of Reserve, Militia, and Standing Army—to one another.¹⁰² The Volunteers had temporarily performed guard duty in Sydney while the regular garrison was occupied in keeping order during the riots at Lambing Flat in 1861,¹⁰³ but were not deemed an adequate substitute for the Imperial Garrison to which New South Wales contributed in the eighteen sixties. The withdrawal of the Imperial garrison in 1870 forced the Colony to confront the need to maintain a full-time colonial force.

Dr. Brown, Captain of the Volunteer Corps at Parramatta suggested¹⁰⁴ that the main objective of the training should be good marksmanship. The formation of

⁹⁸ Denison's Minute, 24 September 1860, N.S.W. Col. Sec. In letters, Box 50.

⁹⁹ Minute 64, 60/43, 11 October 1860. Minutes, N.S.W. Executive Council, Vol. 24, p. 97. A copy is in N.S.W. Col. Sec. In letters Box 50.

¹⁰⁰ Minute 2 [?] September on McGovern to Cowper, 30 August 1860, 60/3627 in N.S.W. Col. Sec. In letters, Box 50.

¹⁰¹ § 44, 45 and 37 of 31 Vic. No. 5.

¹⁰² *Report of the Royal Commission appointed on the 16 February 1881 to inquire into the working of the laws and regulations made . . . for the establishment and maintenance of the military forces of New South Wales, together with the Minutes of Evidence, the Report to the Royal Commission from the Military Committee, The Minutes of Evidence taken before the Committee and Appendices* ordered to be printed 13 July 1881, N.S.W.L.C. Journal 1881, Vol. 32, Part 1, especially pp. 63, 101.

See also *Report of the Royal Commission to inquire into the Military Service of New South Wales*. Ordered to be printed 18 October 1892, N.S.W.L.A. V & P 1892-93, Vol. 7, pp. 557 *et seq.*

¹⁰³ Garrison Order, printed *S.M.H.*, 19 July 1861, p. 5, Col. 3.

¹⁰⁴ Dr. Brown to the Chief Secretary of New South Wales, 12 September 1860 (in N.S.W., Col. Sec. In letters, Box 50).

the New South Wales Rifle Association was important for the nourishment of the Volunteers and the development of this skill was perhaps one of the more permanent benefits. Some of those serving in Volunteer units in England emphasised marksmanship and rifle practice as activities which were rewarding and interesting to the Volunteers.¹⁰⁵

We know the difficulties of Volunteers even in England at this time. Fortescue believed that on the whole in the earlier movement in the French Wars the Lord Lieutenants performed their duties with admirable intelligence, energy and tact. He suggested¹⁰⁶ that only three in the whole of the United Kingdom seem to have been thoroughly unfit for their place. One was a sensitive magnate of slender intellect who delighted in raising difficulties, another was disabled by age and infirmity, and the third was accused of giving Commissions in the Volunteers to uncertified bankrupts to annoy a fellow landlord in political opposition. Although the Lord Lieutenant's position was one of immense formal and social prestige the success of the Volunteer venture rested in peace time so largely on consent that all his tact and support was required especially in dealing with brother magnates. These men often worked immensely hard, most wrote their own official letters, although some, crippled by gout, had clerks, and this was necessary in the case of another whose writing was illegible. They travelled far and often, and their work caused them to incur considerable personal expense as did that of Commanding Officers of Corps. We can estimate their importance in the middle of the century in England by the fact that Colonel North, Commanding Officer of the 3rd Battalion Royal Lancaster Regiment, could describe their influence as still tremendous in 1904¹⁰⁷ and noted that even a prominent country gentleman was very shy of going against the Lord Lieutenant, and this, even though his formal responsibilities had been curtailed earlier, and often his influence and his interest had declined.

In New South Wales, Sir John Young,¹⁰⁸ Denison's successor, had indicated to the Secretary of State the difficulty in finding local counterparts to the Lord Lieutenants. And the Governor's role as representative of the Crown, as the equivalent here in this respect of a Lord Lieutenant in an English County, could not replace the local interest and encouragement which outside the metropolis had to come from the magistrates and others. Of course, in England the loss of population to towns and the urbanization of the countryside was affecting the influence of the landed classes but it was still there with its tradition of exercised authority. There was probably less acquiescence in the 1860's in rural New South Wales—there was not an accepted settled rural ruling class, and in fact there were splenetic expressions¹⁰⁹

¹⁰⁵ e.g. Mr. John Pettie, the Colour Sergeant of the London Scottish Volunteers, in evidence before the Commissioners in 1862, *Report, op. cit.*, 30 May 1862, Qn. 839.

¹⁰⁶ Fortescue, *op. cit.*, pp. 35, 36.

¹⁰⁷ *Report of the Royal Commission on the Militia and Volunteers, op. cit.*, Evidence 16 December 1903, Qns. 19075, 19076, 19078.

¹⁰⁸ Young to Cardwell, 56, 14 July, 1865. (Despatches from the Governor of New South Wales 1864-66.)

¹⁰⁹ e.g. A Speaker in the Debate at the School of Arts 7 September 1860, reported *S.M.H.* 8 September 1860; p. 4, Col. 4.

of opinion that the Volunteer Movement had originated with the "aristocracy" "to blind the eyes of the operative classes who might otherwise seek redress for their grievances". The term "aristocracy" was in strict usage wrong, but the cry, "no land no rifle"¹¹⁰ was occasionally raised however baseless and irrational it may have been. There are signs that occasionally Irish memories were long, and charges of sectarian treatment of Roman Catholics led¹¹¹ in 1870 to legislation designed to limit the discretion which Volunteers could exercise in excluding new members. It is not of course to be expected that any reasonably vital movement should be unaffected by the dividing issues of the time in New South Wales such as religion and land. And even the urban Corps could have been affected by the broad difference in Australian and English society. We know that non-governmental support helped the Corps very considerably.¹¹² Funds might be raised by functions such as the dramatic performance late in 1861 in aid of the Artillery Band, or by the anonymous subscriptions to finance the review in 1861, or by the private subsidizing of transport for Volunteers. But the help that subscribing members of the Corps could give was limited, just as it was in Glasgow—to the concern of Mr. Sheriff Bell, whose Committee realized¹¹³ that "without introducing the artizan element . . . you might have a small and excellent body but you could have nothing like a national army", and who felt that the Merchants and Manufacturers of Glasgow could not subsidize artisan volunteers indefinitely. And the enterprising Macleod of Macleod, the Commanding Officer of the 1st Middlesex Engineer Volunteer Corps also pointed¹¹⁴ to the need to relieve members of some of the expenses. In New South Wales even had more generous private help been forthcoming from more people it might have seemed not quite harmonious with such egalitarian conceptions and dislike of patronage as existed here, nor quite harmonious with "the gradual abandonment of the idea that war is the exclusive business of a limited class," as the United Kingdom Royal Commission put it¹¹⁵ in 1904. This abandonment made it more necessary in Australia, as in England, for all classes to be able to participate.

Let it not be thought that in my concentration on the New South Wales Volunteers I do not recognise the general stimulus which the Crimean War gave to Volunteering in the Colonies, not only in Australia but in the Empire generally. Elsewhere usually the pure unpaid Volunteer proved inadequate; even in the conditions of the Cape the "commando"¹¹⁶ gave way to a more strictly regulated force.

¹¹⁰ e.g. Mr. James Hoskins, the Member for the Gold-fields North district in the debate on the Address in Reply, N.S.W.L.A., 25 September 1860. Reported *S.M.H.* 26 September 1860, p. 2, Col. 5.

¹¹¹ N.S.W.L.A., 19, 21 October 1870. Reported *S.M.H.* 20 October 1870, p. 3, Col. 4, and 22 October 1870, p. 4, Col. 2 respectively.

¹¹² Editorial *S.M.H.* 7 January 1861, p. 4, Cols. 4 and 5.

¹¹³ *Report of Commissioners into Volunteer Force in Great Britain, op. cit.*, Evidence 8 July 1862. Qn. 4288.

¹¹⁴ *Ibid.*, 30 May 1862. Qn. 464.

¹¹⁵ *Report, op. cit.*, Para. 3.

¹¹⁶ G. Tylden "The Commando System in South Africa 1795 to 1881", *Journal of the Society for Army Historical Research*. Vol. XXIII, No. 93 (1945).

The superficial impress of the Volunteer Movement in New South Wales can be seen in the attendance of Volunteers as members of the Corps in uniforms and gaiety at levees, and more sorrowfully at funerals.¹¹⁷ At least one quick march was composed in Sydney for their use.¹¹⁸ And we in New South Wales may appropriately note this evening that Volunteering had become sufficiently a part of Australian life for there to be a horse named Volunteer—a well bred horse, sired by New Warrior out of Langar and described as one of the handsomest horses in the Colony. In fact it won the Mayor's Cup at the Randwick Spring Meeting in 1865.¹¹⁹ The Volunteers probably had unsuspected and more important effects on our institutions. For instance Dr. Macarthur Brown has drawn my attention to the discovery of the earliest association of doctors in connexion with the force of the 'sixties.¹²⁰

To concentrate on the Volunteers' amateurism without noticing their effort would be to miss the significance of the planting of this early root. We may dismiss the movement as not important quantitatively both in relation to the size of population and to the coastline. Yet the proportion of Volunteers to the population of Sydney in 1854 was not so very much smaller than that of the Volunteers to the population of Great Britain in 1887.¹²¹ The idea of responsibility communally and individually was the significant matter, in spite of all the deficiencies in this first attempt at organization.

The military virtue of descendants of our early Volunteers has been tested in actual combat and not found wanting. The citizen soldier of the Australian Commonwealth has in times of challenge acted with the vigour of the colonial pioneers but within the British military tradition of subordination to the civil power. It is a commonplace to be remembered before we too lightly dismiss the early movement that to-day, even in peace time, in this State, the fight against the recurring elemental forces of our habitat—in flood relief organizations and in bush fire brigades—as well as the less obvious urban forms of personal service, and participation in civil defence—that all these present the same need for the sacrifice of at the least time and energy in an economy and society where both are valued.

¹¹⁷ e.g. That of Mr. Little of the Yeomanry Cavalry (see Order 23 November 1855 in 1st N.S.W. Rifles Regimental Order Book) and that of Mr. John Allen in Parramatta. (Reported *S.M.H.* 5 March 1862, p. 2, Col. 1.)

¹¹⁸ *The New South Wales Volunteer Rifles Quick March, composed and dedicated to the Volunteer Rifles* by William Stanley, a Member of the South Sydney Company, and published by R. Clarke.

¹¹⁹ *Illustrated Sydney News*, Vol. 11, No. 16, 16 September 1864, pp. 1 and 4.

¹²⁰ A. M. McIntosh, "Dr. Isaac Aarons", *Medical Journal of Australia*, Vol. II, No. 14, 5 October 1957, pp. 494-498.

¹²¹ 1 : 200 and 1 : 142 on basis of total (not adult male) populations. The basis of the British figure is to be found in the Report of the Royal Commission on the Militia and Volunteers, [Great Britain] *op. cit.*, Appendix XXXIV, p. 72.