

THE LONG TUNNEL MINE, ITALIAN HILL: HANDS IN THE RIFFLES¹

by
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In the silence of the late Autumn night, a figure bent low in the gloom. Shots rang out echoing down the hillside. There was a muffled cry and the sound of shuffling. The bent figure disappeared from view.

Stefano Pozzi was to appear before the local magistrates Messrs. L.O. Hart and M. Bedolla, Justices of the Peace, in the Daylesford Police Court on April 12, 1882, to answer a charge of shooting with intent to maim. He was charged under Section 15 of the Police Offences Statute - the element necessary to sustain such a charge being malice.



Stefano Pozzi and his wife Giacomina, c1865. (Reproduced from the book L'emigrazione Ticinese in Australia, by Giorgio Cheda).

Pozzi, (1833-1922) was born in the town of Giumaglio in the Valley of Valmaggia, in the Canton of Ticino, Switzerland. He immigrated to

Victoria aboard the *Carpentaria*, leaving on 14 May, 1854, and landing in Port Phillip on 1 August of that year. Pozzi, after a short time in Melbourne, settled in the Hepburn Springs area. After leaving school at the age of seventeen, he had been apprenticed for four years to the watchmaking trade, after which time he attended the Watchmakers' School in Geneva for six months. Consequently, he opened as a watchmaker and jeweller in Hepburn Springs, the premises being built on a large stump and known appropriately as *Up a Tree*. Pozzi Bros. later traded from a bakery and store at Oldracecourse, Hepburn, and a store in Yandoit. In Daylesford in 1867, Stefano opened a Wine Vault in Vincent Street and, in partnership with his brother, Leonardo, owned the *Star Hotel*. Stefano Pozzi's residence, *Valle Maggia*, and the later hotel, *The Vines*, in which he held a share, stood on Jubilee Lake Road. Pozzi was a member of the Daylesford Fire Brigade, the Masonic and Oddfellows Lodges and the Daylesford Borough Brass Band. He was always ready to befriend or assist financially those in need. Known among the community of Daylesford to be *industrious, energetic, enterprising and honest*, how could it be that Stefano Pozzi stood in the dock before the local magistrates on a charge perhaps sufficiently serious to warrant his case being heard in a higher court?

The Vines and Stefano Pozzi's residence were close to the entrance of the Long Tunnel Mine, Italian Hill, Daylesford, in which Pozzi, Christian Fumberger (c1842-1892) and Albino Paganetti (c1836-1924) were in partnership. For some time past, it was suspected that gold was being stolen from the sluice box at the Long Tunnel Mine. For several nights Pozzi kept watch. In the early hours of March 28, 1882, standing some fifteen yards away, he heard a noise in the sluice box. He called out. There was no response. The sound of the gun reverberated. Small shot flew. On subsequent investigation, Pozzi found no-one. Later in the morning when he inspected the site, blood

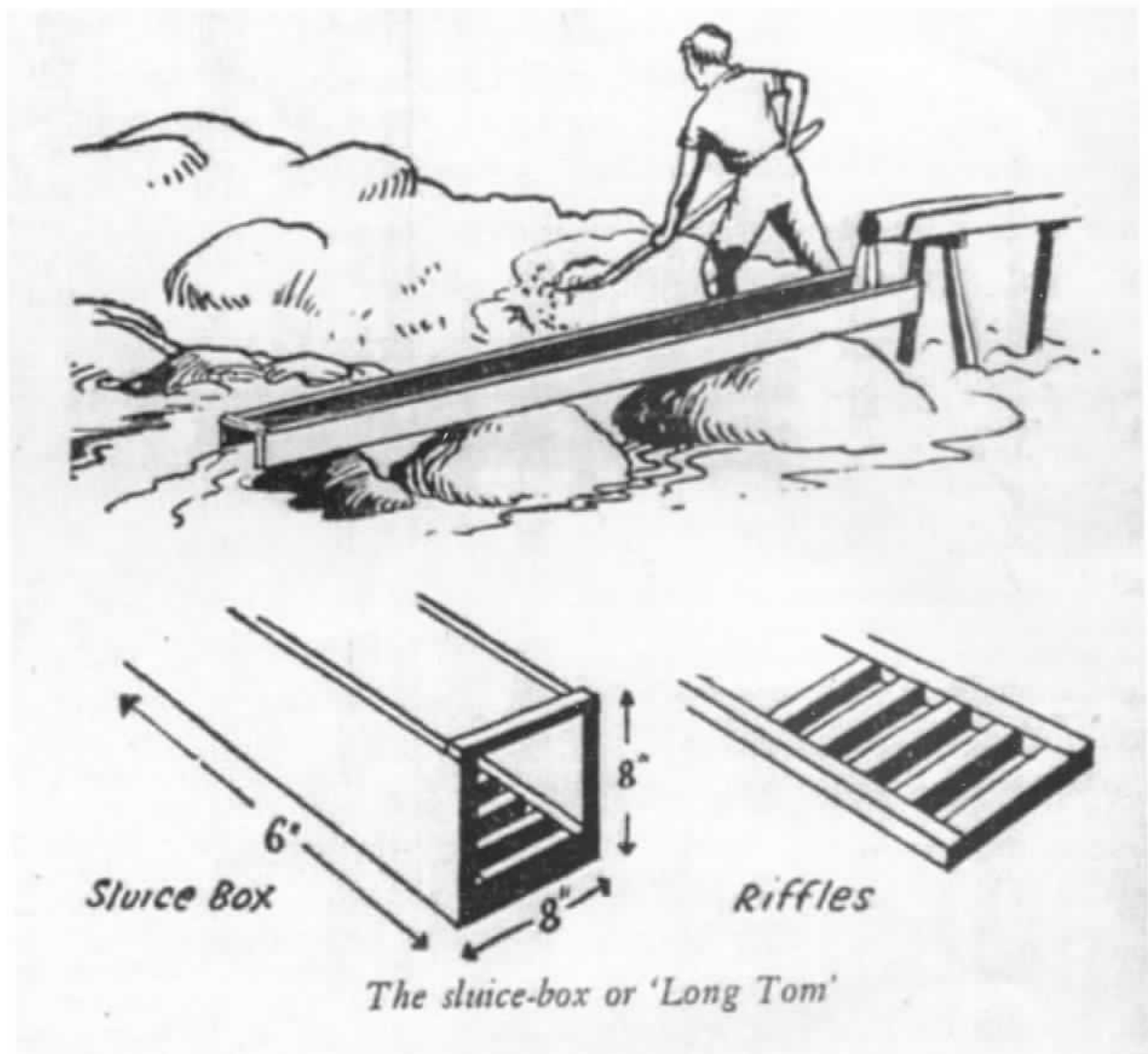


Diagram showing the construction of a sluice box which was used to trap gold between the wooden slats or 'riffles'. (Illustration from the book *Prospecting for Gold* by William Frederick Heinz, Pegasus, Christchurch, New Zealand, 1952)

stains and shot marks were found on the sluice box and the posts supporting the roofing. Pozzi then called at the Police Station, stating that he believed he had shot a Chinaman in the act of robbing the sluice box. He then gave himself into custody. Bail was granted.

On the morning of the April 12, 1882, the court convened. Messrs. Hart and Bedolla took their places on the Bench. Stefano Pozzi appeared to answer the charge of shooting, with intent to maim.

The first witness to appear was Hock Sim of the Chinese camp, a slight scarred man, aged about thirty-five. In the traditional Chinese way, he took the oath by the blowing out of a match. Hock Sim examined, stated that he lived by gambling. At about 1.00 o'clock on the morning of March 28, being under the influence of opium, he could not sleep, and went to see a friend, Li

Chang, before the latter left for Launceston. On his way, he broke his shoe which came off. The shoe and his foot had become muddy. Hock Sim bent over a race to wash them in the water. Shots were fired. He was hit. He did not go anywhere near the sluice box.

Mr. Geake, for the defence:

'If there are any blood-stains on the sluice box, they are not yours, then?'

'Were you not hit with a shovel when you were in a sluice box, at Blind Creek, in the night-time?'

'How long were you in Blackwood gaol? Was it not for being in a sluice box?'

Sergeant Frod, sworn, stated that he had, on the morning of March 28, proceeded to Hock Sim's house in the Chinese camp and found him suffering from gun shot wounds. His soft Chinese shoes were muddy. In answer to a question, Hock Sim said he had been shot *at the*

first claim up the creek. Frood subsequently examined the sluice box at the Long Tunnel Mine and found gun shot marks and blood stains. He had no doubt at all that whoever was shot had the intention of stealing gold from the sluice box. Frood had not heard of anyone else shot on that day.

Constable Carroll testified that he had taken Hock Sim to the Hospital.

Dr. Bennie, called, stated that Hock Sim was brought to the Hospital on the morning of March 28. There were twenty-seven shot marks in the right leg, eighteen in the right arm, nine in the

head, eleven in the left arm and five in the left leg.

The evidence concluded, Mr Geake stood to address the Bench. He stated that there was no evidence of malice in the case and called the attention of the Bench to Section 6 of the Police Offences Statute, which indicated that Pozzi was lawfully entitled to guard his own property, and had taken action which was fully justified. Hock Sim was undoubtedly in the sluice box for an unlawful purpose, and his evidence was inconsistent with that given by Frood.

The prisoner, Stefano Pozzi, was discharged. □



The road from Daylesford to Hepburn Springs. Both these areas had significant gold strikes in the 1850s and attracted migrants from northern Italy and Switzerland.

ACKNOWLEDGEMENT

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NOTES

1. Riffles are the narrow slats of wood set crosswise in the canvas-lined bottom of a sluice box to catch the gold. Water flows from the race down the sluice box and over the wash dirt. Gold, being heavier, is trapped by the riffles.

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