

Extract Becoming a Penal Colony

- (1) Convicts: Punishment & Transportation
- (2) Convicts: Working for Freedom
- (3) Convict Systems: Assignment, Probation and Exile
- (4) Hulks and Macquarie Harbour
- (5) Convict resistance
- (6) Port Arthur
- (7) Point Puer: boy convicts

These extracts are from an earlier version of Becoming Tasmania. They were edited out so that the published book was a manageable size and did not become a 'general history.' However, by making these 'general' elements available online it should assist readers to further interpret the published material.

Please note: a 'lace doily view' of convict history is not intended, because one cannot ignore the 'drama of justice' nor the pain and punishment that operated on VDL while it was predominantly a prison island.¹

Background: General

What was Van Diemen's Land's European encampment to become because of convict transportation? While this is an interesting question, its huge scope requires that the focus here is restricted to 'getting the convicts onto the island'. This is central to it's becoming a penal colony, for as Lloyd Robson noted 'at the heart of the society and economy of VDL ... was the convict labourer and his treatment, dispersal, punishment and reward.'²

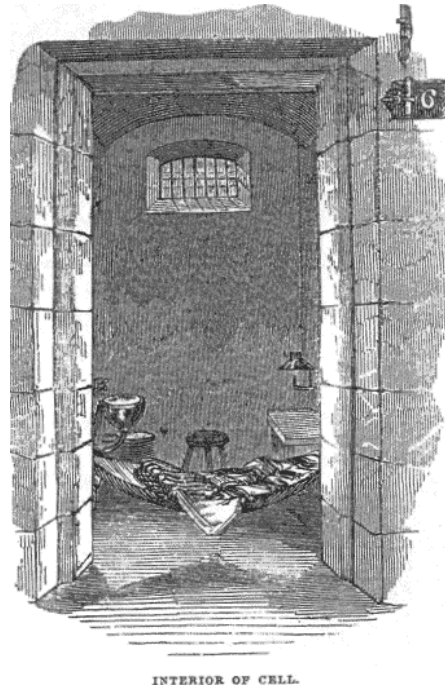
Background: Penal Plan

Van Diemen's Land becoming a penal colony was a matter of British political and legal policy. As a result of these repressive socio-political and legal policies John West and R. W. Giblin both suggest that by sending its criminals to the island the UK government had used VDL merely as the 'dust-hole of the Empire' and a 'dust heap'. Contradicting these widely held views, Geoffrey Blainey considered that Australia was too far away from the UK to have been used just for this purpose.³ Yet governmental expectations of convict reform meant that the bureaucracy hoped that the convicts would become 'peasants' after their penal sentence had expired. They were not expected, nor were many even eligible, to return to the UK.

Alternative views of convict history have stressed that trade and sea power were the vital selection factors involved not simply ridding Britain itself of convicts. Dallas encapsulated this fundamental feature of British colonial policy

Transportation was a mercantilist device for providing any likely colonial venture with a sufficiency of unfettered labour. Some form of slavery was essential in a civilisation which had not yet learned to respond to wage incentives.⁴

'Slavery' and 'Civilization' are subjective terms, although Dallas has remarked, when discussing so-called convict slavery, that many colonial masters treated their convicts like horses to be broken in, fed and watered. Conversely, Australian masters could not legally flog their convicts: only magistrates could order the lash, although many masters were close friends of local magistrates. On balance Dallas noted that the same work practices often applied in England.⁵



**Pentonville: an example of a British prison cell from which convicts were transported.
Note its similarity to those at Port Arthur**

Becoming Tasmania Extract (6) Port Arthur

Port Arthur, established in the 1830s, was named after the incumbent Lieutenant Governor George Arthur who departed VDL in 1836. Nevertheless, Arthur's name has become synonymous with convicts, although he probably asked for it. By presenting London only selective information, Arthur, by somewhat 'devious' means, created a settlement on Tasman Peninsula because shipping access there was better than for the infamous Macquarie Harbour. At least he admitted Port Arthur was to be for the 'severe punishment of the vicious'. By 1847 — a decade after Arthur's departure — it was still planned to 'make Port Arthur a place of severe and dreaded secondary punishment'.⁶

While VDL was a prison without walls, two isolated secondary punishment stations operated at Macquarie and Maria islands to contain convicts sentenced by local Magistrates for transportation within the colony. However, concerned about the cost of Macquarie and Maria islands, Arthur asked for a report on which could be closed and yet still retain an effective punishment regime.⁷ Maria Island convicts were not considered as 'delinquent as those sent to Macquarie Harbour'⁸ and as a result Maria Island, a secondary penal site since 1825, was closed in 1832. Although it did serve as such again from 1842-1852. After this closure the focus for the administration of felons shifted to Port Arthur.

As a place of secondary punishment Port Arthur meant hard work and pain, physical or psychological. Therefore, its reputation is infamous. Deserved or not, we cannot either ignore this reputation or encompass a great deal of it here. The penal station's scenic setting was soon described as the 'final cage for incorrigibles', and as a place of 'unvarying and unmitigated misery and desolation', or of 'all-consuming misery'.⁹ Even James Calder, a contemporary surveyor, who found convict punishment repulsive, dubbed Port Arthur an 'abode of evil-doers.' He was even reluctant to endlessly ponder it and so refused to 'wear out his brains over the place'.¹⁰

Port Arthur and Punishment

Descriptions of convicts often focus on the tripod and the whip. Yet solitary confinement and the dreaded treadmill eventually replaced the whip. John Frost, a convict clerk employed at Port Arthur, for one, told his international audiences that the ‘flogger was the most powerful man at Port Arthur’, by which he meant his physique not his authority. Contradictory to this and most assessments of flogging, one-time Port Arthur Commandant James Boyd noted that ‘the more unflinchingly a prisoner endured flogging the more he was looked up to and applauded by the mass of his associates.’¹¹ One convict flagellator, an ex-soldier transported to VDL for desertion, apparently used his position to gain sexual favours [*associating indecently*] from other inmates of Port Arthur.¹² This case alone illustrates that so-called ‘unnatural’ practices were not merely taking place between women-starved men, but were also perpetrated by overseers who abused their positions.

Before being sent to isolation cells, other punishments were used at Port Arthur and throughout VDL. Humiliating, and doubtless sometimes painful, wooden stocks were used. However, for example, Henry Button recalled that the public stocks used in Launceston were rather tame and that ‘this petty ridicule was often endured in silence.’ He also recorded that the originally horrendous torture of the local Launceston treadmill was eventually converted into a stable for the mounted police.¹³

Concerning isolation practices, Port Arthur’s now famous ruins include the Separate or Model Prison constructed between 1848 and 1854. Modelled on Britain’s Pentonville Prison, here were the cells, 9 feet by 6 feet, where strict silence reigned and within which the probationer-exiles began their island-based tenure, unless they were sent to the smaller ‘dark’ or ‘dumb cells’. Such true solitary cells aside, the implementation of punishment -versus- incentive regime fluctuated at Port Arthur depending on its Commandant and level of government directives to institute economies. Flogging, for example, witnessed an overall decline from 38 percent of convicts in 1840, to a mere 4 per cent following the implementation the probation system of convictism.¹⁴ Punishment moved from the back to the brain.

As background; usage of silent cell isolation methodology was widespread internationally.¹⁵ Overall its aim was to help contain society because those in power felt that ‘crime was sustained in society by the spread of irreligion and immorality’, which they perceived was rampant amongst the lower classes. Therefore, using absolute silence ‘separated the convict for long hours in his own cell to commune with his conscience’ and this separation ‘prepared the mind to receive better impressions and the soul to hear the message offered by the chaplain.’

Confirming this, when solitary or ‘dark’ cells, with absolute silence regimes, were introduced in VDL they were designed to provide ample time for personal reflection on a convicts’ ‘sins and reform’, and minimal rations were also used to help make the point.¹⁶ An 1849 interpretation of VDL’s prison regulations considered that solitary confinement ‘produces a powerful effect in changing the evil tendencies of the convicts minds’. The eerily silent Chapel at Port Arthur was part of this system; albeit often seen as quirky rather than targeted at ‘improving’ the convicts before their release.¹⁷

Returning to the decline in blood-producing flogging and beatings, an 1846 report shows that only 516 of 24148 convicts were flogged that year. Historian Lloyd Robson, however, suggests that a bare 10 per cent of convicts were never victims of the harsh corporal punishment system.¹⁸ Regardless of this decline the previous ‘horrors’ of Port Arthur perpetuated VDL’s bad image internationally. Was there no chance of a ‘cure’ for this exaggeration? After cessation of transportation, horrendous tales of cannibalism especially during escapes from Macquarie Harbour became prevalent, as did tales of agreements to murder a fellow convict after drawing lots. Was this limited but cruel lottery a form of sequential suicide? Did one convict supposedly agreed to kill another in order that they might be hanged? We cannot settle this matter here, but many such sad stories come to rest on Port Arthur, although they may be inaccurate.¹⁹

Port Arthur Data

Stories aside, the number of convicts at penal settlements within a penal colony rose quickly. The adults at Port Arthur were in fact supplemented by the juveniles at Port Puer so relevant data is presented here. In addition, as illustrated in this Table Point Puer numbers climbed because boys began to arrive directly from the UK. Thus an additional barracks was built to accommodate them in 1837.²⁰

(Becoming Tasmania) Penal Data on Port Arthur & Point Puer

Year	Port Arthur 1830-1878 [Male and Female]	Point Puer 1834-1849 [Boys 9-18 years,]
1831	391	-
1833	412*	-
1832	836	-
1834	-	161
1835	884	259
1836	-	271
1837	1024	315 [accommodation wing added]
1838	1044	473
1839	1495	-
1843	1100*	706 NB: henceforth under 15 years only
1845	1209	730
1846	1218	-
1847	-	189
1849	-	162 [NB: Point Puer Closed]
1853	Year of Cessation	Transportation ends...
1853	690	-
1859	571	-
1860	517	NB: only 50% able-bodied
1863	888 [only 100 were convicts, i.e. lifers]	NB: inc. time served invalids; Lunatic Asylum was built for them.
1867-68	122	Adult convicts removed to Hobart Gaol
1871	283 [192 were paupers]	NB: Tasmanian Govnt. assumes full control of Port Arthur
1873	156	NB: removed to Hobart Gaol etc.
1876-78	64 [and 126 paupers, 79 lunatics]	Final annual report adds 5 felons Pauper facility temporarily reopened:

Sources: Adapted from VDL Statistics 1838 Table 38 & PP 48/1878

I. Brand *Penal Peninsula*, and Hooper *Prison Boys of Port Arthur*, and

* *Journal O'Hara Booth* p.163, where 1120 is given as peak year in 1843

^{#1}. Brand *Convict probation System* p.86

Port Arthur industrial site

A cruel life or not, apart from punishment what were the males, whether juvenile or adult likely to endure during their sentences? Convict duties in and around Port Arthur centred on timber getting, making shingles, firewood and coal mining.²¹ There were also six foundry forges for metalworking by 1848, from which appeared not only convict leg-irons but also inkpots and saucepans, et cetera. There was manufacture of bricks, barrels, coach wheel spokes, shoes and extensive shipbuilding, to name just a few.²² In fact, shoemaking, with leather from a tannery on site, was to become an 'export' industry from Port Arthur, where work was partly seen as retraining of the felons, say from rural worker to shoemaker. In 1835 '2903 pairs of men's boots, 4 pairs of Wellington boots, 200 pairs of boys' boots, 2130 pairs of womens' and girls' shoes and 5485 pairs of mens' shoes' were produced. In 1846 3000 pairs of boots of 'superior description' appeared, and in 1848 58 shoemakers laboured there producing boots 'worth nearly two pairs of those sent out from England'.²³

The coal-mining alone provided a harsh, even savage, working environment for the convicts, who were lowered down the shafts to grub away in often water-logged tunnels within which they could not even stand up. In addition, they had to push the coal-laden carts out themselves. Many of these miners might, however, have been semi-skilled having undertaken similar work before their transportation. On the other hand, along with accusations of lax administration of these mines, convicts undertaking clerical duties for them gained 'private' sleeping quarters and the ability to cook their own meals in 'comparative leisure.' However, of note, the presence of boy convicts at the mines was, in a report dated 1847, considered 'objectionable'. This followed a similar requirement in 1842 for a Hiring Depot at New Town Farm to separate them from the adults while they awaited employment after training at Point Puer [see extract No.7]. So, VDL's social evolution extended to concern for boy convicts?²⁴

Terry Newman

¹ 'Lace doily' is Richard Bladel's appellation cited in 'Scrub-bashing through the past' *Mercury* 12/4/2003 p.38. For a history of prisons see N. Morris & D. J. Rothman [Eds] *The Oxford history of the prison: the practice of punishment in western society* New York: Oxford University Press, 1998 p.47.

² Robson, L. *History of Tasmania* Vol. 1 p.118.

³ J. West, J *History of Tasmania* p.298, and 'dust heap' Giblin 'History' p.592; dust may also be interpreted as a polite 19th century term for excrement. G. Blainey *Tyranny of distance* Melbourne: Sun books, 1966 p.24 and S. Macintyre *A concise history of Australia* Cambridge University Press, 1999 p.37.

⁴ K. M. Dallas 'First settlement of Australia; considered in relation to sea-power in world politics' *THRA P&P* 1952 No. 3 p.12.

⁵ K. M. Dallas 'Slavery in Australia – convicts, emigrants, Aborigines' *THRA P&P* Vol. 16 No. 2 September 1968 p.63.

⁶ J. S. Kerr *Design for convicts: an account of design for convicts establishments in the Australian Colonies during the transportation era* Sydney: Library of Australian History, 1984 p.118 and I. Brand *Penal peninsula: Port Arthur and its outstations 1827-1898* Moonah; Jason, 1978 p. 22 –5 and p. 87.

⁷ and I. Brand *Penal peninsula: Port Arthur* p.7.

⁸ See for example, J. R. Morris, 'Early convict history of Maria Island' *THRA P&P* Vol. 11 No.4 July 1964 pp.157-177 and J. Tattersall 'Maoris on Maria Island; punishment by exile' Napier: Hawke's Bay Art Gallery and Museum, 1973

⁹ See David Burn *An excursion to Port Arthur in 1842* p.163 and M. Roe *Quest for authority in eastern Australia* Melbourne: Melbourne University Press, 1965 p.199 and R. Davis *The Tasmanian gallows* Hobart: Cate and Fiddle, 1974 p.41.

¹⁰ J. Calder 'Rambles on Betsy's island, Tasman's peninsula, and Forestier's peninsula in February 1848' *Adelaide: Sullivan's Cove*, 1985 p.19 , p.51.

¹¹ J. Frost *The Horrors of convict life; two lectures* London: Holyoake, 1856 p.11.

¹² H. Maxwell-Stewart & S. Hood 'Pack of thieves? 52 Port Arthur lives' *Port Arthur: Port Arthur Management Authority*, 2001 pp.93-94

¹³ H. Button, *Flotsam and jetsam* Launceston: Birchall, 1909 p.153 and I. Brand *Penal peninsula*, pp.29-33.

¹⁴ H. Maxwell-Stewart 'The rise and fall of John Longworth: work and punishment in early Port Arthur' *Tasmanian Historical Studies* Vol. 6 No. 2 1999 p.108.

¹⁵ N. Morris & D. J. Rothman [Ed] *The Oxford history of the prison* p.90, p.91.

¹⁶ VDL Statistics 1838 Table 40 records the solitary rations were the same for men and boys at 12% daily flour made into 1.lb bread. ½ oz soap and ½oz salt. 'Dark cells' defined by A. Laugesen *Convict words: language in early colonial Australia* Melbourne: Oxford University Press, 2002 p.63.

¹⁷ G. Lennox 'A visitor's guide to Part Arthur and the convict systems' Rosetta: Dormaslen, 1994 p.20 and J. Hirst *Convict society and its enemies; a history of early NSW* Sydney: Allen & Unwin, 1983 p.208.

¹⁸ I. Brand *Penal peninsula* p.66 and L. Robson *Convicts*, pp.79-88, p.92, p.102.

¹⁹ See S. Petrow 'Drawing lots: murder at Port Arthur penal settlement in 1835' *THRA P&P* Vol. 45 No. 3 September 1998 pp.186-8.

²⁰ O. MacFie & N. Hargraves 'The Empire's first stolen generation: the first intake Point Puer 1834-39' *Tasmanian Historical Studies* Vol. 6 No.2 1999, pp.142-3.

²¹ See I. Brand *Port Arthur coal mines, 1833-1877* Launceston: Regal, 1993. VDL Statistics 1828 Table 43 records, for example, 435,732 feet of timber was cut at Port Arthur and 11,896 feet exported.

²² Refer N. Nash 'Convict shipbuilding in Tasmania' *THRA P&P* Vol 50 No. 2 June 2003 pp.83-106.

²³ 'The Convict Precinct' Port Arthur Historic Site Management Authority <http://www.portarthur.org.au/convicts.pdf>

²⁴ A. McMahon 'The convict station of Norfolk Bay' *THRA P&P* Vol. 13 No.3 May 1966 p.54 and J. C. Brown, *Poverty is not a crime* Hobart: THRA, 1972 p.62.