THE SALLY WAR IN WOLLONGONG

An incident of 1888

Probably all of you remember that neo-classic of French literature, the novel *Clochemerle*. There one saw the extra-parochial repercussions and national implications arising from the construction in a small village square of a small, mundane edifice designed for the relief of mankind, but otherwise unmentionable in polite society. Wollongong was probably about the same size as that naughty French village, and in some views, at least, was similarly spiced with sin when the sleepy town gained a State-wide notoriety in 1888. The occasion derived not so much from the relief of mankind as from its redemption from sin; and the protagonists were the town Council and the Salvation Army. The issue was simple. The Salvationists were intent on saving the cock-eyed world whether it wanted to be saved or not; the civic fathers were concerned less with options whether to be saved or be damned, than with the right to exercise that choice without an inescapable clangour of drums and brass instruments. After all, a man with a hangover cannot stand even the noisy burblings of goldfish in a bowl, whilst the evangelistic bangings of drums is likely to send him back into the arms of that very Demon from whom he is designed to be rescued.

To the Salvationist, drums were no doubt the harmony of heaven; to the unreformed boozer they were, in Shakespearean phrase, the clamours of hell. And, for once, many a respected churchgoer would reluctantly have agreed with his gin-sodden fellow citizen. The Borough Council’s job was to save from salvation those who did not wish to be saved, or to preserve for those who wished to be saved an election as to the manner thereof. The Salvationists’ aim was to save willy-nilly, irrespective, and irregardless.

General Booth’s worthy adherents constituted themselves into army formation in 1878. Australian outposts quickly formed, first in Adelaide in 1880, then in Melbourne and Sydney in 1882. Growth seems to have been rapid, and certainly by early 1888, if not long before that, detachments existed in Wollongong and Kiama commanded by officers and operating on military lines from centres known as barracks.

Their field of activity in Wollongong was rural, but with a superstructure of mining industry. The town could still claim the status of the third port of New South Wales, boosted as it was by a thriving international export trade in coal. Its population probably exceeded 2,500. Yet it remained essentially a quiet, easy-going place whose somnolence was likely to be disturbed or enlivened, according to one’s point of view, by the brazen, self-announcing do-goodism of the newcomers. Something was bound to happen. And it did.

Though the Sallies could no doubt muster brass instrumentalists elsewhere to form a band, there is no evidence that in Wollongong they could field more than a cornet-player and a drummer. Even so, they seem to have made up in fervour what they lacked in diversity of skill and numbers, supported as they were by singers, enthusiastic supporters, and the mute testimony of banners. But without much doubt the ill-matched stridence of cornet and bass drum must have upset many townsfolk who found their buggy-horses shying, their sick discomforted, and their own church services disrupted by noisy parades of earnest workers for the well-being of the drunkard, the outcast, and the fallen. The professed object of the Salva-
tionists was to attract drinkers out of the pubs, ingenuously overlooking the probability that if their hullabaloo did secure that objective, the drinkers would most likely come out on the footpath well furnished with a frothing pint. But fervour tells; and be it boozer or church-goer, the time had come for Wollongong’s civic fathers to preserve democratic rights of those who did not wish to be saved.

Let it be said at the outset that there seems to have been a pervading respect for the Salvationists, who were regarded as sincere if perhaps misguided. For its part, the Council was temperate, not over-hasty to act, and indeed cautiously deliberate. The need for counter-action was apparent fairly early in 1888; a by-law was adopted in exercise of the Council’s statutory power to control nuisances; it was duly debated and pondered over, perhaps in the hope that the Sally enthusiasts would take a hint; but it had to go forward nevertheless for approval of the Executive Council of the Government, and gazetted; and it became law, without any hints being taken by the Sallies.

The by-law was brief and simple: “No musical procession shall parade any of the streets of the borough except with the written permission of the Mayor”; and it went on to prescribe a minimum penalty of one pound, and a maximum of five pounds. But the Sallies apparently disdained to seek any consent, and took no more notice of the thin-faced Mayor, Alderman W. J. Poulter, than they did of Mr. Thomas John Earl, the Council’s Inspector of Nuisances. In latterday terms, there was a direct confrontation. The Mayor was quite prepared to grant permission with reasonable restrictions, but the Salvationists did not even ask.

Prosecutions followed. On 8th October four members appeared before Mr. William Thomas, the Police Magistrate, in Wollongong’s spanking new Courthouse on Church Hill. The first defendant, one Burke, was a second offender, having been previously fined the minimum of £1. Since then he had broken the by-law twice. He admitted the offences, but claimed that a decision on similar occurrences in Goulburn made his actions legal. His argument did not avail him, and he was fined £2.10.0 for each offence, in default three months’ imprisonment. The Mayor then intervened on behalf of the other three defendants, who were each fined the £1 minimum, in default 14 days’ imprisonment. The Police Magistrate said the Goulburn decision was of no help to the defendants, because (as it seems) the by-law there was designed to meet a similar situation, but was held to be invalid because the by-law had not been gazetted like Wollongong’s; and he added that the defendants had a right of appeal, in any event. Yet they did not appeal, and all four of them went off to the gaol near the present Drill Hall.

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(Continued from March Bulletin)

A few days later, on 13th October, the Council held a special meeting to consider a minute from the Mayor to decide if the law should be relaxed. It seemed clear that the Sallies were regarded as becoming defiant. The public seemed to be behind the Council, which unanimously endorsed the Mayor's action in enforcing their law. It was recognised that Wollongong's rather small gaol was becoming rather full of recalcitrant Salvationists, but it was the Government's job to provide gaol space, and Council's job merely to enforce its own law, however crowded the gaol might become. At the same time it was noted that the "intolerable nuisance" of the processions of waving banners and banging drums had abated since the prosecutions.

Little did the aldermen know. That very night the Sallies sallied forth, their numbers swollen by reinforcements from Sydney under a high-ranking officer. The drums were banged more vigorously than ever; indeed, the only other instrument recorded at any time was a cornet, whereby one gains an impression of a rather primitive musical treat: the entertainment would have been fine, if you happen to like drum solos. According to the newspaper report, any musical support for the drums came in the category of "other noises." And the same treat was inflicted upon the townsfolk on the next day, Sunday, whilst the indefatigable Inspector of Nuisances took names and issued summonses with unrelenting zeal.

But the Sallies numbered amongst them some wily tacticians. What was the use of having a fine new railway line, opened only weeks before by Lord Carrington, without using it? They saw possibilities in that evocation of modern progress, and were well ahead of the plodding Inspector Earl. The Sally reinforcements arrived by the afternoon train, banged their drums, and got their names taken and entered as defendants in civil process, but took the wise precaution of going back to Sydney on the early train next morning. So the summonses remained unserved, until by an unrivalled feat in the administration of justice, offences were committed, names were taken, informations were laid, summonses were issued and then served, all in the one evening. Yet even then the Sallies carried things off with unsurpassed aplomb; on a constable arriving at the barracks with the summonses on one occasion, they kept him waiting while they all prayed for the redemption of his benighted and sinful soul, following which they let the poor embarrassed blighter go about his duty, and serve his process.

Meanwhile, Lieutenant George Haycroft was charged with breaches of the by-law on 13th and 15th October. He pleaded not guilty, and evidence was then brought that he and Major Jeffries, the commanding officer of the Army in Sydney, had formed a procession with a woman waving a banner, whilst Jeffries played the cornet and Haycroft "hammered away" at a big drum, their two-man concerto being relieved by merciful interludes of singing. Refusing to give names, or to affirm or deny that they had permission from the Mayor, they disregarded cautions—and the two-man band played on. Haycroft was fined £2/10/0 on each offence, in default three months' imprisonment. Then Lieutenant Castles, a recruit summoned from Kiama by Major Jeffries to reinforce the dwindling ranks of drummers, faced a similar charge, and was fined £3, in default six weeks' gaol. Major Jeffries had "cleared out" by this time to Sydney, and earned the Police Magistrate's severe castigation for cowardly behaviour, whereas he had
merely caught the train home in a nice balance between discretion and valour, having observed his soldierly duty to keep himself out of the hands of the enemy. As it was, however, his two loyal lieutenants had no means, and off they went to join the other four warriors in gaol.

Not surprisingly, the local newsmongers telegraphed to the Sydney Morning Herald regular communiques on the progress of the Sally War in Wollongong, and these items of news inspired correspondents to address the editor. The numbers were about even, some writers condemning the Salvationists as a noisy lot who needed control in other places besides Wollongong and who should confine themselves and their noises to barracks; a supporter from Wollongong wrote that it was absurd to complain of the bands causing horses to shy, because the two main thoroughfares, Market and Crown Streets, were so quiet that you could fire a cannon down them during the middle of the day without hurting anybody; whilst another writer commended the Salvationists for injuring the publicans by enticing drunkards out of the pubs, and adjuring God to “speed them in hounding the abominable and cursed drink traffic off the face of the earth.”

In the meantime, however, there appeared on 22nd October a brief news item that the Salvation Army had not paraded the streets the previous night, as all the local officers—Major Jeffries was still safe in Sydney—were in gaol, and “The others did not appear to care about the risk of being locked up.”

But that was a serious miscalculation of the tactical skill of the Salvationists, who thought up a very neat move indeed. Already on 20th October one John Faulks Tuckerman had paraded the streets, having been told off from some other detachment of the Army. His musical skill embraced the blowing of a cornet, interspersed with singing. And, clever fellow, he went alone. The same thing happened two days later, when Henry Richardson paraded alone; his bursts of music-making were less tunable than lark to shepherd’s ear, since his skills apparently began and ended with a solo on the big drum, and interludes of singing.

Their music-making might perhaps have lacked somewhat of subtlety, but nobody could say that of their tactics. This became apparent when each in turn fronted the Police Magistrate on 25th October. Each had paraded alone. The by-law forbade musical processions. And, they argued, one man cannot constitute a procession. True, each man’s raucous din had earned him a goodly crowd which followed him up and down the street, but that was not his fault. It was a nice argument, but the Police Magistrate ruled against it. In all common sense he could not have held that one man could be a procession, be he performer on cornet, drum, or any other adjunct of celestial music. However, he must have reasoned, if that man attracts a crowd to follow him and plays music, then he constitutes himself a musical procession. Be that as it may, the result was the same. Each defendant was fined £3, in default two months’ imprisonment. And—need one add?—defendants having no means, they went to gaol.

This hearing, and the days following, were enlivened further by the presence of one William Richardson, a well-known Domain orator from Sydney. He intervened in the Court proceedings by arguing on the meaning of the word “procession,” running off at a tangent by saying that the Police Magistrate was interfering with the religious liberty of the subject. He was ejected from the Court for interfering with the due administration
of justice, whereupon he held a street-corner meeting of protest opposite the Town Hall, heaping abuse on the Mayor and aldermen, whilst that conscientious officer, the Inspector of Nuisances, took particulars for a prosecution for obstructing traffic.

Nothing daunted, within a day or so he held another meeting in the same place. Hardly had he started when the ubiquitous Inspector Earl asked him to move on. He did, followed by the good-humoured crowd. They settled on a vacant allotment next to the Presbyterian Church at the corner of Crown and Church Streets, where Richardson roundly trounced the local Council and the Government of New South Wales on the current issue of the right to bang drums and toot cornets at the will of heaven and the individual, plus other issues for good measure. Then the Primitive Methodist minister upheld the same right, only to be gainsaid by a Wesleyan representative, who said their church-people had suffered through Sallies, and also by the Presbyterian minister.

Sectarian arguments over, the Mayor spoke. Richardson asked him if he was supporting the wives and children of the salvationists then languishing in gaol, and the Mayor replied that he was not, but would support Richardson when he went. Thereupon Richardson said a majority of those present were in favour of the Salvationists and against the Mayor, but the reply was three cheers for the Mayor. So an earnest Sally came forward and prayed for all misguided sinners; and upon that unsolicited benediction the meeting broke up.

Other meetings followed. On Saturday another meeting to much the same effect was held, ending in another attempt at support for the Sally bands. Richardson called for a show of hands of those in favour of the anti-procession by-law; nobody put up his hand. Confidently, no doubt, he called for a show of hands of those who were against the by-law; and only a few hands went up. Whereupon he announced that the Colonial Secretary was about to release the incarcerated Salvationists. At yet another meeting he soon contradicted this by saying he was going to Sydney next day to intercede with Parliamentarians for the release of the prisoners.

(To be continued)
THE SALLY WAR IN WOLLONGONG.—An Incident of 1888.

(Continued from April Bulletin)

The battle lines wavered back and forth. At this stage the Salvationists were gaining ground. Though depleted of male warriors, the Army had one male officer who led a parade of women. Tirelessly, the Inspector took his name, whilst one woman—was she a superb satirist or plain stupid?—waxed highly indignant because Inspector Earl would not take the name of the baby she was carrying. But maybe the baby had been illegally crying, gurgling, or making other noises in the procession.

Then Major Jeffries was haled before the court for his earlier civic misdemeanour. He admitted all the facts, but said the by-law was invalid because the Goulburn by-law had been declared invalid by the Supreme Court; Goulburn Council had not even defended the appeal. But his worship the Police Magistrate had already ruled on that point, and for good reason. Instead, he urged the Major himself to appeal—this, it seems, even before he was sentenced—and to undertake for himself and his followers not to parade again until the question was settled. For himself, his worship said he was "heartily tired of these prosecutions." But what else could an intrepid officer do, particularly after having been accused of cowardice in face of the enemy? He stuck to his guns, gave no undertakings, was fined the maximum £5 or three months' gaol, and declined to pay a farthing. So off he, too, went to gaol, escorted in triumph by male and female followers right up to the gaol gates. As the newspaper correspondent concluded laconically, "That makes eight in gaol." In Parliament, too, members decried a local judiciary which could rule that one man, no matter how hard he banged his drum or blew his cornet, could constitute a procession. On this and other like errors the colonial parliament secured its impeachment.

The noise of battle was indeed reverberating afar.

Further proof that the Sallies were gaining ground was evinced in a Council meeting on the first Friday in November. A hot debate ensued as to whether or not the by-law should be rescinded, three aldermen denying their former support by saying they had always been against it. Yet the other six would not budge and the by-law remained law.

Fortunately, the tide of battle swung the other way. Richardson's harangues degenerated into abuse of almost all constituted authority, ranging now beyond the Council and the Government to the judges of the Supreme Court, and—never mind higher authorities!—he was prosecuted for abusive language against that worthy painter, the Mayor of Wollongong. Moreover, the Council had another success. On Wednesday morning the Salvationists were released from gaol on their undertaking to cease processes until the Supreme Court could rule on the matter in a pending appeal. They honoured their undertaking, but nevertheless held a parade to celebrate their temporary victory. Their wily tacticians had thought up another shrewd move. No matter how loudly they sang—for there seem to have been no cornets or drums—who could say they were parading or holding a procession if they took the precaution of travelling in a hired coach? For that is what they did.

Eventual victory came to them swiftly and completely; the Council's defeat was ignominious. Mr. C. J. Manning moved before the Full Court on behalf of Tuckerman, then still in gaol, for a writ of prohibition against the Police Magistrate, the Clerk of Petty Sessions, and the Inspector of Nuisances. That eminent counsel, Mr. Wise, instructed by that eminent
jurist Fras. Woodward, appeared for the defendants to the appeal. The point as to whether one man could be a procession was not even mentioned. The appellant relied upon three points: that the by-law was ultra vires the Borough Council, that no offence was disclosed, and that the informant Inspector had produced no authority to act. The first point alone was enough. Mr. Wise in his wisdom sought not to waste the Court's time in arguing it. The best he could do was produce an affidavit by the Mayor showing that the Sally nuisance had been real, that the Council had acted reasonably (which was true enough), and that the Salvationists had been defiant (which was equally true, as many a pulsating ear-drum could attest). This went only to the question of who should pay the costs.

And even on that point the Council lost. The Chief Justice, Sir Frederick Darley, held that though the Council had a clear power under the Municipalities Act to control nuisances, this purported exercise of that power was so unreasonably wide as to enable the Mayor alone, if so inclined, to authorise a musical procession which really was a nuisance, and prevent one which was not. His brethren of the bench concurred. Indeed, the whole point was already covered by a reported English case of as late a date as 1887.

A leading article in the Sydney Morning Herald restored a sense of balance and proportion. Taking the Executive Council of the legislature to task for allowing "so palpably worthless" a by-law, it went on to say that some such controls were indeed needed. It was all very well for the Chief Justice to uphold liberties, but how would he like it if a military band performed outside the courts during daily hearings, and paraded outside the judges' homes at weekends? A Wollongong resident might have added another query: how much worse would it be if the "band" consisted of one enthusiastic cornet-player and one or more vigorous drummers, interspersed with evangelistic hot-gospelling songs?

But, as one might expect, the Sallies seem to have been generous in victory. True, the demagogue Richardson entertained another -good-humoured crowd in Wollongong on the following Saturday night, speaking in "disparaging and scurrilous" terms of the hard core of six aldermen who, he said, ought to pay the court costs out of their own pockets; and he was supported by his associate, the Primitive Methodist minister, who called for the sacking of the Police Magistrate. Yet the correspondent expressed apprehension lest the main streets should be selected as the arena for uncontrolled ventilation by the Salvation Army of their grievances.

He need not have worried. Strangely, the Mayor called a public meeting to discuss the future of the by-law. In this he was undeterred by the fact that, having been held to be invalid, it did not have even a present, let alone a future; all it had was a stormy, noisy, and murky past. It was as if it had never existed; but that did not stop the Mayor calling the meeting. Having convened it, he asked those present to appoint their own chairman, and Mr. Gilby, the Primitive Methodist Minister, took the chair. Apparently, he made a poor fist of it. The meeting was reported to have been well-attended but disorderly, and the Mayor had to be called back to restore order. The motion for "repeal" moved by Gilby was "largely supported" by those present, but as about half those present and who duly voted were described as "lads" who, not being ratepayers, were not entitled to vote, there was a confused and indeterminate vote on the future of the non-existent by-law. Hence, as the newspaper went on, the vote had little
significance. But the Mayor managed to pour oil on the troubled waters
and to restore order. He concluded by noting with pleasure that already
the Salvation Army had adopted different tactics, adding—and one may be
sure that he said this from the depth of his inmost feelings—that it was a
pity they had not always done so.

One may doubt whether all citizens would have agreed with him. The
good-humoured crowds had had too much fun, and doubtless the village
"lads" had had a grand time converting one man with a drum into a pro-
cession. Now they were reduced to unauthorized attendance at a public
meeting of ratepayers, and soon there would be nothing but a great, ghostly
boom, like a bang on a drum, as a metaphorical cannon was fired down
Market and Crown Streets at mid-day, hurting nobody. It is pretty certain
that many citizens looked back with gleeful pleasure on the Sally War in
Wollongong.

—E.B.