

## SAGAS OF THE EARLY DAYS . . .

# The Laws Of The Cedar-Getters Were Their Own!

BY WINDSOR LANG.

Mr. Lang commences his story this week by continuing to quote from memoirs of an old pioneer, Mr. James Ainsworth. He tells of the financial rackets which were rife in the cedar-getting days:

"In my own case I cut cedar for a year, and was supplied with stores by X., who in the first place had procured them from his principal, in Sydney, for 25 per cent. above wholesale cost price. I was charged another 50 per cent. additional, and I was obliged the while to look pleasant. Owing to these methods the cedar-getter was rarely out of debt, and Mr. X. himself, for whom I all ways had the warmest admiration and the highest respect, in the long run, was ruined by the pernicious exchange system, which had enmeshed him in common with all others in its coils. After a campaign of many years, when he expected that long-deferred settlement would leave him about £10,000 to the good, he was faced with the position that it left him about that much to the bad."

As regarded I.O.U.'s and their counters: "When Z., the timber merchant's heir, arrived in Ballina, after X.'s affairs had been wound up, he brought with him a black bag filled with P.N.'s for the cedar-men to sign in liquidation of alleged debts owing for years previously."

**No! River conditions during that first decade were neither ideal nor idyllic.**

The simplest of the food was available in the district—damper, cornbeef and tea. The beef they could get locally from the up-river squattages. It could be procured cheaply, in point of money. The squatters were experiencing the effects of the drought. The price of sheep had fallen to 2s 6d each—and an attempt was being made at that time to raise sheep on the river. Cattle prices had fallen from £10 a head to 10s a head. At that time they were mainly being slaughtered for the boiling-down centre, for their tallow-content.

Meat was brought to Ballina from Pelican Tree, above Coraki, portion of Mr. Clarke Irving's station, by pulling boat in a laborious

by pulling boat in a laborious journey. The settlers had to depend on the little schooners, and an undependable river bar for other supplies. As these vessels did not run to a regular time-table, and as they were sometimes for months at a time either bar-blocked or bar-bound, shortage of food-stuffs often provided a severe trial.

Short supplies of flour meant real hardship well into the 70's. After the 60's when agriculture had commenced here, maize was used, either crushed into meal and treated as a substitute for flour, or boiled as a vegetable. At times the food store would be supplemented by fish, or scrub game.

In those early days little time was set aside for recreation, and the gun and the fishing line were the main things in the equipment for recreation. On occasions men played at quoits, or with home-made skittles. Playing-cards provided another means by which monotony could be combated, and

happily, one or two of the settlers were able at times, to provide music from "fiddle" or concertina. Performance by comb and paper was not scoffed at.

**One item that was in fairly plentiful supply was rum. It figured in most households. Too often it**

in most households. Too often it was over-used for convivial occasions, but the settler also attributed medicinal properties to it, and frequently prescribed it for any internal ailment. Medical attention beyond his own or a fellow-settler's was not available until many years later.

As has already been stated horses were not in use during that first decade. It was nearly another decade before horses from the squattages began to come through and horse-racing was added to the sporting life of the settlers. Although it belongs to a period other than the first decade which I have been re-tracing, readers may be interested in this story which I have lifted bodily from Mrs. James Ainsworth's reminiscences:—

“At Ballina the usual ground was the outer beach flanking the present golf course, and many a contest equine, and otherwise, was fought out upon it. On one occasion a schooner belonging to Mr James Stocks (first mayor of Lismore) was driven ashore on this sand-spit after crossing the bar. High and dry the stranded hulk was used as a grandstand at one of the periodic race-meetings, and probably afforded the only recorded instance, in maritime history, of a full-rigged ship acting in that

of a full-sized ship racing in that capacity on a race-course."

During the first decade facilities did not exist for the conducting of dances. Occasionally individual settlers or itinerant sailors treated

the community dwellers to performances of horn-pipe, Highland fling, Irish Jig, or some such national. Naturally, swimming was a well-avoured pastime.

As has been previously pointed out, early settlement here was marred by its negative qualities. One positive feature was the I.O.U. exchange system, and that was disastrous in its incidence. Nowadays, when people too often feel irritated by government officialdom, it is difficult to realise that the early settlers definitely were handicapped by its absence, and often craved for the hardship to be removed. In that first decade the district had no police, no magistrate, in fact, no legal authority to control its life. This did not mean that the district, even at that time, approached a condition comparable with the "bad lands" which Wild West literature delights in featuring. An innate sense of moral rectitude and personal responsibility, possessed by the majority, instituted an unwritten code of proper conduct that, if it

code of proper conduct that, if it did not entirely subdue the unruly element, at least kept it in definite check.

A case in point was that of "Fighting Sandy," a surly, obstreperous character who frequented the settlement. One day at the settlement some real or imagined grievance caused him to go berserk. He set out on a one-man orgy of destruction.

Eventually he fired a stacked heap of timber beside a saw-pit awaiting shipment, and threatened dire punishment to any that might attempt to deter him. He had the brawn to support his dictation. For a brief period every other one was as if paralysed. At length they devised something whereby his punishment would be meted out by his submission to a kind of "trial by ordeal." He had to encounter hefty Tommy Chilcott in a bare-fisted combat. They fought thus for eight hours—from 8 a.m. to 4 p.m. Fortunately, justice triumphed from this dubious method of determining a fitting punishment for erring from the right. A soundly-thrashed and discomfited Sandy shuffled out of the settlement life. For him the sequel was not a happy one. He later attempted to force his way into the hut of a settler living higher up the river, and was shot dead by the startled

and was shot dead by the startled occupant—and a disgusted community decided to let the matter rest there. Knowledge of the incident was kept from far-away properly-constituted authority.

Before the decade had been completed at Ballina, Mr. Joe Eyles had opened up the "Sawyers' Arms Hotel," facing the river front near the site of the present slip-way. Incidentally, at the same period Mr. Meanley conducted the "Durham Ox" hostelry at Casino—in the cattle station country. The

titles, in each case, were indicative of the varying interests in the community.

In the Ballina area the cedar-getters had their own method of dealing with inebriates when their demeanour threatened to become too fractious. A 2000 gallon vat, open at one end and originally intended for boiling-down purposes at Pelican Tree had been landed on the river bank in the vicinity of the "Sawyers' Arms." (Pelican Tree was the point of contact with, and portion of, Mr. Clarke Irving's Tomki Station). When a man had imbibed too freely, the more sober element dumped the offender into the vat.

At the time that the settlement was established, and immediately

was established, and immediately before, neither the Clarence nor Richmond had any representative of law. Since 1840 there had been much trouble between the settlers on the Clarence and the natives. Commissioner McDonald had to come over from Armidale to inquire into the matter.

In 1841 at the Clarence, Mr. Jakes was appointed as first Commissioner of Lands there. Shortly afterwards he was succeeded by Mr. Oliver Fry, with which authority Richmond River settlers transacted all their business. I have heard of nothing to indicate that the gentleman was in any way addicted to pomposity, but as he was the only one in the two districts that had been constitutionally appointed to an office of authority no doubt he was regarded by the settlers in the light of being something of a Grand Pandiarum. His power was absolute. With the help of the border police it was his duty to see that the law was obeyed by white and black within the large territory under his control.

Accompanied by the police he had to visit all the stations and cedar settlements regularly. This meant very long journeys over wretched roads extremely difficult to travel. However, his labours were somewhat lightened by the appoint-

what lightened by the appointment of a C.P.S. at Grafton, to attend to legal matters. A C.P.S. was appointed to Casino in 1846. For some reason the establishment of Casino as a place of Petty Sessions was cancelled in 1848, but was re-established in 1852—10 years after the settlement at Ballina. Several of the squatters were made justices of the peace.

Whilst writing of the establishment of law and order, although it was a few years ahead of the period of which I write, it will be appropriate to mention that the first representative of the police at Ballina was Constable Jack McLeod, who took up his police duties in 1855 or 1856

The settlement had been established 17 years before it was effectively represented in Parliament. Although representative government had been given to N.S.W. in 1842, it was not until 1851 that the electors on the Northern Rivers were given their first opportunity to use their votes, even though by doing so they had little opportunity of making their needs heard by the government, for the Clarence, Richmond, Brunswick and Tweed Rivers were simply but part of the Darling Downs Electorate. Queensland had not as yet been separated from N.S.W.

As the representatives hitherto

AS the representatives ~~in~~ elected had come from the Darling Downs quarter, with one exception, they were quite unacquainted with the interests of what are now the Northern Rivers of N.S.W. It will be news to many that in 1851 but 35 electors were in that Northern River area.

When Queensland was separated in 1859, the Clarence and Richmond were given one member of their own. Dr. Lang tells us that at that time the number of electors in the area had grown to 936—516 lived in the Clarence district, and the remaining 420 in the Richmond, Brunswick and Tweed areas. Mr. Clarke Irving was the first representative of this new constituency.

Mention of the separation of Queensland makes one recall that this corner of N.S.W. was very nearly incorporated into the new state of Queensland. In fact the British Government had decreed that the southern boundary of the new state would be 30 degrees S. latitude. Dr. John Dunmore Lang

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was a keen advocate of adherence to that boundary. That would have meant that all that portion north of the Clarence and including it would have been portion of

would have been portion of Queensland. In N.S.W. it was argued that the present boundary at the MacPherson Range was geographically more suited, and eventually, after much petitioning and passing of resolutions, the British Government agreed to the fixing of the southern boundary as it stands today.

Prior to the establishment of civil courts and public offices at Casino, the nearest place at which Richmond River cedar-getters could transact banking or official business was at Grafton.

Commissioner Oliver Fry issued the first licences to cut cedar at North Creek and Emigrant Creek scrubs. About 1851 licenses were limited to permission being granted for felling and sawing of timber. Squaring was not permitted. Cedar-getters had gone in a body to Grafton for their licences, but when apprised of the restriction had returned to Ballina, and continued their timber-getting activities, squaring their logs in defiance of the law. Timber getters were allowed to cut timber on payment of £6 for a license to cut cedar and £2 a year to cut hardwood. If a person held the two licenses he was allowed to cut any kind of timber.

**As the cutters went further up**

AS the cutters went further up the creeks it became necessary for them to clear away the snags and other rubbish that blocked the running of the creeks. This clearing of tributaries improved the flow of the main stream, especially in time of flood, and the river channel at the estuary was consequently improved to such an extent that its high-water depth became 8ft., and craft of deeper draught and greater tonnage were pressed into the service of river transport.

The use of these larger vessels enabled squared logs to become favoured in place of fitches. The second issue of licenses made provision for squaring logs as an alternative to flitching them. Consequently much of the cross-cut saw work at the saw-pit was replaced by that of the squaring axe. Jimmy Smith, of Sydney, first trafficked with the cutters on this river with these axes, which rapidly gained much favour.

The cedar-getters worked in groups. The licenses gave them permission to erect huts. This they frequently did at suitable places such as Richmond Heads and Lismore. These were used for the housing of their families. The cedar-getter himself for long stretches lived in a tent which he shifted from time to time.

shifted from time to time to be more convenient to the scene of his cutting operations.

Sometimes when working near the water frontage of river or creek the cedar-getter used his boat, as a temporary living place. Often he had to take the boat out of the water and, turning it upside down, used it as a shelter against the inclement weather—and it did rain in those days. The huts were erected on ground of which they had the right of temporary occupancy, but no title deeds. Such right of temporary occupancy did not, of course, encourage them to build elaborate structures. They had to content themselves with rough shacks of slab with the interstices between filled up by some clevev compound. This shack they roofed with bark. The floor was of earth. Several devices were used to harden this floor—a real problem at East Ballina. Provision was made for a big, open fireplace. This was the most-favoured spot in the building. Fortunately greewood was plentiful—but so was rain in those days.

Reference to rain reminds me of a story that I heard concerning an infant who first saw the light of day in those early days and who was christened "Rainy Richmond" to mark the world into which he

to mark the world into which he had been born. The fireplace seemed to be eternally flanked by damp garments, but the flame from the blazing logs was cheery, especially as the only alternative night-light came from dim, smoky and smelly tallow din.

(TO BE CONTINUED).

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