



Lieutenant George Frederick Dashwood, Kneeling man being flogged. Ink sketch from his sketchbook (1830–35).

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CHAPTER 23

TRANSPORTATION OF CONVICTS

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DURING THE EIGHTY years in which parts of Australia were penal colonies, there was constant debate on the merits and defects of the transportation system. Was it an effective punishment? Was it reformatory? Deterrent? Expensive? What were its effects on local society? On the crime rate? On prostitution? On drunkenness? On religious observance? On the police system? On local government? On the granting of self-government? Discussion of some or all of these questions permeates very much the writing of the period, whether in contemporary works such as James Macarthur, *New South Wales, its present state and future prospects* (London, Walther, 1837); J.D. Lang, *Historical and statistical account of New South Wales* (London, Cochrane and Microne, 1834; new edns in 1837, 1852 and 1875); John West, *History of Tasmania* (1852; repr, Sydney, A & R in association with the Royal Australian Historical Society, 1971); Peter Cunningham, *Two years in New South Wales* (1827; repr, A & R in association with the Royal Australian Historical Society, 1966); James Backhouse, *Narrative of a visit to the Australian colonies* (York, John L. Linney, Low Ousegate, 1843); Alexander Harris, *Settlers and convicts* (1847; repr, MUP, 1969) and many others, or in modern studies, either of particular aspects of colonial life or the general histories which are referred to elsewhere in this volume.

The same may be said of the autobiographies and biographies of people living in the first half of the nineteenth century. Among the former, for example, are Roger Therry, *Reminiscences of thirty years residence in New South Wales* (1863; repr, SUP for the Royal Australian Historical Society, 1974) and James Hardy Vaux, *Memoirs* (1819; repr, MUP, 1964); among the latter, C.H. Currey, *Sir Francis Forbes* (A & R, 1968) and *The brothers Bent* (SUP, 1968). Apart from these, there are many books dealing with the various governors of the penal colonies and with the many officials, settlers and convicts themselves.

Of the convicts' writings, the best known are by the well-educated political prisoners whose experiences were not typical and who naturally had an axe to grind in their accounts of the system. Mention may be made of those written by several guilty of political offences—trade unionists, Canadian rebels, Chartists and Irish—Leon Ducharmé, John Frost, William Gates, Maurice La Pailleur, George Loveless, Linus B. Miller, John Mitchell and François Prieur; but there are others. Ann Conlon has commented on such convict memoirs in “‘Mine is a sad yet true story’: convict narratives, 1818–1850’ in *JR Aust Hist Soc* (55, 1, 1969, 43–82) and Alan Atkinson discusses ‘Four patterns of convict protest’ in *Labour history* (37, 1979, 28–51).

Of the specialist works on the transportation system, the most significant and readily available

are referred to below. Many others which throw light on some aspect of it can be referred to in the major libraries, especially the Mitchell Library in Sydney and the British Library in London, though in most cases they are either propaganda or self-laudatory works. A number are listed in the bibliographies of Shaw (1977) and in several of the other recent works on the subject listed below, as well as in the general histories. The principles involved in the controversy are perhaps best summed up in the two attacks on the system by Richard Whately, Protestant Archbishop of Dublin, *Thoughts on secondary punishment in a letter to Earl Grey* (London, B. Fellowes, 1832) and *Remarks on transportation* (London, B. Fellowes, 1834), and in the two replies to him, by Colonel George Arthur, then lieutenant-governor of Van Diemen's Land, *Observations upon secondary punishment* (Hobart, James Ross, 1833) and *A defence of transportation in reply to the remarks of the Archbishop of Dublin* (London, George Cowie, 1835).

In the preface to Shaw's book, it is noted (p 13) that a number of the conclusions there needed 'to be confirmed (or perhaps refuted) by detailed investigation both of the districts from which the convicts came and of those they were sent to; for it is only from such studies that the whole truth can emerge, and at the moment [1964] these are extremely rare'. This is still the case, but the results of further studies, though not yet published in book form, should be mentioned. Different aspects of the penal settlement are discussed by Decie Denholm, 'Port Arthur: the men and myth' (*Hist stud* 14, 55, 1970, 406–23). Giving a rather contrary view is the article by Julian Reynolds, 'The penal stations of New South Wales and Van Diemen's Land: the reality behind the legend' (*J R Aust Hist Soc* 67, 4, 1982, 354–65). Henry Reynolds, in "'That hated stain": the aftermath of transportation in Tasmania' (*Hist Stud* 14, 53, 1969, 19–31), describes some of the aftereffects of transportation in Tasmania. Two recent articles criticise the reports of the Molesworth Committee (the Select Committee on Transportation of 1837–38), namely, John Ritchie, 'Towards ending an unclean thing: the Molesworth Committee and the abolition of transportation to New South Wales, 1837–40' (*Hist stud* 17, 67, 1976, 144–64) and N. Townsend, 'The Molesworth Enquiry: does the report fit the evidence?' (*J Aust Stud* 1, June 1977, 33–51).

There are several novels about the system. The most notorious, Marcus Clarke's, *For the term of his natural life* (1874; repr, Melbourne, Currey O'Neil, 1983) is misleading in so far as it subjects one man to every known evil of the system and implies that this experience is typical; L.L. Robson has analysed it in 'The historical basis of *For the term of his natural life*' (*Australian literary studies* 1, 2, 1963, 104–21). *The adventures of Ralph Rashleigh* (1929, repr; (A & R, 1975) a picaresque novel thought to be by the convict James Tucker, combined circumstances of convict days with fictitious adventures, and Henry Savery, another convict author, in *Quintus Servinton* (1830; repr, UNSWP, 1984), the first novel in book form written in Australia, provides a contrasting and complementary picture in describing the experiences of an educated convict, though only one-third of the novel deals with events after Quintus had been transported.

A larger number of serious studies have been made of the details of the administration of the system in Tasmania because of the excellence of the records kept in the archives at Hobart; those held in Sydney were destroyed during the period when Australians were anxious to forget their convict past. Today, when many people are seeking to find a convict ancestor if they possibly can, studies in New South Wales have depended more on private papers and old reminiscences, but there is still room for local studies based on the records available in the many bench books that have survived. These, as in Tasmania, may prove a fruitful source for further study. Generally speaking, of course, the official records, when carefully analysed, provide more reliable information than the usually prejudiced accounts of individuals, though one must notice that official records can also show a distorted picture and, like every other record of a highly controversial subject, have to be studied carefully—something which fortunately has become more common in recent years.

A few British government documents have been included in the reading list. These, too, are not free from bias and some of the reports were forcefully contested in parliament when they were tabled; obviously they form an important mirror of official attitudes towards convict transportation. Only the most important ones have been listed here.



'Cessation of transportation', 1853. Pewter medal, diameter 57 mm. This medal was struck to commemorate the last convict ship to Van Diemen's Land, the *St Vincent*, which reached Hobart on 26 May 1853 with 207 prisoners on board.

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BARRY, J.V. *Alexander Maconochie of Norfolk Island: a study of a pioneer in penal reform*. OUP, 1958. 277 p, illus, maps. This biography discusses Maconochie's criticisms of the transportation system and his attempts at reform when commandant of the penal settlement at Norfolk Island, 1840-44.

BATESON, C. *The convict ships, 1787-1868*. Sydney, Library of Australian History, 1983. 434 p, illus.

Survey of the ships carrying convicts to Australia, relating administrative details, type and size of ships, and notable events. First published in 1959.

COBLEY, J. *The crimes of the first fleet convicts*. A & R, 1982. 338 p.

A comprehensive register of the convicts in the first fleet, giving details of their ages, occupations, crimes and trials. First published in 1970.

ERICKSON, R. ed, *The brand on his coat: biographies of some Western Australian convicts*. UWAP, 1983. 355 p, illus.

An account of the role of convicts in WA during the latter half of the nineteenth century when more than one-third of the male population were convicts. Good bibliography.

FORSYTH, W.D. *Governor Arthur's convict system: Van Diemen's Land, 1824-36*. London, Longmans, Green for the Royal Empire Society, 1935, 213 p.

Examines Governor Arthur's administration but dependent on sources available in Australia in the early 1930s. This edition has an updated bibliography. New edition published in 1970.

GREAT BRITAIN. Parliament. House of Commons. *Copy of a despatch from Lieutenant-Governor Sir John Franklin, to Lord Glenelg, dated 7 October 1837, relative to the present system of convict discipline in Van Diemen's Land*. London, 1838. 110, 186 p. (GB Parliament. H of C Reports and papers no 309 of 1837/1838).

A despatch outlining the views of the lieutenant-governor and his principal officials on the transportation system and proposed changes to it, with a statistical appendix. Reprinted, Dublin, IUP.

GREAT BRITAIN. Parliament. House of Commons. *Report from the select committee of the House of Lords appointed to*

inquire into the provisions and operation of the Act 16 & 17 Vict, Ca. 99, entitled 'An act to substitute, in certain cases, other punishments in lieu of transportation'; ... together with the minutes of evidence, appendix and index. London, 1856. 144 p. (GB Parliament. H of C Report and papers no 404 of 1856).

A report which chiefly considered the effects of transportation on the penal colonies. Published with the reports of the House of Commons Committee. Reprinted, Dublin, IUP.

GREAT BRITAIN. Parliament. House of Commons. *Report of the commissioners appointed to inquire into the operation of the acts (16 & 17 Vict, C.99 and 20 & 21 Vic, C.3) relating to transportation and penal servitude ...* London, 1863. 2 vols. (GB Parliament. H of C Reports and papers nos 3190 and 3190-I of 1863).

Another report on the transportation system which considered that after preliminary imprisonment in Great Britain, transportation was desirable for the mother country and beneficial to WA. Reprinted, Dublin, IUP.

GREAT BRITAIN. Parliament. House of Commons. *Select Committee on Secondary Punishment. Report ... with the minutes of evidence, an appendix of papers and an index*. London, 1831-32. 2 vols. (GB Parliament. H of C Reports and papers no 276 of 1831 and no 547 of 1832). These reports on various types of secondary (ie non-capital) punishment include a full discussion of transportation. Reprinted, Dublin, IUP.

GREAT BRITAIN. Parliament. House of Commons. *Select Committee on Transportation. Report*. London, 1812. 117 p. (GB Parliament. H of C Reports and papers no 341 of 1812).

The report, with evidence, of the first parliamentary inquiry into the working of the transportation system is generally favourable to it. Reprinted, Dublin, IUP.

GREAT BRITAIN. Parliament. House of Commons. *Select Committee on Transportation. Reports ... together with the minutes of evidence, appendix, and index*. London, 1837-38. 2 vols. (GB Parliament. H of C Reports and papers no 518 of 1837 and no 669 of 1837-38).

A prejudiced report on the working of the system whose conclusions do not always follow from the evidence, which is biased and at times inaccurate. The appendices contain despatches and other documents. Reprinted, Dublin, IUP.

GREAT BRITAIN. Parliament. House of Commons. *Select Committee on Transportation. Reports ... together with the minutes of evidence and appendices*. London, 1856. 3 vols. (GB Parliament. H of C Reports and papers nos 244, 296, 355 and 355-I of 1856).

A report which examined and supported the punishment of transportation for criminals, especially to WA. Reprinted, Dublin, IUP.

GREAT BRITAIN. Parliament. House of Commons. *Select Committee on Transportation. Report ... together with the proceedings of the committee, minutes of evidence, appendix, and index*. London, 1861. 195 p. (GB Parliament. H of C Reports and papers no 286 of 1861).

This committee was appointed to inquire into the current system of transportation and its effect upon colonisation. It contains considerable information on the working of the system to WA and on the reactions of the other Australian colonies. Reprinted, Dublin, IUP.

GREAT BRITAIN. Parliament. House of Lords. *Select committee appointed to inquire into the execution of the criminal law, especially respecting juvenile offenders and transportation. Report*

... together with the minutes of evidence ... and an appendix. London, 1847. 2 vols. (GB Parliament. H of C Reports and papers nos 447 and 534 of 1847).

An examination of the advantages and disadvantages of transporting juveniles. Reprinted, Dublin, IUP.

GROCOTT, A.M. *Convicts, clergymen and churches: attitudes of convicts and ex-convicts towards the churches and clergy in New South Wales from 1788–1851*. SUP, 1979. 327 p, illus.

A study of the religious attitudes of convicts in various conditions. Comprehensive bibliography.

HASLUCK, A. *Unwilling emigrants: a study of the convict period in Western Australia*. OUP, 1978. 165 p, illus, maps.

A survey of the principal features of the convict system in WA. First published in 1959.

HIRST, J.B. *Convict society and its enemies: a history of early New South Wales*. Sydney, Allen & Unwin, 1983. 244 p, illus.

A reassessment of many ideas about society and the effects of the convicts on it.

MORTLOCK, J.F. *Experiences of a convict, transported for twenty-one years: an autobiographical memoir*. London, R. Barrett, pr, 1865, 233 p.

Memoir of an educated convict sentenced in 1843 who served in the hulks, Norfolk Island, Van Diemen's Land and WA. Describes the working of the probation system. New edition published in 1965.

ROBSON, L.L. *The convict settlers of Australia: an enquiry into*

the origin and character of the convicts transported to New South Wales and Van Diemen's Land, 1787–1852. MUP, 1976. 257 p.

An analysis of the origins of the convicts and their condition based on a statistical study of a large random sample of convict indents and associated papers. First published in 1965.

RUDÉ, G.F.E. *Protest and punishment: the story of the social and political protesters transported to Australia, 1788–1868*. Oxford, OUP, 1978. 270 p.

An account of the background, trials and punishment of between 2 and 3 per cent of all convicts who were transported for offences connected with political and social protest.

SHAW, A.G.L. *Convicts and the colonies: a study of penal transportation from Great Britain and Ireland to Australia and other parts of the British Empire*. MUP, 1977. 399 p.

A comprehensive account of the origins and development of the system of convict transportation. Full bibliography. First published in 1966.

STURMA, M. *Vice in a vicious society: crime and convicts in mid-nineteenth century New South Wales*. UQP, 1983. 224 p, illus.

A study of crime in NSW between 1831 and 1861 which corrects a number of misapprehensions of the effects of transportation by a careful examination of the statistics of crime, drunkenness and the police. Bibliography.



Haughton Forrest (1826–1925), Port Arthur 1880. Oil on cardboard. Captain James Haughton Forrest, marine and landscape painter and former officer in the Light Infantry, arrived in Tasmania in 1876 where he briefly took up an appointment as superintendent of police at Sorell. He retired to Hobart and began to paint prolifically. This painting shows his close attention to topographical and botanical detail.

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