CHAPTER 7

PEOPLE CONFINED

EARLY IN THE WINTER of 1838 respectable and educated people in New South Wales and Van Diemen's Land were shamed and outraged at the picture of themselves they saw in the mail from England. The London newspapers carried evidence given the previous year to the House of Commons select committee on transportation, together with the committee's report. Gentlemen from the convict colonies had been persuaded to tell the committee—and the British nation—that the settlers in those remote places had been 'demoralized' and 'corrupted' by transportation, and especially by the assignment of convict labour to private employers.

Colonists had known since the previous November that the British government was planning to phase out assignment, and perhaps transportation as well, and instead to confine its convicts in penitentiaries in Britain. Now insult had been added to the threat of injury. Editorials called it betrayal and talked of revolution. Public meetings defended transportation, and the legislative council in Sydney resolved that 'the social and moral condition' of the colony had 'unjustly suffered by the misrepresentations' of the committee. Loyal councillors protested uncharacteristically that Britain was the source of any corruption. Far from being demoralised, they argued, the colony was an agent of reform, producing a 'rising generation of Native-born Subjects . . . who in the exercise of the social and moral relations of life, are not inferior to the Inhabitants of any other Dependency of the British Crown'.

Such protests were irrelevant to British ideas about transportation. Colonial reputations were being blackened to make the winning point in a debate about how Britain should deal with its criminals. The debate was as old as New South Wales itself. Even as the first convicts were being transported from the crowded hulks on the Thames to the open spaces of Botany Bay, Jeremy Bentham and others were proposing that criminals could be deterred and reformed more effectively by incarceration in properly planned gaols in Britain. The argument involved a new idea of punishment. Rather than terrifying, it should reform.

Rather than scourging the body, it should reshape the mind. By a precise manipulation of pleasure and pain, those whose hearts and minds were out of tune with the best principles of order and morality would be reformed into hardworking citizens. This process would involve not only building many expensive prisons, but also overhauling Britain's ancient penal code, to make each punishment fit each crime.

Not everyone agreed with this radical philosophy. In the debate that followed, transportation remained the preferred solution for highly placed men in Britain who regarded the new idealists with a profound mistrust. Such men were landed gentry and magistrates, whose power to terrify or to pardon, to intercede or to condemn, was enmeshed with their power to hire and fire and extract rent. In 1838 some of them continued to defend transportation as a moral and economic solution to Britain's social ills. But political power was passing from their hands.

Those who believed with Bentham in a more open society—those whose power derived more often from trade than from landed property—preferred to see Botany Bay as a grotesque society, deformed at birth. In the 1820s these social reformers joined forces with moral reformers, evangelical Christians intent on bringing people to understand their own sin and to work for the redemption of others, in the final stages of the great crusade to abolish legal slavery throughout the British empire. They succeeded in 1833. The debate over slavery gave the reformers a new way of understanding Botany Bay. Assignment came to be seen as a form of slavery, giving some men undue power over others, and thus necessarily corrupting both masters and servants. The logic of this argument meant that people defending the probity of the colonists seemed to be defending transportation. And any defence of transportation was readily portrayed as self-interest, and hence as proof of corruption.

A few men in New South Wales were clear-sighted enough to see through such allegations. One was Dr William Bland, who had been transported to New South Wales in 1813 for killing an opponent in a duel. He was a leading member of the Australian Patriotic Association, which, as we shall see in the next chapter, had been formed in 1835 to press for an elected assembly in the colony. The association appointed a political agent in London to act in its interests, and for a short time became a sort of local assembly, debating issues of interest in parliamentary style. Divisions split the association and its meetings lapsed. But the transportation debate prompted a few of its members to organise a petition to the House of Commons, and Bland wrote a paper to accompany the petition.

William Bland. Undated watercolour by an unknown artist.
MITCHELL LIBRARY

He disagreed with reformers about human nature and had a different view of the way society operated. A human being, reformers argued, was 'a mere chemical or mechanical element, requiring nothing more than a clever state chemist, or state mechanist'. Even morality was understood in this way, virtue and vice being 'two distinct essences' or 'peculiar predispositions'. Bland denied these propositions and the 'science of punishment' by isolation which they led to. He argued that, far from being inherently evil, the criminal 'in nine cases out of ten, differs in no one moral or intellectual property, from any other individual in his own sphere of life'. Criminals were made by 'force of circumstances alone', chiefly 'pauperism and wretchedness', 'want of education' and 'the contaminating and perpetuating operation of example and habit'. 'The cure of crime' was 'the removal of its causes'—this, Bland believed, the Australian colonies had largely achieved.

Bland especially condemned those 'clever state mechanists' who hoped to change men and women by locking them away in penitentiaries. He argued that 'the exclusion of convicts from all society but their own, and of their keepers... divests them of all virtuous habits and sympathies and renders them, year by year, less

Convicts building the road to Bathurst over the Blue Mountains. *Watercolour by Charles Rodius, 1833.*
NATIONAL LIBRARY

fitted for returning to that community from which they have been entirely estranged'. Reforming a criminal by putting him in prison, said Bland, was like curing a man with a cold by locking him away in a lazar-house—a hospital for lepers. Colonists believed that, unlike the British reformers, they knew at first hand the limitations of state-run institutions for the cure of the socially unfit.

In 1838 most convicts in the penal colonies—about two in every three—were in private assignment rather than in the care of the government. That had been so for many years, for simple economic reasons. The colonists needed convict labour to prosper. The British government needed a cheap way of disposing of felons, and had been readily persuaded that their punishment should be made profitable. Profits were greatest when the convict workforce could be 'reformed'—or at least made docile enough for private assignment. Many of the convicts who remained in the hands of the government did so precisely because they would not or could not be made to join this docile workforce. Indeed, the most common crimes in the colonies were the so-called 'convict offences'—absconding, absenting, neglect of work, disobedience, insolence, drunkenness and disorderly conduct. Offenders undeterred by the lash were 'returned to the government' to serve a term on a road gang or, if still undeterred, in a place of secondary punishment such as Port Arthur or Norfolk Island.

In New South Wales some three thousand convicts—about one in ten—were thus separated from civil society in 1838; in Van Diemen's Land the proportion was almost certainly higher. The government also found itself supporting those under sentence who could not work—the old, the sick, the mad, the pregnant. These were variously treated, according to the facilities available and the degree of blame that could be heaped on their incapacity; but the institutions in which they were confined could be both refuges and places of punishment. Finally, perhaps three thousand of the workers held in isolation in New South Wales were workers whose strength and skills were needed for government works such as roads and buildings.

Reformers in Britain had always objected to the colonial habit of treating convicts according to their usefulness as workers, rather than their degree of criminality and need for reformation. These believers in 'the science of punishment' were sometimes joined by critics who wanted transportation made more horrifying to deter would-be criminals in Britain. Such criticisms were usually thrown at the most accessible—and expensive—part of the system: the institutions under direct government control. The colonial administrators were thus encouraged to play 'state mechanists', and to tinker with the system to make it at once more terrifying and more rigorously scientific—aims generally at odds with the British treasury's over-riding concern to save money.

For many convicts the long-term result of such tinkering was to change a simple sentence of transportation—implying hard labour as well—to one of transportation with imprisonment under penal discipline. The original exiles were shut in only by sea and bush. For thirty years the only convicts who were really isolated were those sentenced to penal stations for crimes committed in the colonies. Men working for the government in Sydney returned each evening to lodgings which they had found themselves. There they did as they pleased. It was not until 1819 that Governor Macquarie confined the government men to the newly built Hyde Park Barracks each weeknight—and even then they had the run of the town for most of the weekend. Macquarie's main concern was to build a new colony—literally. His restrictions were designed to get more work out of the convicts.

Macquarie's critics, more concerned with terror and economy, pressed to make government service more actively punitive. Governor Brisbane reduced the numbers in government service and tried to work the remainder on gangs and government farms. Darling, his successor, toyed with a scheme to work all convicts in irons on public works for their first year in the colony, but it proved very expensive and at variance with settler demands for assigned labour. Both Brisbane and Darling moved to make the whole system harsher by increasing the severity of work in the penal settlements at Port Macquarie, Moreton Bay and Norfolk Island. Convicts sentenced there worked in chains and were denied the aid of animal power. Ploughs and carts were replaced by hoes, spades and handbarrows. Men laboured as beasts.

In Van Diemen's Land Lieutenant-Governor Arthur liked the idea of scientific punishment. He tried to regulate every aspect of convict life, personally overseeing individual records of every convict's behaviour and progress towards reformation. He hoped to replace the most common punishment, the lash, with a series of graduated punishments—usually involving imprisonment—which would work more on the mind and the heart than on the lacerated back. The apex of his system was the penal settlement at Port Arthur, where convicts were classified according to the seriousness of their crimes and where solitary cells had been used since 1835.

Arthur's 'system' was much admired by the men of the Colonial Office. It seemed to them to combine most nearly economy, deterrence and reform—yardsticks they were also applying to gaols in Britain. A suggestion from Arthur that public works presented convicts with 'the greatest hardship' set the administrators considering, as Darling had done, a proposal to make transportation 'a real punishment' by making all convicts work for a time on the public roads. This was refined to an instruction that convicts should be subjected to 'different degrees of severity according to the Magnitude of their offences and the notoriety of their previous course of life'.

Colonial governors were told that the 'most hardened' convicts were to be sent to the penal settlements, and others 'whose crimes have been less enormous' were to be given 'severe labour ... in the Chain Gangs'. The rest were to be assigned.

The governors protested at the expense and unnecessary severity of this proposal, and on closer consideration it was found to be illegal. Transportation as a sentence still meant just that in law. In theory at least men and women were not to be punished beyond the sentence imposed at their trial. They could not be chastised on account of 'their previous course of life'. The administrators' discovery that they could not run the colonies as orderly penitentiaries persuaded them that transportation in its present form should cease.

Sir George Gipps was sent to govern New South Wales with instructions to isolate convicts from the rest of the population. First, he was to phase out the assignment of convicts to private employers. Secondly, he was to confine more strictly all convicts held by the government. Convicts in barracks, factories, work gangs and chain gangs, as well as those in penal settlements, were to be classified by their degree of criminality and their progress towards reformation, and confined accordingly. A few months in the colony convinced Gipps that the economy would suffer unless any cessation of assignment was very gradual. But he turned to the second part of his charge without hesitation.

PARRAMATTA FEMALE FACTORY

> The Female Factory at Parramatta having been pointed out to me before I left England as an object requiring my earliest attention, I beg to report to Your Lordship that I availed myself of the first occasion, on which I could absent myself for a day from Sydney, to visit it.

So George Gipps wrote to Lord Glenelg in his first despatch to the Colonial Office.

The Parramatta factory had attracted much of the adverse criticism heaped on the colony by the committee investigating transportation, and by the witnesses

Female factory at Parramatta. Four observers, possibly townspeople from Parramatta, look towards the female factory. Sir George Gipps's solitary cells had not yet been added. Undated watercolour by Augustus Earle.
NATIONAL LIBRARY

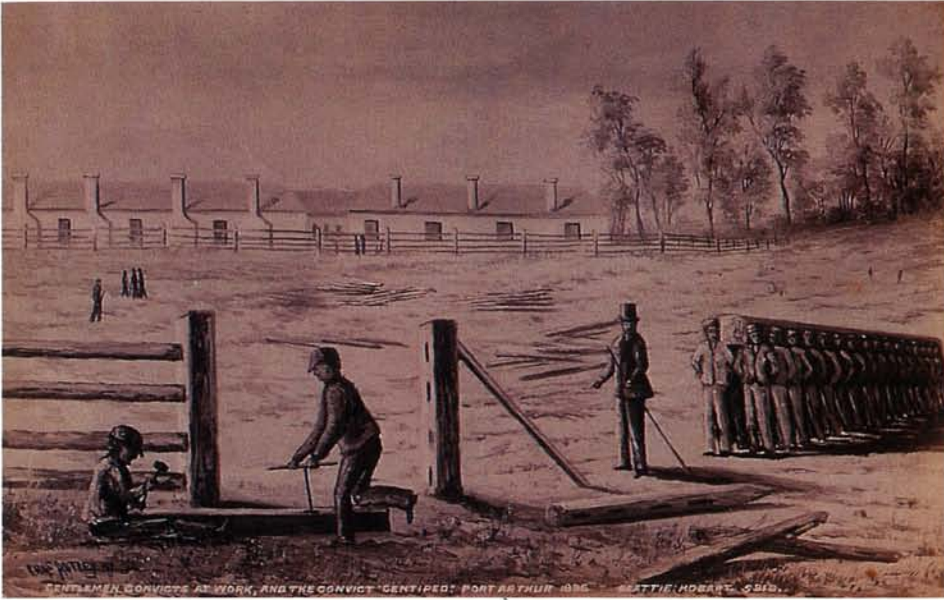
who told the committee what it wanted to hear. The factory and the women who lived in it were seen as the heart of the colony's corruption. The potential for evil in the system of transportation seemed greatest where women were concerned. Witnesses reported that because men had been transported in greater numbers than women, masters were tempted to prostitute their female servants, and convict husbands to prostitute their wives. The women, moreover, were thought to be 'naturally depraved', and to corrupt all who came in contact with them.

The factory had been set up as 'an asylum for unappropriated female prisoners'—women who could not be assigned—and the committee assumed that only women who were 'excessively bad' and whose conduct had made 'respectable settlers ... unwilling to receive them', were housed there. The British parliament was told that the only parties willing to receive such women were convict men, who came to the factory and selected a wife from the assembled occupants, lined up like 'so many cattle ... in a fair'. Even more shamefully, the factory was 'a lying-in hospital for female convicts', 'got with child by their fellow convicts or their masters'. It was also a prison for convicts who had committed further crimes after arriving in the colony.

Colonists did not attempt to defend their society against such criticism; few denied the women's corruption. Yet depravity lay in the eye of the beholder. Nearly all the convict women came from the labouring classes of Britain's industrial cities, where the legal niceties of marriage were often ignored. These women saw nothing shameful in using their bodies as well as their brains to survive in Botany Bay. Some became the bedmates and business partners of young officers and merchants and sometimes made modest fortunes. More worked on farms and in small businesses in partnership with men of their own kind. Some moved quickly from one relationship to the next; others stayed with a single partner and raised a family. Only a minority bothered to marry legally, until the authorities began to enforce marriage as a means of civilising both men and women.

Attitudes to the easy sexuality of the convict women had changed over time. In the early days of the colony some of its rulers had understood that convicts, rather than being simply corrupt, lived by a different set of moral standards, unacceptable in polite society but acceptable outside it. Such men lived happily with convict mistresses, acknowledged and raised children by them, and married them off to men closer to their own rank before returning to England. Other officers and gentlemen, influenced by evangelical morality, had refused to accept that moral standards might be different for different ranks of society. The latter view, and the sensibilities about female morality that it created, had slowly become the conventional view of those in authority. But in 1838 the rebellious type of convict woman was still damned as a whore and placed in circumstances making it hard to be anything else.

The female factory at Parramatta had been set up to save convict women from whoredom. Before 1821 convict women not assigned to private masters worked for the government making cloth in a 'manufactory' on top of the old Parramatta gaol. Some slept in the workroom; most chose, or were forced, to seek lodgings in the town. Macquarie's critics had seen this lack of regulation as a more pressing problem than the presence of government men on the streets of Sydney. Unattached women 'without natural protectors' were both dangerous—to respectable men—and themselves in danger from men of their own kind. Their sexuality needed to be contained—if not within marriage, then behind stone walls. So although the new factory built at the end of Macquarie's governorship was intended as a workplace and home for unemployable women, it had been planned like a gaol. A three-metre-high wall and a ditch surrounded a three-storey stone



Gentlemen convicts at work, and the convict centipede. *Like convict women, educated male convicts, called 'specials', presented distinctive discipline problems. It was believed that if treated exactly like ordinary male convicts they suffer greater punishment because they are not used to heavy physical labour. Here a party does light manual work at Port Arthur, while a 'centipede' of other men carries a log on its shoulders. Photograph of a painting attributed to Thomas James Lempriere, 1836.*
DIXSON GALLERIES

building containing dining and sleeping rooms, with walled courts containing workrooms and a hospital. Six solitary cells were included in the outer court, to allow some degree of internal control.

The institution soon served so many different purposes, however, that simple confinement was transformed rapidly into a complicated system of classification and punishment. Unassignable women included the old and the sick, but also the unskilled, the unattractive and the generally inept. Women were indeed harder to assign than men, not because their conduct was 'excessively bad', but because there was little work for them to do—or little that respectable people considered suitable for them. Assigned only for domestic work—and then only to 'respectable' families—women convicts were the first to be returned to the government when times were bad. Women awaiting reassignment made up the bulk of the first class of the factory.

The second, or probationary class, consisted largely of women who returned pregnant to the factory, gave birth there, and stayed on to look after their children to about the age of two. In the early years poor free women came into the factory to bear their children, but by 1838 the identification of 'second class' with 'nursing mothers' ensured that these confinements were seen as punishment. The folly of locking women up to protect them, sending them out into 'moral danger', and then locking them up again when they 'fell' was lost on the colonial administration.

The third class housed almost all women sentenced for crimes committed after arrival in the colony. Since both men and women convicts were usually sentenced for crimes against employers—drunkenness, disobedience, neglect of work, absconding from service, abusive language, disorderly conduct—these women, too, were rejects of assignment. The surplus of female labour made employers much readier to return a refractory woman to the government than to lose the services of a man—especially when the law forbade him to have the woman flogged into obedience. Third class women received rations inferior to those of the women in the other classes and wore distinctive coarse clothing. Their hair was cropped short, their work was more taxing, and they were confined in quarters that were especially crowded. But all classes were subject to the same internal punishments—closer confinement and further deprivation.

Governor Gipps came to the colony determined to make the Parramatta factory more effective in reforming its inmates. Advice in England, and contact with the women's prison reformer Elizabeth Fry, had given him some grasp of the latest principles of penology, and convinced him that change was possible. Colonial society did not share his confidence. The well-to-do and literate sometimes behaved as if a woman who had sinned was beyond redemption, and Gipps sometimes exhibited similar prejudice, declaring on one occasion that a drunken woman ceased to be a true woman. Usually, however, he argued that women might be reformed by what Bland mockingly called 'different degrees of severity and duration ... regulated agreeably to the observed conduct of the Convict'.

The second day of March was clear and mild in 1838. It was only the seventh day since Gipps's arrival in the colony. He came up the Parramatta River by boat and was met at the gate of the factory by the matron, Julia Leach, and the superintendent, John Clapham. The meeting had been planned in England. Elizabeth Fry's intervention in colonial affairs went far beyond briefing Gipps. Mrs Fry had been distressed by reports of the low quality of the officers administering the female factory—anticipating Bland's complaint that institutions could never be reformatory when the people in charge of them were no different from the inmates. No specific charges had been laid against Thomas and Sarah Bell, the husband and wife running the factory in 1837, but Mrs Fry persuaded the Colonial Office to replace them with people with English experience whom she selected herself. Julia Leach was experienced in the management of female convicts in England, and her late husband had been for a time an instructor of convicts on Norfolk Island. Clapham had served for some years as a turnkey at the House of Correction at Cold Bath Fields, and came highly recommended by the Middlesex magistrates. Mrs Fry believed that only a woman should supervise the reformation of women, and intended Mrs Leach to run the factory, with Clapham as her subordinate in charge of buildings and stores.

Gipps stayed between two and three hours, touring the factory. He was pleased at the cleanliness of both buildings and inmates and at the absence of any 'violence or outrage'. He was pleased that when he addressed each class of women, assembled in their separate yards, they listened 'with respect and attention'. But the 'absolute idleness' of the inmates displeased him. Apart from taking turns at washing, cooking and drawing water, the women appeared to do nothing but sit in their yards and talk. Gipps had been forewarned of this; Mrs Leach had written in alarm to the colonial secretary only two weeks before, asking him to act immediately to provide employment for the third-class women. She feared that increasing numbers and creeping indolence were leading to a situation in which the women would refuse even to cut wood for the coppers to cook their food.

The women were meant to be employed breaking into road-metal the large pile of stones that lay in their yard, but a thousand hammers delivered for this task had arrived without handles, and complaints had produced none from the government store. Gipps's report to Glenelg blamed the women for the lack of handles; he claimed that they broke them 'faster than they could be supplied'. The factory had not always been so idle. During the 1820s the first-class women had earned good money sewing clothes for issue to the convicts, and third-class women had spun thread. The decline of this busy 'manufactory' resulted from a government decision to import cheaper clothes from England.

Gipps's report did not comment directly on gross overcrowding. A building designed to hold at the most three hundred women housed in 1838 650 women and more than a hundred children. Gipps was concerned about the state of the first and second-class sleeping rooms on the two upper storeys. In each of these four

rooms about sixty mattresses and as many blankets had to be huddled together against the inner wall to avoid rain from the broken windows. The sleeping rooms for the 300 women in the third class were 'free from this inconvenience', Gipps said, 'though in other respects not so good'.

As he walked around the factory Gipps considered possible extensions—though less to relieve overcrowding than to increase the building's power to reform. Before leaving England he had been authorised

> to make such alterations in the building as I might find absolutely necessary in order to place at least the third or penal class of its inmates in separate confinement, on the system recommended by the Inspectors of Prisons in their second report . . .

The modern penal system was to be introduced to New South Wales. The problems of accommodating 300 women in solitary confinement might have daunted a lesser man, but Gipps was master of the possible. The existing building seeming unalterable, he ordered the colonial architect and the colonial engineer to plan a new range of some 70 cells, to be built out of local stone by convict workmen. They could be erected, he assured Lord Glenelg, 'at very moderate cost'.

Gipps reported a last 'mortifying' fact to the Colonial Office. After only a few weeks in the colony Mrs Leach and Clapham were utterly 'at variance'. Julia Leach was a pious, emotional, articulate woman who liked to confront and persuade but was quickly moved to anger. John Clapham was dour, humourless, and obstinate to the point of stupidity. He could not take orders from a woman. Mrs Leach accused him of obstruction; he accused her of 'various improprieties of conduct'—'flightiness', unladylike aggressiveness, behaviour so unwomanly that he considered her either 'drunk or insane'. Gipps was dismayed by this bitter conflict. He told Glenelg that he feared it would prove 'impossible to keep them both, or perhaps even either of them there, with any hope of advantage to the Establishment'. But he chose at first to support the authority the Colonial Office had given to Julia Leach. He told Clapham to acknowledge that authority and co-operate with the matron, or to face dismissal.

In the weeks that followed both Mrs Leach and Clapham wrote describing their situations and seeking support—Clapham to Gipps and to local evangelical clergymen; Leach to Elizabeth Fry. Their accounts show clearly how the institution worked to the benefit of some of its members, though not all. Not even the third-class women were truly confined. Mrs Leach reported that they could 'escape over the wall with the greatest ease', and that many who made no attempt to abscond were able to get 'rum, tobacco and Sugar, and carry on such a traffic as is almost incredible'. Clapham learned how this was done. Once he saw a third-class prisoner walk up openly to the front gate, speak to an old woman there and come back with some tobacco. Another day he found 'a letter which had been thrown over the Wall instructing a Person to bring some Tea, Sugar and Tobacco and throw them over the wall directed to E.P.' A week later he noticed a prisoner throwing a handkerchief over the wall. Pointing her out to the turnkey in charge, he ran to the outside of the wall to find an assigned convict 'communicating with the Prisoners inside'. The man denied any knowledge of the handkerchief thrown from inside, but Clapham found two more handkerchiefs inside his hat, one with traces of tea and sugar on it. When Clapham returned inside the turnkey was unable or unwilling to identify the woman involved.

The overcrowded factory 'worked'—the inmates were fed and housed and kept in moderate health—largely through the supervision of five female turnkeys, all ex-prisoners (and four of them, wrote Leach, 'bigotted Roman Catholics'), and a

score of monitresses and attendants, all prisoners from the first class. Turnkeys received an annual wage; monitresses and attendants had once done so, but now took their reward in special privileges. Clapham in his first days at the factory noted many examples of what he took to be infringements of discipline and classification: tea, sugar, currants and raisins in the possession of the women in charge of the laundry; milk, tea, chocolate, mushrooms and extra meat being consumed by third-class prisoners; 'a very large Flannel Peticoat' being made for the head female turnkey, and another for the laundry attendant. Clapham complained, but the visiting magistrate told Gipps that the newcomer had mistaken privileges normally granted to the convict staff as 'misconduct'. As a former turnkey, Clapham was well versed in such systems. While he based his complaints on high moral principle, he was also clearly annoyed by his inability to exercise real influence in the factory. Gipps's instructions limiting his activities to buildings and stores prevented Clapham from challenging the informal authority of Mrs Snape, the head turnkey.

The system also defeated Julia Leach. Clapham accused her of seeking to exploit her position by suggesting to him and his wife that they should 'all make use of such articles as came into the factory for the use of the prisoners, saying that the Government would never know'. The charge was unsubstantiated and never voiced in the colony, but from Clapham's account it is clear that Mrs Leach found the system as it operated in the factory alien and impenetrable. She tried to reason with the female turnkeys and was hurt when they rejected her; she complained to Elizabeth Fry of their closeness to the Catholic priest, 'to whom they turn my motives inside out'. In the third class she tried to make a 'moral impression', to engage her charges' sympathy by extending her own. Clapham's description is a parody of what began, at least, as up-to-date penal principle:

> She would go into the third class and call them all the *brutes*, wretches, etc., etc., and at other times she would go dancing and snapping her fingers, clapping first one and then another on the back; saying she would be their friend she would write to the governor to try and get their sentence mitigated etc.,—she had no firmness sometimes she would order a woman to the cells, if the others requested her to be released she would immediately release her.

When in May Gipps finally decided that both Clapham and Mrs Leach would have to go, he blamed Julia Leach's failure to punish a 'serious misconduct on the part of two of the Officers of the Establishment'. He recognised that Leach acted from a 'leniency' that was 'both amiable and charitable', but believed that she lacked 'firmness and efficient control'. Mrs Leach could not win. She was defeated both by the people who really ran the factory and by colonial attitudes to feminity. She was condemned as insane by a subordinate who would not accept her authority and as weak by a superior who disapproved of her sympathy. Some considered that she conformed too closely to the stereotype of good womanhood, others that she did not conform enough. In June Thomas and Sarah Bell were reinstated to the positions of keeper and matron, with the male keeper and husband firmly in charge.

How true were accusations that women 'liked' the factory—'that instead of it being a prison for punishment the women have no desire to leave it'? The food was boring and sometimes inadequate, the sleeping quarters overcrowded. But conditions on assignment were often worse, and the 'perfect idleness' in which the days were passed must have been a 'luxury'. Clapham's account of factory life showed women sitting, drinking, smoking, talking and laughing. He was particularly outraged by an incident in which Grace Lynch, a prisoner and monitress of the second class, flung her arms around a man's neck in the kitchen and kissed him several times, much to the amusement of her turnkey and a number of prisoners.

Clapham did not report the fact that he had laughed too. The man was a visiting chimneysweep, and Lynch's feigned passion covered her with soot. On another occasion she set an audience laughing at the 'dreadful Oaths' she lavished on her bony ration of meat. She was funny—or most offensive—when she was parodying the sins for which they were collectively confined by an anxious society—their aggressive sexuality and their ungovernable tempers. Solidarity was expressed by embracing the very qualities for which they were made outcast.

With the Bells back in charge, life in the factory changed little during 1838. In August Anne Deas Thomson, daughter of the previous governor Sir Richard Bourke, wrote mockingly to her father that Gipps had so far failed to achieve any of 'the wonderful improvements that were to be immediately effected in the conditions and discipline' of the factory women. Gipps's plan for the new cell block had matured into a design for a three-storey building with rows of small windowless cells for the refractory on the ground floor, and larger cells with windows on the two floors above, all easily overseen by gaolers in the approved modern style. A convict gang came to the factory and began digging, but work proceeded slowly. Anne Deas Thomson wrote that although 85 men had been put on the job, 'not a single stone has yet been laid and nothing since has been done than to dig a large hole for the foundations and to prepare a few stones ...' She might have added, had she known, that the main effect of Sir George's 'grand plan of reform' had so far been to introduce some welcome male company into the factory kitchens and yards.

With studied truculence, a haggard woman—apparently old—smokes her pipe. This is a rare picture of a woman who may have been a convict. Undated watercolour by Charles Rodius.
MITCHELL LIBRARY

Gipps had also tried other means of reform. Anne Deas Thomson mocked his 'repeated visits' to 'harangue' the third-class women. In March he began an adult school for the first-class women, but attendance dropped away. More successfully he encouraged women to sew and embroider articles for sale, at first in his own home under his wife's supervision and later at the factory. First-class women worked in groups on private orders, supervised by an expert needlewoman elected from among themselves. But the work available could occupy only a third of the women wanting employment. Gipps also experimented with the manufacture of twine from New Zealand flax and reintroduced spinning for the third-class women—both occupations preferable to breaking stones. But these were minor innovations. Gipps's 'grand plan' for reforming the women awaited the opening of the new building, when different types of cells would allow the breaking up of old associations and the ultimate punishment of close confinement in darkness and silence.

CASCADES FACTORY, HOBART TOWN

The women at Parramatta were better off than their sisters confined in the Cascades Female Factory outside Hobart Town. The Van Diemen's Land women faced bleaker weather; they were stuck at the bottom of a narrow water-logged valley that rarely saw the winter sun; and worst of all, they suffered strict classification and isolation on the best penal models.

Because Governor Arthur was so receptive to ideas of scientific punishment, the reformers' influence had long been felt by women convicts in Van Diemen's Land. The planning of the Cascades factory—finished in 1829—owed something to Elizabeth Fry's intervention, and the way it was run owed even more. Arthur required 'a close and rigid attention to that system which will embrace the general management of the women, their employment and moral improvement'. The three classes were administered more rigidly than in New South Wales. Babies were forcibly weaned at nine months and their mothers automatically sentenced to six months in the third and penal class for becoming pregnant. At Arthur's

Cascades Female Factory, Hobart Town. Undated hand-coloured lithograph by J.S. Prout.
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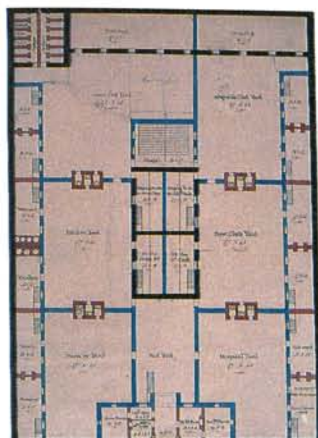


Cascades Female Factory. Plans drawn in 1827.
ARCHIVES OFFICE OF TASMANIA

insistence the food was monotonous, and nursing mothers in the second class received reduced rations. Since 1833 third-class women had been accommodated in a block of 100 solitary cells much like those planned by Gipps, with larger work cells above and tiny dark cells below. Acute overcrowding meant that the light cells were not normally used for solitary confinement, though silence was enforced on their inmates. But the dark cells were regularly occupied by refractory women closely confined and restricted to a diet of bread and water for periods ranging from a week to a month.

Everyone at the Cascades factory suffered from overcrowding, poor diet and damp. But those least able to bear it, the nursing mothers and children, suffered most. At Parramatta the status and conditions of the women who came pregnant to the factory had declined during the thirties, but they were still able to bring toddlers with them with some confidence. To take a child into the Cascades factory came close to sentencing it to death.

In March a coroner's jury enquiring into the death of a mother and child in the Cascades factory alerted the governor to the fact that twenty inmates had died since the beginning of January, most of them children whose deaths had not been reported. The jury found that 'upwards of Seventy human beings', mothers and babies, were confined in two small rooms, each about 28 feet by 12 feet. Ten nurses and twenty-five babies lived in 'the weaning room', 'the effluvia from which, even in the day time, the Jury found most offensive, and must be most injurious to the infants confined there . . . during the night'. Outside these rooms 'was a wet flagged yard, to which for four months of the year the Sun's rays never penetrate'. Rations given to nursing mothers were less substantial than at Parramatta, and the quality poorer. Children being weaned were given bread and milk, but they lacked exercise and appetite. The coroner and jury also commented on the dark cells, though these were not within the scope of their enquiry. They were 'extremely offensive' and 'wholly unfit and unsuited for the punishment of the females'.

The bad publicity occasioned by this case and further deaths forced Governor Franklin to act, though he was no reformer. Before leaving England he and his wife were asked by Elizabeth Fry to do something for the convict women, but it was not one of their priorities. Now the governor closed the offensive dark cells—though only temporarily—and moved the children's nursery, 'the weaning room', into new premises some distance from the factory. But forced weaning, overcrowding, bad rations and infant deaths continued unabated. Cynics suggested that the move out of the factory grounds was mainly intended to remove the legal necessity for an enquiry each time a child died. It was certainly true that Sir John Franklin liked to be reminded as little as possible of the Cascades factory.

Hyde Park Barracks

Institutions housing male convicts never presented such complex problems to their administrators as those housing females. Women's sexuality complicated matters. They seemed more of a threat to public order as well as more vulnerable. But mainly it was a question of scale. There were many more male convicts than female, so different groups could be accommodated in different institutions, each with a single purpose. The functions of the factories—as workplaces, prisons and dormitories—were split for male convicts between government work gangs, penal settlements such as Port Arthur and Norfolk Island, and barracks, including those at Hyde Park in Sydney. All these institutions, like the female factories, were intended to separate and confine.

Some citizens of Sydney believed that Hyde Park Barracks were not sufficiently isolated. Sir George Gipps could see the 'noble structure' from his garden, topping the slope that ran down to the harbour. Macquarie's siting of the barracks had expressed nicely his sense of the place of convict labour in his new society: he grouped the barracks, the hospital and the superb structure of St James' Church near the green spaces of Hyde Park. Far from hiding such institutions away, he housed them in buildings far more elegant and expensive than the Colonial Office thought appropriate. But while the site lay on the edge of the town when the barracks were finished in 1819, by the time Gipps arrived it had been surrounded by houses—and generally well-to-do residences at that. The sound of the barracks' scourgers at work ripped unpleasantly through the Hyde Park air.

Macquarie had built his barracks as sleeping quarters for men working for the government. The project involved a strong element of control. The gathering of the convict workers into barracks overnight was intended both to separate them from the general population and to allow the government more efficient management of their hours of work and leisure. But the building was not conceived as a gaol. Francis Greenway's design had set a high wall around the three-storey building, but no bars, bolts or cells inside. The main building contained 'twelve spacious and well aired sleeping rooms', where it was subsequently shown that up to a thousand men could sleep in hammocks strung a metre apart. There was no provision for separation and classification within the building.

The changing demands of English reformers made Greenway's open design a problem for administrators. The priority given to private over public employment made the barracks an adjunct of assignment, housing men rejected as unfit for labour. These included the recalcitrant and disruptive as well as the inept. However, public works required willing skilled labour as well as muscle power, and the artisans demanded superior accommodation. To complicate matters further, the Colonial Office periodically requested the segregation of men newly arrived in the colony. Gipps was instructed to isolate new arrivals, but for want of other accommodation he had to send them to the barracks, to mingle with the 'hardened offenders'.

Dismayed administrators learned belatedly that the new September intake had included seven boys, the youngest five and the oldest fifteen, who had arrived unsentenced but had been living with their fathers in the barracks for several weeks. Wives and children often travelled with convicts under sentence, but normally the children went immediately to the orphan school. The clerk responsible for failing to inform his superiors that these boys had remained in the barracks was strongly reprimanded.

New arrivals slept in a separate dormitory by the northern wall on mattresses brought from their ships. But they ate with everyone else in the two long

messrooms on either side of the kitchen, and soon learned to refuse the most tasteless part of the diet—'hominy', a maize gruel. Gipps called hominy 'a very wholesome article', and, as we have seen in chapter 4, it was the common food of small farming families throughout the colony. Yet convicts disdained it. Newcomers also mixed with the convicts who kept the barracks operating: the cooks and bakers, the barbers and laundrymen, and the sick and lame who cleaned the wards. As in the female factory at Parramatta, convicts held positions of petty power; a night visit to the lavatories along the eastern wall required the permission of a convict doorkeeper. Newcomers probably found themselves caught up in the same kind of cliques and power-games that existed in the female factory. Certainly they learned not to trust their fellows, and to carry their few belongings at all times. Observers noted that they learned to swear expertly and to engage in the 'moral pollution'—sodomy—said to be rife in the barracks. 'We have taken a vast portion of God's earth', the Reverend William Ullathorne wrote, with the barracks in mind, 'and have made it a cess-pool'.

Gipps did not believe that the institution at Hyde Park should be run more punitively. It was, he said, a barracks—not a prison. The barracks men were very visible in Sydney. Gangs in arrowed clothing worked on the streets as road navvies, on the new gaol, the military barracks, the dock, Dawes battery and Fort Macquarie. Others trudged down to work on the new botanic gardens on the slopes above the harbour—surely one of the most beautiful work sites in the world. The governor declared that the convicts who lived at the barracks belonged to the same class as assigned servants. Though they came and went at fixed times and only 'for authorized purposes', he believed it would be 'an unlawful aggravation of their punishment to treat them as close Prisoners'.

Gipps admitted that the inmates of the barracks were 'old and hardened offenders'. The day-to-day charges brought against them by their gaolers required the services of two or three magistrates sitting for three to five hours weekly, but it was only in their incorrigibility, he argued, that they differed from men in assigned service. This argument was in one sense humane, in another blind to aspects of the system that were rapidly coming to be seen as inhumane. He ignored the fact that the sentences passed on the incorrigible barracks' inmates usually

Hyde Park Barracks, Sydney. The clock was one of the town's three public timepieces. Its main purpose was to regulate the convicts' lives. On left, porch of St James Church. Lithograph after a sketch by Robert Russell, 1836.
MITCHELL LIBRARY

Building a road. Convicts may have worked at their own pace, despite the lash, but their achievements were considerable. Here convicts and soldiers push the Sydney–Bathurst road over the summit of Mount York, west of Sydney. The way ahead remains tortuous. Undated watercolour by Augustus Earle.
NATIONAL LIBRARY

involved the lash. The barracks kept two full-time scourgers at work. More than a quarter of a million lashes had been inflicted in New South Wales in 1837: a large proportion laid on at Hyde Park. Government men were regarded as more incorrigible than men in assignment and the sheer volume of the punishments they received reflected the fact.

Convicts and magistrates alike associated the barracks with the lash. The regulation cat-of-nine-tails was made there and distributed to courts and scourgers all over the colony. With more than two million lashes inflicted in New South Wales in the eight years before Gipps arrived, magistrates were well informed and opinionated about the whole process of laying it on. Most knew exactly how long it took to administer fifty lashes, when the blood would flow, how bruising occurred and how many lashes one scourger could effectively inflict in one day. Most held opinions about how the ends of the cat should be made, and about the ideal height and weight of the scourger. All knew that when a man was tied to a tree to be whipped, he would not suffer as much as when he was laid nearly horizontal across an iron triangle.

The scourgers at the barracks were among the lowest paid of the staff, receiving a shilling a day with clothes and rations. In the innocence of his recent arrival Gipps asked whether it was possible to employ as scourgers men who were not convicts. But colonists knew that only convicts and ex-convicts would take the job. Scourgers suffered much verbal and even physical abuse as targets of 'the hatred and revenge of many of the men who have suffered'. Vacancies were hard to fill: two months after his arrival Gipps tried unsuccessfully to find seven scourgers for various benches in the country districts. But there were no such difficulties at Hyde Park Barracks.

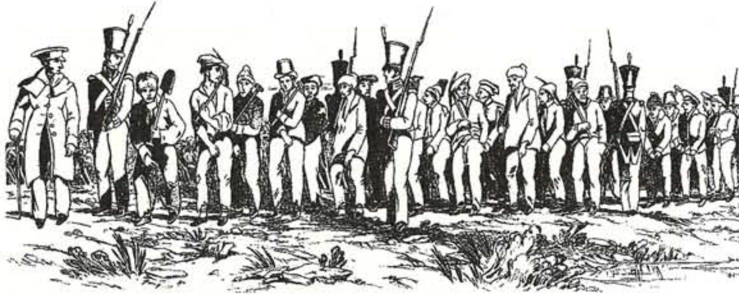
Convict gang, Sydney. A government gaol gang sets off to work, accompanied (right) by a soldier and a warder. One convict (facing artist) appears to be chained. Lithograph by Augustus Earle, 1830.
NATIONAL LIBRARY

Early in the year the barracks scourger, Arthur Hobbs, was dismissed for misconduct. He was replaced by John Stiggers, who joined James Stewart in one of the most notorious jobs in the colony. Stiggers had a high standard to maintain, no ordinary scourger being able to execute the punishment 'with the peculiar art in the flourish of the scourge which ... is employed in the Army, and also in the Hyde Park Barracks'. If the punishment exceeded 75 lashes a government surgeon attended, but he was not required for lesser sentences. Stiggers and Stewart were supervised by one of the constables or by the overseer, Timothy Driscoll, to ensure that the scourgers applied the lash vigorously and accurately. If the 'cat' was in good condition, as in the early part of the day, it would cut rather than bruise. The distinction was crucial; if the victim was bruised, he would escape 'that acute pain and smarting to the extent desirable should be experienced under the lash'. Some men believed that flogging destroyed a convict's humanity, turning him into a beast, 'a haggard, insensible thing'. Others suspected that it encouraged solidarity among them: some did not cry out, and 'it seemed as if an understanding existed among them not to'.

As Gipps discovered with the gangs detailed to build his new cell block at Parramatta, government men were not easy to coerce. They worked at their own pace, however slowly, and jealously guarded hours of work considerably less than the sun-up to sun-down often observed on assignment. Gipps managed to add a few minutes to the working day by forbidding gangs working near the barracks to return for the midday meal. Instead a number of hand-carts delivered food to the various sites. But the 'hour of rest' was still religiously observed. Men working on extensive sites were difficult to supervise closely, and there were complaints that men on government work would steal away for a few hours to labour for private employers who paid well for their skills. Officers in the barracks attempted to prevent this custom by enforcing uniform dress regulations on men both leaving and returning to the yards. Convicts 'with any article of dress not authorized' were to be 'confined and brought to account for disobedience of orders'. It is unlikely that even these new procedures ended the practice. Overseers

could be bribed, and even the most honest officer had to turn a blind eye at times if he was to get any government work out of his well-sinkers and stonecutters and carpenters. Working to punish and working to produce were often incompatible.

Possibly it was only the threat of the lash that held the ramshackle system together. Flogging and freedom went together; the lash had to do the work of chains and solitary confinement. From the convicts' point of view there was probably little to choose between lash and cell; both were meant to force men to do, without pay, work they hated, or which other men would pay them for. Perhaps flogging left the strong more room to manoeuvre. And in the barracks there was always admiration for victims who would not cry out under the lash. Like Grace Lynch and her cronies, men took perverse pride in excelling at just those qualities for which respectable society had cast them out.



Convict gang, Hobart Town. The men are all chained, and closely guarded by soldiers. A warder walks in front. Etching by Charles Bruce, c1843, for James Backhouse, Narrative of a visit to the Australian colonies, *London 1843.*

Portable barracks, probably designed by Governor Bourke, for transporting twenty chained convicts. Picturesque atlas of Australasia, *Sydney 1888.*

ARCHIVES OFFICE OF NEW SOUTH WALES

PORT PHILLIP WORK GANGS

In Australia open space could confine people as effectively as walls. The assigned convict shepherd could be shut away from human company as thoroughly as a second offender in solitary confinement. Melbourne was a pinpoint of settlement within vast open spaces. The first two attempts at settlement in that remote part of New South Wales had been dictated by government policy. In 1803 on the windswept shores of Port Phillip Bay, and again in 1827 on secluded Western Port, men and women were settled in virtual isolation to effect a strategy of foreign policy seen as necessary by the British government. On both occasions the convicts supplied the labour force.

That the endless bush around these tiny settlements was occupied by Aborigines had made the reluctant colonists feel even more confined and isolated. The men and women of the Western Port settlement did not know that a convict, William Buckley, had escaped and found a society in the bush that accepted and sheltered him for thirty years; and when the official parties were withdrawn, other men escaping white society came in small groups to settle along the dangerous coast, beyond the tentacles of the government. They came to plunder the sea for its seals and whales and muttonbirds. They stole Aboriginal women to serve them as hunters and companions, and in time some of these forced liaisons became partnerships of sorts.

Officials left these people alone. Only when white men came for pasture did administrators in Sydney feel obliged to bring the southern settlements into the net of government. Stockmen in New South Wales and Van Diemen's Land objected to government attempts to regulate their access to the new grazing land. Vandemonians shipped thousands of sheep across the straits in search of profits promised by 'unoccupied' land, and among them John Batman recognised that the land was in fact not 'unoccupied', but owned from generation to generation by the Aborigines. He had tried to turn this to his own account by persuading the British government that he had bought vast tracts of land from its Aboriginal owners, but

the government refused to recognise the claim. Doing so would have meant admitting that all white landowners held false title. However, Batman's ploy moved the administration to act to bring Port Phillip under proper authority. Officials were influenced also by the knowledge that graziers were bringing assigned convicts into the district to care for their flocks. The control of land and labour was of central importance to government. Difficulties with Aborigines and ex-convicts pointed to the need for government protection. And only convict labour could build the village of Melbourne into a fit centre for government.

The first officials arriving in Port Phillip were three surveyors, sent to divide up the land, and a police magistrate, sent to adjudicate disputes, command the police and assume 'the general superintendence in the new settlement of all such matters as require the immediate exercise of the authority of Government'. The equipment sent from Sydney to support this authority included flints and muskets, cartridges and balls, tents, tarpaulins, spades, shovels, lime bricks, cross-cut and pit saws, door and window frames, nails, wheelbarrows and a whaleboat with seven oars. Building materials continued to dominate subsequent shipments, but by 1838 the goods consigned embraced the full machinery of the state, actual and symbolic: uniforms for the police constables and the native police, reams of foolscap paper, 1000 quills, 200 application forms for tickets of leave, 200 pins, half a ream of blotting paper, a large bell, one eighteen-inch ruler and six pieces of red tape.

Police magistrate's house, Port Phillip, 1837. Hand-coloured lithograph by C. Woodhouse, after Phillip Parker King, 1837.
NATIONAL LIBRARY

Convicts were among the first white settlers of the Port Phillip district. Governor Bourke knew in September 1836 that free settlers were taking their assigned convict servants there and he advised Glenelg that trying to stop them would be futile. To help his police magistrate, William Lonsdale, Bourke decided to send gangs of convicts who would do much of the hard physical labour in the new settlement. Lonsdale welcomed them, and wanted more. But other men, hoping the Port Phillip district could be kept free of 'the convict taint', opposed this, and the number sent down from Sydney was never large.

In September 1837, a year after his arrival, Lonsdale had complained that the convicts needed 'constant watching'. Bourke had responded by appointing Lewis Pedrana overseer of works under the clerk of works, Robert Russell. The convict men were divided into two gangs, one made up of mechanics—men with special skills—and the other a road party of the unskilled. Daily numbers in the gangs fluctuated as men reported sick, were transferred from one gang to another, were gaoled or, for serious offences, returned to Sydney. Melbourne residents in 1838 could expect to see sixty or seventy men working around the settlement while another gang of eight worked at Geelong on the other side of the bay. In both townships convicts were part of the landscape, as they had been for much longer elsewhere in New South Wales and in Van Diemen's Land.

The year began with a day typical of many that would follow. There were 44 men in the road party, but nine of them could do little or no physical work: besides the cook and the hutkeeper, three men were sick or lame, another was away at the hospital, and three were in gaol. Two other men were also exempt: James Simpson was the scourger and Charles Rix, one of the convict gang, had been promoted to assistant overseer. Most of the remaining 33 men worked in Collins Street, Melbourne's central thoroughfare, cutting and banking its sides. This work was to continue, little by little, day by day, throughout the year, although smaller jobs—cutting tea-tree, preparing lime, burning charcoal, collecting wood or pushing the water cart—drew some of the workers away from time to time.

The skilled men, or mechanics, totalled 33 on 1 January. Their workforce, too, was reduced by the sick and the lame, but they were usually less affected by absenteeism. Four convict mechanics began the year by building a hut in the bush; another four cut floorboards. One man spent the day morticing posts, while another three brought in posts and railings from the bush and carried rations back to the native police station as they returned to the sawpit. This suggests that most of them had some training as carpenters. Though wood was not the only material available, there was plenty of it and it was easy to get.

At first the mechanics were mainly occupied building a house for Robert Hoddle, the surveyor. After the walls were erected, they hung doors, dressed floorboards, fitted sashes, made a mantelpiece, plastered and roughcast the walls and made a roof of shingles. Because the number employed varied from one to nine, the building was not completed until March. A blacksmith's shop was also constructed during January and February. This building needed particular attention because it required a hearth, chimney stack and bellows, and bricklayers had to be employed for such work. A shed was built for Samuel Sheldrake, the cooper, and late in January four men began building a carpenter's shop, completing it in February.

During the first quarter of the year other building included an overseer's hut for Lewis Pedrana, an addition to the gaol, and the beginning of a government house. In the third week of March foundations were dug for mounted police barracks, and a week later two men were sent to find flagstones for the floor. Jobs requiring more specialist skills often allowed a man to work alone. In January Sheldrake spent

a week making a bushel measure, a water bucket and a bathing machine for the hospital. Another man baked bread for his fellow convicts and the soldiers, and yet another spent some days as a barber. Tools needed for plastering—a float, a straight edge and a hand hawk—were also produced by skilled individuals, while other craftsmen worked on two brick moulds, a trough for the blacksmith and a wooden rake. On Friday 19 January a man made a box for carrying plans to the surveyor-general's office in Sydney. Another spent a day making a frame for a shell riddle and putting handles on some tools.

The mechanics also worked in small groups. The land around the prisoners' hut was fenced, and so was a 20-hectare government paddock. A street drain was laid with arch bricks. Less clearly defined tasks went on all year round: cutting tea-tree, making bricks, splitting posts and rails, making dray wheels, digging and sifting gravel, boring shingles, grinding and sharpening tools and dressing timber. The settlement was becoming independent of Sydney.

Skills made a difference to the experience of convict life. Mechanics were more settled in their work, and worked together for longer. Of the 37 men who were attached to the mechanics' working party at the end of January, 21 were still there in December. Some of them—Joseph Farley, Charles College, William Turner and Benjamin Chadd—had been in the original party that accompanied Lonsdale in September 1836. In the road gangs a man's workplace and companions varied a great deal. On Thursday 4 October sixteen men worked in Collins Street, the next day only five, and on Saturday fifteen continued the monotonous work of cutting, banking and forming the thoroughfare from west to east.

There were two scourgers during the year: Joseph Grimaldi succeeded James Simpson in October. The bulk of their work came from the road party, though the mechanics were not exempt, 23 of them being charged with various offences during 1838, drunkenness the most frequent. Among the worst offenders were Thomas Cosgrove, who received 125 lashes in three different punishments; Joseph Farley, one of those building the stone pier at Gellibrand Point, who was given 125 lashes in the seven weeks between 21 February and 9 April; and William Turner, who was punished with 100 lashes between 4 and 27 December, all for bouts of drunkenness.

The labourers were punished more often and more severely. William Kay received a total of 250 lashes during the year, half of them within two months. He was convicted of drunkenness four times, stealing once, being in a public house once, and once of being away from the barracks all night. Michael Duffy received 175 lashes in three separate punishments, all within three months. Reprimanded on a fourth charge, he assaulted the constables during the hearing on 12 March, and when order was restored in court he was sentenced to twelve months in irons.

The thought of the knotted cat tearing open barely healed flesh is appalling. But we should not overlook the nature of the offences being punished. Getting drunk and being in a public house were not the crimes of men under close confinement. There was an evident lack of supervision after working hours, and probably some opportunity to work in one's own time to earn the drinking money. There was nothing like the precise ordering of time and space so much favoured by the new penal reformers in Britain. The silent cells devised by Colonel Arthur and Sir George Gipps were far away. Servitude at Port Phillip was certainly a form of bondage, but it left the convicts with some power to order their own lives. The lash was used only when the prisoners overstepped limits far wider and less tangible than the fence they had built around their wooden hut. The real casualties of the system were the men like Michael Duffy, condemned to irons for a year, possibly at Norfolk Island, because he had failed to keep himself within these limits.

Norfolk Island Penal Settlement

Norfolk Island turned men's minds to the majesty of God. Some found 'this lone isle of the ocean' a paradise on earth which only God could have created. The Reverend Thomas Sharpe called it 'a fairy land', saying that many countries could be 'wandered o'er, and no greater beauty of landscape . . . found'. The sea reminded him of God as much as the land did. He watched the 'boiling gurgling waters' rush into the holes, caves and crevices of the island, the waves lashing one another as they threw 'their whole force on the stony barrier'. The 'crash of waters' as the Pacific foamed against the shore, left Sharpe with 'an idea of insecurity', a sense of man's 'utter helplessness, without a superior aid'.

However, Norfolk Island also showed what a Christian hell might be like. Living within 'this island of misery', said Sharpe, were

> the most depraved, the most abandoned of the human race:—men loaded with crime . . . They dearly love sin, and caress the accursed thing with unwearied perseverance. They are hardened in iniquity and strangers to shame. Their only delight is to practise wickedness, and to lead astray to their horrible ways all they possibly can.

Many men persuaded others to tread the 'broad and miserable path . . . to misery . . . rendering themselves degraded and brutish, and contemptible in this world' while they prepared themselves 'by their awful conduct' for the next, tied by 'chains of darkness' that made them ignore 'the judgement of the great day'.

Settled in 1788, Norfolk Island had been abandoned in 1814 to the tides and winds of the Pacific. When Governor Ralph Darling resettled the island eleven years later, it had become, like Port Macquarie and Moreton Bay, a penal settlement. Its extreme isolation offered natural advantages as a prison, though it made administration difficult in other ways. Gossip and criminal folklore endowed it with a horrid mystique, and Darling's refusal to send women convicts there helped build the island's reputation as a place to be dreaded.

Eleven kilometres long and six kilometres broad, hundreds of kilometres from any other land and more than a thousand from Sydney, this mere speck could not escape the ocean. And as the ocean controlled the land, so it dominated those on the island. Had there been more frequent and regular communication with Sydney, Sharpe observed, 'much anxiety and inconvenience would be done away with:—and the Island would become a more desirable residence'. As it was, the flag hoisted at Ross Point to signal an approaching vessel was greeted 'with great pleasure', and a man was usually sent with a telescope to try to identify the vessel. Often it was only a passing fishing boat, and during the entire year none of these dropped anchor. Ships passing in this way left the islanders deeply disappointed. Even more than Melbourne, Norfolk Island was shut in by vast space. Those who could cross the space were part of 'the living world', Sharpe remarked keenly, and ships that simply passed by flaunted life before eyes haunted by confinement. In 1838 only two ships, both from Sydney, put in at Norfolk Island, and 'the hearts of many [were] gladdened by their arrival'. But they also inspired melancholy for they carried 'outcasts', a grim reminder that the settlement only existed because it was a 'receptacle for all the refuse of England and Botany Bay'.

Departures were just as unusual. Getting away from the island was a major undertaking. The soldiers and their wives dreamed of a posting back to the mainland. For them and their convict underlings time was a common burden. Each day was like a year, 'a year whose days are long'. Of the thousand or so convicts on the island during the 1830s, fewer than seventy a year were repatriated to Sydney.

Some of the rest defied the ocean by planning to escape across it. Scores of men tried to break out in 1831 and again in 1834. It had been 'a species of madness to attempt to get away', said the Catholic vicar-general, W.B. Ullathorne, and in 1834 thirteen of them were hanged for that madness.

As convicts docked at the landing place they could see the buildings of Kingston where most of the people lived. A few score buildings had been erected without any obvious plan on the narrow plain that separated the small, sandy beach from the backdrop of rising hills. Some of the buildings were 'large and rather handsome ... [though] much too narrow ... for the height'. Many of the small ones were thatched, 'remind[ing] the looker on of a beaver village or a number of beehives on a hillside of a farmers cottage'. With a view over the whole settlement, in grounds 'laid out with much taste', was government house, 'a large and rather handsome looking building', where the commandant lived.

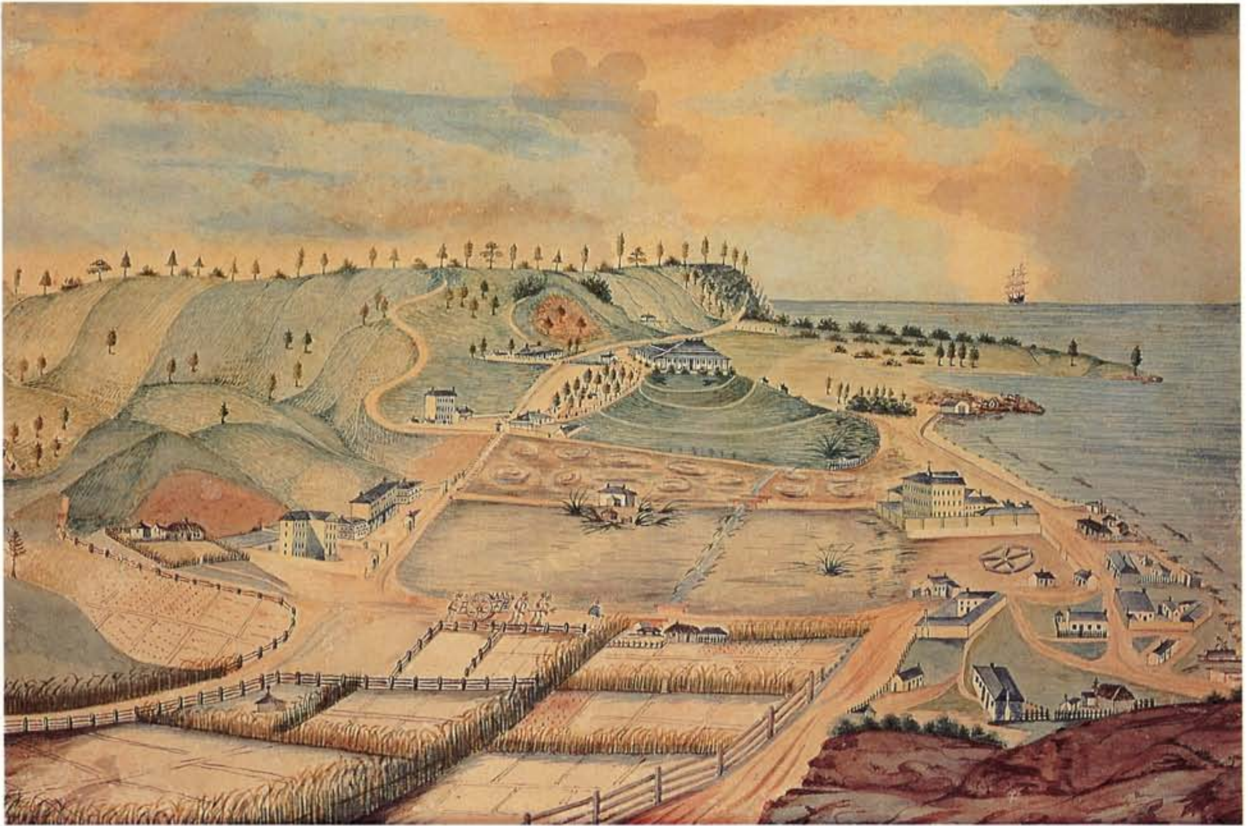
One building, a new gaol, was under construction in 1838. A crude and irregular hexagonal floorplan showed the influence of modern penal theories, which advocated it as a way of providing continuous supervision of all inmates from a central point. It was in keeping with the same principle that elevated land was chosen for government house, the new and the old military barracks and the Protestant clergyman's house. The powerful were given a full view of the movements of the people, besides being able to enjoy wide, pleasant views of hills and ocean. It was particularly important, as Sharpe noted, for the barracks to be well sited. It might be necessary at any time for the troops to move quickly against convict mutiny. The middle-aged Major Joseph Anderson had arrived to command the 150 troops on the island soon after the dangerous riots of 1834, and four years had passed without incident.

The convicts themselves were arranged in a hierarchy which doubtless had its own informal rules and relationships permeating the system imposed from above. New arrivals went into the second class gangs. If they did not infringe any regulations or incur the dislike of the convict overseers, they could expect to be elevated to the first-class gangs after two years of good behaviour. Such men lived in the best and least crowded rooms and were eligible for lighter work, a segregated mess and the opportunity to till their own gardens.

Many failed through apathy or recalcitrance; some were charged with malingering; some were so incorrigible they were relegated to the third-class gang. This group had the worst accommodation in the barracks, were prevented from entering any other prisoner's garden, and during mealtimes had to remain in the enclosed lumberyard. To be promoted to the second class, each man in the third class had to complete one year of good conduct. During 1838 there were usually between six and seven hundred in the first-class gang, about the same number in the second class, and about one hundred in the third class.

In December 1837 Major Anderson, temporarily back in Sydney, had watched the departure of the retiring governor, Sir Richard Bourke. Bourke had recently sent to England a very pleasing report on the commandant's administration, and the 'remarkably quiet and orderly' state of the island. Anderson could tell himself, with some satisfaction, that even when in Sydney he knew exactly what was happening within his dominion. On Sundays divine service was conducted for about six hundred Protestants by the Church of England clergyman, Thomas Sharpe, and a catechist offered a service for the Catholics. Later in the day a hundred or so men joined Sharpe at his Sunday School to read religious texts and tracts and hear him repeat the service. The Lord's Day was solemnly observed: there was no work, no gardening, no washing of clothes or cutting of hair.

Major Anderson took communion at Sharpe's makeshift communion table and



observed the Lord's Day, but as commandant his main concern was with the other days of the week. As Sharpe wrote, 'Work here appears to be the grand thing aimed at'. Sharpe resented this policy. He was no advocate of the convicts living out their sentences in idleness, but he did believe that all but an incorrigible minority could be reformed by Christian teachings. He was distressed when the emphasis on work overrode his plans for the proper religious observance of Ash Wednesday, and complained bitterly. Anderson was away at the time, but his policy remained dominant.

Much of the work exacted from the convicts struck Sharpe as 'utterly profitless'. It fell into two categories: making roads and labouring in the fields. The convict population included a large number of 'mechanics' but the masons, plasterers and carpenters spent much of their time building paths across the island, roads along the cliffs, or worse, in Sharpe's opinion, levelling hills and filling in hollows. These tasks usually required the removal of unwanted dirt, with the men trudging between thirty and fifty kilometres a day behind loaded wooden carts. In the fields at Longridge the tilling was by gangs. Some of the men worked with hoes and spades while others were grouped into gangs of twelve and made to drag harrows. Horses and ploughs were not allowed, although Sharpe believed that if they had been available it 'would go far towards defraying a considerable part of the expense of keeping this a penal settlement'. But in Anderson's view gangs of twelve harnessed to a harrow were more controllable than individuals armed with spades and hoes.

The convicts worked from five in the morning until five in the afternoon with breaks from eight to nine and twelve to one for meals, normally of salt beef and maize meal. Vegetables 'of the best kind and quantity' supplemented this diet for

Settlement at Kingston, on Sydney Bay, Norfolk Island. On the small promontory in the middle of the bay is a limestone quarry. The walled three-storey building on the foreshore is the convict barracks, with the gaol for recalcitrant men, and houses of civil officers between it and the high ground. In the foreground, civil officers' gardens. The military establishment lies in the centre. Beyond, left, is the parsonage and, right, the commandant's house, the verandah giving a fine view of the whole place. Between the barracks and the civil officers' houses are the star-shaped foundations of the new gaol, planned on up-to-date principles of penology. This gaol was not yet built in 1838, the foundations having given way in the swampy soil. Watercolour by Thomas Seller, 1835.
NATIONAL LIBRARY

Port Arthur, Van Diemen's Land

Port Arthur was established as a prison settlement in 1830. It was situated on the Tasman Peninsula, which separated Storm Bay and the mouth of the Derwent River from the Pacific Ocean. It was not far from Hobart Town: communications were maintained across the water by a series of semaphore stations. Traffic by land was restricted to two narrow isthmuses, Eagle Hawk Neck and East Bay Neck.

From 1833 Port Arthur was the only penal settlement in Van Diemen's Land that housed only convicts and their overseers. In 1834–35 new prisoners' barracks and cells were built, though by 1838 these were considered inadequate. To prevent convicts escaping by land, Governor Arthur placed a military guard at Eagle Hawk Neck, supplemented by a line of oil lamps and chained watchdogs.

By 1838 Port Arthur had become an industrial centre of some significance in the colony, the convicts turning out large quantities of shoes and other items. Coal, of very poor quality, was dug as a special form of punishment. To carry these products and passengers as well, several railway lines were built, the carriages being pulled along by convicts.

In 1833 separate barracks were built at Point Puer, near Port Arthur, for boy convicts, who were educated and in some cases taught a trade. In 1837 the British government began to send shiploads of boys, and an additional building was put up to house the increasing numbers. Most of the boys were aged between ten and eighteen, and they totalled 455 by the end of 1838. The above lithograph, by an unknown artist, shows most of the main buildings of Port Arthur to the right, and the barracks of Point Puer beyond. The guardhouse with its turret and flag mast stands beside and the semaphore station crowns the hill. The men pulling the cart have passed Trinity Church, just out of sight on the left.

Above.
Etablissement penitentiaire de Port Arthur (Terre De Van Diemen), 1839.
LA TROBE LIBRARY

Captain Charles O'Hara Booth was appointed commandant of Port Arthur in 1833. Within a few years he had achieved a state of discipline which greatly impressed visitors. When one of them asked him the secret of his success, he replied, 'By severe punishments . . . by impartial justice, as impassive as that of fate; by untiring vigilance; by demanding absolute silence from the prisoners; in short seeing to it carefully that they are never addressed in an insulting or humiliating manner. I rarely use corporal punishment and am always reluctant to do so; it degrades the culprits still further, often even exasperates them and drives them to crime, instead of reforming them; on the other hand, I obtain the best results from solitary confinement which is much dreaded by even the worst convicts.'

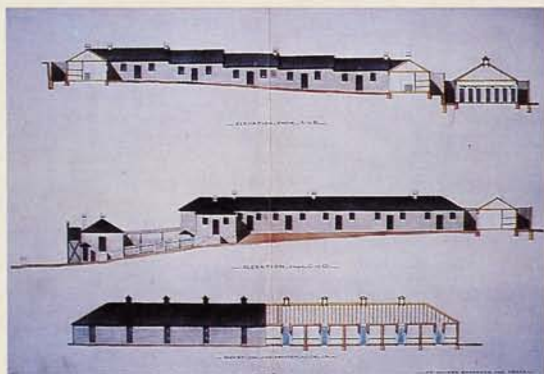
This picture of Captain Booth was painted in 1838 by his friend T.J. Lempriere, deputy-assistant commissary-general at Hobart Town. In November Booth married Elizabeth Eagles, a young widow and the stepdaughter of his regimental surgeon, and her portrait was painted by Lempriere soon after. It was said that after his marriage Booth became rather less rigid in his penal discipline.

Above. *Mr and Mrs Charles O'Hara Booth.*
TASMANIAN MUSEUM AND ART GALLERY

1. Boys' Barracks, Point Puer. Elevations, 1837.
ARCHIVES OFFICE OF TASMANIA

2. Plan, 1837. Note the narrow bunks, or 'berths', for the boys, and the wider ones for their overseers.
ARCHIVES OFFICE OF TASMANIA

3. Map of Eagle Hawk Neck, 1838, showing the proposed railroad, connecting Pirate Bay with the jetty in Eagle Hawk Bay.
ARCHIVES OFFICE OF TASMANIA



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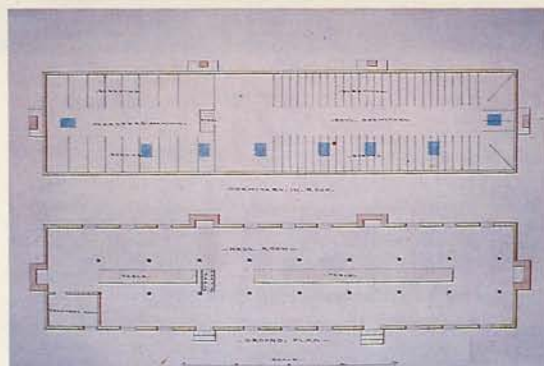

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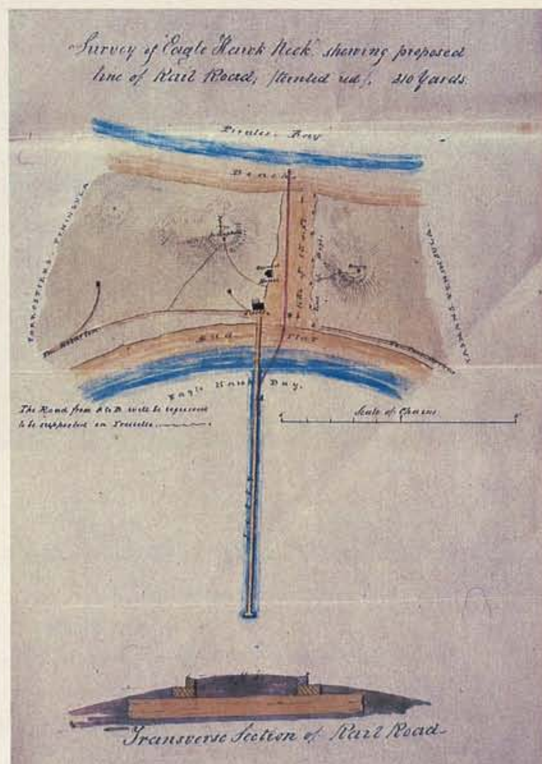

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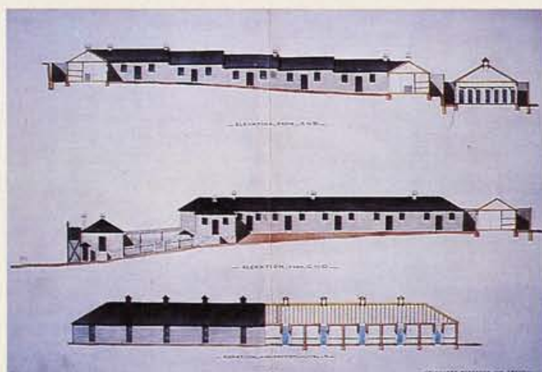

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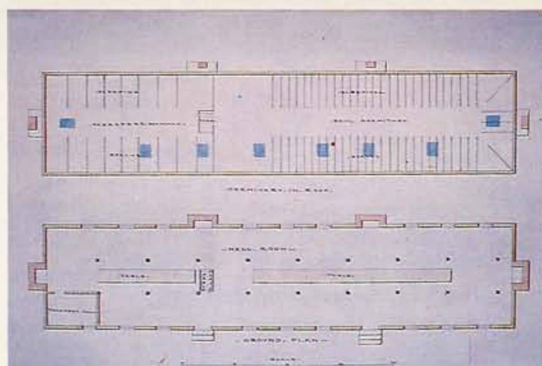

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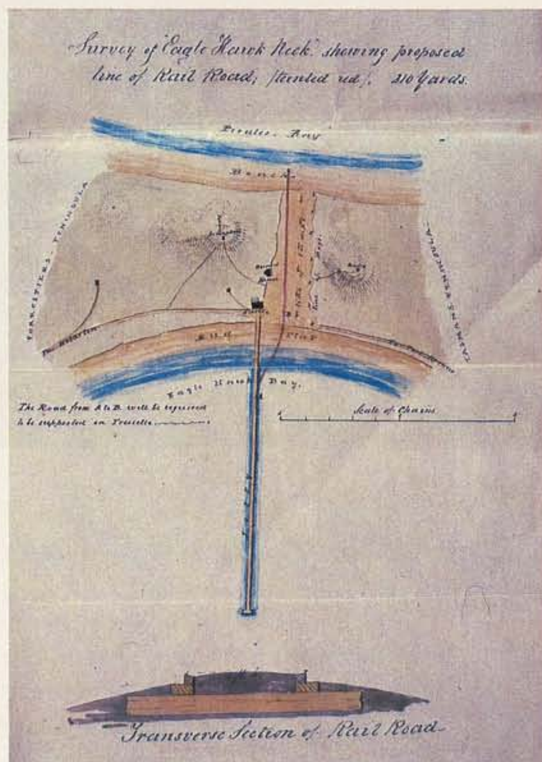

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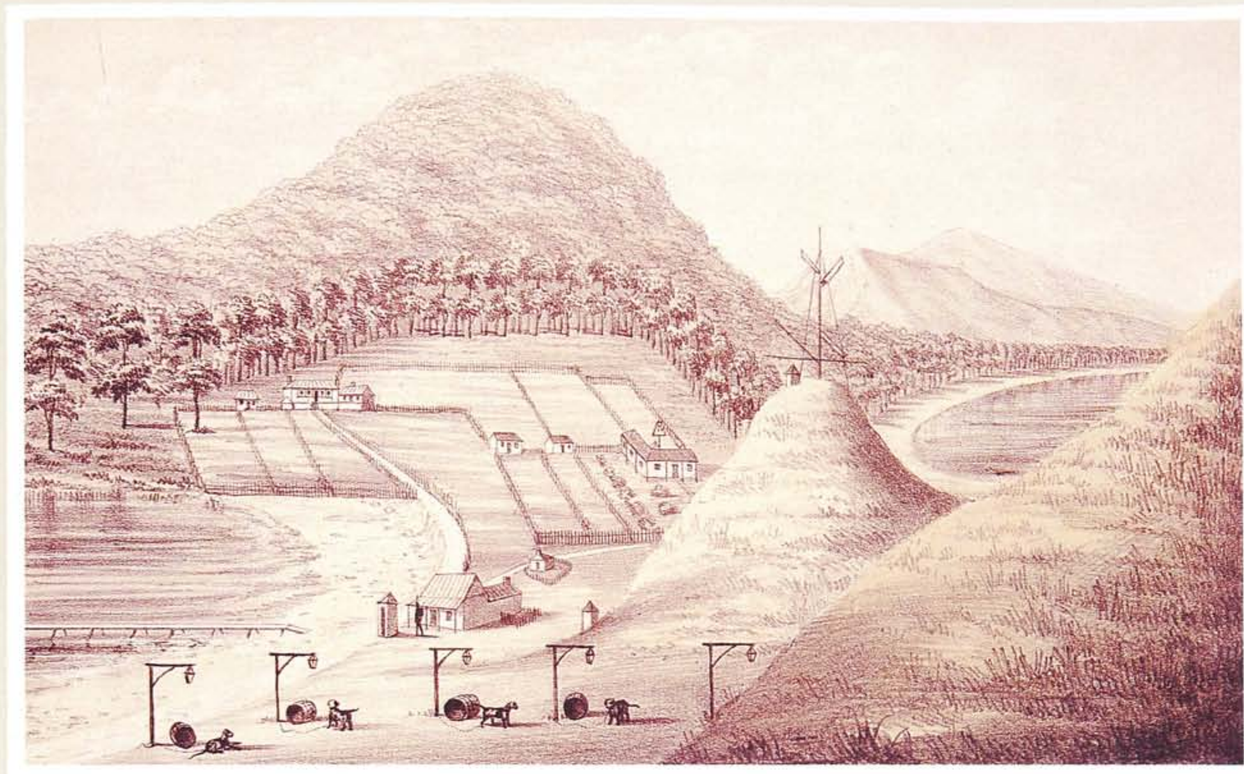

Eagle Hawk Neck

This narrow isthmus, guarded by soldiers and dogs, joins the Tasman Peninsula to the mainland of Van Diemen's Land. We see here a semaphore station on top of a hillock — the height of which is much exaggerated — and the line of oil lamps with a dog under each. Lithograph by C. Hutchins, after a sketch by Captain C.S. Hext, c 1845.

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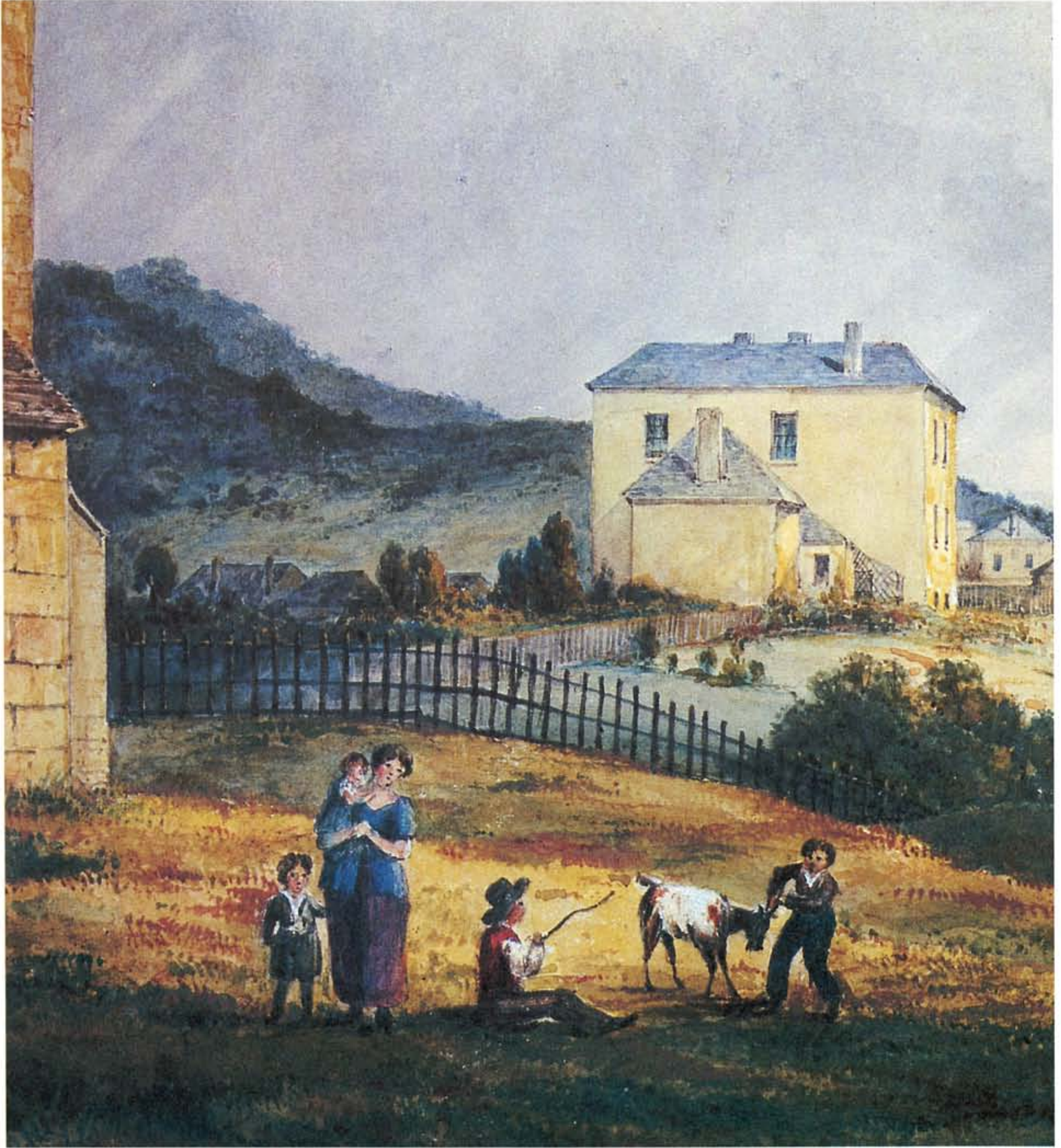


Richmond, Van Diemen's Land

This picture of Richmond suggests a well-settled community, housed in stone. The children in the foreground are as much part of the landscape as the unobtrusive trees and gentle hills. Here, says the artist, a pattern of life has been established which will impress itself, without trouble, on the future.
Watercolour by Thomas Chapman, 1843.
ALLPORT LIBRARY AND MUSEUM OF FINE ARTS, STATE LIBRARY OF TASMANIA

convicts who had their own gardens. Lemons grew all over the island, a fact that contemporary medical opinion considered responsible for the absence of scurvy. Nevertheless, most of the population were in poor health, especially in winter. The poorly clothed, emaciated men, often working in wind, rain and cold, succumbed to bouts of dysentry. To Sharpe they looked 'prematurely old ... a man of 25 has the appearance of 35', and 'at 40, they appear more like three score and ten ... many seem worn out'.

Sharpe did not fully grasp Anderson's intentions. The commandant's faith lay not so much in work itself as in his own habit of a lifetime—a daily timetable. Work was merely a device to ensure that every moment of time was fully occupied and supervised. From this principle all policy flowed. Whatever happened on the island had to be known and recorded in Kingston: the centre dominated. If the men were sent off to work in the fields at Longridge or in the lime sheds and brick kilns down by the shore, at least one officer from the 50th Regiment knew where they were: they were always watched, always accounted for.

New military barracks, Norfolk Island. Built in 1837, they supplemented the old barracks on the other side of the parade ground.
ARCHIVES OFFICE OF TASMANIA

The wives and families of the 160 soldiers on the island were allowed to accompany them. The presence of the women and children made their lives less dreary, and many soldiers also presumably enjoyed working their garden plots. With the civil officers and their families, the officers of the 50th Regiment created a little world of their own. Balls were held at government house, with chosen prisoners acting as performers on flutes and fiddles; bathing was enjoyed by the men in the waters of Emily Bay and by the women in a secluded spot on Point Hunter, away from the lascivious gaze of Kingston; and in April there was a moment of excitement when a clerk in the police office, a grandson and heir to the Earl of Limerick, was married to a sister of an officer.

Church services and theatrical performances also broke the tedium. In April Anderson forbade women to walk to Longridge to hear the service there. Until December Catholics had the services of only a catechist, but then two Catholic priests, the Reverends McEncroe and Gregory, began ministering to the several hundred convicts and soldiers of their faith. Free settlers had a theatre to attend, much to the annoyance of Sharpe. The theatre opened regularly, including the evening of Ash Wednesday, a performance noted angrily in Sharpe's diary.

While the soldiers were responsible for overall supervision of the convicts, men from the first-class gangs were chosen to act as overseers. It was nearly always the convict overseer who was directly responsible for supervising work. The overseers' 'only object', wrote Sharpe, 'is to wring out of these poor wretches, as much work as they possibly can'. As many overseers were Catholics, the bigoted Protestant clergyman may have been unjust when he called them 'greater villains, many of them, than the people they have to rule over, but possessed of more cunning, more strategems—more scheming'. They do appear to have been, as he put it, 'much more tyrannical over the men ... than free overseers'.

From the overseers came the 'constant complaint ... *the men are lazy*'. An overseer was a success if his gangs worked with little disruption and achieved the goals set them. And success was worth having. Overseers were better fed and clothed; they did no physical work; and they could have some of their sentence remitted. To achieve success their most persuasive weapon was their power to have men in their gangs flogged or gaoled or put back in irons. Most of these punishments were no worse than they would have been on the mainland, but during 1838 a practice developed on Norfolk Island for convicted men to be placed in the cells of the new gaol, as yet uncompleted. It had no roof, and the men were chained to an iron ring in the floor, with their arms handcuffed behind their backs, forcing them to lie face down.

The convicts swore as they worked. Sharpe berated them about it on Sundays, but he might as well have addressed the ocean winds. The industrious, the hapless, the sly, the deceitful, the old, the infirm, the broken—all sought only to survive today, sleep tonight and rise tomorrow. In face of a future promising nothing they were grateful to live from day to day.

Most of them tried to avoid pain. Some were also so anxious to avoid work that they sought entry to the cells or the hospital even by inflicting injuries on themselves. The cells were always occupied, often by the same men. Deciding who went to gaol may not always have been done fairly: it was harder still to decide who was genuinely ill. Self-inflicted injuries took various forms. Cuts and sores were made worse by applying a mixture of lime and pounded glass, and some desperate men rubbed the juice of a particular wild tree into their eyes to cause a temporary blindness.

A few men tried to escape, though not necessarily from the island. As the year ended two 'bushrangers' who had absconded in mid-December had just been captured after seven days of freedom. Such men seldom remained at large for more than a few days, but for some it was worth the effort—they avoided work and there was the chance that instead of a flogging they would be gaoled when they returned to the barracks, thus avoiding more work. Their attitude—knowing that their gaol might be the new building, where their hands would be handcuffed behind their backs, while they were chained to the iron ring of a floor that had no roof—was a measure of the harsh realities of convict life on Norfolk Island.

Convict warden. He carries a firearm in his left hand. Undated watercolour by an unknown artist.

TASMANIAN MUSEUM AND ART GALLERY

FLINDERS ISLAND ABORIGINAL ESTABLISHMENT

Islands have clear advantages as places of confinement. The founders of white settlement in Australia envisaged the whole continent as a place of exile for people unable to be employed usefully in Britain. Norfolk Island came to serve the same purpose for New South Wales itself. Other islands nearer the Australian coast were used to isolate people—like female convicts—who were thought to endanger society and to be themselves in danger from it. Rottnest Island, off the coast of Western Australia, held a small group of Nyungar Aborigines, sentenced to imprisonment for actions defined as criminal by white justice. Flinders Island in Bass Strait held a larger group, survivors of the black war in Van Diemen's Land.

Late on Thursday 25 January the inmates of the Aboriginal establishment on Flinders Island glimpsed the government schooner *Eliza* off Settlement Point. On board were the governor of Van Diemen's Land, Sir John Franklin, and Lady Franklin. They were making the first viceregal visit to the Aboriginal establishment, which had been set up by the Van Diemen's Land government in 1832 to confine the Aborigines of that colony.

The commandant, George Augustus Robinson, had tried to create a total environment on the island for the moral reconstruction of the Aborigines. By training them in British work habits, by teaching them to read, write, observe the laws of British society and fear God, Robinson was confident that he could transform the Aborigines into useful citizens of a British society. To achieve these ends, government had built a model village, named Wybalenna, whose design reflected the latest theories about moral reform. At first Robinson had been confident that he could achieve his goal. But of the 220 Aborigines sent there, only 93 remained in January 1838: 39 women, 38 men, five adolescents and eleven

Map of Flinders Island.
MITCHELL LIBRARY

children under ten years of age. Twenty-nine Aborigines had died in 1837 alone. Rather than a living Aboriginal community, Wybalenna had become a death camp. Robinson knew that if his surviving charges were not moved within twelve months, they would all die. He was most anxious that Sir John Franklin's visit would guarantee official support for the removal of the whole establishment to Port Phillip.

Despite the death rate, Wybalenna bore an air of permanence. The 43 whites were well housed. A fine brick house had just been completed for the large Robinson family, and the medical officer, the storekeeper, the coxswain and the catechist all had comfortable brick cottages. A small brick hospital, a brick store, barracks for the six soldiers and their families, a gaol and substantial brick quarters for the sixteen convicts working for the establishment and their families were all newly finished. There were about ten hectares of land under cultivation, and fifteen kilometres of road. To house the 93 Aborigines a brick 'Aboriginal Terrace' had been completed the previous October. A brand new brick chapel seating 200 people was the pride of the establishment. Wybalenna looked like an agricultural penal settlement, imprisoning Aborigines as well as convicts. In 1838 it cost about £4000 to run.

At seven in the evening, Sir John and Lady Franklin, accompanied by Miss Franklin and His Excellency's aide-de-camp, landed on the beach less than a kilometre from the establishment. In a second boat were the commandant at

Launceston, the police magistrate at Circular Head and Captain Alexander Maconochie, private secretary to the governor.

Robinson first introduced Sir John and Lady Franklin to the three most important Aboriginal men, using the names he himself had given them: King George of the Ben Lomond people, King Alfred of the Big River people and Count Alpha of the Bruny Island people. Then Robinson gave Sir John his arm and led the party along the main road to the settlement. On the way he introduced His Excellency to the medical officer Dr Walsh, the storekeeper Mr Dickinson and the catechist Mr Clark. Outside Robinson's house four soldiers dressed in full regimental uniform presented arms and formed a guard of honour. Then after supper the visitors were entertained at the Aboriginal Square. The Big River people performed the horse dance, the Western Aborigines a kangaroo dance and the Ben Lomond people a war dance. The Franklins, always fascinated by the exotic, admired their spears, ornaments and ochre decorations.

George Augustus Robinson. Undated watercolour by Benjamin Duterrau.
TASMANIAN MUSEUM AND ART GALLERY

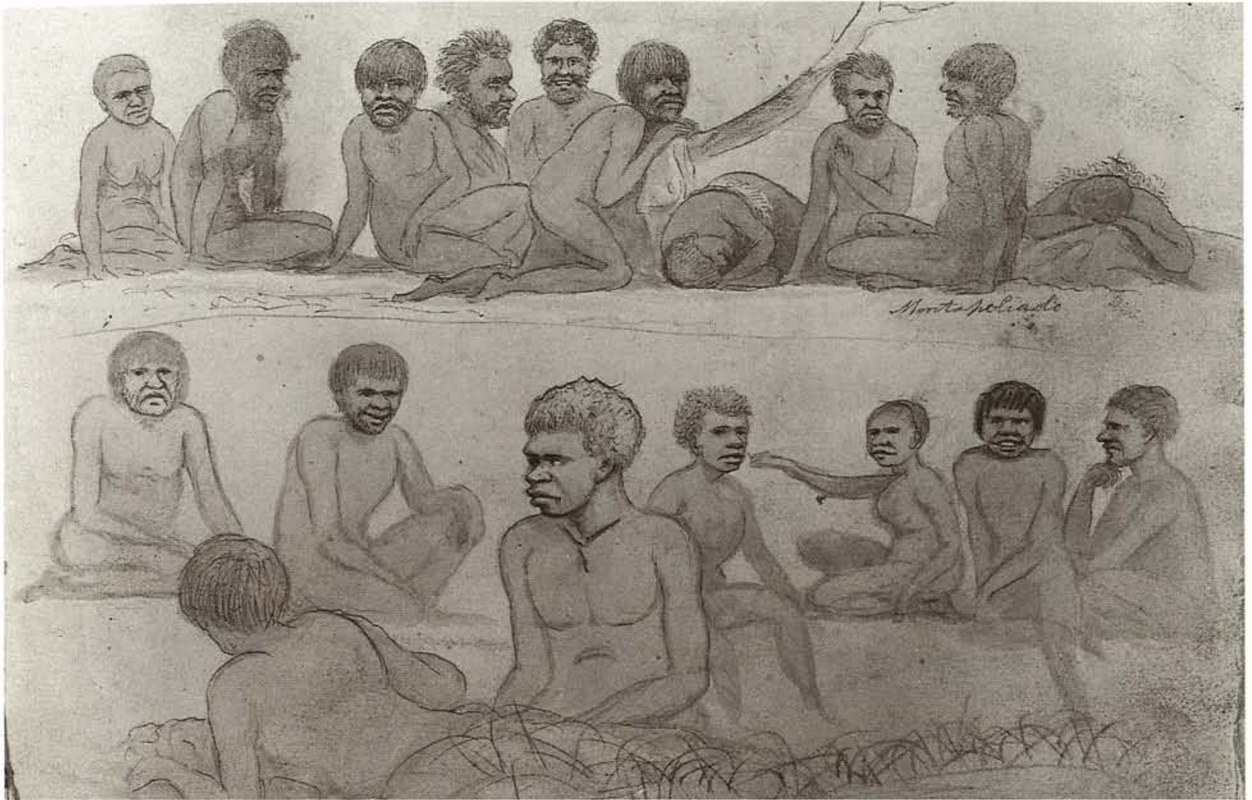
Before breakfast next morning Sir John Franklin and Captain Maconochie inspected records and accounts. Robinson explained in detail the planning and operation of his program of civilisation by tuition. The program was based on the separation of Aboriginal children from their parents and their induction into a daily routine of schooling and prayers, together with practical training in such trades as bootmaking and tailoring. The Aboriginal women were trained to become domestic workers and the Aboriginal men agricultural labourers and roadmakers. The emphasis throughout was on work discipline.

Captain Maconochie was keenly interested in Robinson's explanations. He was a writer on penal reform—one of Dr Bland's 'clever state mechanists', and a more subtle thinker than most. While centrally concerned with the effect of institutions on the socially unfit, he believed that reform could not be achieved without the consent of the subject. He followed Bentham in rejecting cruelty as a means of coercion. But he went further, denying the efficacy of 'mere authority' and arguing for the use of 'means of persuasion' such as indeterminate sentences, with release depending on the convict's own industry and exertion. Maconochie had recently written a report on 'the State of Prison Discipline in Van Diemen's Land' which was highly critical of assignment and penal administration on the island. The publication of this report by the committee investigating transportation threatened Maconochie's longstanding friendship with Sir John Franklin.

Recently Maconochie had turned his mind to the integration of Aborigines into European society. He brought Robinson a copy of a proposal to the Colonial Office for native police forces in the colonies. Male Aborigines were to be enlisted as troops—'as the Sepoys are in India'—with European officers, uniforms and weapons, and encouraged to settle their families in native towns 'where they should be as little as possible directly interfered with, and only gradually attempted to be further civilized'. 'Habits of neatness, personal cleanliness, and to a limited extent, of industry' would be promoted among them as 'points of military duty, otherwise agreeable'. Civilisation could not be taught, only practised. Robinson received these proposals politely, but in fact he was horrified. Uniforms and guns had no place in his plans for *his* Aborigines.

Lallah Rookh (Truganini). A subject of Robinson's benevolence, pictured by Simpkinson de Wesselow in 1845.
TASMANIAN MUSEUM AND ART GALLERY

After breakfast the viceregal party were taken on a tour of inspection of the Aboriginal Terrace, the burial ground and other public buildings. They finished at the church, where the Aborigines sat in school wearing new clothes for the occasion. Davy Bruny, one of the young men, ran through the alphabet and answered some questions from the Bible, then led the prayers and hymn singing. Other Aborigines exhorted each other to show gratitude for their present conditions:



Tasmanian Aborigines confined. Listlessness and dejection, resignation and humour: subjects for the civilising mission attempted by Robinson on Flinders Island and, with variations, by missionaries and government-appointed benefactors in all four colonies. Ink and grey wash sketch by John Glover, 1832.
DIXSON GALLERIES

Now my friends you shall see that the Commandant is so kind to you he gives you everything that you want when you were in the bush the Commandant had to leave his friends and go into the bush because he knows the white man was shooting you and now he has brought you to Flinders Island where you get everything and when you are ill tell the doctor immediately and you get relief.

The Franklins were amused at the European names Robinson had given the Aborigines as part of his program to change their identities. A man named Wooraddy had become Count Alpha after being the first Aborigine met by Robinson at Bruny Island at the start of his involvement with the Aborigines in 1829. His partner, Truganini, the daughter of a dead chief and the last of her people from Recherche Bay, was now called Lalla Rookh, after the Arabian princess who met a similar fate in a popular poem by the Irish poet, Thomas Moore. One warrior was called Ajax, another Napoleon. The single survivor of a loving couple was called Juliet, Romeo having died the previous September. Most of the women had English names: Mary, Catherine, Margaret, Elizabeth, Sarah and Emmeline. Men typically became Adam, Alfred, George, Edward, James, John and William.

After showing what they had learned of British ideas, the male Aborigines put on ochre again and staged a mock battle which excited the viceregal party more than the prayers and catechism. Afterwards all the Aborigines filed through the Robinsons' dining room where Sir John and Lady Franklin presented them with trinkets—beads, marbles, small harmoniums and scissors. At three o'clock the Aborigines were dismissed and the governor and his party sat down to dinner. Robinson proposed the health of the governor. Sir John replied that he was highly gratified at what he had seen. A few months earlier, he admitted, he had told the secretary of state for the colonies that he doubted whether the Aborigines of Flinders Island were harmless enough to be removed. But the visit had changed his

Beach near the Aboriginal settlement. Pen and ink by Simpkinson de Wesselow, 1845.
TASMANIAN MUSEUM AND ART GALLERY

mind. Sir John promised Robinson that he would inform the new governor of New South Wales and Lord Glenelg in London that in his view the Aborigines of Van Diemen's Land now presented no danger to white settlers and could safely be relocated in Port Phillip. Robinson farewelled the party with some satisfaction.

The need to remove the Aborigines from Flinders Island put an edge on Robinson's anxiety to present them as remade in the European image. But his aim was always to retrain them as hardworking labourers, and he was happy to use any means to this end. He studied Aboriginal custom and ritual, although he had little respect for it. He linked elements of Aboriginal ceremony to Christian ritual in order to make the latter acceptable, and discouraged those ceremonies that he could not turn to his own purposes. He wanted to strengthen the immediate family—parents and children—at the expense of the wider groupings of brothers and wives important to the Aborigines. He asked men who were recognised as leaders to carry the additional burden of British authority.

British culture was taught vigorously to Robinson's charges. Not for him Maconochie's idea of gradual assimilation. The adults were paid 4d a week to attend night school twice a week. Attendance at chapel on Sunday was meant to be compulsory. The catechist Robert Clark tried to drill into his charges answers to such questions as 'Who is God?' and 'Where does he live?' But in March only three men and none of the women could give the answers. The boys were readier students. Walter George Arthur, Thomas Peter and Davy Bruny were all trained to read and write, and could speak English well.

The Aborigines were to pray like English people, and also to play: Robinson introduced cricket and rounders. They were also taught to buy and sell at markets held on Thursday mornings. The Aborigines sold to the whites shell necklaces, wallaby skins, feathers, waddies, spears and some of their needlework. The civil and military officers sold them clay pipes, sugar plums, fishing lines, crockery, shirts, beads, belts, marbles and cricket bats. But trading between the Aborigines was forbidden. The medium of exchange was specially marked Flinders Island money, usually old English coins with F.I. (Flinders Island) on one side and A.E. (Aboriginal Establishment) on the other.

They were even intended to master the British newspaper. The *Flinders Island Chronicle* had first appeared in 1837, produced in manuscript form and written under Robinson's direction by the four older boys. The paper never achieved regularity, but it was useful as a vehicle for Robinson's moralising, and as evidence to the outside world that the Aborigines were becoming civilised. It published results of school examinations, news about crops, and moral exhortations. In one issue the boys condemned the Aboriginal women for not cleaning their houses. Another carried an announcement that a ship had been sighted, and an editorial hoped that it carried food supplies and news that the establishment could move to Port Phillip.

The Aborigines of Flinders Island were expected to behave like members of British society, yet were denied genuine participation in that society. Even in the midst of the worst epidemics on the island, Robinson never wavered from his belief that it was better for the Aborigines to die on the threshold of British civilisation than live as savages in their own country.

Convicts had been brought to the island to construct and maintain the buildings, grow vegetables and tend sheep and cattle. Soldiers disciplined the convicts, while civil officers organised the Aborigines. Robinson presided at the top, but with little effect. There were always conflicts over rations, which were distributed according to status. The civil and military officers were entitled to poultry and fresh vegetables as well as flour, sugar, tea, tobacco, soap and salted meat. The convicts and the Aborigines were entitled to flour, sugar, tea, tobacco and salted meat, but the Aborigines were also entitled to fresh mutton whenever one of the flock of sheep was slaughtered. The rations were usually insufficient, and convicts resented having worse rations than Aborigines.

Robinson's troubles owed something to his own relatively humble family background in England, which meant that his authority was challenged constantly by one or other of the civil officers. When the Reverend Thomas Dove arrived to take up his duties as chaplain at the end of January, he and his wife added to the number who considered themselves superior to the commandant. The Doves were critical of what they saw as Robinson's laxity of discipline, his rudeness to the civil and military officers, and his acceptance, as the means of communication, of the pidgin brought to the island by Aborigines who had been in contact with sealers.

The convicts may have sensed the weakness of Robinson's position. When Hickling, a convict brickmaker, found that his sentence had expired on 5 January, he confronted the commandant, demanding immediate passage to Launceston and freedom. He moved out of the convicts' quarters and even refused to attend the funeral of a former convict mate on the grounds that no other free person, apart from the chaplain and the commandant, planned to attend. Robinson could not understand why a convict could consider the issue important. On 22 January another convict, Thomas Atkinson, was charged with stealing meat for a woman prisoner in the gaol. According to Robinson 'the most gross and wilful prevarication was evinced by this man on this occasion and he would have sworn

to the same had he been permitted—a shocking instance of depravity'.

For all the Franklins' acclamation, 'civilisation by tuition' failed. The Aborigines on Flinders Island had had different degrees of exposure to British culture. Those most amenable to education, the four older boys, had spent time in the male orphan school at Hobart Town and were used to the discipline of school and church. Younger children on the island were supposed to be separated from their parents and integrated into the civil establishment, attending day school and living with white families as unpaid servants. In fact they moved freely between the houses of the civil officers and the Aboriginal Terrace. Unlike the older boys they absorbed little religion—only great enthusiasm for hymn singing. The effect of education on the older boys was not always welcome. They became articulate and opinionated, believing, like the ticket-of-leave convicts, that they were entitled to payment for work. Their readiness to argue created major problems for Robinson.

Of the 78 adult Aborigines, twelve men and four women identified with the Ben Lomond people, sixteen men and ten women with the Western group, and eight men and five women were from the Big River people. Some were orators and Robinson encouraged them to harangue their people into acceptable domestic behaviour. He also appointed several men as salaried constables to report theft, trespass and assault. The three groups were in constant friction over the exchange of women and dogs and the conduct of ceremonies; each pushed to become dominant. Although the Western Aborigines were the most numerous, the Ben Lomond people had been at the settlement longest. Each group spoke its own language, as well as the sealers' pidgin. Children grew up speaking a creole form of this pidgin: a new language drawing on Aboriginal grammar and both English and Aboriginal vocabulary.

Reflection on Flinders Island. Two Aborigines, in European clothing, in front of the Aboriginal Square and cottages of the Flinders Island establishment. Detail of a pen and ink drawing by J.S. Prout, 1846.

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There were fifteen women on the island who had lived previously with British sealers in other parts of Bass Strait. Robinson had expected them to be the advance guard of his civilisation program. Instead they formed a strong opposition group. They were first-rate muttonbirders, largely self-sufficient in food gathering, and skilled housekeepers. They defied the authority of both Robinson and the Aboriginal men by performing their own ceremonies, taking custody of the young children, fraternising with the convicts and popularising the pidgin which many of the British found offensive. They took frequently to the bush, in defiance of Robinson's orders. The civil officers considered them to be as bad as the worst convict women in the female factory at Launceston.

Finally there were ten Aborigines who had been with Robinson on all his missions between 1830 and 1834, helping him in efforts to persuade the peoples of Van Diemen's Land to leave their lands. They became Robinson's most persistent critics, with no interest in his program. As early as 1832 they had seen Flinders Island as a place of death. In July 1837, during an epidemic which took 29 lives, they had warned Robinson that there would be no Aborigines left by the time the Aboriginal Terrace was completed. They reminded Robinson of his debt to them and resented domestic service and road building, which in other parts of Van Diemen's Land were performed by convicts. They were free people, they told Robinson, yet he expected them to perform labour he was unwilling to do himself. Having lost their land, freedom, way of life and health, they accused him of giving them a future of sickness, isolation, poor rations, inactivity and finally death.

Robinson was intimidated by this group. He had no cogent reply to their protest that the Aborigines of Flinders Island were, in effect, prisoners who were under no sentence. Missions in other parts of Australia—Lake Macquarie, Wellington Valley, Melbourne and Nundah—were placed within Aboriginal territory, so that people came and went at will. But Flinders Island was not located in tribal territory.

The Aborigines could not leave at will. The waters of Bass Strait were prison walls.

At the very time slavery was being abolished throughout the British empire, the Aborigines on Flinders Island were living in conditions that resembled slavery. The motives of those determining their fate were high minded, if profoundly misguided, but that scarcely altered the reality the Aborigines experienced. They could own personal property but not land. They had collective ownership of a flock of sheep but no control over its use. They faced dependency for the rest of their lives.

But they could resist. Since the island was large enough to support hunting, at least one group of Aborigines was usually absent from Wybalenna searching for food to supplement inadequate rations, escaping from illness, or honouring ancient traditions. In May the Big River people were hunting at Killiecrankie in the north, the Western people were fishing in the south at Trousers Point, and the Ben Lomond people were at the settlement. The Aborigines all came to Wybalenna when supplies were available or an activity such as muttonbirding was taking place. The island itself was a prison but the Aborigines there had some control over their personal lives.

By June Robinson was wondering if the establishment could survive. Nine Aborigines had died since January. Robinson wanted to become the chief protector of Aborigines at Port Phillip and he was convinced that when the appointment came through, he could remove the survivors to Melbourne.

The waiting came to an end with the arrival of the cutter *Isabella* from Hobart Town at the end of July, bearing the news that the British government had appointed Robinson to the job he wanted. But it brought no instructions about the fate of the Aborigines. Robinson hastened to Hobart Town only to find that Franklin's despatch to the Colonial Office claiming that the Flinders Island Aborigines were still dangerous—written before he visited Wybalenna—had persuaded Lord Glenelg to leave the decision about the removal of the Aborigines with Governor Gipps. Robinson was invited to Sydney to plead the Aborigines' case. Sir John Franklin was sympathetic; he gave Robinson a letter to take to Sydney supporting the removal of the Aborigines to Port Phillip and offering to pay the costs of their removal and future upkeep, which would be far cheaper than maintaining the Flinders Island establishment.

Robinson arrived in Sydney at the end of August to discover that a committee of the New South Wales legislative council had been set up to advise Gipps on this sensitive issue. He failed to convince the members that he had rendered the Aborigines harmless by his program of 'moral improvement' on Flinders Island. Nor were they convinced that the deep divisions in New South Wales in the aftermath of the Myall Creek massacre would not be repeated at Port Phillip if the Flinders Island 'desperadoes' were sent there. They recommended that Robinson proceed to Port Phillip without the establishment from Flinders Island.

Robinson was in a dilemma. Should he accept the appointment at Port Phillip only on condition that he take the Flinders Island Aborigines with him, or should he abandon the Aborigines to certain death on Flinders Island? Gipps told him that it was his public duty to accept the appointment on the government's terms, but that he could take one family of Aborigines with him to Port Phillip. Feeling betrayed, Robinson nevertheless accepted the appointment.

Further betrayal awaited him in Hobart Town. By the time he arrived on 18 November, Sir John Franklin had already received advice from his executive council to close the establishment as a financial measure and hire out the Aborigines as agricultural labourers to settlers on the mainland of Van Diemen's Land. Robinson was outraged. He knew that such a plan would deny the Aborigines their

Brisbane 1836. Oil by an unknown artist. NATIONAL LIBRARY. *Moreton Bay was established as a penal settlement in September 1824, and the camp itself was named 'Brisbane' in honour of Sir Thomas Brisbane, then governor of New South Wales. Like similar penal settlements established from time to time on the east coast—Port Macquarie for instance—it had some of the advantages of an island. Certainly the only regular means of access was by sea. By 1830 there were a number of solid stone buildings, housing men and women who had offended as convicts in the better settled parts of the colony. As befitted second offenders, they were subject to a rigorous discipline. A song, apparently composed by Frank Macnamara ('Frank the poet') about 1830, gives some idea of their attitude to the place.*

. . .I've been a prisoner at Port Macquarie,
At Norfolk Island, and Emu Plains;
At Castle Hill and cursed Toongabbie—
At all those places I've worked in chains,
But of all the places of condemnation,
In each penal station of New South Wales,
Moreton Bay I found no equal,
For excessive tyranny each day prevails.

Early in the morning, as the day is dawning,
To trace from heaven the morning dew,
Up we started at a moment's warning
Our daily labour to renew.
Our overseers and superintendents—
These tyrants' orders we must obey,
Or else at the triangles our flesh is mangled—
Such are our wages at Moreton Bay!

(quoted by C.M.H. Clark, A history of Australia, *II, Melbourne 1973, 9.)*

In November 1838 there was a British population of 345 at Moreton Bay, including officers and men of the 28th regiment, 144 convict men and 67 convict women. The number had dwindled considerably from earlier years, and it seems likely that discipline was less harsh. At the end of the year the penal settlement was on the point of being abandoned, leaving the area vacant for pastoralists and other free settlers.

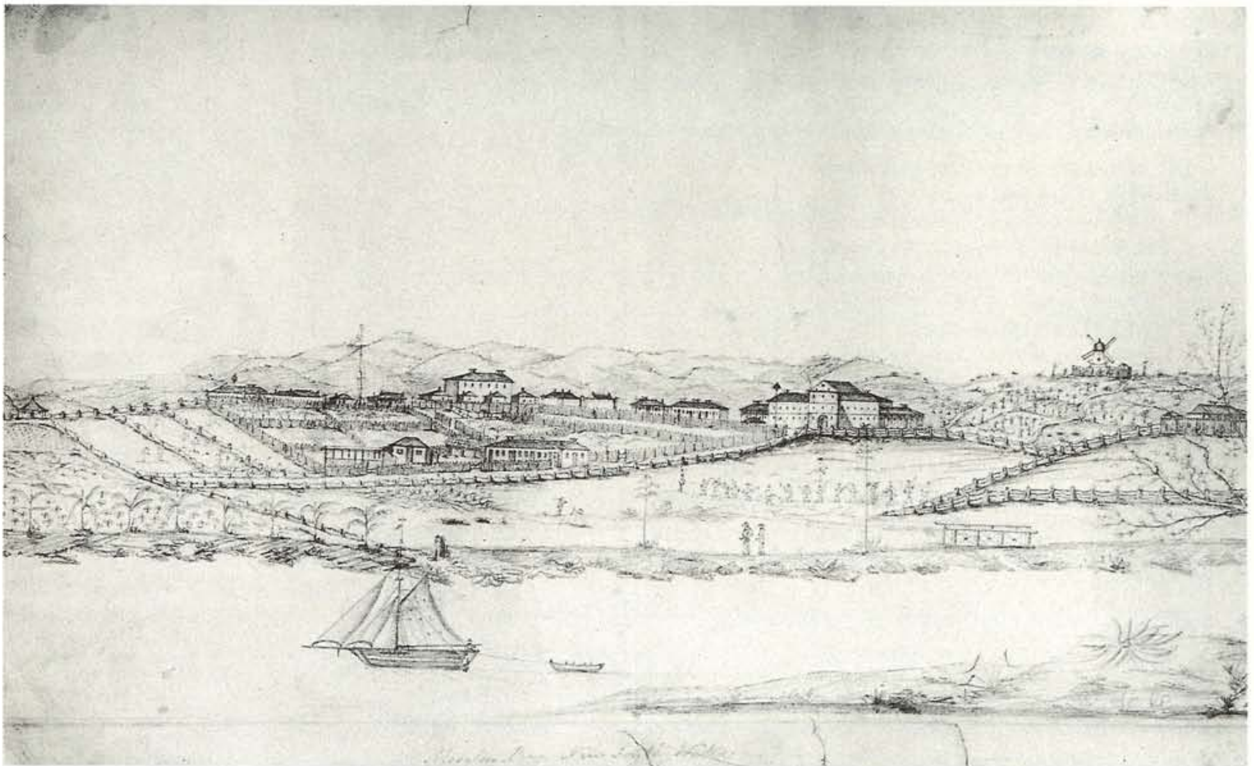
separate identity. If they were dispersed into the white community they would disappear without trace. His work over the previous ten years would have been wasted. But the advice lapsed. Like the committee in Sydney, the settlers in Van Diemen's Land were not convinced that the Aborigines had ceased to be a threat as a result of Robinson's 'moral improvement' program.

Franklin offered Robinson a vague hint that after the uproar caused by the Myall Creek massacre had died down, he would support the removal of the remaining Aborigines to Port Phillip. With this slender hope Robinson set off for Flinders Island at the end of December. But Franklin's advisers were preparing for an inquiry into Robinson's administration at Flinders Island and planning to make the island a permanent institution for destitute Aborigines.

When Gipps wrote about the 'women's institution' at Parramatta, and Robinson about the 'Aboriginal Establishment' at Flinders Island, both were thinking first of stone and brick and timber. The terms also included the people enclosed within the buildings, and the habits and expectations binding them together. But the buildings themselves—their size, location, internal organisation—were often more decisive in shaping inmates' lives than the policy that had prompted their construction. Equally important were the interactions among those confined, and between them and their overseers and administrators. These, too, were influenced by the physical circumstances of confinement. Gipps rightly assumed that he could never break up 'the old associations' at the Parramatta factory without building new solitary cells, to restrict further those already confined.

The convict institutions all developed as adjuncts to assignment, as receptacles for its rejects and as places of punishment intended to make bad workers into better

Moreton Bay settlement, 1835. Pencil sketch by an unknown artist.
NATIONAL LIBRARY



ones. By 1838 penal reformers believed that they could achieve this purpose more effectively by isolation and classification than by harsh punishment. Elizabeth Fry hoped to remake colonial institutions by replacing the people who ran them. Alexander Maconochie believed that training should be directed first to 'recover the men's self respect, to gain their own wills towards their reform', so that they might 'return to society, honest, useful and trustworthy members of it'.

Missionaries hoped for as much from the Aborigines. The missions at Port Macquarie, Wellington Valley and Melbourne all shared Robinson's hopes of training the Aborigines in useful European crafts—farming, domestic work, sewing and shoemaking—and of filling their hearts and minds with the doctrines of Christianity. They believed in hard work as a means of remaking the personality and opening the heart to God. Men of less rigidly evangelical mind placed less faith in Christianity and hard work, and more in the military values of their own training. By expecting less they sometimes achieved more. Plans for native police forces, for example, had the virtue of drawing on the existing skills and inclinations of the Aborigines. They did not depend on a total remaking of personality.

To bring people to the point where they wanted to reform themselves was the key sought by all the reformers. Eighteenth-century people had never even thought to capture the wills of the unruly and refractory, preferring to flog or hang or exile those whose wills would not easily break. But nineteenth-century rulers sought the assent of the governed. Aborigines and convicts were to be made into willing workers, gladly accepting the discipline of the workplace.

Colonial institutions were achieving much less than this in 1838. Neither Robinson at Flinders Island nor Julia Leach at Parramatta succeeded in 'drawing the sympathies' of those under their control. Both found that people do not easily give up old patterns of behaviour for new ones without sharing in the benefits of the new. Both found that people confined because of their beliefs and behaviour are often strengthened in their ways by that very confinement. The old colonist Dr Bland wrote shrewdly that penitentiaries created among their inmates an *esprit de corps*,

> a settled opinion, that the *interests* of the individual who has once lapsed from rectitude and become a convict felon, are ... evermore to be separate ... [from and] incompatible with, those of all other persons.

Bland's remark, that isolating people to fit them for society was like locking up a man with a cold among lepers, might have raised a wry smile among the survivors on Flinders Island.

The young official. Edward Deas Thomson, newly appointed colonial secretary of New South Wales. Oil by an unknown artist, c1840.
UNIVERSITY OF SYDNEY COLLECTIONS