

anged next to a trebly-convicted ruffian and his prostitute. Little was thought of character in those days. The employed were of greater importance than the employers. Crime was rampant. The excesses and extravagance of the diggers are undecipherable. Life then was a riot, and on many of the diggings, to women of respectability, it was a hell. Many families fled Port Phillip, while the off-scourings of the adjoining colonies were pouring into our midst. In three years of the first great auriferous discoveries at Ballarat there were eleven other rich fields being worked. Not an old Victorian colonist now living in New Zealand but will remember one or other as having been engaged upon them. These were Anderson's Creek, Mount Alexander Bendigo, the Ovens, the M'Vior and Goulburne, White House Gully, the Frenchman's Lead, and the Canadian. Over these the immigrants spread themselves, and became an integral part of a community consisting of released convicts and ex-convicts. "Sticking-up" became a common occurrence. In 1854 five desperadoes took possession of the St. Kilda Road within a few miles of Melbourne, and inside of a few hours captured and plundered twenty persons. I recollect well a most horrible discovery which was made just about this time. A digger, a German named Stein, had been stuck-up by three ruffians, who, having robbed him of a considerable quantity of gold, after-

wards took him into a thick scrub, and having bandaged his eyes, tied him to a gum-tree—hands, feet, and body. He was bound there some weeks after, a skeleton garbed as a digger. He had starved to death, and the maggots had eaten the whole of the flesh away to the bones. The perpetrators of this atrocity were never discovered, although a large reward was offered for their apprehension and conviction. Again, not long after this, in the western district of Victoria, the body of a man was unearthed by some diggers who were out prospecting. It was ascertained the man had been robbed of all he possessed, maltreated, and then, there was only too much reason to fear, was buried alive. The perpetrators of this terrible deed were never traced. An old woman—nearly sixty years of age—who kept a grog shanty (unlicensed, of course) was discovered by the police, dead with a tomahawk firmly grasped in her right hand. Alongside of her lay another corpse with his skull fearfully battered in. All that could be ascertained or surmised was, that the man had attempted to violate the woman—that she resisted, and that in self-defence she had killed the man, but not until he had succeeded in inflicting injuries which caused her death. Buried beneath the ground upon which the shanty stood was found, enclosed in small chamol, leather bags, over a hundred ounces of gold, and eighty pounds in sovereigns and notes. In consequence of these and other enormities a bill called the "Convicts' Prevention Bill" passed the Legislature, which, while reprobated by the other colonies, and especially Tasmania, was a means, to some slight extent, of repressing the evil. There were numerous diggers from all nations—Germans, French, Italians, Chinese, Americans, and old Californians—who brought with them their distinctive notions of rights and freedom to bear on their avocations of digging; and in the wretched condition of our social constitution in those days nothing less might have been expected than what came to pass—the *emeute* at Ballarat on the 3rd December, 1854.

The Government regulations were that each digger paid a license fee of thirty shillings per annum for a claim of twelve feet square. Then came the tyranny of what was then named "digger-hunting." The Commissioners were empowered to make daily visits, accompanied by the police, and compel the diggers to shew their licenses. A wide dissatisfaction spread among the populations of the goldfields, and the oppressive tyranny of Sir Charles Hotham was denounced. Had this, the very worst specimen of a Governor Victoria ever possessed, dared to have ventured upon the goldfields, such was the feeling against him, he would have been torn limb from limb or stoned to death. Sir Charles Hotham had been accustomed to command on the quarter-deck of a man-of-war, where his yea was yea and his nay nay; and he had thought to govern a wild, rough, brave, but lawless digging population by the same means as he had done with his seaman under Articles of War. He was mistaken, and

when too late discovered his mistake. Wearing at the opposition he met with, he became despondent, because he could not command despotically where he should only have governed constitutionally. He was too much attached to his salary to resign, and he died of what may be termed a broken heart. He was, it may be said hounded on to his death, and when his decease was announced the news was received on the diggings with every demonstration of joy. There have been those who have said Sir Charles Hotham was a good man and a wise Governor, but no one has been bold enough to point out in what way he was in the first or on what point he was in the other.

To enforce the collection of this monthly 30s. digging-license necessitated an increase in the police force, and to meet the additional expense the greatest tyranny was exercised towards the diggers. The license fee was rigidly enforced. A refusal was met with a pair of handcuffs, brutal treatment, and the body of the defaulter chained to a tree. And be it understood this impost was laid on everyone connected with goldfield operations, whether digging or not. An arbitrary regulation was issued upon the order of Sir Charles Hotham which made it imperative on the diggings to act as special constables under the penalty of being treated as rogues and vagabonds.

Meetings were held on the various goldfields, and the miners resolved—determinedly resolved—resolved unto the death—to resist the fee altogether. Committees were formed to protect the interests of the miners. "Digger-hunting" was no longer to be tolerated. Then followed what was afterwards known as the Eureka riot. An hotel named the Eureka, kept by a Vandemonian of the name of Bentley, was the resort of the very worst characters of Ballarat. Its proprietor was hated, but, due to the sway he held over some of the most consummate scoundrels who had contrived to escape the gallows, he was equally feared. The local authorities did not interfere to suppress the abominations which were allowed in this sink of iniquity, although frequently petitioned by the more orderly population, either because they saw the difficulty or were afraid to interfere with such a desperate gang as had taken up their quarters there. Then became known a terrible murder that was committed in the bar of the hotel—one of the most atrocious and cold-blooded which, perhaps, was ever placed on record. The officials,

having again refrained from interfering, although thoroughly persuaded of the guilt of Bentley and his scoundrelly accomplices, a night meeting was held by diggers, who attacked and burnt down the hotel. There were scenes enacted on that night which will not admit of description. Casks of spirits were thrown out to the mob, and the rush for them caused more fighting, and, if possible, greater disorder. I was a witness of this spectacle myself from the door of Mr Robertson's grocery store. It brought to my mind the scene described by Charles Dickens in his description of the riots of Lord George Gordon, in "Barnaby Rudge." Bentley and his accomplices were tried, but were merely found guilty of manslaughter. The effect of this on the public mind was only to inflame the people against the Government, while stump orators urged them on to acts of rebellion, and commenced to enrol bands to resist the authorities by armed force. Among those who incited the diggers on to rebellion and deeds of violence was James Manning, who was subsequently the proprietor and editor of the *Cell* newspaper, which was published at Hokitika, on the West Coast of the Middle Island, towards the end of the year, 1868, and the inflammatory articles of which led to what was then and since then known as the Fenian riots, although there was no riot or any display of armed hostility. There was, however, much fear and alarm felt among the inhabitants at the time. The relation of this, however, I must defer for a succeeding reminiscence.

Being advised that neither life nor property was likely to be respected in Ballarat, Sir Charles Hotham ordered all the available forces procurable to quell the formidable outbreak. Subsequently the ringleaders of the Eureka Hotel riot were captured, tried, and condemned, and had but very lenient sentences passed upon them, the juries strongly censuring the Governor and the authorities by

him appointed. The diggers organized themselves, practised drill, and made extensive preparations for a determined struggle. It was at the close of November, 1854, that a first attack was made on a detachment of the 12th Regiment, and a second shortly after on another detachment of the 40th Regiment. This was followed by an attack by the military on the entrenchment of the insurgents, at which a number of men were killed and wounded on both sides. Among the former were two women. This latter circumstance I recollect perfectly well, as one of these women at the time had only lately been married, and she was in no way concerned in the riot. Her husband swore that for that one life he would have three, and it is believed he kept his word. Within forty-eight hours after the riot was quelled a sentry was shot dead on his post. The next night a second was shot. The day after a trooper fell from his horse dead, a bullet having passed through his brains. No one knew who did these three murders, but there were many who guessed it was the husband of the woman who was shot by the soldiery.

As might have been expected, in the nature of things and of law and order, the rioters were beaten and scattered. Martial law was proclaimed after all was quite. It was then the military and the officials shot down, killed, and wounded respectable order-obeying and peaceful citizens who never harboured a wrong intention against the Government. At length, in compliance with a demand made by the colonists which even such a tyrant as Sir Charles Hotham could not resist, a Royal Commission was appointed to proceed to the spot and examine into the condition of the goldfields. The gentlemen who formed the commission found the grievances of the miners to be very heavy, and more than they could well bear without making reprisals. A complete change was recommended in the administration of their affairs, and that, instead of a license fee of thirty shillings per month, a duty be levied upon gold. All disputes among miners was to be arbitrated by a locally-elected body. These recommendations were adopted, and the mining districts were restored to quiet, which by the way, Sir Charles Hotham to the end of his days deeply regretted. He wanted more quarter-deck and more bloodshed.

[BY "SNYDER."] No. XV.

TOLERATED INFAMIES BEFORE THE POWER OF THE NEWSPAPER PRESS WAS FELT.

It was long before and for some time after the power and influence of the newspaper Press was felt (the early rise and progress of which I have described) that the most terrible abuses were permitted to go unchecked in Victoria and New South Wales, which were then one colony. The Victorian squatters had taken possession of large tracts of land at mere nominal rentals, and finding free immigrant labor both scarce and dear, they, under one Lieutenant Johnston, imported a number of Klings from India, under engagement for five years. The agreement made between Lieutenant Johnston and the Klings, on behalf of the squatters, was that at the option of their employers they should be made transferable from one to the other. These miserable men were made to do duty as shepherds and hut-keepers. They came from a tropical region to one which to them was as the climate of Iceland might be to a native of the south of England. They had been accustomed to live upon rice, and fish, and vegetables, while here, in Port Phillip, they were compelled all the year round to a diet of hard damper and mutton or salted beef. They died off like rotten sheep, and were buried out of sight as carrion would be. Then the Port Phillip squatters, still wanting labor, and finding that the Klings only arrived to die off, importuned the Tasmanian Government to grant tickets of leave to prisoners, and ship them over to Melbourne and Geelong. Only too glad to rid themselves of so much of the criminal element, Tasmania acceded to the request; and in a little time the shores of Port Phillip were infested with murderous burglars and the sweepings of the penal settlements. Sheep-stealing, cattle-lifting, murder, and outrage on women became of daily occurrence. On a smaller scale, all the crimes which disturbed the peace of the respectable inhabitants after the outbreak of the Victorian goldfields were enacted. It was, I think, in 1847 or '48 that the squatters got a law passed, which was entitled "The Masters and Servants Act." It was one of the most Algerine and cruel pieces of legislation which ever disgraced the statute-book of any civilised community of the world. The title of the Act was a misnomer. It should have been called "An Act giving powers to masters at their will to maltreat, imprison, and mulct of their hard-won earnings the servants in their employment."

My memory still serves when at the time it became law, and I am not likely to forget the cruelties which were perpetrated under it; and

I also do not fail to remember what horrible retribution, in many instances, followed upon it being put in force.

Under this Act a servant disobeying, in the slightest degree, any order of his employer might be, and often was, sentenced to six, and even twelve months' hard labor—imprisonment with forfeiture of all wages due to him.

I here speak of cases which have come under my own cognizance. I have known a man sent to gaol for three months with loss of all wages due, because he has refused to eat mutton putrid with maggots. The charge preferred against the man was for using insulting language to his employer. I have known a shepherd and a hut-keeper sent to gaol and hard labor for one year because, while engaged in getting together a flock of sheep, which the wild dingoes had dispersed through the bush, the blacks had gone to the hut and carried off several sheepskins. The charge was for neglect of duty to employer. I knew one man on an out cattle station who was covered with boils, and unable to work, in consequence of living several months upon tainted salt beef. He was dismissed the station without one penny of a half-year's wages due to him being paid. This man was advised to summons his employer for the amount, and he was foolish enough to make the experiment. Instead of recovering what was rightly and lawfully due to him, he was sent to gaol for three months by a brother squatter and J.P., for making an unlawful claim.

One bullock-driver, an excellent, sober, steady man, was deprived of nine months' wages because he had lost a bullock-chain, worth, perhaps, fifteen shillings. The charge was for "not taking due care of his master's property."

Another man, who should have returned with his bullock-team and dray to the home station on Thursday, but did not come till the day following, was sentenced to six months' imprisonment for disobedience of orders. The man proved that he was delayed by flooded creeks, but his defence availed him nothing. He also, in addition to imprisonment, was ordered to forfeit all wages due to him.

And who, it may be asked, were entrusted with the administration of the law under which such gross acts of cruelty and injustice were continually and systematically perpetrated? My answer is, the squatters—the men who got this Algerine law framed to suit their own particular wishes. These squatters got themselves appointed Justices of the Peace. They lived in the interior, where they dealt out the law. A squatter wishing to punish one of his men would saddle his horse and ride over to some other squatter, on a neighboring station, who might be on the Commission of the Peace. The two would probably dine together, and afterwards confer. The next day a native mounted trooper would serve the man with a warrant, convey him, handcuffed to one of his stirrups, before the justice who had previously been "conferred" with, and the man would be sentenced to three, six, nine, or twelve months' gaol, with hard labor added, and, as was always the case, ordered to have his wages forfeited, whatever these might be.

This forfeiture of wages, which, besides imprisonment, was the leading feature in every clause of the Act, was one mode resorted to by the disreputable section of the squatters—and it was a very large section indeed—of obtaining cheap labor.

In the time I refer to, bush engagements were invariably made for twelve months, wages payable at the termination of the engagement. Then, with the class of employers I refer to, when a man's time was nearly up, a charge would be preferred against him for neglect of duty, disobedience of orders, using abusive language, or being wasteful of his master's property. Any charge answered the purpose. No proof beyond the statement of the employer was deemed necessary; no defence was admitted. The man was mulct of his wages and imprisoned. One more case I will mention of the law as it existed.—There was a girl, some eight or nine years old, the daughter of a married couple engaged on the home station in a district known as the Colac. This child, either in mischief, playfulness, or by accident, had pulled down a hurdle, by which a flock of sheep got out and mixed with another flock. The occurrence was vexatious, but not serious. A couple of men in three or four hours would have drafted out the sheep, and there an end of the trouble. For this offence the squatter stripped the girl in the face of the mother of all its outer clothing, and then flogged her with a thong of bullock hide until the child's body was livid with bruises. This was not sufficient, but he had a warrant issued against the father of the girl for permitting her to do that which he never saw her do; when he was ordered to forfeit all wages due to him, amounting, as I recollect, to some fifty-four pounds. There is a worthy settler now living in this province who can bear witness to what I have here stated. I have reason to think that squatter regretted his harshness, for within one week after the cruel act was perpetrated, he woke in the night to discover his household in flames, his sheep broken out from their hurdles, his woolshed in conflagration, and himself a ruined man.

Retribution followed upon injustice (I will not say how), as it had done before and will for a time to come. One squatter, notorious for getting his servants mulcted of their wages, was found one morning at an outstation staid dead, and a two-pronged pitch-fork through his breastbones. The murderer was never discovered. In the course of eighteen months