

PLOD ESSAY: WONTHAGGI COURT OF PETTY SESSIONS, 1911

Wonthaggi was trying hard to become a respectable town in 1911. Early in that year it became a borough which meant that the Progress Association gave way to the Borough Council in making decisions about the goings on in the town. Part of their job was to support Dr Sleeman, who had just set up practice in Wonthaggi, in administering vaccinations to all children first Monday in the month from 2 to 4 pm, under the Victorian Vaccination Act; set fees for collection of 'pans'; make regulations about stray dogs; distribute licences for men's clubs; support new businesses and make demands of the state government to supply the town with an adequate number of police, among other things.

The need for more police was apparent on New Year's Eve 30 December 1910. Wonthaggi was a town of just over 4000 people. The gender balance was way out of whack with the majority of the people being single men, many of whom were married but whose wives were nowhere insight. On this particular New Year's Eve, groups of 'Sports', according to *The Sentinel Times*, gathered together and indulged in carol singing. They sang, 'We won't go home until morning' at top volume and it was reported "a few didn't reach home until afternoon, but no bones were broken."

These groups of 'Sports' egged each other on to uproarious hi-jinks, which *The Sentinel* decided was 'Wilful Destruction of Property' in its article of January 6, 1911 calling for more police protection. The article puts its argument:

"Like most other towns and cities Wonthaggi possesses a number of the larrikin element. In Wonthaggi as in most other places, a large amount of latitude is allowed on New Year's Eve and offences which are certain to meet with just punishment, at this season of year are allowed to pass unnoticed.

"No objection can be taken to the customary New Year's pranks indulged in, but when such pranks lead to the wilful destruction and in some cases theft of property, it's time to cry a halt and put it down with a firm hand."

The article goes on to describe how the walls of the Powlett Hotel was plastered with "insulting and silly phrases with some cement like substance the consequential expense of obliterating which will run into pounds"; the walls of Huntersville House smeared with tar, the hauling down, destruction of the flag and theft of the lanyard on the pole outside the drapers, Allen & Houffrey; the theft of a travelling sale man's

bag, which was thrown out of the window; the lifting of a watch and chain out of the waistcoat pocket of a drunken man leaning back in his chair and 'snoring to beat the band'.

The article finally gets to the point of all this description: "The first question naturally asked is, 'Where were the police?' But when the fact that one policeman only is stationed in Wonthaggi is taken into consideration, no answer is required. One policeman cannot be expected to be on duty day and night, nor can he be expected to be in all parts of the town at the same hour."

Poor Constable Cane! And he never carried a revolver, his only defensive weapon being his regulation baton. No wonder the Court of Petty Sessions met only once a month in the early history of Wonthaggi. With only one policeman, people got away with things.

By the 20th of January, it was reported that, "an additional policeman is to be stationed at Wonthaggi very soon." By the first of February he was here. *The Sentinel* wrote. "Constable Cane will now be able to have a few hours rest in the twenty-four." One week later at the Court of Petty Sessions – sometimes called the Police Court – there were cases of Drunk and Disorderly (30s), Obscene Language (£2 or two weeks hard labour), Offensive Behaviour (20s), and Breach of Vaccination Act (40s) to be answered.

The two constables, Cane and Goddard, had their work cut out for them. *The Sentinel* reported that, "Graham Street is fast becoming the recognised fighting quarter of the town. A couple of bouts occur each week between well-known residents and black eyes are becoming quite fashionable." Also, "Owners of mongrel dogs should be compelled to chain them up. Almost every horseman who goes along Graham Street is pestered by them. The police have no power to destroy, but a little revolver practice might be indulged with advantage." And, "Members of the local gun club are putting in good work on sparrows and starlings... Anything with feathers on, from 'Jackasses' to tomtits will meet with sudden death when a couple of members learn to shoot."

It sounds like a veritable frontier town from the Wild West.

With the police hard at work, The Court of Petty Sessions becomes a regular column in the paper and miscreants are brought to justice on a regular basis. Common cases were about money owed: claim for £9, claim for 30s, claim for £6. Other cases were Child Support claims. One man

was in arrears by £47 19s 3d because he had not paid the 2s 6d per child per week – he had three children – since 1908. He was an out-of work carpenter and hadn't a Hope-in-Hell of paying what he owed but the magistrate gave him a month to find the money before he was given two months hard labour. There were always people being fined for avoiding the vaccine, but at one point the Magistrate had to let people off because the Lymph Vaccine (to eradicate smallpox) had run out. Things like cruelty to animals – one man killed his neighbour's chook with a shovel after it had ripped up his garden for the last time – larceny, obscene language...

Obscene language came up regularly. I particularly enjoyed the case of the bullock driver who stopped his team in the middle of the road outside the Dalyston Pub and left the bullocks and dray there while he went in to quench his thirst. Constable McDonald from Dalyston came along. According to him, when he went in to get the driver – who was the defendant in this case – out of the pub to move the team, the defendant said, "I won't take any notice of you, McDonald. I don't care if there are 50 police here, I won't shift the bullocks. I'll soon settle the likes of you and I can side-step you in two acts." Then McDonald explains, the defendant went outside and drove the team around in a circle shouting out, "Fancy that bloke chipping me to shift the bullocks. I'll give him a ____ hiding he'll remember all of his natural days. I'll shift him into the _ Street. He is too frightened to summons me for I will bring a solicitor to poo hoo him in court. I don't give a ____ for McDonald or anyone else."

Petty Larceny became such a problem on his property in North Wonthaggi that Chas. Hannan put this notice in the paper, "WARNING. On and after this date, any person found removing timber, interfering with fences or trespassing on Winton Park Paddocks will be prosecuted."

The two solicitors who stood up in court were Mr W.E. Brunt and Mr Akhurst. Mr Brunt always spoke for the complainant. Mr Akhurst was on the side of the defence and usually lost to Mr Brunt. They faced Judge Bird who was helped by Mr Wishart. On 23 June 1911 Judge Bird welcomed, "a gentleman like Mr Wishart who would share the burden of responsibility of work on his appointment as a magistrate."

The solicitors, who had no one to take their burden from them, found the job of defending and prosecuting so exhausting that they spent one morning arguing about whether or not they

should stop for lunch. Brunt said, "Solicitors were sometimes unable to do justice to their clients through being compelled to go without lunch and he was sure the bench must sometimes feel they were unable to do full justice to the cases which came before them owing to the pangs of hunger which they no doubt felt." The bench didn't buy the argument and declared the session would go until 2:30pm. Mr Brunt remarked that he had a few biscuits in his pocket, so he would not fare too badly.

The biggest problem for police in Wonthaggi was sly grog. They spent a great deal of time invading premises, trying to surprise men "in the act of illicit trafficking in drink". It was stated in 'The Man on the Street Says' column that, "In Wonthaggi the particular class of guzzle most favoured is watered beer."

Constables Cane and Goddard called on fellow police officers – McDonald of Dalyston, Kelleher of San Remo, Hehir of Inverloch – to assist them in a wide swoop on the area where they were sure of trafficking. The Sentinel reported that, "a number of place were raided, but only one haul was made and that was in South Dudley." Of course everyone knew they were coming. Finally, at the end of July, Thomas Handley was charged with selling liquor without a license. And it happened accidentally when the two constables were walking down Graham Street, opposite the Lyceum Hall, and noticed a number of men going in and out of premises occupied by Handley. They heard glasses clinking! "On entering the premises Handley was in the act of filling a couple of glasses from a demijohn. There was one drunken man there and 1s was lying on the table. Defendant [Handley] covered the coin with a glass of beer, but the senior constable picked it up." The defendant said the coin wasn't his, that they were celebrating his birthday. The drunken man said it was *his* birthday and he would stick up for Handley because he was 'good fellow'. Police seized the demijohn. For weeks after that the Court of Petty Sessions column was filled with argument about whether or not the police had acted correctly and that the demijohn was rightfully Handley's and never should have been confiscated. In the end Handley was fined £25 and 14s costs. Once again, Akhurst lost and Brunt won the day.

Here's one last bit from The Man in the Street Says column: "Dudley discovered a temperance orator on Thursday night last. He is short, stout and jolly and has a gun ready for those who offer him any drink stronger than ginger beer!"

Colourful town, Wonthaggi. Still is.

