MINERS AND THE STATE

A Timely Chapter on "The Genesis of Gold Fields Law in Australia."

Consideration of Contributions to Revenue Which the State May Properly Exact.

(From the Cornhill Magazine for November.)

The eventful year 1851. Transportation of convicts has ceased. The squatters and farmers employed free labor, though the ticket-of-leave holders were efficient workers. Cattle and sheep were plentiful and low in price, when, in the autumn, the discovery of gold in New South Wales startled the old world and the new.

Sir Charles Fitzroy, the governor, and the colonial secretary of New South Wales, the late Sir Edward Deas Thomson, in conversation with Mr. John Hardy, police magistrate of Parramatta, happened to state that in consequence of this surprising event and the rapid massing of population recruited from all sources, having regard also to the disturbance of industrial relations, they were in doubt as to their policy.

"Give me ten of the old mounted police," said Mr. Hardy. "I will go with them to Ophir and guarantee to maintain order at 'the diggings.'"

"What are your qualifications for such a post?" it was asked.

"Oh, I don't know," replied Mr. Hardy, a resolute, original and humorous personage; "set a thief to catch a thief, if you like." This unofficial answer apparently satisfied his superiors that he would be "the right man in the right place." And such he unquestionably was—cool, prompt and bold—acting in difficult emergencies with that "admirable firmness and discretion" which has since distinguished so many of those valuable and experienced officials—the goldfields commissioners of New South Wales—who for nearly half a century have added lustre to the New South Wales civil service.

He received his orders, and within a week was on the road with his ten troopers, and Mr. Essington King, an old friend, whom at Government House on the Queen's birthnight ball he had invited to accompany him. Arrived at Bathurst they found that all the magistrates, with nearly the whole able-bodied population, "had gone to the diggings"; they were told that the police would have their ears cut off and would suffer all manner of violent treatment directly they showed themselves on the "diggings." This "canard" they regarded not at all.

Major Wentworth, inspector of police at Bathurst, was so anxious for their safety that he sent ten mounted constables, in black hats and long-tailed coats, to help to protect them. However, when camped for dinner, Mr. Hardy remarked "that he thought he would spare them to go back and protect Bathurst." To which city they returned, perhaps not all unwillingly.

They reached "Ophir" the name given to the settlement of miners, on Summer Hill creek, in the evening, camping in an adjacent gully in a truly unostentatious manner. A man was sent to the butchers to buy a sheep for supper, and they made themselves as comfortable as possible under the circumstances, considering that they had no tent, and were without bedding of any description.

Early next morning, Mr. Hardy, attended by trooper Flannagan only, went down the creek to collect license fees. The monthly license fees had been fixed at thirty shillings. He found no difficulty—nearly every man paid down his money. A party of five having declined, he sent them up to the camp to await his return. They had no money; upon which statement they were released with a warning to be ready when the commissioners called the next morning. This of course he did not do. Manifestly he could only get the fees from those who had money. To commence with a prosecution would have been bad policy. Still, few escaped payment who were duly liable.

A copy is appended of the first gold license granted in Australia:

GOLD LICENSE.

No. 1. May 24th, 1851.

The bearer (Richard Roe) having paid to me the sum of one pound ten shillings, on account of the territorial revenue, I hereby authorize him to dig, search for, and remove gold, within such crown lands in this county of Bathurst as I shall assign to him for that purpose during the month of May, 1851. This license must be produced whenever demanded by me, or other person acting under the authority of government.

(Signed) J. R. Hardy, J. P.
Commissioner.

On the night of arrival a miner came to camp to deposit a nugget for safety. After he left, Hardy and Mr. King examined it by the fire-light, with much curiosity. Was it really gold? What was its value? An old medicine chest with a half ounce weight (Troy) was in camp. With this, using the bullets supplied by the troopers, it was computed to weigh about eighteen ounces. Next morning the owner offered it for sale. Mr. Hardy, of course, could not purchase being a government officer. Mr. King, then unattached, offered him £50, ($250), which he accepted. He sent it to Sir Charles Fitzroy to be forwarded to the Queen. This was done; and within a year afterwards Her Gracious Majesty caused to me remitted the sum of £64 10s. in payment, say $320.

Mr. King remained in camp for a fortnight, buying in that time about 1,500 ounces of gold at from £2 10s. to £3 5s. per ounce, which he carried to Sydney in a valise, riding his famous thoroughbred hackney 'Comet," and sold it at a profit of 7s. 6d. per ounce; it was worth more, but at that time no one knew the exact value of the gold. He had intended to return, but having accepted the appointment of assistant gold-fields commissioner, went to the colonial secretary, the late Sir Edward Deas Thomson, for instructions. He gave none in detail, but authorized him to proceed to the Turon gold field, then just discovered, to keep the peace (being already a magistrate), collect license fees, and do generally as to him and Mr. Chief Commissioner Hardy seemed fitting. Mr. C. H. Green had been in the interim appointed to "Ophir." Mr. King's was the third appointment therefore, in a department which has grown to be so extensive and important.

When Mr. King commenced work at the Turon (from August the first to the end December 1891), Mr. Hardy sent over sergeants Bagnell and Grice, and troopers Saunders, Flannagan, Macdonald and Croker. He enlisted two aboriginals—Georgey and Billy Suttor.' The former was promoted to the rank of 'corporal,' and in consequence, his 'gin' was officially addressed in the camp as 'Mrs. Corplar Suttor.'

Commissioner King's management was eminently successful, "for which," he says, "I have largely to thank the members of the 'Old Mounted Police,' more particularly Sergeant Grice—their efficiency, courage and discretion being beyond all praise in the trying position in which they were placed." The newly appointed ruler devised workable regulations for the division of mining claims and the maintenance of order. He granted a publican's license to any man of decent character who would conform to a somewhat unique ukase—that the front of his building should be built of slabs that would stand pressure. The police thus knew the holders of licenses, and could supervise their management. The miners would have grog, and surely it was wiser to permit free trade and open revelry than to wink at illegal and clandestine tippling.

Nevertheless, in such a community, "sly grog selling" could not be extirpated wholly. A bush on the top of a tent pole meant "spirits for sale here." There were other secret devices—peripatetic grog shops. Men walked through the diggings with tin vessels under their serge shirts, fitted with a cock on one side for rum and on the other for brandy, drawing off glasses as required. When detected these were confiscated and broken up "the owners warned that they were known to the police." Mr. King was found fault with by a member of the legislative council in Sydney for licensing so many public houses, but he carried on the policy as long as he was permitted, and, under similar circumstances, though a foe to intemperance, no doubt would do it again. Many illegally equitable acts at that time were done on the commissioner's own responsibility, but as Mr. Wentworth said "farthing damages will always protect him." Apparently they did, as no litigants ever attempted to get any. The police broke up a cradle now and then, but only in those cases when a digger swam the Turon and laughed at them from the other side, boldly defying authority.

It might be said, why not proceed against them by summons? For one thing, the commissioner had no dungeons handy, nor could he afford to lay a day punishing a single offence. This sort of thing righted itself, and with six thousand miners or more there really was very little trouble on the Turon. Mr. King remained in charge till the end of the year 1851, when he was transferred to Braidwood, having been promoted to the appointment of commissioner for Southern "Gold Fields." Soon afterwards the following gentlemen were appointed assistant commissioners: Messrs. William Johnson, Lieutenant Zouch, A. D. Broughton, H. Whitty, Hugh Hamilton and Edward Browne, of whom Mr. King is the only man now alive.

The last half year of 1851 was marked by strange and eventful scenes, but the Commissioners managed to collect licenses and preserve order without blame from the Government or collision with the miner—no trifling matter. For consider, they had no regulations, no Gold-fields Act and as the whole complex system of Statutory Gold-fields management had to be initiated, it must be conceded they were exceptionally fortunate.

With regard to the pay and receipt division, all accounts were kept as if on a large pastoral station. When at the end of the year the accounts were forwarded to the auditor general, he returned them, requiring printed vouchers for each item of expenditure. Camp officials were not surprised, as many of them were written on pieces of newspaper, or the envelopes of letters, though perfect in detail. They were re-enclosed with a letter to the effect that it was impossible to alter them. Eventually the legislative council authorized the auditor general to pass them in their officially imperfect state.

Much risk was necessarily incurred in dispatching the parcels of gold received from the miners, by escort to Sidney. There were no books and often six or seven thousand ounces were sent away in sixty or seventy parcels, made up in every conceivable manner and packed in leather saddle bags. The only loss that ever occurred was a lot in three match boxes containing six ounces each. These were lost between Turon and Bathurst, and Mr. John Want, the owner, had unfortunately to suffer to that amount.

The town of Sofala was commenced by Mr. King. The church also, under his tenure of office, was most literally and practically inaugurated by the Bishop of the Diocese, the commissioners digging holes for the corner posts while Bishop Broughton himself, in full canonicals, handled a pick.

There was no jail at the Turon; it was, therefore, necessary to improvise a place of detention. To this end a long slab building was erected, down the middle of which was passed a stout chain, or rather several of the bullock chains of the period.

To these, on either side, prisoners were handcuffed but in such fashion as to be able to lie on their beds. On Sunday morning, on which day a cart with two horses was usually sent to Sofala to bring home the drunk and disorderly it was mostly full but not always with working men. A gold buyer of intemperate habits came one afternoon to the camp to deliver his purchases for escort. A trooper generally met and helped him to unload. One day, much bemussed with beer, he was seen to approach trying to hold his treasure bags on his saddle, but dropping them by the way.

He stumbled into the camp tent only to fall asleep. His gold was taken from him and sent on to Sydney; when he awoke at daylight he wondered much where he was, and even more where his gold had got to. He was fortunate in his choice of a resting place. On Mr. King's first appointment Mr. W. C. Wentworth and Captain Battye, of the Eleventh Regiment, rode with him as far as Bathurst. On Mount Victoria they passed a party of diggers making their way from Sydney. They recognized Mr. Wentworth, and called out: "Well! old Billy Wentworth!" That gentleman took no notice further than to remark, "This gold is the greatest leveller we have ever had."

No disrespect was probably intended to a distinguished colonist, always honored as a champion of the public rights. The speaker probably thought it an opportune time for proclaiming the reign of universal brotherhood, in a jocular, fraternal manner, the deduction, like others made at the time, was imperfect, for in none of the Australian colonies is greater deference paid to rank and position, so long as the wearers preserve their self respect, than in New South Wales.

The first police case tried on a gold field in Australia was at the Turon, in July, 1851. Mr. Hardy and Mr. King constituted the bench of magistrates. Mary Jones (let us say) versus Mary Smith, for assault. Thus early, in gold fields history did the woman's rights question agitate society.

Plaintiff averred that during a heated argument, defendent had resorted to primative methods, by striking her in the face. Defendant's solicitor contended that the Bench had no jurisdiction, Sofala not having been proclaimed a place where petty sessions might be held. Mr. Hardy promptly overruled this objection; how could he tell whether it was so or not? Defendant had taken the law into her own hands. The bench would do the same, to the extent of fining her £5. Defendant's solicitor paid under protest at these high-handed proceeding. Mr. Hardy very properly permitted no one at that stage of Goldfield's management to question his authority, which, before the passing of latter acts, was practically unlimited. An autocratic commissioner once summarized the position, by calmly replying to a dissatisfied querist, "*I am the law.*"

John Richard Hardy was beyond all doubt exceptionally adapted to his environment; no less by the exercise of a rare admixture of firmness and discretion, than by his just conception of the relative duties of the state and the individual in their unprecedented connection. This will be, perhaps, more clearly apparent from his evidence before the Gold Fields Committee of the Legislative Council of New South Wales in 1855:—

Question 17. By the Chairman: The great object of these regulations is the maintenance of order at the diggings and the obtainment (sic) of as much revenue as can be collected from the gold?

Answer. The object is the maintenance of order and the collection of the revenue that the government has fixed.

Question 18. By the Colonial Secretary: I suppose the object is to get the fixed license fee?

Answer. Yes. By the maintenance of order, I mean the carrying out of ordinary police regulations and the rendering operative of the laws of the country as far as Petty Sessions, Courts of Request, and so on are concerned.

Question 19. The settlement of disputes as to boundaries?

Answer. Yes.

Question 21. Has it occurred to you that over and above the revenue sufficient to maintain the establishments for these purposes, it would be desirable to obtain a revenue from the gold applicable to other and more general purposes?

Answer. That involves the question whether the government ought to get as much as they could, or whether they ought to be contented with less than they could get if they were to go to the extent of their power.

Question 22. By Mr. Wentworth: I take it that there can be no doubt but that the gold fields are the property of the public?

Answer: Yes; the gold field is—but the gold is not; that is, the gold brought to the surface by man's industry. I cannot conceive the justice of taxing one man more than another, or why the gold-diggers should be taxed more than the rest of the community, always supposing that they repay the expenses which the government is put to by their occupation of the gold fields. The gold is underground, and would remain there but for the work of these men. Their industry brings it to light in the same way that the fleece of the flock is brought to the market by the industry of the squatter, and the produce of the field by the industry of the farmer.

Question 23. Would not that doctrine strike at the root of all royalties or taxes upon this occupation?

Answer. I have nothing to do with that.

Question 24. Do you not think that it should be our object to obtain as much revenue as can be obtained beneficially.

Answer. Yes, but beneficially is a word of wide meaning. You may get a large revenue, but it might be more beneficial to get a smaller one.

It will be seen that just forty years ago the clear head and logical mind of the first Australian gold fields commissioner evolved two leading principles, viz. that, as the diggers already paid the revenue by the use of excisable articles their full proportion, they should not pay more than others.

Secondly, that the local expenses to which their occupation gave rise should be paid by special local taxation.

It seems almost incredible in the light of after events that any political party should have advocated the obstruction of the gold-fields. Yet, unmindful of the legend of King Canute, this is what eminent colonists like Wentworth and James Macarthur did. Holding that the progress of gold mining would be injurious to the great agricultural and greater pastoral interests, they organized a gold-fields committee for the purpose of strict inquiry into their management, and of placing restrictions, if necessary, upon the privileges of the "chartered libertines" the diggers. But in their chief commissioner the mining committee had an advocate difficult to answer and impossible to browbeat, even to use his own words, "in his hour of peril, the bitterness of official death imminent." Here was a man of men, indeed, a colonist to be proud of. With his appointment trembling in the balance he dared to oppose the political magnates of the land, to withstand, in the interests of an unpopular class of laborers, a phalanx led by the ablest advocate in Australia, perhaps the strongest personality in all the colonies.

But the man who, supported but by a handful of police troopers, had shown himself capable of controlling the fierce adventurers whom the tidings of treasure-trove had lured to untrodden wastes, was not to be dislodged from his position. He ridiculed the notion as barbarous, that the goldfields should be looked upon as a great source of public revenue and the magnificent results gained from wresting from the earth her long buried treasure should not be tarnished by robbing labor of its just reward. Policy, prudence and the necessity of the case, as well as abstract justice demanded that the gold digger should follow his occupation without let or hindrance, so long as he interfered not with the public good; nor should his productive industry be taxed beyond that of other men. These positions were unanswerably defended before the council.

One of the last questions asked of Mr. Hardy (No. 228) was: "If it were possible by any means to obtain a greater amount of revenue from the gold fields, you would not say it was impolite?"

Answer. "Yes, for everything unjust in principle is impolitic, and I consider it unjust."

He sums up the quæstio vexata thus: "My conclusion is this: gold diggers have a right to dig for gold, subject to regulations for the management of the gold field. It is for the government to render the necessary payment certain, impartial and sufficient."

There is no doubt but that a rooted feeling of opposition to the development of the gold-fields animated the members of the committee. They had come to a conclusion not wholly unjustified by the apparent trend of matters, that unrestricted gold digging on crown lands would disorganize the great industries of the country.

Mr. Essington King is asked: "Whether it would be practicable to make a general law prohibiting gold digging during the sheep-shearing, harvesting and ploughing seasons?"

Major Wentworth is asked, "Whether it would not be desirable to compel all persons, before getting licenses, to swear that they were not runaway servants?"

Mr. Gideon Lang is asked whether digging should not be stopped between shearing and harvest?

In short, Mr. Hardy asserts, "the dislike of the committee to the very name of gold field is only to be paralled by the feelings of the more ignorant of the people of Melbourne against the squatters."

Although at the time antagonistic to the spirit and constitution of the committee by whose influence he was removed from office, Mr. Hardy does full justice to the late Sir Edward Deas Thomson, at that colonial secretary.

"Let not the colonists," he says, "however sensible of his shortcomings, forget that at a critical moment, beset by adverse influences, he stemmed a torrent that would have overwhelmed a weaker man. If he had yielded to the retrograde party that urged him to 'shut up,' or at any cost to obstruct the occupation of the gold fields, if he had shown a grasping or narrow spirit, what might not have happened? But he was equal to the occasion. He recognized the true policy of the time, and swerved not an inch from the straight path. I am not giving him the merit of the organization of the gold fields or their settlement in peace and good order for ten long years. That, and the suggestion of the principle on which they should be occupied, belongs to me alone. But he was quick to see what true policy required, and heeded not foolish or timid counsels, numerous as they were.

Mr. Hardy in the last page of his pamphlet does full justice to his coadjutor during the unsettled period from the birth of Gold-field Law, in 1851, to his resignation in 1857. He says: "When Wentworth & "Co. stripped the late Chief Gold Com-"missioner of his mantle it fell upon one "in the south country fully worthy to be "invested with it; one who possesses in an "eminent degree judgment, temper, good "sense and firmness, doing his duty al-"ways successfully, but without ostenta-"tion, to whom the digging population "would universally exclaim 'O King, live "forever!'"

Forty years have passed since these words were written, forty years since the writer with his ten troopers and a comrade took official charge of the first gold field in Australia. How just, how curiously accurate was his grasp of the situation later events have abundantly proved. He perhaps overrated the general expenses of gold field management, doubting whether the monthly license of £1 10s. per man should be reduced, and calculating that one commissioner and a party of ten police would always be found necessary for every thousand men on a gold field. He might have lived to see in 1871 one commissioner ruling ten thousand miners with the aid of a small detachment of police, officered by a sub-inspector and a sergeant, the license fee reduced to £1 per annum, to be further reduced in after years to ten shillings, and but five shillings for the latter half of the twelve months."

The successful establishmen of gold fields law, of which he was the unquestioned pioneer and administrator, lasted without dissatisfaction or disturbance until 1861. Then the riot at 'Lambing Flat' took place, the proximate cause being the unchecked influx of Chinese who swarmed over the richest patches to the detriment of the European population.

With regard to the personnel of the Goldfields Commissioners of New South Wales, Mr. Hardy's words are noteworthy, I know nothing more remarkable in the circle of social facts than this, that though the Gold Commissioners appeared amongst the diggers with the unfavorable "prestige" of tax-gatherers, they were universally popular and welcomed as the protectors and just arbiters of the gold-fields.

The thousands of disputes that then arose were settled without the delay, the expense, the tedious formality that impedes the course of justice in other places—sub Jove pluvio, in triviis et quadriviis. The witnesses necessarily on the ground and all the neighbors, the jury de circumstantibus, interested in a just decision, and present to assist at a just determination.

In order to inspire confidence, as Mr. Hardy well says, the administrators of gold field law must necessarily be men whose birth, character, and antecedents were such as to command respect. No choice could have been happier than that made of the chief gold commissioner and his first lieutenant, Mr. King.

Mr. Hardy, as a B. A. of Oxford, a police magistrate, and an experienced colonist, was eminently well fitted for the position. A man of culture as well as of practical knowledge he was enabled to take a logical view of the manifold perplexities by which he was surrounded.

He justified the wisdom of the appointment by the most prophetic forecast which he had made of the future of the Australian gold fields. Prompt, fearless, energetic and unprejudiced, he was the very man for the chief commissioner of a gold field in its initial stages. Mr. Essington King was no less fortunately fitted to work with and under such a chief. A native-born Australian, belonging hereditarily to a race of rulers, the son of a gallant admiral, also an Australian by birth, and the grandson of the governor of that name, he well deserved the sympathy of his countryman who largely leavened the toiling crowds.

Born of a family thus honorably distinguished, cool, dispassionate, and determined, he moved among the strangely compacted host an unchallenged ruler and judge. Other gentlemen held the same appointment with credit to themselves and satisfaction to the public, in the long years which succeeded the first night's camp on the creek flat at "Ophir." Other laws, acts and regulations succeeded their simple rules, as the gold won by man's industry from the Australian wilds swelled in value from thousands to millions of pounds sterling, and the great Department of Mines with stately buildings, minister and under-secretary, geologists and clerks gradually arose. But to the men I have mentioned is due the credit of iniatory success in the gold fields management. They were the pioneers—the precursors of a line of distinguished civilians of whose brilliant administration any country might be proud. Of Harold Maclean, George O'Malley Clarke, William and Whittingdale Johnson, Captain Browne, Hamon Massie—cum multis aliis, men who in the hour of danger, surrounded by excited crowds, were cool and cheerful, and whose discretion was invariably equalled by their unflinching determination.

It should never be forgotten that to the early gold fields commissioners of New South Wales is due the glory of having, under innumerable difficulties, administered justice, preserved law and order, and distributed treasure almost incalculable, the whole without suspicion of unfairness, and for more than ten years without disorder or distrust. Throughout their whole term of office the executive power of the law of the land, with but one exception, was never imperilled or weakened. No mob law, no hasty executions dishonored a British community. Evil-doers were punished, justice was done, crime was expiated, but strictly in accordance with British jurisprudence and procedure. While from one end of the continent of Australia to the other, from plantations where the Kanaana under a tropic sun cuts the sugar cane, to that far western gold field of unparalleled richness where the Afghan's camel kneels—perhaps mainly for and on account of their strong and sensible initiatory action, English law and English justice are as strongly guarded to-day as in the heart of the great Mother land.

Rolph Boldrewood.

From The Daily Colonist, December 7.

THE CITY.

The appointment of Mr. Pluman as liquidator of the O. K. Mining Co. has been confirmed.

Final examinations for those desiring to practice law in this province were held yesterday, six candidates writing.

The young ladies of the R. E. church will hold a sale of work and lunch on Tuesday, 14th instant, in Philharmonic hall. There will also be a concert in the evening.

A special service and intercession on behalf of the work of the Local Council of Women will be held at Christ Church cathedral on Friday at 11 o'clock. Bishop Perrin will make a short address.

Detective Coleman, of San Francisco, hopes to be able to leave for San Francisco towards the end of the week with J. G. Bennett, who is being extradited for attempted wife murder. The final papers should arrive from Ottawa in a couple of days. It is likely, however, that another attempt will be made by means of habeas corpus proceedings to secure Bennett's liberty.

Thit tale of a dog comes from Kamloops: "It was a fine Scottish deer hound, and it belonged to Admiral Palliser, who had it with him when, with Mrs. Palliser, he was staying at Cherry Creek. A hunter, who was in the district, shot the hound thinking it to be a timber wolf, and, what is ludicrous, he took the ears of the dead hound to the government office and received the bounty due on wolves!"

Mr. R. G. Roach, of New Westminster, and Miss Jennie Fraser, of San Francisco, very sensibly elected Victoria as the proper place in which to celebrate the marriage which took place yesterday. Rev. Dr. Campbell was the officiating clergyman, the ceremony being performed at the First Presbyterian manse. Mr. and Mrs. Roach will make their home in the Royal City, where he is manager of the telephone exchange.

Victorians, who with pleasure formed and enjoyed the acquaintance of Mr. W. L. Kennedy during his chief clerkship at the Hotel Dallas, now hail with satisfaction each appearance of the steamer Farallon in port, for Kennedy is steward of that vessel now and the friend of everyone who travels by her. He is still a good Victorian at heart, and does not lose an opportunity to drop in a quiet word for the city that was formerly his home, whenever the chance presents itself.

The new trial in Harris v. Dunsmuir opened yesterday before Mr. Justice McColl. Some time ago plaintiff obtained judgment for $18,000 commission and expenses for an attempted sale of some coal mining property for defendant. Defendant appealed to the Full court and a new trial was granted, as a result of which a special jury is hearing the case. Mr. E. V. Bodwell and Mr. L. P. Duff for plaintiff; Hon. C. E. Pooley, Q.C.; and Mr. Charles Wilson, Q.C., for defendant.

Mr. John F. Richardson, C.E., who returned from Skagway by the Farallon yesterday, is registered at the Dominion, and speaks in terms of utmost confidence concerning the future of the town at the entrance to the White Pass. There is now, he declares, a good, reliable winter road via Skagway, a fact proved by the success of several parties in getting through with little trouble, and many men are at work on a wagon road for the summer—which will be all right if rock-falls, freshets and kindred causes do not speedily obliterate it.

Among the new arrivals in town is Captain F. P. Armstrong, who has come from Golden with the intention of proceeding to Teslin Lake. He is well known to everyone who has visited East Kootenay, as one of the best navigators the Columbia river in connection with the steamer line running from Jennings. Captain Armstrong, who has some associates with him in the enterprise, now intends building a steamer on Teslin lake to run to Dawson City in connection with the trail from Telegraph creek to Teslin lake. He is staying at the Driard and is accompanied by Mrs. Armstrong.

The death occurred at the home of his father, Mr. W. R. Carlyon, of Douglas street, yesterday, of Charles R. Carlyon, of Revelstoke, a resident of this city during the past ten years and a graduate of the Collegiate Institute here. Subsequently he studied law in the office of Mr. H. G. Hall, and was called to the bar in August of last year. Since that date he has built up for himself a very fair practice in the inland town, and substantial success appeared within his grasp when death terminated his career. The deceased was but 26 years of age, a native of Union Grove, Wis.

A letter from James Todd, one of the Victorians at Dawson, has been received by Mr. William McKeon, jr. Mr. Todd says that he, Dr. Richardson and D. Macrae, are "batching" together and were busy putting up their log house at the time the letter was written. There is no date, however, on the letter. The little party of Victorians have only a small supply of grub, Mr. Todd says, but think they have enough with care to last through the winter. The letter confirms stories already told by Eckart and other passengers on the Seattle that the steamers Bella and Weare did not have any provisions. The only thing in that line was a few barrels of sugar.

AFTER TYPHOID FEVER.

"After I had typhoid fever kidney troubles ensued. I had terrible pains in my back, head and shoulders, and felt tired, drowsy and dragged out and had annoying urinary troubles. I have grown daily better since I commenced using Doan's Kidney Pills. I have no pains of any kind, sleep well, feel rested, and the urinary troubles have completely disappeared." J. W. Douglas, Port Hope.

SLAVE TRADER'S DUPES

A Crew of Innocents Lured from San Francisco to the South Sea Islands.

An American Consul Recognizes the Cruel Adventurer and Warns His Victims.

Mr. Churchill, late U. S. consul general at Samoa, and who arrived last evening on the Aorangi on his way home, brings a decidedly interesting story in regard to the schooner Sophia Sutherland, which set sail from San Francisco some months ago with a crew of treasure seekers bound for the Solomon islands. Apparently the treasure seeking crew are the dupes of some designing scamps, for through Mr. Churchill's instrumentality it was discovered that Sorensen, the Dane, who went as "trading master" of the outfit, is practically an old pirate who has served a term in the penitentiary for stealing natives and extorting ransom from their friends.

Mr. Churchill in referring to the matter as he sat in the parlor of the Aorangi last night, produced the story as he had given it to one of the Hawaiian papers on his way across the Pacific, as follows:

"The Sophia Sutherland arrived in Apia, Samoa, where I was stationed as American consul, about two days before the departure of the Alameda on her last trip north. The customs authorities were looking for her and went out immediately. We arrived aboard at the same time, being very anxious to find out all about the firearms reported to have been stowed away on departure from the Coast. It there is anything we hate down in Samoa, it is firearms. You know why.

"Instead of a hundred men armed to the teeth, we found only sixteen of the most inoffensive looking young fellows. They were regular greenies, and I took at once to be the dupes of some sharp adventurer, a suspicion that I very soon found to be correct. Instead of remonstrance we found the greatest willingness when told that they would have to submit to the regulations of the place which required that all the arms be taken ashore and put in bond in the custom house. Upon going below what was our surprise to find only eleven rifles, shotguns, and revolvers, not even enough to go around. The men were the meekest beings I ever had any dealings with.

"The said that they had formed a company to go to the Solomon islands and had dubbed themselves the South Sea Commercial Company of San Francisco, with Captain McLean, an old salt, in command. A man called Greenwood was the mineral expert, another, Gingg, the secretary and treasurer and Sorensen, a Dane, the trading master. I looked at all of them and found them all strangers to me except the Dane, Sorensen. I knew I had seen that face somewhere and I felt pretty sure it was when I was travelling among the islands of the Western Pacific. I talked with Sorensen for quite a while and soon had him telling me all about the islands down there. I soon found that he did not know much about them, but was only making big talk. A friend of mine recognized Sorensen as formerly of the schooner Albert, which gave me the key to the situation. I recalled the man and this is his history as I remember it:

"In the early 80's, Sorensen, who is an expert pearl diver, arrived in Melbourne, and began to tell about the wonderful pearl beds in the Solomon islands. All needed was a little capital. His smooth address soon won over some of the good people of Melbourne, who purchased the schooner Albert, a very trim little vessel, and fitted Sorenson out with a full diving outfit. A competent captain and a good crew were put aboard, and the Albert started away one bright morning bound for the Solomon islands. When the vessel had gotten near one of the islands, the pearl diver developed a store of gin. I might say here that the gin down along that way is the ginniest gin that was ever ginned. It was not long before the captain and crew were safe in the arms of Morpheus. Sorensen next developed a supply of irons which he used on the captain and sailors. When they came to be laughed at them and sailing the ship close inshore, he bargained with a number of beachcombers, always to be found on those forlorn shores, and soon had the ship under weigh again. Now he had things all his own way and started out to trade with the unsuspecting natives.

"His system of trading, though very questionable, was simple and effective. It was his practice to invite the chief of an island with a small following aboard the Albert. He would then get the sailors to interest the men on deck while he took the chief down below to treat him. A dinner was usually spread out, but the unfortunate chief usually got no further than the soup. At the given signal, the poor fellow was overpowered and put in irons. Then the sailors with their rifles and revolver would chase the natives over the side of the vessel, instructing them at the same time that their chief was in irons and would be killed unless a proper ransom was at once delivered aboard. Under such circumstances, Sorensen never failed to profit by the deal, the natives bringing aboard more than agreed on in the hopes of gaining their chief back again with less daily. That was one mode. Another was the following:

"Sorensen would entice a number of natives aboard and after giving them meat and drink—especially the latter—would, with the aid of his men, throw them all into irons. Then, with a stiff breeze blowing, he would sail away to the other side of the island, where rival tribes lived, and there sell the captives. Now, as Sorensen was familiar with the customs of the place and knew that they hardly ever worked down there, he must have known he was not selling slaves, but a supply of fresh meat. That, however did not seem to bother him in any degree whatever.

"Sorensen followed this life for a number of months. Finally a complaint was laid in and H.M.S. Dart rounded him up. He was tried in 1884 and sent to the penitentiary for a term of ten years. He served his time and then mysteriously disappeared.

"Not many months ago he turned up in San Francisco just as he did in Melbourne, and in his possession were specimens of gold ore which, when analyzed, were found to be marvelously rich in the very much coveted glittering material. He told stories of the great wealth of the Solomon islands, saying that he had just come from there. He had succeeded in winning the friendship of some of the natives who showed him the places where the great wealth was stored.

"There was a fever immediately and a number of young men got together, formed a company, purchased the Sophia Sutherland, and taking Sorensen at his word, without the least proof that he had procured the gold ore from the Solomons and started out on the journey.

"I felt sorry for the young men and immediately took steps to save them from the fate of the captain and crew of the schooner Albert. Together with the friend I have already mentioned, I went aboard the vessel and the story of the adventures of Sorensen was told them. You can imagine the effect this had on the poor souls. They were simply dumbfounded and did not know what to do. The next thing I did was to confer with the British consul, who sent a dispatch to the British Solomons telling the authorities there to forbid the landing of the men if it was found that Sorensen was aboard.

"Just before leaving, the steamer Ovalani brought the news that the Sophia Sutherland had arrived in Suva, Fiji, and that on the voyage to that port from Apia there had been trouble. One of the men had been put in irons. I strongly suspect that it was Sorensen, for the feeling against him after his record had been told was by no means friendly. The men had been warned and evidently had their eye on him. That is the last I heard of the poor fellows. I hope that they will have the good sense to give up their foolish project and return home at the earliest opportunity."

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