

Goldfields Settler or Frontier Rogue?

The Trial of James Acoy and the Chinese on the Mount Alexander Diggings

Keir Reeves

'Goldfields Settler or Frontier Rogue?: The Trial of James Acoy and the Chinese on the Mount Alexander Diggings',
Provenance: The Journal of Public Record Office Victoria, issue no. 5, 2006.

ISSN 1832-2522. Copyright © Keir Reeves.

This article has been peer reviewed.

Keir Reeves is an Australian Research Council Postdoctoral Fellow at the Cultural Heritage Unit in the History Department at the University of Melbourne. His doctoral dissertation was on the Chinese on the Mount Alexander diggings. He has recently been awarded an Australian Research Council Postdoctoral Fellowship to undertake research into the history and cultural landscapes of central Victoria and to consider the international significance of the region in terms of its heritage values. His research interests include mining history, regional history, Chinese-Australian history, Asian history and heritage, heritage studies and cultural landscape analysis. He has lectured in goldfields history and Chinese-Australian heritage for the past three years.

Abstract

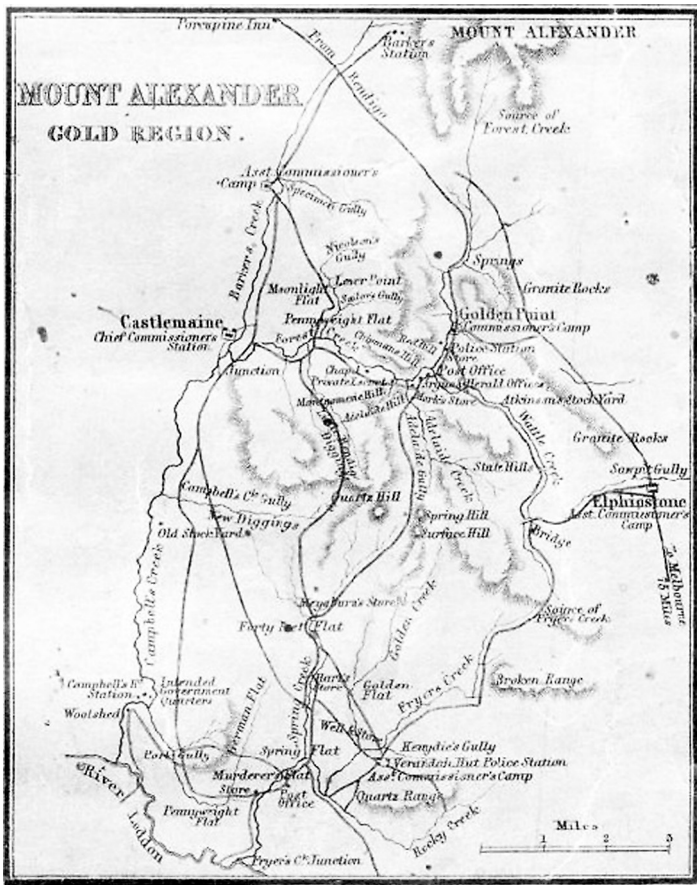
Too often in Chinese-Australian history there is a preponderance of generic commentary on the Chinese as a group of people and a commensurate absence of individual life stories. This article, drawing on trial records held at Public Record Office Victoria, aims to redress this impersonal approach by providing a biographical sketch of James Acoy, the Castlemaine court interpreter, businessman, miner and settler who was imprisoned for corruption in 1869. It argues that Acoy's imprisonment had its antecedence in events surrounding the collection of a poll tax levied on the Victorian Chinese community a decade earlier. It also aims to provide a broader interpretation of goldfields Castlemaine society during the late 1850s and the 1860s and to suggest that it was a more culturally complex and ethnically diverse community than has previously been assumed.

During my recent doctoral research on the Mount Alexander Chinese I was struck by the lack of individual life stories in Chinese-Australian history. Notwithstanding Mei Quong Tart,[1] the renowned Sydney businessman and his Melbourne counterparts Lowe Kong Meng and Louey Amoy, there is a notable absence of Chinese figures in historiographical narratives of the mid-nineteenth century in Victoria – and indeed Australia. This is especially the case on the Victorian goldfields, despite census

records revealing that in 1859 ten percent of the colonial population came from Southern China.[2] Furthermore, mining wardens' reports indicate that in some mining districts, including the Mount Alexander diggings in and around present-day Castlemaine, one in four adult males was Chinese. Understandably it came as a pleasant surprise to learn at the Castlemaine Historical Society that an extensive trial record of a key Castlemaine pioneer, James Acoy, was still in existence.[3]

This article evaluates the cultural relations of Castlemaine society in the 1850s and 1860s using an analysis of James Acoy's conflict with the Chinese community over the introduction of the Chinese residence tax in 1859 and his later trial for corruption that dominated diggings society in 1869. It argues that Acoy was not necessarily a corrupt man, but more a victim of circumstance caught between Chinese and European cultures.

James Acoy stood at the centre of the cultural exchange on the Mount Alexander diggings – an exchange balanced between conflict and cooperation. He was a key personality in nineteenth-century Castlemaine goldfields society.[4] Representing on the one hand the Chinese miners, previously relegated to the periphery of goldfields' experience, and on the other the European administration, he is a liminal figure.[5]



John Bartholomew, Early sketch map of the Mount Alexander diggings, A & C Black, Edinburgh, 1853. Courtesy of Keir Reeves.

Acoy, also known as Ah Coy, had departed from the Portuguese port of Macau and was 22 years old when he arrived in Sydney in 1852 on a barque named either *Eagle* or *Grey Eagle*.^[6] There is some conjecture over this date as both Cronin and Rolls have suggested that Acoy was one of the earliest Chinese arrivals to the Victorian goldfields. If their assertion is correct then he originally came out to work as a contract or coolie labourer at the age of 11 or 12.^[7] Although this explanation is unlikely, given his documented arrival in Australia during the gold-rush era, it would explain his mastery of the English language when the gold rushes began. However, his prison record suggests that he had been a seaman who had travelled on the *Grey Eagle* from California to Sydney in 1852,^[8] and this may offer a different explanation for his excellent command of English.^[9]

If the date of his arrival in Sydney is accepted as 1852 (the date given on both his naturalisation record and his criminal records) then the following year James Acoy caught a steamer to the colony of Victoria where he promptly made his way to the Mount Alexander diggings.^[10] He probably had a brief experience of

alluvial mining, then became a butcher at Fryers Creek and was soon engaged by the Chinese diggers at Forest Creek to act as an interpreter and perhaps also as a headman (see below).^[11] Later his role was formalised, at least in the eyes of the colonial administration, when he was employed by the Victorian Government as an official interpreter. He also proved to be a successful businessman, accumulating considerable wealth and property over the course of his life.

The term headman is two-fold in its meaning and requires explanation in order to explain the social status and privilege that Acoy enjoyed in Castlemaine society. In one sense it represented a figure of social and political authority within the Chinese community.^[12] In a more official government sense it was a rank, subordinate to that of interpreter in the Victorian colonial administrative apparatus (see image below). This second understanding of the term was applied specifically on the Victorian goldfields. Being a headman or interpreter in the government as well as headman in the Chinese community seems to have been quite common amongst the Chinese on the Mount Alexander diggings. Often the terms were used interchangeably and as a result the nebulous meaning of headman makes situating these men culturally in Castlemaine society difficult. One possible explanation for the confusion is that the European authorities attempted to place an arbitrary administrative model and corresponding lexicon onto a group within the community which adhered to a different set of power relations and cultural practices. The nexus between the cultural role of the headman amongst the Chinese and the administrative role that was carried out by officers of the Crown was often problematic for the Chinese government employees. This was apparent in court proceedings and during the implementation of the entry poll tax and the residence tax: Chinese government employees were expected to play a key role in collecting the taxes and administering the system. This source of tension was central to the situation Acoy confronted in Castlemaine.

The problem is particularly evident in Acoy's contribution to the Reverend William Young's *Report on the condition of the Chinese population in Victoria* (1868), in which he commented on Chinese society in the Castlemaine district. Acoy directed his concern at the detrimental effects of opium, not at the Chinese community. His solution to the problem of importing the drug into the district was that 'when ships arrive with the drug' the authorities should intervene so as 'not to permit it to be landed'.

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This put the onus of responsibility firmly on the government. Likewise in his call for the establishment of schools for the teaching of the English language – claiming ‘it is probable that some of the Chinese would attend’ – his expectation of government assistance is apparent.[13] Such comments do not mark Acoy as a collaborator with the European administration; rather he served as a conduit between Chinese and Europeans on the goldfields.

Although Acoy is just one individual, the events of his life contradict the sojourning *mentalité* so arbitrarily applied to Chinese immigrants. Between 1853 and 1856 he lived as part of the semi-permanent mining community on the rich alluvial Fryers Creek diggings. As early as 1855 he married Caroline Fischer, a 17-year-old spinster of German descent.[14] Four years later he took out citizenship, publicly expressing his wish to settle in the district.[15] This was only seven years after his arrival in Sydney, and at his naturalisation ceremony he expressed his commitment to his adopted country, commenting that he wished ‘to settle in Victoria for life’ and was ‘wishful of becoming a landowner’.[16] James and his wife then moved into Castlemaine, initially to a makeshift tent dwelling. In 1862 they built a house on an allotment (later 5 Bowden Street), with a distinctive regency verandah, that became widely known around the district as the family home.[17] The Bowden Street house on Camp Hill was where James and Caroline reared ten children. [18] This heritage-classified house above the town still stands and former neighbours can remember the youngest two daughters, both of whom lived to be over 100 years old.[19]

In 1859 a new version of the Chinese residence tax was introduced into Victoria, and, as a servant of the Crown, Acoy was bound to collect this pernicious, racially based tax from the Castlemaine Chinese community. It was this act that would ultimately lead to his public disgrace and eventual imprisonment almost a decade later. It remains unclear whether Acoy simply had the unenviable responsibility of collecting the residence tax or whether he actually supported its imposition. It should be noted that the tax was first imposed upon the Chinese in Victoria in 1859 to fund the Chinese protectorate system. It was levied at £4 in addition to the £10 entry tax and was vigorously enforced by the colonial authorities. Caught between an allegiance to his employer or to his countrymen, Acoy was maligned on the one hand by Europeans for his alleged duplicity and on the other by Chinese for alleged fraudulent behaviour and conspiring with the colonial authorities. As early as

1859 he sought to explain his difficult position, arguing that vilification by his countrymen occurred because of the ‘mistaken idea on their part that the obnoxious tax [was] something of his doing’.[20] Without supporting documentation it is impossible to apportion responsibility conclusively. In addition, the payment of money to figures of authority in the Chinese community as part of a mutual self-help organisation was not unusual and Acoy may have been following convention in collecting money from the Castlemaine Chinese.[21] However, given his association with government authorities, suggestions of his implicit support for the resident tax are not readily dismissed, despite his protestations otherwise.

Clearly there is a great deal of ambiguity surrounding Acoy’s involvement in the collection of resident taxes during the second half of the 1850s. His role as a government employee explicitly associated him with its collection and acted as the catalyst that led to his public disgrace and eventual imprisonment for embezzlement and deception of his countrymen. In this respect the extraordinary sequence of events surrounding the protests about the tax (including the attack on his person, his extraordinary avowal of innocence and a major political protest against the tax that culminated in a march on the Government Camp) were connected with his trial for fraud a decade later.



Market Square, Castlemaine in the ‘Fifties’ [picture], c. 1905 – c. 1910, postcard: printed, col. La Trobe Picture Collection, State Library of Victoria.

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The Trial: A Glimpse inside the Castlemaine Chinese Community

It would be convenient to consign Acoy to historical oblivion as a man who collaborated with the European authorities over the Chinese poll tax and who subsequently embezzled his fellow countrymen over a ten-year period. Such an interpretation of events assumes that he was a willing participant in collecting the residence tax on behalf of his European employers. However this analysis not only misrepresents Acoy and his role in Castlemaine society but also oversimplifies the nature of Chinese community organisation on the goldfields.[22]

Further examination of the events surrounding the trial reveals much about Castlemaine society. Acoy's difficulties began in earnest on 24 November 1868 when Frederick Charles Standish, the Chief Commissioner of Police, wrote to the Minister for Justice forwarding a report in which 'the Chinese Interpreter "Ah Coy" is accused of serious irregularities, in receiving weekly allowances from the keepers of the Chinese gambling houses'.[23] Unbeknownst to Acoy, his friend and colleague Captain Bull,[24] and the Castlemaine press, a local private investigation had been in train since August as a result of the allegations outlined in Standish's correspondence with the minister. This was conducted by William Winch, the Castlemaine police superintendent, and a little-known figure named Hodges.[25] Its terms of reference were to investigate alleged fraudulent behaviour by Acoy. Encouraged by Hodges, the superintendent commented to Standish that 'I have no doubt that Ah Coy has been receiving, under the pretence above referred to, considerable sums of money. I understand that he alleges that one half of this kind of "black mail" goes to the government, hence the readiness of the Chinese to pay'.[26]

Winch and Hodge's initial enquiries were conducted at three stores where lotteries had been established. Winch commented that two were at 'Campbell's Creek, kept satisfactorily by Cheong Lung and Taing Tat, each of these pay Ah Coy 30/ per week and in proof of this the books of the concern were produced in which regular entries of these weekly payments are made'.[27] He also mentioned that 'the other is in Castlemaine where the payment to Ah Coy is £2 per week'. The extent and serious nature of the allegations were compounded in Winch's concluding statement to Standish that:

there is no doubt in my mind that this system of subsidy from the Chinese population by the Gaol Interpreter is carried on to an enormous extent included I assume the amount at one time of £40 per week, and I have reason to believe that it is now quite half of that.

A subsequent letter from Standish to the Chief Magistrate simply formalised the allegations against Acoy and set in train a series of events that led to his incarceration the following year.

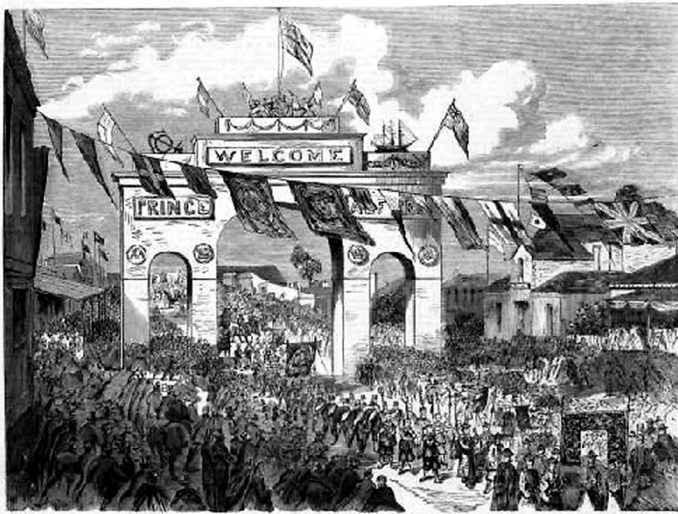
News of the investigation became public on 18 December 1868 when the *Mount Alexander Mail* reported that a warrant had been issued for Acoy's arrest. The next day Acoy, offended by the 'decidedly non-positive paragraph on the subject', called into the offices of the newspaper to clarify that he was not resigning as the government interpreter.[28] What the journalist from the *Mount Alexander Mail* did not know about, and what Acoy had decided to contest, were the multiple accusations of fraud and embezzlement by his fellow countrymen.

On 2 December, Captain Bull had informed his friend of the serious allegations that had been made against him. Bull wrote:

You have been informed against for levying dues upon the Chinese inhabitants here and elsewhere to a considerable amount under false pretences, namely that you would protect their gambling transactions from the Police by so receiving.[29]

The letter contained the additional damning information that 'Three Chinese establishments have given information in this matter'.

If taken at face value, the allegations and the subsequent press reports did not bode well for Acoy. Yet the gambling houses mentioned by Bull were the same three establishments Hodges had taken Winch to during the preliminary investigations. Furthermore, in his vehement denial of the charges Acoy argued that Hodges, a bi-lingual European, coveted his position as the Chinese interpreter. Acoy also argued that he 'could have shewn that not only *persuasion* but *threats* and *intimidation* were used to get the witnesses to come forward and make the statements they did'.[30] He also suggested that Hodges had been complicit in framing the charges against him. This sequence of events is quite plausible given that Hodges was subsequently charged with financial impropriety regarding the various Castlemaine Chinese lotteries.[31] Hodges may have offered the Chinese gambling house proprietors better terms in regard to the lotteries. Vanquishing Acoy from this official government post would have been central to establishing a new arrangement.



Castlemaine Chinese leading the procession welcoming HRH the Prince of Wales in Castlemaine in 1868. Reception of HRH Duke of Edinburgh at Castlemaine [picture], in *Illustrated Australian News*, 4 February 1868, print: wood engraving. La Trobe Picture Collection, State Library of Victoria.

Bull's extensive details of the charges and the tone of his letter to Acoy must be understood in terms of the long association the two men shared. Bull obviously felt a debt of loyalty to his old friend and his letter was intended to assist Acoy with preparations for his defence. He wrote that it was 'advisable to inform you of these facts in order that you may be prepared with your evidence and witnesses'.^[32] Two days later, on 4 December, Acoy visited Captain Bull at the Camp and was investigated by Mr Winch with the Reverend William Young, the chief Chinese interpreter, in attendance. Young's presence would have highlighted the serious nature of the charges. Compounding this humiliation for Acoy was the fact that he had only recently provided Young with information on the Castlemaine Chinese for Young's *Report on the condition of the Chinese Population in Victoria*. Bull and Acoy's relationship was a matter of concern to the Castlemaine community; it was noted in the local press and came to the attention of the Chief Commissioner of Police in Melbourne.^[33] The office of the Police Commissioner wrote to Winch suggesting that Bull had failed to consult with him and had acted prejudicially in Acoy's favour. The *Mount Alexander Mail* was also aware of the situation, commenting that Bull 'committed a mistake of not acting according to instructions, which were not to communicate with Mr Acoy without first advising Mr Winch and Mr Young'.^[34] For this indiscretion Bull would later receive a severe reprimand from the Minister for Justice – and was lucky to escape with his reputation relatively intact, given that his friend and associate was imprisoned

for four years with hard labour. Acoy served out this sentence and subsequently returned to Castlemaine where he resumed his business and mining activities until his death in 1879.

Clearly Acoy was not without powerful friends, and three magistrates signed a memorial to the Chief Justice in support of him.^[35] But his enemies were also formidable. Thomas Dennis Strafford Heron, one of the eight magistrates who comprised the full bench at Acoy's trial, argued that the trial should proceed immediately as he suspected that Acoy would abscond if the trial was adjourned.^[36] Heron's harsh attitude towards Acoy was founded on erroneous presumptions about the interpreter's personal circumstances. After all, Acoy, a Castlemaine pioneer, had extensive business interests, a professional occupation, a large family, and had built his own home in Castlemaine, all of which indicated that he was neither inclined nor in a position to flee the district. Recently Heather Holst has demonstrated how in other legal cases Heron was vehemently intolerant of the Chinese,^[37] who he argued were '... obscene and exceedingly filthy in their habits disgusting in their general actions and remarkable for dishonesty causing them to be morally unfit to associate with the European'.^[38] However, in this instance there was sufficient support for Acoy and he was granted bail and remained in Castlemaine to face trial early in the New Year.^[39]

The Castlemaine Goon Lee Lottery

Acoy's trial began with a consideration of the Goon Lee lottery in Castlemaine. Acoy's denial of involvement in the gambling was contradicted by the evidence of storekeeper Lee Ming Soon, which suggested that Acoy was intimately involved. In a damning testimonial Soon explicitly stated that 'Ni-see-oh is the Treasurer & pays [Acoy] the money'.

[40] But the most explosive revelation was his assertion in broken English that Acoy was 'a shareholder in lotteries 4 years in Castlemaine and 2 years and a little more in Morepoke and Pennyweight. The Chinese Camp has been erected 3 years or more – in this camp there are 2 lottery houses one newly opened – [Acoy] had a share in one called Win-lee – given up some time ago'. He stated further that Acoy's share of the Goon Lee lottery included all the furniture and pottery and entitled him to £1 per week. In addition Acoy was paid £2 per week li money and Ni See Oh also rented the premises from him for £1 1s weekly.

Ah Hen, also associated with Castlemaine gambling, then corroborated Lee Ming Soon's evidence by explaining the ledger of gambling transactions that included li payments to Acoy. For the court interpreter there were two separate entries: one was for his share money (his commercial interest in the business) and the other was for 'present money or li-money'. He kept this record at the instigation of Ni See Oh, whom he referred to as a book-keeper and, more revealingly, headman. Ah Hen then emphasised that he was not involved in the lottery but kept other records at the store where he was paid by a storekeeper named Ah Chee.

Choo Chaa, another with an interest in the lottery, revealed the ambiguity surrounding Acoy's entitlements and overall role in the organisation. Choo Chaa explained to the magistrates that 'the li-money is given because it is the custom, if the money were not given they would be arrested, it is the custom in China and the same here'. [41] He also commented that irrespective of 'whether they lose or gain £2 li money is always paid'. The li money was paid to Acoy for his own use. Choo Chaa continued:

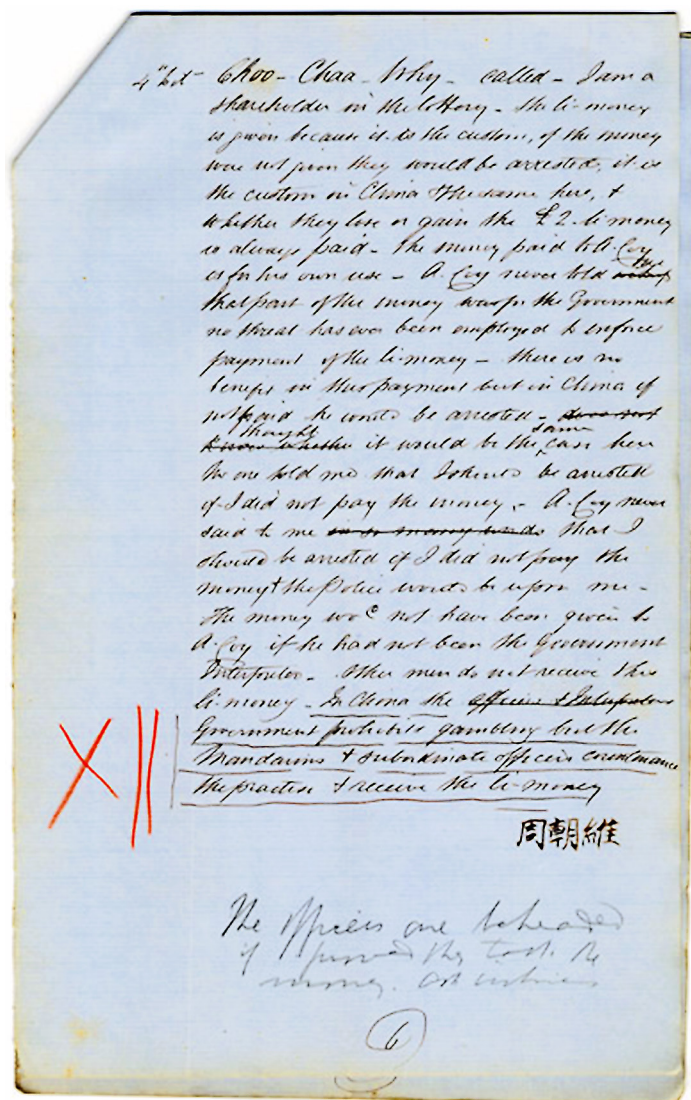
A. Coy never told me that part of the money was for the Government no threat has ever been employed to enforce payment of the li-money – there is no benefit in this payment but in China if not paid [I] would be arrested [...]
A. Coy never said to me that I should be arrested if I did not pay the money and the Police would be upon me.

This explanation is important as it demonstrates that the Chinese tolerated the collection of li money.[42] It also shows how this practice was maintained on the Victorian goldfields. Perhaps most revealingly it describes how li money was so entrenched that Acoy did not have to use threats to obtain it; rather, his role was accepted as part of a necessary, if undesirable, social convention. This fact was apparent in Choo Chaa's subsequent comment that:

The money would not have been given to A. Coy if he had not been the Government Interpreter. Other men do not receive this li-money. In China the Government prohibits gambling but the Mandarins and subordinate officers countenance the practise and receive the li-money.

The erroneous historical expediency of portraying Acoy either as victim or as a kind of heroic Victorian alabaster figure highlights the need to move beyond stereotypes based on overarching historiographical debates and to examine and reappraise the cultural history of the era more closely. The historical figure of Acoy, and the events surrounding his life, are symptomatic of a complex, often inconsistent, set of social relations that prevailed during the second half of the nineteenth century. This was typified by mutual and often ambiguous cultural exchange. The reason Acoy is important in considering this situation is twofold. Firstly, because of his unique

social position on the diggings, he serves as a cipher for understanding the permeability of cultural interaction in Castlemaine during this period. Secondly, because of the extensive records of his trial and property ownership, he is the most historically accessible of the Castlemaine Chinese.



Minutes of evidence given by Choo Chaa Why to the police investigation. PROV, VPRS 30/P, Unit 355, Case number 2 of 15 March 1869.

One way of understanding the social complexity of Castlemaine society from the early 1850s until the early twentieth century is to unpack different historical layers of cultural exchange. This approach is particularly appropriate for the key period of the gold rush era and nowhere are these layers more apparent than in the investigation, trial and subsequent imprisonment of James Acoy in March 1869. This episode is open to a number of contested historical interpretations, each of which reflects different tiers of cultural meaning.

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What transpires is not the story of a corrupt man, nor of a paragon of virtue. Instead, a far more ambiguous narrative emerges in which Acoy is at once regarded as a victim of European justice, despite the fact that his European colleagues at the Camp and the legal profession were trying to exonerate him, and as a target for disaffected Chinese who betrayed him at his trial. One interpretation of the trial depositions is that Acoy's downfall was caused not so much because he was embezzling money from the Chinese community but rather because he had lost political control over them. This also meant that he had lost his authority over the li money from the gambling dens, something that he had previously been entitled to, given his position as headman. If this was the case, then his trial was a forum for a political struggle within the Chinese community, with Acoy trying, ultimately unsuccessfully, to resist being usurped from his position of power and profit. This in itself proves, as Yong has observed, that the Chinese community was not a single structure but instead comprised multiple segments.[43]

The most tantalising aspect of Acoy's story is that, in moving between different worlds, he was able – up until his trial, at least – to manipulate circumstances to his own advantage. Thus it is possible that he was a loyal servant of the Chinese community while also receiving gambling money. He may also have been the conduit between Europeans and Chinese, not only in the legal system as an interpreter but also in the gambling houses throughout the diggings. Given his multiple roles, it is unremarkable that Acoy was able to position himself socially to capitalise on commercial opportunities.

It is important to remember that Acoy's aggressive desire to acquire wealth and establish himself in a new community was almost universal on the diggings.[44] What was unusual was that he actually realised many of these aspirations. This can be attributed in part to the dynamic nature of camps on the goldfields before they became settled communities with more static modes of social life and interaction.[45] Acoy's achievements and notoriety in Castlemaine are symptomatic of boomtown life. Freed from posthumous historiographical distortion, his behaviour can be seen, not as anomalous, but rather as typical of the *Zeitgeist* of his age.[46] In such a socially fluid and changing society his morally ambiguous behaviour would have been more readily understandable.[47] Given the permeability of cultural exchange between Chinese and Europeans on the Mount Alexander diggings there is even a sense of inevitability about Acoy's ascension to a prominent social position in the community.

Despite his protestations of innocence, it is probable that Acoy took li money from the Chinese gambling houses in and around Castlemaine. There is a tendency in Chinese social hierarchy to confer authority on the materially successful and the learned. Traditional understanding of social hierarchies, formulated during the Ming Dynasty, emphasised the importance of classic scholars and wealthy landowners. Of less significance were artisans and merchants and the peasantry – the social classes to which the majority of Victorian Chinese gold-seekers belonged. Situating Acoy within this hierarchy is difficult. On one level he was not a classically trained scholar, nor did he come from a privileged background. Yet within Castlemaine society – almost the opposite of the rigidly hierarchical Chinese – his prominence is understandable. After all, he was fluently bi-lingual and he was almost certainly the richest Chinese man in Castlemaine.[48] Therefore, in the absence of more traditional figures of authority it is likely that Chinese social relations sanctioned his entitlement to the li money, even if European justice did not.

It is possible that Acoy's adversaries within the Chinese community looked to the colonial legal system because they knew that, if successful, his public disgrace would be complete. In this reading of events his trial becomes an instrument orchestrated by his opponents in order to secure his removal as the official government interpreter. After all, his removal from this position was central to replacing him as one of the key beneficiaries of the gambling activities.

Explicit in this interpretation is the argument that Acoy was framed by his adversaries. Given that nearly all of Acoy's foes belonged to the See Yup Society, of which he was not a member, it is likely that See Yup was the key group opposed to him. It could be further speculated that his main adversary was Louey Ah Mouy, the leader of the See Yup community in Victoria.[49] Ah Mouy had been an indirect opponent of Acoy during the anti-resident tax conflict some ten years earlier. Furthermore, Lee Heng Jacjung, the one-time Vaughan interpreter with strong allegiances to Ah Mouy, was one of the major beneficiaries from Acoy's downfall. Ultimately he became an official interpreter in Castlemaine following Acoy's imprisonment.

Another explanation for the seemingly acquiescent silence on the part of the colonial administrators is that gambling was a vice that was tacitly accepted. It was perceived as a tolerable, albeit illegitimate, form of entertainment. This situation assists in explaining why the Europeans involved in Acoy's case – Bull, Heron, Winch and Hodges among them – did not divide automatically along ethnic lines.

It is also revealing that following the trial there was no further investigation into Chinese gambling on the Mount Alexander diggings. This suggests that Acoy's trial was primarily politically motivated. It served as an expedient strategy for securing his public disgrace rather than constituting an extensive campaign on the part of the colonial administration to police illegal gambling on the diggings. This theory is supported by the actions of Hodges, who had designs on Acoy's position as the court interpreter and wanted the potentially lucrative role of liaison between the government authorities and the Chinese community. The reticence of the authorities to conduct further enquiries may have been, in part, because many of those involved in the protection of Chinese gambling houses were Europeans, some of whom were supposed to be enforcing the law.[50] This lack of action by the authorities occurred despite the imprisonment of Acoy and Hodges, and Captain Bull's severe reprimand. In this instance the keenly felt protests of innocence evident in the Acoy family memory are more than just nostalgic musings.[51]

What a close reading of Acoy's trial records reveals is that, despite benefiting from the lottery on the diggings, Acoy was tried not because of his acceptance of the li money but because he had been framed by another group within the Chinese community that wanted to replace him. In such a situation even the naked ambition of Hodges, Acoy's *bête noire*, must be reconsidered. Perhaps Hodges was a pawn in a bigger conspiracy and his vexatious claims against Acoy (central to the interpreter's imprisonment) were designed to serve not only Hodges's personal ends but also those of Acoy's opponents in the Chinese community.

The Goon Lee lottery represented a personal disaster for Acoy and culminated in his imprisonment at Ararat. But his trial and public life provide an opportunity for us to develop a better understanding of the Chinese community on the Castlemaine goldfields in terms of identities, motives and power structures.[52] What is evident from this present article is that the Castlemaine Chinese engaged with the broader community to a greater degree, and in a culturally more complex way, than has been previously acknowledged. By re-centring individuals such as James Acoy,[53] it is possible to move beyond generic representations in social histories of colonial Victoria.

Endnotes

[1] R Travers, *Australian mandarin: the life and times of Quong Tart*, Rosenberg, Dural, NSW, 2004, esp. pp. 9-11.

[2] For an indication of the prominence of the Chinese in the community see L Kong Meng, Cheok Hong Cheong and Louis Ah Mouy, *The Chinese question in Australia, 1878-79*, FF Baillière, Melbourne, 1879. A more recent discussion of migrant networks in the Chinese diaspora is provided in A McKeown, *Chinese migrant networks and cultural change: Peru, Chicago, Hawaii, 1900-1936*, University of Chicago Press, 2001.

[3] The author would like to thank the Castlemaine Historical Society staff for assisting with archival material for my research on the Mount Alexander Chinese community during the gold-rush era. Acoy's trial record is held at Public Record Office Victoria, VPRS 30/P/0, Unit 355, Melbourne Criminal Sitting, Case number 2 of 15 March 1869.

[4] K Cronin, *Colonial casualties: Chinese in early Victoria*, Melbourne University Press, 1982, p. 86.

[5] The notion of the 'liminar', an individual who passes 'from one cultural state or social status to another in the course of his ... life cycle' is discussed in V Turner, *On the edge of the bush: anthropology as experience*, University of Arizona Press, Tucson, 1985, pp. 158-61.

[6] James Acoy, Naturalisation Record, 1859, held by the Castlemaine Historical Society Inc. I am grateful to Mrs Beryl Payne, a descendant of James Acoy, for this information, received in correspondence dated 14 October 2002.

[7] Cronin, *Colonial casualties*, p. 14; EC Rolls, *Sojourners: the epic story of China's centuries-old relationship with Australia*, University of Queensland Press, St Lucia, Qld, 1992, p. 145. For a brief account of the cruel system of indentured slavery of coolie labour see F Wood, *No dogs & not many Chinese: treaty port life in China 1843-1943*, John Murray, London, 2000.

[8] Unfortunately no image of Acoy exists, although his prison record compiled in 1869 includes a physical description of an olive-skinned man with hazel eyes. His distinguishing features suggest a more colourful, apparently nautical, past. He had lost one front lower tooth, had an anchor tattoo on his left arm, and on his right arm the words 'J. A. COY' were etched. He also had a long scar on his left leg that would have served as a reminder of an earlier conflict or accident. PROV, VPRS 515/P/0, Unit 12, Prisoners' Register 1868-1870, No. 8491.

[9] *ibid.* Castlemaine researchers Ian and Aileen Hockley make a very interesting set of observations regarding Acoy's Chinese-Portuguese ancestry as well the uncertainty of his activity when not acting as the court interpreter. This file note is in the records of the Castlemaine Historical Society.

[10] Correspondence from Beryl Payne to author, and recorded in Acoy's entry in the Prisoners' Register.

[11] *Mount Alexander Mail*, 29 March 1879, unattributed obituary notice.

- [12] I Lim, *Secret societies in Singapore: featuring the William Stirling Collection*, Singapore History Museum, 1999; L Pan (ed.), *The encyclopedia of the Chinese overseas*, Archipelago Press/Landmark Books, Singapore, 1998. For a more detailed account of the Victorian experience see Cai Shaoqing, 'Analysing Chinese secret societies in Australia', paper presented at the Chinese Heritage of Australian Federation conference, Melbourne, 2000. This research was subsequently expanded upon in Cai Shaoqing, 'From mutual aid to public interest: Chinese secret societies in Australia', *Otherland*, special edition: *After the rush: regulation, participation, and Chinese communities in Australia 1860-1940*, vol. 9, 2004, pp. 133-51.
- [13] The Reverend William Young was a Eurasian of Scottish and Malaysian ancestry who was active in the Church Missionary Society. See K Cole, *The Anglican mission to the Chinese in Bendigo and Central Victoria 1854-1918*, Keith Cole Publications, Bendigo, 1994, pp. 11-12. Young's report is reproduced in facsimile in IF Maclaren, *The Chinese in Victoria: official reports & documents*, Red Rooster Press, Ascot Vale, Vic., 1985. Acoy's report is on pp. 38-9.
- [14] Marriage Certificate of James Acoy and Caroline Fischer, held by the Castlemaine Historical Society.
- [15] Acoy, Naturalisation Record.
- [16] *ibid.*
- [17] Perrott Lyon Mathieson Pty Ltd, *City of Castlemaine architectural and historical study*, Melbourne, 1979.
- [18] From correspondence with Beryl Payne.
- [19] Heritage Victoria, '5 Bowden Street Castlemaine', in *Victorian Heritage Register*, Department of Sustainability & Environment, Victorian Government, Melbourne, 2005, accessed 18 September 2006 at: <http://www.heritage.vic.gov.au/>, accessed 24 September 2006.
- [20] *Mount Alexander Mail*, 25 May 1859.
- [21] MKC Leong, 'The role of the See Yup Society in Melbourne and Victoria', unpublished paper presented at the Chinese Heritage of Australian Federation Conference, Melbourne, 2000, p. 2; Shaoqing, 'Analysing Chinese secret societies in Australia', pp. 3-5.
- [22] Cronin, *Colonial casualties*, p. 90; Rolls, *Sojourners*, p. 145.
- [23] Standish to the Minister of Justice, 24 November 1868, in PROV, VPRS 30/P, Unit 355, Melbourne Criminal Sitting, Case number 2 of 15 March 1869.
- [24] John Edward Bull was the police magistrate and resident gold warden of the Government Camp.
- [25] See the entry on Charles Hodges on the Chinese Heritage of Australian Federation website, accessed 18 September 2006.
- [26] Winch to Standish, 23 November 1868, in PROV, VPRS 30/P, Unit 355, Melbourne Criminal Sitting, Case number 2 of 15 March 1869.
- [27] *ibid.*
- [28] *Mount Alexander Mail*, 19 December 1868.
- [29] Statement of James Acoy, 8 December 1868, in VPRS 30/P/0, Unit 355, Melbourne Criminal Sitting, Case number 2 of 15 March 1869.
- [30] *ibid.*
- [31] *ibid.*
- [32] *ibid.*
- [33] Winch to Chief Commissioner of Police, 5 December 1868, in PROV, VPRS 937/P, Unit 105, Bundle 2, Item LB358. This file includes a newspaper clipping from the *Mount Alexander Mail* (undated) attached to a memorandum that was also sent to the Chief Commissioner.
- [34] *Mount Alexander Mail*, undated clipping cited above.
- [35] Dunne to Smythe, telegram, 29 December 1868, in PROV, VPRS 266/P, Unit 180, File 68/8397.
- [36] Dunne to Smythe, telegram, 30 December 1868, in PROV, VPRS 266/P, Unit 180, File 68/8418.
- [37] Heather Holst, 'Equal before the law? The Chinese in the nineteenth century Castlemaine police courts,' *Journal of Australian Colonial History*, vol. 6, 2004, pp. 126-7.
- [38] TDS Heron, Letter Book and Diary, 1855-1872, Castlemaine Historical Society Inc., VCMHS 2002/177.
- [39] Information from discussion with Mr Bob Murphy, 4 May 2003. Transcript notes in possession of the author.
- [40] Lee Ming Soon's evidence is found on p. 2 of the Investigation attached to James Acoy's Statement in PROV, VPRS 30/P, Unit 355, Melbourne Criminal Sitting, Case number 2 of 15 March 1869.
- [41] Investigation, p. 6. For a further discussion on the Qing government's administration of li-money see Tsai Jung-fang, *Hong Kong in Chinese history: community and social unrest in the British colony, 1842-1913*, Columbia University Press, New York, 1993, *passim*.
- [42] For a broader contextual discussion see J Lydon, 'Many inventions': *the Chinese in the Rocks, Sydney 1890-1930*, Department of History, Monash University, Clayton, 1999.
- [43] CF Yong, *The new gold mountain: the Chinese in Australia 1901-1921*, Raphael Arts, Adelaide, 1977, pp. 189-95.

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[44] G Serle, *The rush to be rich: a history of the colony of Victoria, 1883-1889*, Melbourne University Press, 1971, pp. 22-3, 47-8, 85-6; G Serle, 'The gold generation', *Victorian historical magazine*, vol. 41, 1970, pp. 266, 270-1.

[45] See W Bate, *Victorian gold rushes*, McPhee Gribble/Penguin, Fitzroy, Vic., 1988, pp. 59-65.

[46] R Annear, *Nothing but gold: the diggers of 1852*, Text Publishing, Melbourne, 1999, p. 313. Annear alludes to this in the title but suggests that community endured long after the formative year of 1852.

[47] A Mayne, *Hill End: an historic Australian goldfields landscape*, Melbourne University Press, 2003, p. 69.

[48] Last Will and Testament of James Acoy, 1879, in PROV, VPRS 28/P, Unit 218, Item 18/907 and PROV, VPRS 28/P2, Unit 9, Item 18/907. From his will it is clear that Acoy was a very wealthy man.

[49] See Cronin, *Colonial casualties*, p. 20; Leong, 'The role of the See Yup Society in Melbourne and Victoria', pp. 1-4.

[50] Lydon, 'Many inventions', pp. 110-12, 121-2.

[51] Correspondence with Beryl Payne.

[52] Kevin Rains makes a similar observation about this methodological approach in regard to Cooktown in far north Queensland: 'this re-centring of the individual simply implies acknowledging the plurality of society and revealing the potential for multiple realities within particular historical and socio-economic contexts'. K Rains, 'Intersections: the historical archaeology of the overseas Chinese social landscape of Cooktown, 1873-1935', paper presented at the Chinese Studies Association of Australia conference, Bendigo, 2005, p. 21.

[53] For a discussion of the re-centring of the individual, and the grounding of symbolic meanings in 'practical, situational contexts of action', see I Hodder, 'Converging traditions: the search for symbolic meanings in archaeology and geography', in *Landscape and culture: geographical and archaeological perspectives*, ed. JM Wagstaff, Basil Blackwell, Oxford, 1987, p. 144.