

Tom, William. Papers on the discovery of gold, 1876-1884
ML MSS 1149

William Tom and John H.A. Lister were partners with Edward Hargraves and claim to be co-discoverers of the first gold find in Australia in 1851

Contents.

- a. Covering note by William Tom, 1884
- b. Statement concerning first gold discovery, 1851, by William Tom and John H.A. Lister, 1876
- c. Letter to Tom from E. Bate, 17 August. 1876, re the discovery of gold.

[Page 2]

WILLIAM TOM AND JOHN LISTER

Papers re the first gold discovery

1875-1884

[Page 3]

First Gold Discovery

Sunrise Guyong,
22nd July 1884.

The following evidence touching the first gold discovery in Australia was prepared by us in 1876 and will read accordingly. It was prepared to read to a committee of the New South Wales Parliament but having tried by all legitimate means for 20 years to obtain a hearing by that August body without success we now adopt the Pres[s] (the only alternative left to us) in order that the public mind may be disabused of its error in supposing Mr. Hargraves to be the sole discoverer of the first payable gold, or in supposing that he ever did more to the discovery than introducing the tin-dish system and finding something less than a farthing's worth of gold to which he was taken by John Lester and James Tom. We can assign no reason whatever for why the public mind should not receive the truth and be undeceived. Certainly, we not being able to obtain a hearing by Parliament; can be considered no proper reason. We wish readers of the following to consider well the letter No.1 and the circumstances under which it was written. If this letter under the circumstances it was written does not show most clearly to the reader the unfair, wily, and deep-designing character of Mr. Hargraves whom we have had to contend with we have no idea of anything that will show him. We think it will show the full extent of Mr. Hargraves' honor to the Government, to the public, and to us in 1851. It will show most clearly how he wished to hoodwink the Government; to deceive the public, and bamboozle us and Mr. James Tom, - in all of which he has tolerably well succeeded.

It may not be out of place to remark here that our Petition through the last twenty years has been presented to and received by various Parliaments of New South Wales and on one occasion the members of a Select

[Page 4]

Committee for enquiry were named; but by a breaking up of Parliament the matter could not be proceeded with. The fact however, shows clearly enough that various Parliaments have said that we ought to be reheard. The following history has been attested by us on oath and challenges Contradiction.

William Tom Jr.

[Page 5]

Evidence prepared and read to a Committee of Legislative Assembly
A.D. 1875

Mr. Chairman and honorable gentlemen of your Committee, With your permission we may perhaps be allowed to preface the remarks we have to make touching the first gold discovery by stating that Mr. James Tom and we always acted up to the letter and spirit of every arrangement we made with Mr. Hargraves which he did not do with us, and we feel confident that the nearer we can come to the truth about such gold discovery the better our case will appear. We will first acquaint your honorable Committee with all Mr. Hargraves did towards ~~towards~~ the discovery and afterwards, with permission, we will state the part we took in the matter. When Mr. Hargraves visited Bathurst, or rather the Guyong Neighbourhood, he called on Mr. John Lister and told him he was on his way to Wellington in search of a gold-field, upon which Lister told him he had been in search of gold himself and showed him some stones which they both supposed were stones of an Auriferous character. From this information they joined each other in the character of partners; accordingly Mr. Hargraves abandoned the idea, at least for the present, of going to Wellington, and instead of which he allowed Mr. Lister to take him to a spot near Ophir where Mr. Hargraves washed 4 or 5 pans of earth and obtained a few (6 specks) very minute specks of gold. This was on the 12th February 1851. They returned to Mr. Lister's in the evening and did not go prospecting any more till they were joined by Mr. James Tom. After being joined by him they started on a prospecting trip down the Macquarie and were away some 9 or 10 days and got nothing more than the colour of gold during the whole of that time. After this trip Mr. Hargraves went to Wellington, where he originally intended to go, and was away some two or three weeks, and when he returned he could not show us a speck of gold - we suppose for the simple reason he did not get one to show. Beyond suggesting how to make a cradle everything Mr. Hargraves did towards the first gold discovery was now done, and all the

[Page 6]

and all the gold that was got by Jas. Tom, Mr. Hargraves and Mr. John Lister, before Mr. Hargraves took his final departure from the Bathurst district, did not amount to more than 1/8th of a grain in weight. Were we to say Mr. Hargraves did more than we have already mentioned we should be guilty of the most positive falsehood. We believe the Rev. N.B. Clarke got nearly if not quite as much gold from a scientific experiment he made on some stones he got from the Vale of Clyde in 1848 or 1849 as Mr. Hargraves got all the time he was prospecting in the Bathurst and Wellington districts (see "Clarke's Southern Gold Fields") ~~When Mr. Hargraves~~ We believe the Rev. N. B. Clarke found gold in this colony as early as 1841 which was no accidental discovery as Mr. Hargraves in his book has been pleased to term all discoveries made before his own, for if we conceive aright Mr. Clarke's discoveries were the result of scientific research, and if his discoveries did no other good (whether made by accident or otherwise) they established the fact that the quartz reefs of Australia were auriferous and thereby, in some probability, induced many people over the various colonies to search for gold till a payable gold-field was fully developed. Long before Mr. Hargraves went to California in 1849 it was generally known, by report at least, that several small parcels of gold from Macgregor's Reef at Wellington had been sold in New South Wales. We think it was a knowledge of this fact and what

was proved by Mr. Clarke that helped Mr. Hargraves in California to come to a right conclusion when in the fullness of his geological knowledge he instituted a comparison between the rocks of that place and the rocks of Australia. We only mention this particular that honorable members may see it is quite possible Mr. Hargraves spoke the truth when he first spoke at Guyong in February 1851 and told Lister's family he was on his way to Wellington in search of a gold-field. We

[Page 7]

We believe he was on his way hither to test the soil about Macgregor's reef which, within a month after, he did test without the least success. We have no doubt from Mr. Hargraves' antecedents he would now like to make the public believe he came from California on purpose to prospect the very sod of ground at Ophir which we first found to be payable. When Mr. Hargraves was on the eve of his last departure before the discovery of a payable gold-field, he said he was sure no place he had seen would pay for working (we can bring one person besides ourselves, if not several persons who heard Mr. Hargraves say this, if necessary) and he himself proposed an arrangement to the following affect, namely: that he would return to his home, and after he had set his domestic matters in order he would go to Moreton Bay and make a prospecting ~~tour~~ trip through that country and if he succeeded in finding any gold he would acquaint us with the fact at the earliest date. We were to remain at home and prospect the Bathurst district, and do precisely the same with him if we were successful. Well not longer than three days after Mr. Hargraves left Guyong for Sydney James and William Tom took a cradle which had been prepared made by William Tom for prospecting purposes and went down a creek to where at the end of a long sheet of water they determined on making a trial to get some gold. The spot they ~~had~~ decided on trying was partially under water and to get the soil from between the rocks they found it necessary to pull their trousers off- this being done they commenced washing and in the course of a few hours they succeeded in procuring 16 grams in weight of gold over only a few yards of ground. They weighed the gold with small medicine scales which had formerly belonged to the late Capt. Lister. With this Gold in their possession

[Page 8]

their possession they returned home the evening of the same day they got the gold and on that very evening William Tom wrote to Mr. Hargraves acquainting him with every particular of the find. The letter acquainting him with this must have been in Sydney as soon as Mr. Hargraves himself was there, or not much more than a day after. It had been sent away when Mr. John Lister who saw Mr. Hargraves as far on his way to Sydney as the Fish River returned, and he returned on the fifth day after he left with Mr. Hargraves. Not having mentioned anything about these 16 grams when we were examined by a select Committee of the Legislative Assembly in 1858 proved fatal to our cause on that occasion for we believe, in fact we have not the slightest doubt, that it was on the information received from the letter respecting them that Mr. Hargraves based his proposition to the Government which was made on the 3rd. of April 1851. In that proposition we believe he told the Government he would show any officer sent with him a payable gold-field.

It is quite clear to our minds that Mr. Hargraves had never found any place he could say was a payable gold-field, never having discovered more than the base colour of gold in any one place, but from his experience in California he knew very well that the place where ~~we~~ James and Mr. Tom had procured 16 grams in weight on a few yards of ground he might point out to the Government as a payable gold-field without

running much risk of failure. However we ourselves took very little notice of the 16 grams as we did not think, at the time that their discovery would establish the fact that Australian soil would pay for working- that is in a general way. Mr. Hargraves replied to the information about the 16 grams in weight on the 5 of April 1851 and in his reply he signified his intention to return to Bathurst . [Insert indecipherable has been crossed out] We believe that when he wrote his reply he thought if he came up he would be able to get as much gold where James and William Tom got the 16 grams, or in that immediate neighbourhood, as would force the government to notice his claim. However this may be, he did not come to Bathurst for some 4 or

[Page 9]

Heading note: The eventful Day. Read it 7th April 1851 What Made Australia. J.H.L.

5 weeks after he got our letter. The 16 grams of gold were got by James and William Tom about the 23rd or 24th of March 1851 and we could not make it convenient to start on another prospecting trip till the morning of the 7th April when we started; and upon arriving at what is now called Ophir William Tom proposed stopping in that neighbourhood to prospect the creek the remainder of that day, assigning as a reason for his proposal, that a shepherd of Mr. Lane had some years before that time picked up a piece of gold in that locality which a Mr. Trappitt (now in Orange) had sold for some 7 or 8 pounds. Mr. Lister falling in with the proposal, we hobbled out our horses and after partaking of some refreshment, we went down upon the bed of the creek, and we were not there many minutes before William Tom picked up a bit of gold which was afterwards found to be worth £2:10:0. This bit of gold having been discovered it was determined that we should that evening clear away a lot of heavy stones in the bed of the creek and commence washing in form on the following day. To this end we got the cradle from the mountains the next morning where it was left for prospecting purposes where Jas. and Wm. Tom got the 16 grams of gold and that day we succeeded in getting one lump the exact weight of a new sovereign and some 20 shilling's worth of gold dust; we continued to wash and got about 30 shillings worth of gold a day for 2 or 3 days, when we arranged to go further down the creek. Accordingly we started and when we got about a mile and a half further down the creek than where we had been working Lister picked up a bit of gold which weighed exactly two ounces. This was the last gold we found and it being late in the evening we formed our camp for the night. We were at this time quite out of provisions, but if honorable gentlemen will pardon an moment's digression, we will state that as Wm. Tom was crossing the creek about sundown he heard a loud splash between some boulders which were partially immersed

[Page 10]

immersed in water, and upon stooping he saw and caught two fishes, each of which would weigh about 3 or 4 pounds - one of these fishes was swallowing the other- whether it was the larger swallowing the smaller, or the smaller swallowing the larger Mr Tom could not tell, they were so nearly of one size, but he has many times since thought that as far as the swallowing was concerned, it was typical of the unceremonious way in which Mr. Hargraves swallowed his partners. However we cooked one of the fishes for tea that evening and the other the next morning for breakfast and then we started home. Upon arriving home, pursuant to an arrangement with Mr. Hargraves, we immediately acquainted him with the particulars of how we had discovered four ounces of gold, and we believe we requested him to come to Bathurst and we would hand them over to him that he might convince the

Government of the discovery of gold in payable quantities. However Mr Hargraves did not make his appearance - we waited week after week and did not know the cause of his long absence, but we now believe he was trying to work out his salvation with the Government, but whether he was or was not we will refer honorable members to the hon. Sir E. Deas Thompson, who was then Colonial Secretary, and by whose evidence

[Page 11]

as far as that honorable gentleman was acquainted with facts, we are willing to stand or fall. The honorable A. Lloyd at Colonial Treasury's reported to have said in his place in the House that he had seen Mr Hargraves with many beautiful samples of gold in his possession - meaning of course Colonial gold, and that they were samples of gold got by Mr. Hargraves himself before we had found gold in payable quantities - if this is not what was meant we fail to see the force of that honorable gentleman's assertion. [indecipherable] it was Mr. Hargraves ~~intention~~ desire to convince the government that a payable gold field was discovered we think it must appear clear to every man of the commonest sense that if he had any beautiful samples of gold in his possession he would have shown them to the honorable Colonial Secretary (now Sir E. Deas Thomson) when he showed him the few minute specks when he first visited Sydney, or again; if he had found the beautiful samples of gold in question when he was looking for the first payable gold field it would be most wonderful indeed that no mention of the circumstance appears in his own book. We wish it to be remembered that Mr. Hargraves never returned to Bathurst after he showed the few specks to the honorable Colonial Secretary till some four weeks after we got the four ounces of gold at Ophir.

The beautiful samples of gold could not have been shown to Mr. Lloyd earlier than the 6th of May 1851, and we therefore believe that honorable gentleman must have spoken from wrong impressions and not from any knowledge of dates. It is quite clear to our minds that, commercially speaking,

[Page 12]

Mr. Hargraves never had a ~~farthing's~~ penny's worth of Colonial gold in his possession till we delivered him ~~our~~ the 4 ounces on the night of the 6th May 1851, only a few days before the first general rush to Ophir set in. If we had not been the partners of Mr. Hargraves and under promise to him it is not very likely we would have placed these 4 ounces of gold in his possession. We think we had intelligence enough ourselves to have satisfied the government they had been found by us without troubling Mr. Hargraves. Any person now coming in from the country and saying he had found a payable gold-field and could show no more gold than Mr. Hargraves got the whole time he was prospecting would only be laughed at for his pains. We know many places, from each of which, more gold could be got from a pan of earth than Mr. Hargraves got all the time he was in the Bathurst and Wellington districts, and yet no one of these places is likely to ever become a payable gold-field. Many people think we made no claims on the government till after Mr. Hargraves was rewarded and therefore in justice to ourselves we believe it only right to say, that, on the 6th June 1851 Mr. Tom Jnr. wrote to the honorable Colonial Secretary (now Sir E. Deas Thompson) and on the 22nd December 1851 to the Governor General (Sir Charles Fitzroy) giving an explanation of how matters stood between Mr. Hargraves and ourselves. We thought at the time, and we still think, that those two letters ought to have suggested the propriety of an enquiry before Mr. Hargraves was given to understand he would be allowed to extract from the Treasury as the first and sole discoverer of payable gold. We may state that Messrs Lister and

James Tom took Mr. Hargraves, when they were prospecting together, to what is now called Fitsroy Bar. This bar was found to be the richest part of Ophir- it is about 200 yards long and is the place we first found payable gold (after the 16 grams were found.) We have no doubt ½ million pounds worth of gold has been taken from this bar since it was first worked on or about the 8 or 9 of May 1851. Mr. Hargraves took several pans of earth from this place

[Page 13]

place and he could not obtain the colour of gold from any one of them. We believe a person of Mr. Hargraves leviathan stature and Californian experience could have got gold in payable quantities at this place, as well as at many other places he was taken to, if he had only dug and looked for it in a proper manner, but this we are of opinion he was too lazy to do. We have heard some people say that what Mr. Hargraves did on the 12th February 1851 led to the discovery of a payable gold-field - admitting such to be the case, what led to the discovery and the discovery itself are two distinct things. It may also be said, and we think with almost equal propriety, that the first gold found in California led to the discovery in the same sense, only more remotely, as it was there Mr. Hargraves was first taught the use of the tin dish which he simply taught us the use of after he came from that place. It may also be said that the bit of gold found at Ophir by Mr. Lane's shepherd led to the discovery, for it was because of that we stopped there to prospect which resulted in the find of the 4 ounces of gold or again it may be said that Mr. John Lister having stopped Mr. Hargraves when going to Wellington and having taken him to Ophir led to the discovery for if it had not been for that circumstance Mr. Hargraves would have never seen Ophir. In short a hundred circumstances may be said to have led to the first discovery of a payable gold-field, but after all it is quite clear that no one of these circumstances nor the whole of them put together would be the discovery itself. Mr. Hargraves has denied ever having received as his own the 4th part of the four ounces of gold which we procured at Ophir while he was in Sydney, or 150 miles away from us. We have no doubt Mr. Hargraves denies having received this gold because he sees that his acceptance of it as his own involves a proof of partnership with us. When Mr. Hargraves took those 4 ounces of gold from us he valued them at £3:10:0 an ounce, and we now plainly and distinctly assert that Mr. Hargraves according to this value, not only got his share,

[Page 14]

share, or one fourth of the 4 ounces, but we also unhesitatingly affirm that it is quite impossible he can have forgotten the circumstance. We will explain why. Soon after the first rush to Ophir set in Mr. John Lister accompanied Mr. Hargraves to that place (Mr. Hargraves was going there to show the late Mr. Stutchbury, the government geologist that a payable gold-field had been discovered) and on the road Mr. Hargraves told Lister that he did not think that Mr. William Tom was entitled to a part of the 4 ounces of gold, as he was not a partner with Ins. Lister, James Tom and himself in the discovery. This expression of Mr. Hargraves' opinion somewhat annoyed Mr. Lister and produced some angry words between them. When Lister got to Ophir he told Wm. Tom about what had passed on the road, upon which Wm. Tom asked Mr. Hargraves if such were the case and he said that what Mr. Lister had told Mr. Wm Tom was quite true, but that upon reflection he was very sorry he should have spoken to Mr. Lister as he did, as Mr. Tom, in his opinion, was as much entitled to a share of the gold as any of them, and he begged that Wm. Tom would take no further notice of any thing that had passed, upon which William Tom was satisfied and as Mr. Hargraves had expressed his sorrow for what had been said he

dismissed the matter from his mind. Well after all this Mr Hargraves was "so very much grieved" to think that the unpleasantness which had passed might lead to a full disclosure of all the particulars of how the first gold discovery was made, and in his opinion it was rather too soon for such disclosure to take place as he had not as yet received from the Government his anticipated reward. We think that what we have said on this part the subject

[Page 15]

subject is sufficient. It may be said that Mr Hargraves came from California on purpose to make the discovery of a payable gold-field in Australia. All we say in answer to such a saying is that having come to find a payable gold-field and finding one are two very different things. Mr Hargraves after he took his final departure from Bathurst came to Sydney and showed all the gold which James Tom, John Lister, and he himself had discovered which it will appear by the evidence the Hon Colonial Secretary (Sir E. Deas Thompson) gave before a select committee of the Legislative assembly in June 1853 amounted to only 4-~~or~~5 a few almost invisible specks. (Mr Hargraves on the 119 page of his own book says that Lister and James Tom brought some fine gold from the Turon – no doubt that gold was some of which was shown to the honourable Colonial Secretary; upon showing this gold he received no other encouragement from the government than that his ~~the~~ discovery of gold would be rewarded in proportion to its value. we wish honourable gentlemen to take particular notice of the part we are now describing as it will show that the government did not intend to reward Mr Hargraves for what he had already done – on the 19th Feby for instance, nor for what he had done at any other time subsequently. In the opinion of the Government something all important had yet to be done to merit a reward. Well now we unhesitatingly assert that after this assurance from the government that the discovery would be rewarded in proportion to its value Mr Hargraves never prospected one moment on the Western side of the Blue Mountains till he came to Guyong on the 6th of May 1851 (he did not prospect there either) and received the 4 ounces of gold from us, which upon being made known resulted in the first rush to a gold-field which ever took place in New South Wales. We think it will be seen by this fact that Mr Hargraves has been rewarded

[Page 16]

rewarded with 12380 pounds and an annuity of 250 pounds for his natural life for our first procuring gold in payable quantities (the 16 grams and the 4 ounces) when he was ~~away~~ 15 miles away from the scene of our operation – that is, when he was in Sydney and we at Ophir. We may perhaps be kindly allowed to say a word or two about the Mandurama diggings by way of making it obvious that the discovery of small quantities of gold is no proof of a payable gold-field. The Mandurama estate of Mr Seely was opened on the 26th of Jany last by Mr Seely and some 3 or 4 thousands diggers, many scores of whom got several grams in weight of gold each and yet it is well known that the Mandurama is not a payable diggings. It is also a well known fact that hundreds of other localities which have yielded a little gold have been tried without any profitable results. We think theses facts alone afford the very clearest evidence, and that too in the most practical way that the discovery of even 6 or 7 grams in weight of gold (although 50 or 60 times more than Mr Hargraves ever got) is not the discovery of a payable gold-field. Without hesitation we affirm it as our positive opinion that if Mr Hargraves be the first and sole discoverer of the first payable gold in New South Wales he is such without ever having found a farthing's worth of gold for we are quite positive if a new sovereign were divided into 60 equal parts (the number of farthings in ~~one~~ a pound) each part would be heavier than all

the gold Mr Hargraves got while he was in the Bathurst district. We believe 1 rub of an old file would take more gold off a sovereign than Mr Hargraves got altogether and we do not think [indecipherable] such cuts would reduce a new sovereign to gold dust. The honourable Capt Charles is reported in the Sydney Morning Herald of the 3rd February last as having said in the House that we only followed in the wake of Mr Hargraves. Perhaps that honourable gentleman is not aware that at the very time Mr Hargraves got the very little gold he did get that some of us were with him as bona fide partners in all profitable results. We think Mr Seely of Mandurama would not be very much displeased

[Page 17]

displeased if 2 or 3 individuals had followed in the wake of his 3 or 4 thousand diggers with the same result as we followed in the wake of Mr Hargraves at and about Ophir. Although what Mr Hargraves did towards the first payable gold discovery was brought to a profitable issue by us and Mr James Tom, we by no means wish to speak disparagingly of his introduction of the tin dish by showing us how to use it. We think this ~~this~~ fact alone renders him entitled to a handsome reward (keeping in view the vast issues and commercial importance of the discovery) for we do not think it will be denied that at the very time we discovered gold in payable quantities the whole of Australia was very little better than on the eve of bankruptcy whereas now, by virtue of that discovery, she is one of the most prosperous and flourishing places in the world. it may be remarked, and we think with propriety, as it involves a principle, that we bore Mr Hargraves expenses during the time ~~we were~~ of prospecting and not he ours which shows that we could not in any way be regarded as his subordinates (we believe he represented Messrs Lister and James Tom to the government as such) and in consequence subject to his orders. The fact of the whole matter is simply this (with due deference of course to whatever some people may say or think to the contrary) that if matters remained where Mr Hargraves left them no payable gold-field would have been discovered till this day. It was by perseverance after Mr Hargraves took his final leave of the district that the first gold in payable quantities was discovered and which made us the first practical discoverers – producing as it did that practical result of digging which has now continued for something over 25 years, and resulted in all the colonies, to the enormous yield of something ~~over~~ like 300 million pounds worth of gold. Should any honourable members have any doubts about anything we have advanced

[Page 18]

advanced in this paper, or any where else, we would request such honourable members to give Mr. Hargraves the full benefit of all such doubts, for we are most certainly of opinion that if Mr. Hargraves be the solo discoverer of the first payable gold (which he says he is) he cannot be dealt too liberally with; in fact, we believe if he be the sole cause of one million pounds worth of gold having been unearthed over the colonies every month for the last 25 years that he ought , so far as external appearances are concerned, to be made a gentleman of while he lives. On the other hand if what we have said be considered true and correct we hope and believe your honourable committee will not withhold from us a simple and fair acknowledgement of the fact that we were the persons who first discovered gold in payable quantities which brought about a general digging over Australia. We admit others had found gold before us, but their discoveries, unlike ours, did not ~~unfortunately~~ produce any public and payable gold-fields . We hope our opinions are expressed in such a way that honorable members may see that we wish all parties concerned to base their conclusions on what they think is just and fair. We have given the whole of the

foregoing statement a well matured and most candid consideration and we have come to the unavoidable conclusion that we have either strong claim for consideration, not only on the Parliament of New South Wales, but on the Parliament of each colony of Australia, or that our minds must have become most peculiarly infatuated. Much of the two we most respectfully leave to the judgment and ~~and~~ justice of your honourable committee to decide

William Tom Junr.
J.H. Lister.

[Page 19]

After all we did in the matter of the gold discovery which we have truthfully narrated in the foregoing history Mr Hargraves had the impudence (using the mildest term which is at all approximate) to write a letter of which the following is a verbatim copy. This letter which is a tissue of falsehood and exaggeration from beginning to end, Mr. Hargraves put John Lister's name to, asked John Lister ~~to sign and~~ to send it to the "Sydney Morning Herald" for publication . We did not read it to your honourable committee to gratify any morbid feeling of animosity for we hope we do not entertain any such feeling. We read it simply that honourable members may see that our word is, at least as worthy of credence as that of Mr. Hargraves. The letter to which we refer ~~to~~ and Lister's reply thereto are both subjoined. They appeared in the "Bathurst Free Press" newspaper of Jany. in the year 1852.

William Tom Junr
John H. A. Lister

(A true copy of the letter Mr Hargraves wrote and asked Jn Lister to publish)
"The Gold Discovery
Editor Sydney Morning Herald
Ophir 19th May 1851

N. 1 letter

Gentlemen: A report having been spread abroad by some malicious person who~~m~~ evidently is jealous of Mr. Hargraves' great discovery to the effect that I was the party who made it and communicated it to him. I beg leave most unreservedly to contradict this false report, although having been upwards of two years searching for it- one time with two geologists and mineralogists who told me there were indications but could not find the gold. Mr. Hargraves during his explorations called on me as an old friend of my late respected father and in course of conversation he told me this was a great gold country and if I would keep a secret he ~~he~~would combine me. This I [~~indecipherable~~] agreed to

[Page 20]

to he was as good as his word and scarcely ever made a failure -where he said gold was to be found he found it. I neither understood geology or mineralogy but I am convinced my friend Mr. Hargraves knows where and how to find gold, and all honor and reward in the late discovery belong to him alone. Indeed few men would have done what he has intersecting the country with blacks, sometimes alone, sometimes with my friend Mr. James Tom, and during his explorations, had rain set in from the imperfect manner in which we were equipped, starvation and death must have been the result. Trusting you will give this publicity in the columns of your valuable journal. I am gentlemen

Your most obedient servant

here Lister's name was written by Hargraves in pencil.

P.S. I have also heard it reported that Mr. Hargraves had not acted fairly towards me. I beg most distinctly to state, that in all transactions with that gentleman, he had acted strictly honorable with me and friends in the secret of the great discovery. Mr. Hargraves is now no longer connected with me or my party at Ophir and wherever he may be he has my best wishes, and I believe of all who have known him in the district of Bathurst.

(True copy of Mr. Jn. Lister's reply to the above letter)

N 2 –letter reply to N 1.

“Editor of Bathurst Free Press

The foregoing is a copy of a document which Mr. Hargraves wrote and gave me requesting I would send it to the Sydney Morning Herald for publication. I declined doing this because I could not subscribe my name to the untruths it contained, for I never knew him to travel with a blackfellow in my life: neither am I aware of any extraordinary difficulties

[Page 21]

difficulties or dangers to which Mr. Hargraves was exposed. Furthermore by my complying with his request I should have betrayed Messrs James and William Tom, who were the prospecting colleagues of Mr. Hargraves and who, with myself, were at all the expense and most of the pains when actually searching for gold, and further, Mr. Hargraves certainly sometimes found the horse he rode himself, but the other necessary horses and provisions were not one farthing expense to him. While living at my place during the business of the gold search, he was entertained free of cost. I also assert in plain words that Mr. James Tom and I never travelled with Mr. Hargraves with any understanding than that we were his prospecting colleagues, and concerned equally with himself in any favourable result that might accrue from our journey or journeys. I do not mean to assert that the Messrs Tom and myself expected to get a share of what Mr. Hargraves might obtain from the Government, or even in the shape of public subscriptions but only of the profitable results of our explorations.*

Messrs James & William Tom can bear testimony to the truth of what I have now written.

P.S. The early history of the discovery will appear in next Saturday's paper January 15th 1852.”

* I ~~We~~ expected Mr Hargraves to make a truthful representation to the Government of how the first gold was obtained that the Government might have had the opportunity of judging and rewarding each individual concerned according to his merits in the discovery ~~William Tom Junr.~~

[Page 22]

totally unreadable except for History of Gold discovery.

[Page 23]

(A true copy)

I have most attentively perused the foregoing history of the gold discovery of 1851 which is signed by William Tom Junr. and John H. A. Lister and I believe the whole of it to be correct- the parts which refer to my personal knowledge I know it to be true. I could not say the exact day that I and my brothers got the 16 grains in weight of gold but I know it was some days before I started to Adelaide and I started (or I believe I did) on the 1st April 1851. (We got the 16 grains of gold in the latter end of March 1851) and I know it was before William Tom and John Lister got the 4 ounces of gold. With regard to No. 1 letter which is a tissue of falsehood Mr. Hargraves was out only twice prospecting while he was in the Bathurst district. The first time was on the 12th February 1851 when John Lister was with him, and the other time was directly after when John Lister and I were both with him. He went down the Macquarie on the second occasion and we were away from 7 to 10 days, I never knew Mr. Hargraves experience more hardships or difficulty than he might have experienced at a picnic on the same rough ground. I do not believe he saw a native Blackfellow of Australian birth while he was in the Bathurst district.

As Witness my hand at Melbourne
Victoria this Nineteenth day of
October in the year of our Lord one
thousand eight hundred and
seventy six.
James Tom
Signed & delivered in the presence
Rich Gibson J.P.
for New South Wales.

[Page 24]

copy of Jas Tom's evidence

[Page 25]

We will now acquaint your honourable Committee with the fact that Henry Tom assisted in getting the 16 grains in weight of gold which same discovered just after Mr. Hargraves left the Bathurst district. Our reasons for not having mentioned his name before now in connection with the first gold discovery areas follows. In the 1st place when we and Jas. Tom published a pamphlet in 1870 Wm. Tom who wrote the pamphlet had forgotten which brother it was who made the third individual of his party. He felt sure it was his brother Henry but he did not know and as Henry and Charles Tom were living in Queensland he did not feel disposed to put off the publication of the pamphlet till he had made enquiry. In the second place we were well aware that ~~that~~ the brother of Wm. Tom which ever it was, had no intention of making a claim on the government for although he was at the getting of a ~~thousand~~ hundred times more gold than Mr. Hargraves ever got he did not think that so small a quantity as only 16 grains in weight warrant an application to the public purse. In the third place William Tom knew if he omitted the name of his brother (whichever it was) the omission would not in any way interfere with the truth and correctness of the pamphlet. We assign the latter reason for not having mentioned Henry Tom's name in the foregoing history. What Henry Tom says about the matter is as follows:

[Page 26]

Reference to Henry Tom's evidence

[Page 27]

I remember that at some time about the middle of March 1851 that James Tom, William Tom and myself started from Springfield about sundown taking with us one horse named Dash, provisions sufficient for three days, and one cradle for washing gold, and that we travelled till near midnight when we arrived at a point on Lewis Ponds Creek about two and a half miles above the junction of that creek with the Summer Hill Creek now known as Ophir, where we camped till morning, when we commenced to wash for gold. I dug out the earth and filled the buckets, James Tom carried the earth to the cradle, and W. Tom washed it, we continued at this work until sometime in the afternoon, when we collected the gold from the cradle, hid the cradle on a mountain close by and started for home, where we arrived about 9 o'clock P.M., when the gold we procured was weighed and was found to be a little over sixteen grains.

Henry Tom 1876.

Declared before me at [indecipherable] in Queensland this third day of March 1876
Henry G. Piscoe J.P.

[Page 28]

Papers to be left at [indecipherable].
Copy of Henry Tom's evidence.

[Page 29]

17th August 1876

Dear William

You wish me to let you know how much gold Mr Hargraves brought to [indecipherable] on the evening of 12th February 1857. Mr. Hargraves showed me the gold brought there on that evening through a small magnifying glass which was carried about by himself. There were three specks and they were very small. I could not see them Distinctly with the naked eye.

Yours sincerely

E.Bate.

[Page 30]

The Fourth Chapter of this History Lister & Toms discovery on the 7th of April 1851 was ~~the & has been~~ the Historical day of Australia. The cause of all Australian Prosperity.

J.H.Lister

6th March 1923