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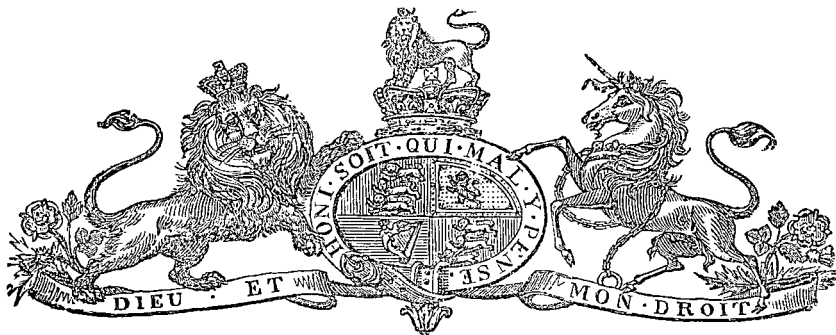
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**PORT ARTHUR.—TICKETS-OF-LEAVE.**

**REPORT OF THE SELECT COMMITTEE.**

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Brought up by Dr. Officer, and ordered by the House to be printed, 13 September,  
1860.



SELECT COMMITTEE appointed on the 26th July, 1860, to enquire into the System under which Convicts are discharged from PORT ARTHUR with the Indulgence of a Ticket-of-Leave.

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M E M B E R S.

DR. BUTLER.  
MR. MACLANACHAN.  
MR. GELLIBRAND.

MR. CHAPMAN.  
DR. OFFICER.

DAYS OF MEETING.

- No. 1.—31 July, 1860. *Present*—Dr. Officer, Mr. Maclanachan, Mr. Gellibrand, Mr. Chapman, Dr. Butler.  
No. 2.—2 August, 1860. *Present*—Dr. Officer, Mr. Gellibrand, Mr. Maclanachan.  
No. 3.—3 August, 1860. *Present*—Dr. Officer, Mr. Gellibrand, Mr. Maclanachan.  
No. 4.—7 August, 1860. *Present*—Dr. Officer, Mr. Maclanachan, Mr. Chapman, Dr. Bntler.  
No. 5.—17 August, 1860. *Present*—Dr. Officer, Mr. Maclanachan, Mr. Gellibrand.  
No. 6.—4 September, 1860. *Present*—Dr. Officer, Mr. Gellibrand, Mr. Maclanachan, Dr. Butler.  
No. 7.—13 September, 1860. *Present*—Dr. Officer, Mr. Maclanachan, Mr. Gellibrand.

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WITNESSES EXAMINED.

1. The Honourable W. E. NAIRN, Esq., *Comptroller-General of Convicts.*
2. W. TARLETON, Esq., *Police Magistrate of Hobart, &c.*
3. JOHN FORSTER, Esq., J.P., *Inspector of Police.*
4. MR. G. W. HAMILTON, *Superintendent of the City Police.*

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R E P O R T.

YOUR Committee met on seven occasions; and, having taken the evidence of the Honourable the Comptroller-General, the Police Magistrate of Hobart Town, the Inspector of Police, and the Superintendent of the City Police, and having obtained numerous Returns connected with the enquiry entrusted to them, they have arrived, they conceive, at an accurate and comprehensive knowledge of the system under which Tickets-of-Leave are granted to men confined at Port Arthur, and of the influence of that system upon the peace and well-being of the community.

At the date of the passing of the Penal Servitude Act, in 1855, all Convicts then in the Colony, who were under sentence of Transportation, were either holding Tickets-of-Leave; or were Pass-holders in private Service; or under Magisterial sentence; or subjected to periods of detention ordered by the Governor under their respective sentences of Transportation.

These periods of detention were fixed by the Governor, with more or less variation, upon the following scale :—

<i>Life</i> ,	varying from 4 to 12 years.
15 years,	— 2 to 6
10	— 2 to 4
7	— 2 years.

At the expiration of this period of detention, which could be reduced to the extent of one-third by task-work and good conduct, the men were eligible for private service as Pass-holders.

For the last two years these men have not been allowed to enter service as Pass-holders, but have been required to serve a further period of detention for the indulgence of a Ticket-of-Leave according to the following scale :—

<i>Life</i>	.....	2 years.
15 years	.....	18 months.
14 years	.....	17 —
10 years	.....	15 —
7 years	.....	12 —

The whole of the Convicts in the Colony, with very few exceptions, on whom at the date of the passing of that Act above referred to, in 1855, Tickets-of-Leave had not been conferred, have since that period received that Indulgence, or the higher boon of a Conditional Pardon.

Nearly the whole of the men, therefore, who have been sent up from Port Arthur for some time past are those to whom Tickets-of-Leave have been merely restored, after a temporary forfeiture, consequent on the commission of fresh offences, and under the same general Regulations by which the issue of these Indulgences for the first time was formerly determined.

Men under sentence of Penal Servitude for a less period than Life can only be liberated by the issue of a Free Pardon, which is granted on conditions similar to those which regulate the first grant, or the subsequent restoration, of Tickets-of-Leave.

The term “GOOD CONDUCT” used in the Regulations appears to imply only an absence of grave crimes. The frequent commission of minor offences does not to any considerable extent retard the claim to indulgence.

The previous career of the criminal, the nature of his crimes, the number of previous convictions, are not taken into account when his claim is considered. Regard is had solely to the period of his last sentence and his conduct while under coercion at Port Arthur. No distinction is made between the most hardened criminal and the man for the first time convicted of an offence against the laws of his country.

On the restoration of their Tickets-of-Leave the men are sent up from Port Arthur in small parties, from time to time, by the steamer. On reaching the Wharf they are inspected by the Superintendent of the City Police and some of his Constables, with a view to future identification, and are then conducted to the Prisoners’ Barracks in Campbell-street.

Up to a recent date, these men, after reaching the Prisoners’ Barracks, were forthwith discharged to seek employment in the City or in the Interior.

Latterly they have been permitted to remain in the Barracks for a day or two ; and after being discharged to search for occupation, to return at night until they succeeded in obtaining it.

More recently still, employment has been provided for them at stonebreaking within the Barracks, which enables them to earn wages at the rate of about 2s. a day in addition to their food.

Few, however, avail themselves of this provision, and those who do soon abandon it. Their stay in the Barracks seldom exceeds three days

Under the general rule, Ticket-of-Leave holders are permitted to select the locality or District where they desire to reside ; but the rule is subject to such restrictions, that their domiciles are to a great extent determined by the Officers of Police.

Of the whole number arriving from Port Arthur, not a few are men of desperate character, and addicted to vices of a peculiarly revolting nature.

It has been the practice to order the worst of these men to reside in the City, and to exercise over them an unrelenting supervision, under which they are frequently visited at their various places of abode, both by day and night, and otherwise vigilantly watched. This continued and distasteful surveillance does not fail to drive many to seek permission to betake themselves to some Country District. Those also who cause much trouble to the City Police, and in spite of all supervision continue to commit numerous offences, on being brought before the Police Magistrate, have until lately, on the recommendation of the Inspector, been ordered to leave the City and proceed to the Country.

Recently the Police Magistrate, perceiving the evils which this practice was calculated to inflict on the community in the Interior, has declined to comply with all such recommendations.

In the Rural Districts the strict surveillance exercised in the City over these men is impracticable, and is not attempted. They are generally not personally known to the country constabulary, and are never visited by them until it becomes necessary to apprehend them on the commission of some fresh crime.

The outrages committed by Ticket-of-Leave men in the country districts are matters of painful notoriety; and it is to be feared that many atrocious crimes never see the light, and are followed by no punishment.

When Ticket-of-Leave holders are despatched into the interior, on their first arrival from Port Arthur, or after sojourn in Hobart Town, no provision is made for their subsistence until they meet with employment.

The class to which they belong, their general inferiority as labourers, and the growing dread of the frightful practices to which it is well known many of them are addicted, render their search for employment often tedious and difficult. The position in which many of them thus find themselves placed cannot fail to create in their minds a sense of hardship. It becomes a temptation, and is no doubt often used as a justification, for entering upon a fresh career of crime.

During the period extending from 23rd September, 1859, to the 30th June, 1860, the number of men discharged from Port Arthur with Tickets-of-Leave amounts to 161. Your Committee have inspected the Police characters of the whole of these persons, and in too many instances have found them to present a long catalogue of desperate and revolting crimes.

The whole of the men discharged for some time past, and all those now detained at Port Arthur, are dealt with only under their last Colonial sentences; while, in fact, nearly all of them are still under former sentences of transportation, some for life, and some even with more than one life sentence.

Your Committee append to this Report the Police histories of 21 criminals discharged from Port Arthur within the last 12 months. These documents exhibit careers of continuous crime extending over periods varying from 30 to 8 years, the average being 19 years. Against one of them are recorded no less than 140 offences and convictions, and against another 110. The lowest in the list has been only three times convicted in the Colony, his sentences having been 15 years' transportation, 18 months' imprisonment with hard labour, and three years' confinement at Port Arthur; but he was originally transported from Great Britain to Sydney for seven years, and from Sydney to Norfolk Island for life.

Of these 21 criminals 7 are branded as addicted to unnatural crime, and four have been convicted of indecent assaults on girls of tender years; and through the whole catalogue frequent sentences of *separate treatment* appear, but too well understood as indicating the commission of a crime of peculiar enormity. Many of them, on coming up from Port Arthur with Tickets-of-Leave, are reported by the Commandant as specially "dangerous;" one who has lately received that indulgence is described as "the worst character in the Colony." But an attentive perusal of these painful histories can alone give an adequate conception of the character of the men who are continually and systematically set loose on this community.

The number of men detained at Port Arthur in July, 1859, was 573; in July, 1860, 564. During the last 12 months 225 have been discharged with Tickets-of-Leave or Pardons, and about 216 sent down under Judicial or Magisterial sentences, of whom 42 are the same

individuals; thus exhibiting a decrease of only 9 in the number of criminals now detained in that Establishment, and affording to the Colony but a sad and distant prospect of escaping from the frightful evils resulting from this continual circulation of criminals through the community.

Out of 564 men now detained at Port Arthur only 24, or 4 per cent. of the whole number, were originally free.

From Port Arthur, therefore, through the Criminals whom it is continually sending forth into society, arises, with this slight deduction, the whole of the crime in the Colony with all its dangers and moral evils, together with the enormous cost of restraining and punishing that crime.

Could these unhappy men be prevented from returning to the community which they have so outraged, crime would rapidly disappear; the sources from whence not only the Gaols of the Colony, but the Hospitals, Lunatic Asylums, and Charitable Institutions, are kept constantly full, would be dried up, and the Colony would speedily be relieved from those heavy burdens which exhaust the greater portion of the Revenue, and divert it from the purposes of internal improvement.

While the number of Criminals detained at Port Arthur remains almost stationary amid the influx and reflux continually going on, one remarkable feature in the system is to be observed steadily expanding itself, which, though scarcely within the scope of the enquiry committed to them, and already sufficiently known, your Committee cannot refrain from recording in their Report.

Every succeeding Return shows a gradual transference of the burden of maintaining these Criminals from the Imperial to the Colonial Government, under the operation of that most unrighteous Regulation which prescribes that all men convicted of crime after one year's enjoyment of a Conditional Pardon or expiration of their original sentence of transportation shall be regarded as Colonial, and not Imperial, Convicts.

On the 1st July the relative numbers were—

1858—Imperial, 339; Colonial, 240.  
1859—Imperial, 310; Colonial, 263.  
1860—Imperial, 271; Colonial, 298.

Your Committee, while deeply impressed with the deplorable evils arising from the presence of these depraved and incorrigible men, yet confess themselves unable to suggest any complete and effectual remedy.

The discipline maintained at Port Arthur under its able and zealous Commandant admits, your Committee believe, of no improvement by which the reform of the criminal could be promoted. But experience has long banished all hope of any real reformation in the conduct and character of the great majority of those subjected to it. It is believed, on the contrary, that they return to society only more hardened and depraved after every fresh incarceration.

In the Police force of the Colony or its management, whose chief occupation is to restrain the outrages of these men, no improvement can be contemplated or suggested.

So long as these criminals continue to be poured out upon society, so long will the evils and dangers of which they are the sole and fruitful source continue to exist.

Your Committee cannot approve of a system which ignores the teaching of experience, and takes no account of the previous character and career of the men to whom indulgences are granted, permitting them again to mingle in society.

They cannot think that it is just to the peace of this Colony to shroud, under their short Judicial or Magisterial sentences, those previous sentences of Transportation to which the great majority of these criminals are still subject, and thus abandon the only means of restraining them from inflicting further injuries on society.

Your Committee would shrink from recommending the exercise of any unnecessary harshness towards even the most incorrigible of these unhappy persons, or the withholding of any appliance which can be supposed to encourage their reformation, hopeless as it may be.

They cannot, however, regard a mere negative absence of grave crimes while under strict discipline and restraint, and removed from almost all temptation, at Port Arthur, as affording

the least evidence of any real amendment of character, or any guarantee that the criminal, when once more set at liberty, will not again enter on his career of crime and repeat his outrages on the community.

Your Committee submit that it would be as rational, and less dangerous to the community, to discharge Patients from a Lunatic Asylum without regard to their mental condition, and solely because they have been under restraint for some arbitrary space of time, as to set at liberty those criminals whom the experience of so many years has proved to be so dangerous to society, and utterly and hopelessly incorrigible.

To discharge such men from restraint, is practically to invite them again to resume their vicious and dangerous practices, and again to subject themselves to the miseries and penalties which crime entails upon them.

To detain them in custody would be alike a measure of humanity towards themselves, and of justice towards the public.

All the Ticket-of-Leave holders scattered throughout the Colony, amounting to 459 in number, and the whole of the men now detained at Port Arthur, with the exception of about 50, are still under sentences of transportation.

While these sentences remain unexpired, a power exists by which all subject to them can be restrained from again molesting and endangering the community ; and your Committee have no hesitation in expressing their emphatic opinion that, wherever the character and previous career of the criminal show that he is incapable of self-control and cannot be safely admitted into the community, that power ought to be firmly exercised.

The power, however, with which the authorities are at present invested will not meet all the exigencies of the case, and will be gradually diminished by the emergence of many of the criminals from their original sentences of transportation.

Your Committee deem it worthy of consideration whether some special Legislation ought not to take place for the protection of the Public from the outrages of these dangerous men.

Your Committee would not advocate the adoption of a general Penal code more severe than that which now exists. They entertain the belief that short sentences, if rigidly carried out to their full limit, are far more efficient in repressing crime than more lengthened periods, subject to great reductions under regulations of a varying character, and liable to be capriciously administered ; but they are of opinion that the periods of Penal Servitude prescribed by the existing Law ought to be extended with special reference to this class of criminals, so as to enable the Judges to take into consideration their whole character and previous career, and to pronounce such sentences as will better guard the Colony from a repetition of their crimes.

On the cessation of Transportation, and the abandonment of Norfolk Island as a Penal Establishment, the whole of the desperate men who had been there incarcerated were ruthlessly introduced into this Colony, not only without the consent of its Inhabitants, but against their most earnest remonstrances. The neighbouring Colony of Swan River has consented that the Criminals of Great Britain should be banished to its shores. The people of that Colony are at this moment complaining of the diminished number lately introduced among them, and appear to regard a continuance of Transportation as essential to their prosperity.

The appliances of a Penal Establishment are there in full operation ; and your Committee believe that the men whose presence is so hurtful in this Colony would, from the different circumstances in which the people of Swan River are placed, be far less injurious than in Tasmania. Your Committee, therefore, deem the question of removing these Criminals from this Colony to Swan River worthy of the serious consideration of the Government.

Your Committee have been glad to learn that lately, on one or two occasions, the Executive Government have interposed their influence for the protection of this community ; and they desire to express their opinion that the Governor in Council should assume the entire control of all persons holding Tickets-of-Leave, or incarcerated at Port Arthur ; and that if they do not already possess the necessary authority, it ought to be immediately conferred on them by Legislation.

R. OFFICER, *Chairman.*

*Committee Room, 13 September, 1860.*

## E V I D E N C E.

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THURSDAY, AUGUST 2, 1860.

*The Honourable W. E. NAIRN, Esq., Comptroller-General, called in and examined.*

*By Dr. Officer.*—When men under sentence of transportation are discharged from Port Arthur with Tickets-of-Leave, and have afterwards been sentenced to penal servitude or summarily convicted by Magistrates, are their original sentences of transportation when unexpired taken into consideration when granting indulgences under a remission of their secondary sentences? No; they are dealt with entirely under the sentences on which they were sent down.

2. Under the existing system does not a sentence of penal servitude practically supersede the original sentence of transportation? Nothing can supersede an original sentence of transportation. Unless a man is under a sentence of transportation he could not receive a Ticket-of-Leave, or the further indulgence of a Conditional Pardon. It determines the time when an indulgence can be granted; the original sentence is of no further effect than to determine the time for which a Ticket-of-Leave must be held, before the further indulgence of a Conditional Pardon can be granted to the men.

When men discharged from Port Arthur with Tickets-of-Leave have, after a brief interval, by the commission of fresh crimes shown themselves incapable of self-control, and dangerous to the community, are they ever, or generally, further detained under their original sentence after the secondary sentence has expired? No, except in one or two instances.

To what extent does a Colonial sentence interfere with an original sentence? It interferes no further than by detaining the man for the period of such Colonial sentence. After a man has served his local sentence he is placed in the same position as he was when that sentence was passed.

Can you furnish the Committee with a return of men under penal servitude at Port Arthur, or elsewhere, who are under sentence of transportation? There are no men under penal servitude except at Port Arthur. I can give that return. Very few men, and those under short magisterial sentences only are detained at the Penitentiary.

Are there any instances of Imperial Convicts who have been twice or oftener sentenced to penal servitude? I cannot answer this without looking into it. I think very few, but I can furnish information on this point.

To what extent do the Colonial Executive regulate the issue of indulgences from Port Arthur? With regard to men under penal servitude, every case is reported to the Attorney-General; but it is understood that any man may be brought up after he has completed three-fourths of his time with good conduct. With regard to convicts under Colonial sentences of transportation, the cases of men who have committed offences against the person are reported specially to the Governor in Council before they are brought up. With regard to convicts under Magisterial sentence they are brought up when the sentence under which they are sent down is completed, without reference to the Executive Government. In the case of Ticket-of-Leave holders or convicts convicted of larceny and sentenced by Magistrates, they are required to serve the whole period of their time sentence.

By whom is it decided that the conduct of convicts at Port Arthur has entitled them to indulgence under the regulations? By me, on the report of the Commandant.

Are there any rules and regulations approved by the Governor in Council for convicts at Port Arthur in existence? No, not by the Governor in Council, but by the Governor himself.

How many men are there at Port Arthur solely under their original sentence of transportation? One I think from England, the others are all colonial; 16 are on probation under original sentence of transportation, to whom may be added 27 serving on probation for Tickets-of-Leave. The 16 will have to serve a further period under probation for the indulgence of a Ticket-of-Leave.

Are there any instances where men who have come up from Port Arthur with Tickets-of-Leave have been reported by the Commandant as dangerous characters? There may be some.

In such cases has any special surveillance been used with regard to such men? Every man brought up from Port Arthur is reported to the Inspector of Police, with such observations as the

Commandant of Port Arthur may think it necessary to make for the information of that officer, as to the character of the man, founded on his own observations.

Such a report by the Commandant has not, then, prevented such a man being set at large on the community? It has never been the practice to detain men after they had completed their period of probation under sentence of transportation or Magisterial sentence, together with their further period of probation for a Ticket-of-Leave. One man has been so detained lately by order of the Governor in Council.

When men are set at large is any provision made for their support till they can find employment? There is a regulation at the Prisoners' Barracks in force for some time past, which is carefully made known to the men themselves, that they can have lodging and food at the Barracks until they can obtain employment; and lately I have made arrangements under which men may be employed at stonebreaking, and paid for their labour at 6d. a cubic yard, in addition to food and lodging.

Is it not the desire of the authorities that these men should be dispersed as soon as possible? Not that I am aware of.

When the men desire to leave Hobart Town and to proceed to the Country, are they assisted in any way? Not by the Government.

By whom is the District to which the men are to proceed determined? I regard them to be under the Police. They are bound to report themselves to the Police Offices. A Ticket-of-Leave man is free, as a general rule, to live in any District of the Island, subject to the regulation as to reporting his residence; but in certain cases they are prevented for special reasons from going to certain Districts on the recommendation of the Police.

Every man, then, who is employed, as you have mentioned, at the Barracks may go to the Country when he likes. Is no coercion exercised? No, he may remain as long as he likes. The remuneration is fixed at the low rate I have stated to induce him to seek for higher remuneration elsewhere.

When men receive permission to go to the Interior are they sent under surveillance? I believe not, but this is a matter which rests with the Police.

Has the Commandant made any special reports on the character of men discharged from Port Arthur with Tickets-of-Leave? Nothing further than those supplied to the Inspector of Police.

*By Mr. Gellibrand.*—Are the rules for granting Tickets-of-Leave based upon any Statute? No.

Under what Regulation are the men chargeable on the Imperial Government allowed to come up from Port Arthur? I refer to my reply to the question as to persons under Penal servitude.

Are there not, at present, men at Port Arthur who are known to the Authorities to be dangerous characters and unfit to mingle with other men? Are they not placed in separate cells by night, and kept under constant surveillance by day? There are a few men at Port Arthur of a dangerous character, and who require special surveillance.

Have not a large proportion of the men lately brought up from Port Arthur been under separate treatment for some period of their sentence? Some undoubtedly have, but I cannot speak as to the number.

Can you say whether men have been punished at Port Arthur for attempts to commit unnatural crime under a charge of "misconduct?" I believe, and always have believed, that the charge is such as fully to show the nature of the offence.

Are the Police characters of men from Port Arthur, whether Imperial Convicts or otherwise, aid before the responsible Government of the Colony before such persons are brought up? Only in the cases which are specially reported by me, as before stated.

Then the whole of these men, whose Police characters have been submitted to the Executive, have come up with the sanction of the Governor in Council? Yes, in every case where I have sent the Report to the Governor in Council.

Can you furnish a nominal list of these men? It can be more readily furnished by the Clerk of the Executive Council.

*By Dr. Butler.*—What is the shortest period that a Criminal for Life could come up to Hobart Town? No pledge has been made to any man under Penal Servitude for Life as to his coming up from Port Arthur; he is, however, perfectly aware of the state of the law so far as that the Governor has the power to grant a Ticket-of-Leave after the expiration of 10 years to a Convict in his condi-



tion; and it has been pointed out to him that good conduct alone can place him in a position for the favourable consideration of the Government.

Do the men who receive a remission of punishment under the Regulation obtain it without reference to their present character? He receives a remission without regard to his previous character, but strictly on conduct under his present sentence.

By what authority at Port Arthur are Magisterial sentences inflicted? Men are tried before the two Medical Officers, or the Commandant, who are all Justices of the Peace.

Are the Magisterial sentences carried out in their entirety? Hitherto, when a man came to be detained under Port Arthur sentences, it has been the rule, if his conduct has been latterly good, to remit one-half of the sentence at Port Arthur.

Are all such remissions brought under your notice? All.

Are all those local sentences cumulative? No, not unless the Magistrates direct it.

Are they usually made cumulative? Yes, in the great majority of cases they are cumulative.

Are any men who are detained under sentence at Port Arthur employed as Constables? None.

Can you furnish a Numerical Return of the Magisterial sentences imposed at Port Arthur during twelve months past? Yes.

*By Dr. Officer.*—Are there any of the Convicts brought up from Norfolk Island on the breaking up of the establishment there still remaining at Port Arthur under their original sentences? There are a few, but I cannot answer without reference to the Returns.

What has been the cause of their detention? They have not served their lengthened period of probation, or some may have not conducted themselves properly while under detention.

How many Convicts are now at Port Arthur as Convicts? I will furnish a Return.

*By Dr. Butler.*—Are men who were originally free at the time of sentence provided with separate sleeping places? Every Convict of that class is allowed to sleep in a separate cell if he desire it, and every effort is made to provide him with employment which will keep him as much as possible from the other Convicts.

FRIDAY, AUGUST 3, 1860.

JOHN FORSTER, *Esquire, Inspector of Police, called in and examined.*

*By Dr. Officer.*—You are Inspector of Police for the Colony? Yes.

Is the duty of dispersing Convicts arriving from Port Arthur with Tickets-of-Leave given to you? Yes, since September, 1858.

When such persons first arrive from Port Arthur, where are they domiciled? They are marched to the Prisoners' Barracks. I am furnished with a list of both Ticket-of-Leave and Free men on their arrival, who are all sent to the Barracks. The free men are discharged on the following morning; but a list of every man discharged from Port Arthur, whatever he may be, is furnished to the Comptroller-General, and that is forwarded to me through the Superintendent of the Barracks, accompanied by the men holding Tickets-of-Leave who are to be distributed.

How long, on an average, do these men remain in the Prisoners' Barracks? The steamer comes up on Thursday, and sometimes they are distributed on Friday, and sometimes not till Monday; I think about 3 or 4 days.

Are their Police characters submitted to you? No, unless when the Commandant's Report is in my opinion insufficient, when I send for the Police characters; and when I have any doubt about the men, I send for information from the Detective Police.

Have you authority to pass these men to any District you think proper? I have a verbal understanding with the Comptroller-General, by which I exercise the authority to send these men to any District, provided there is no special order against it.

What are the general rules which guide you? The first principle is never to allow a man to be located in the District in which the offence of which he was convicted was committed, except Hobart Town and Launceston: that rule, in some instances, has been deviated from, where the man has immediately obtained eligible service from a master on his arrival from Port Arthur.

Do you, in exercising that power, consult the wishes of the men? In the greater number of instances the wishes of the men are ascertained, together with the prospect of obtaining employment.

When men are passed to a District, what means have they of subsistence until they obtain employment? They receive no assistance from the Government as far as I know, and it depends on their friends or their own resources. I have not learned from the men themselves that they have had such means. I know that they may go to the Prisoners' Barracks at night.

Have any of these men left the Prisoners' Barracks unwillingly? Not in one instance to my knowledge.

Can you give the Committee information as to the facility or difficulty of these men obtaining employment? In Hobart Town these men are pretty well known, and it is only among a certain class well known that they obtain employment. I think, generally speaking, their class prevents them from obtaining employment in respectable houses, with the exception of good willing mechanics.

What proportion of them finds employment in Hobart Town, and do not go to the Interior? That information will be given in a Return which I lay on the Table. I think fully one half of them find employment in the first instance in Town. My object since I had the distribution of these men is to keep as many as possible in Hobart Town or Launceston, so as to retain them under surveillance.

About half find, you say, employment in town. Does the other half try to get employment, and failing in the attempt, then go to the Interior? A smaller proportion endeavour to get employment, and if not successful go to the Country. I keep as few as possible dispersed in the Interior.

Can you give any information as to the general conduct of these men in their Districts? The only Special Reports I receive are of crimes committed by these men. On any offence being committed by one of them a report is made to me by the District Constable. The Return which I lay on the Table will show these offences, and also the number of men who have become free under the Indulgence.

When a Colonial sentence of any of them expires while his original sentence exists, what position is he in with regard to his original sentence? I cannot say whether he is remitted to his former sentence, or becomes free. This depends on the Regulations of the Convict Department.

As Inspector of Police, does the conduct of these men create much trouble? Yes, inasmuch as they are accompanied to their District by a Police character, and it adds to the duty of the Constables to exercise additional supervision. I think if such a class of men were not here, crime would be very much less prevalent, and there would be no necessity for so large a Police. The men who come up free, having completed their sentence, may be said to be in the same class. We have a certain surveillance over these, but no actual authority.

What proportion of those now coming up from Port Arthur have always been free? A very small proportion; out of 200 men coming up, not more than two or three would be found.

*By Mr. Gellibrand.*—How many of these special Reports have you had? Not more than Six. The result of these men being set at liberty is that some of them are convicted and sent again to Port Arthur. Since September, 1858, I should say one-half of these specially reported men have been again convicted, and are now at Port Arthur.

As a link in the evidence, why are these special Reports sent to you? That we may be aware of their character, and the opinion of the Commandant, founded on his observation of them at Port Arthur. Before September, 1858, these men were brought up from Port Arthur without reference to the Police Authorities, and discharged on their arrival at the Wharf in Hobart Town. On my conference with the Comptroller-General this was altered. The men were allowed to go to the Interior on application to the Police Magistrate or Pass-Clerk.

Are the men with whom special Reports are sent the worst characters, or are any others who are also bad characters? Every man comes with a report, and special reports are made to me by the Comptroller-General. I know of no man of bad character coming up from Port Arthur without special report who is a Ticket-of-Leave holder, or is passed to me for a District.

The only step you take with regard to these men is to place them under stricter surveillance? Yes, the special Report follows a man from District to District, through the Police. The special Reports from the Commandant are entered in the office of the Superintendent of Police in Hobart Town, and the Detectives have personal inspection of the men before they are discharged.

Do you get the characters of Penal Servitude men who come up after their sentence? No, nothing beyond the usual Report, and a list of all men coming up.

Are you made aware that the man has become free by the expiration of his sentence, or by remission of sentence? No.

Are men allowed to change their residence without reporting themselves? No; if a Ticket-of-Leave man applies to the Chief Constable in a country district for board and lodging, he is given lodgings and rations in the watchhouse for the night.

Mr. Forster here laid upon the table 68 original documents, and retired.

TUESDAY, AUGUST 7, 1860.

WM. TARLETON, *Esq.*, *Police Magistrate of Hobart Town*, called in and examined.

*By Dr. Officer*—As Police Magistrate do you exercise any special surveillance over the Convicts who come up from Port Arthur? I have no charge of the Police. I merely sit judicially.

Are Ticket-of-Leave holders from Port Arthur frequently brought before you as Police Magistrate? Very frequently.

Can you say that a large proportion of the crime and disorder in Hobart Town is attributable to them? I have no doubt that a large proportion of the crime is committed by Prisoners of that class, not in Hobart Town alone, but throughout the territory.

Generally speaking you know nothing of these men till they are brought before you on a charge? Generally speaking nothing until a charge against them is brought before me, I then obtain their Police Characters and examine them.

How does the Police Character weigh with you in your decisions? If I find the character a bad one, I consider it my duty to send the prisoner back to Port Arthur as soon as possible.

Have any instances come before you within 12 months of men convicted and sent to Port Arthur returning and being again convicted? Yes, many. I have been frequently surprised at some of the men coming back so soon. In some instances they appear to have come back before the expiration by effluxion of time of the sentences which I have passed upon them.

Are you acquainted with any Convict Regulations by which indulgences are granted to these men? I am ignorant of the precise nature of these Regulations. I know there is some system by which a man can work out his sentence sooner than it would expire, but I cannot say whether any reduction of a man's sentence has extended to one half.

Do you know whether such Regulations, if they exist, have ever been published? They have never been sent to us as Police Magistrates, nor do I know of their having been published.

Does the Inspector of Police or Superintendent of the City Police apply to you to order the removal of men of this class to the interior? Yes, I have been frequently applied to by the Inspector or the Detective Police to recommend the removal of men of bad character to the Country, on the ground that, having formed bad connexions in the City, the Police were not able to guard against their outrages, and that by sending them to the Country their connexions would be severed. I did, at first, accede to these demands, as the Police assured me it was necessary; but I afterwards became convinced of the injustice of saddling the Country Districts with such men, and I pointed out to Mr. Hamilton the injustice of the course urged upon me, and declined to make further recommendations of the kind. I do not think such men are less dangerous in the Country than in the Towns. I think they would be even more dangerous in the Country, because in Town they are known and watched, while in the Country the Rural Police cannot be equally on their guard against them.

It appears that on arrival of men from Port Arthur in Town they are inspected by a considerable number of Police, so that their persons may be known. Is the same course pursued in the Country Districts? I think not. It was not the case when I was a Country Police Magistrate; but even if it were so, the Rural Police are so few and scattered that it would be of little avail.

Have you ever thought of a remedy against these evils? I have; but I see no other effectual one than that of absolutely restraining them at Port Arthur until the expiration of their sentences of transportation.

With regard to this class of men, are you under the impression that a large proportion are still under legal sentences of transportation? I believe so. I think the Police character of every one of these Ticket-of-Leave men will show them to be under a sentence of transportation still in force, either for life or some long period. I may add that, from my own experience of them, I believe them to be utterly unfit to be at large on society. They have proved themselves to be incorrigible.

*By Mr. Chapman.*—Among the men coming before you do you find many of them having been charged with unnatural crimes? I find very frequently in the record of prisoners brought before me orders contained that they shall be subject to the strictest separate treatment during the period of their confinement at Norfolk Island or Port Arthur, which I have always taken to indicate a knowledge on the part of the authorities that they were addicted to unnatural crimes.

*By Mr. Gellibrand.*—Have you instances of men charged with offences against children before you, coming again, after some time, charged with a repetition of their offence, or with offences of a similar nature? I cannot call to mind any particular instance of this nature; but I know that generally I have observed, in the course of my experience as Police Magistrate, the strongest probable tendency to a recurrence of these offences, and I believe that an inspection of the Police characters of the men of this class will prove that it is the fact.

Do you think that the majority of the cases of outrages on children are brought before the public, or hushed up by the parents? I am of opinion that very many of these crimes are not made public. I have known many instances in my own experience where parents have preferred to conceal the commission of the crime; and one instance of that case has recently come before me. This sort of crime is more likely to occur in the Country Districts than in Town, because the position of children is more unguarded in the bush than in the Towns.

Have complaints been made to you by Settlers or by Ticket-of-Leave men of their having been sent out of Town without means? As far as Settlers on the main line of road go, complaints have been made, and by the men also themselves. Complaint has been made to me by an Innkeeper at Bridgewater of the peremptory manner in which provisions have been asked for by parties of this class. Not long ago one of those men was brought before me, and he bitterly complained that he was discharged from the Barracks without means; and so strongly was I impressed by his statement that I went to the Comptroller-General and spoke to him about it at the time.

Have any measures been taken to remove the ground of this complaint? I know that Ticket-of-Leave men can get rations and lodging in the Prisoners' Barracks while in Town. I know of men frequently ordered north of Oatlands or distant Districts, and how they get there I do not know. I cannot comprehend how they maintain themselves on the road,

MR. G. W. HAMILTON, *Superintendent of Police, called in and examined.*

*By Dr. Officer.*—Do you, as Superintendent of the City Police, exercise any special surveillance over the Port Arthur Convicts? I do.

In what way? The Inspector of Police sends me a notice of all men arriving from Port Arthur, with a list of those whom he has permitted to remain in town.

Does your surveillance over these men occasion much trouble on the part of the City Police? It does to the Detective branch of the force.

Is any large portion of the crime and disorder committed in the City by this class of men? Yes, it has been, but is not now so great as is generally believed.

Can you give any general idea of the number of these men who are re-convicted? I am not prepared to make an exact statement without looking at my books.

Are many of these men at present domiciled in Hobart Town? Since the 3rd September, 1858, 225 have been returned from Port Arthur, of whom 110 have been domiciled in Hobart Town, a number not so great as is generally believed; and the men are so strictly watched that it is their object to get out of town as soon as possible. Their residences are frequently visited by day and night.

Are any means adopted to get the men out of town? Yes; if a Ticket-of-Leave holder is brought up on a minor charge, and is a peculiarly bad character, I have hitherto applied to the Bench to recommend his removal to the other side of the Island; this forms a part of the sentence. Mr.

Tarleton and other Justices have frequently made such recommendation, and till within the last few months, when Mr. Tarleton objected to do so, on the ground that it was unfair to the settlers in the country districts.

Then a recommendation for a removal is now less seldom given? Yes, very seldom now.

Does the strict watch over these men induce them to leave town? Yes.

What means have you of knowing when these men are brought to Hobart Town? I have a list of men expected from Port Arthur, and the Officers of the Police are at the wharf awaiting their arrival. I get a list of those who are to remain in town, with the Commandant's remarks; and if any of them immediately get employment they are not interfered with. Any of them found lurking about the streets are taken up by the Police, who search them, which they are allowed to do by the Convict Regulations.

Then, in fact, a large portion of the time of the City Police is occupied in looking after these men? Yes, their duties are certainly considerably increased.

Is it necessary to have a larger Police in consequence? It has been. But the City Police have since been reduced from 40 to 35,—but this is also partly owing to the City Police having got rid of many of these characters from Hobart Town.

If you had fewer of these characters in Town, you could make a further reduction in the Police? Yes, but to no great extent.

Are you aware whether any fear is entertained by the community in Hobart Town in consequence of the presence of these men? I think such a fear has been entertained, but it has abated in consequence of the knowledge that the Police is so strict with them. The class is much less than it formerly was, a reduction having been made by the means I have stated to remove them from Town.

Do they find much difficulty in getting employment? Yes, there is only a certain class who will employ them in Hobart Town.

*By Mr. Muclanachan.*—You say you make application to the Magistrates to remove them to the Interior? Yes, I mean north of Oatlands. If, on referring to the charge-sheet, I find a man in custody of bad character, I apply to the Magistrate to recommend his removal. The worst characters are ordered to remain in Town. I know most of the criminals by sight. The worst of them are visited in their residences every night at 10 o'clock, and often more frequently. This espionage induces many of them to leave Town. They first apply to the Inspector of Police; and if he approves, they go to the Pass-office and get a Pass to go at once to the Interior.

*EXTRACT from Return of Men sent up from Port Arthur from 30 Sept. 1858, to 2 August, 1860, with the Commandant's Remarks accompanying them.*

- |   |   |
|---|---|
| 1. Unnatural Criminal.                            | 12. Transported for carnally knowing a girl.                        |
| 2. Ditto.   | 13. A very bad character.   |
| 3. Ditto.   | 14. Transported for rape.   |
| 4. Twice capitally convicted.                     | 15. A very bad character.   |
| 5. Unnatural Criminal.                            | 16. Ditto, and supposed to be insane.                               |
| 6. Ditto.   | 17. Ditto.  |
| 7. Separate treatment Criminal.                   | 18. Ditto.  |
| 8. Ditto.   | 19. Tried for rape.   |
| 9. A very bad character.                          | 20. Regarded as one of the most desperate characters in the Colony. |
| 10. Transported for criminally assaulting a girl. | 21. A very bad character.   |
| 11. A very bad character.                         |   |

*The Police histories of the foregoing 21 Men are as follows :—*

No. 1, was transported in 1844 from Ireland, for 7 years, for stealing clothes; his previous character being bad and dirty, and having been twice previously convicted. In January 1846 he was charged with misconduct in being diseased either by filth or unnatural causes. In August 1846 he was ordered to be kept in separate treatment, being suspected of unnatural conduct. July 1847, reported again diseased and dirty; 5 offences, and then became free in March, 1852. In September, 1853, tried at Oatlands for larceny, and was sentenced to 12 months' imprisonment. In 1855, tried at Oatlands for stealing money; 7 years. Ordered to Port Arthur, and to be kept in separate treatment for 2 years; 3 offences. Then in May, 1857, he was tried for assaulting a child of 4½ years old, and his sentence was extended for 18 months; sent to Port Arthur, to be kept under strict separate treatment; committed 2 offences; then got ticket-of-leave, 5th July, 1859, and was sent up to Hobart Town. 7th July, 1859, with the remark, "one of the worst class of separate-treatment men;" he is now a Convict illegally at large.

No. 2, was transported from Ireland, for 10 years, in 1844, for stealing money, having been twice before convicted, and being a bad character. He committed 4 offences, and then was made a passholder, 24th January, 1855. On 2nd February, 1855, he was tried for unnatural crime, and received a sentence of 2 years at Port Arthur, to be kept separate. He committed 5 offences, and received a ticket-of-leave in October, 1858. He committed 1 offence; and having been sent to Port Arthur, he came up on 30th September, 1858; he appears to have been again sent down for assaulting a constable; and returned again, with the remark, "a very desperate character," on 24th March, 1859. He became free in December, 1859. Residence not stated.

No. 3, was transported at 12 years of age, from Bristol for 7 years, in 1841, for stealing; was punished on the voyage out for indecency with the boys; 1843, punished for indecency; free, July 1848. Again tried at Richmond, in October, 1849, for stealing a watch, sentenced 7 years. Committed three offences and then got his Pass, April 1851. He then committed five offences and got his Ticket-of-Leave in December, 1855. He then committed one offence, and became free by servitude, in October, 1856. Again tried at Launceston, for unnatural crime, in January, 1857. Sent to Port Arthur for four years' Penal Servitude, with orders to be kept in separate treatment. At Port Arthur, in November, 1858, he was charged with suspicious conduct in a water-closet with a boy, and was ordered to be kept in strict separate confinement for six months. He became free in May, 1860, when he came up to Town from Port Arthur.

No. 4, was transported from London in 1840, for 14 years, for larceny, having been previously convicted. He committed three offences and then got his Pass, in December, 1843. In February, 1844, he was tried for highway robbery, and was sentenced to 15 years' transportation, and was sent to Port Arthur for three years. He committed three offences and came up again. In April, 1848, he was tried at Oatlands for cutting and wounding, and was sentenced to death, which was commuted to life, and to be sent to Norfolk Island for 10 years. At Norfolk Island he committed four offences and got his Pass. He absconded twice, and received two and a half years' sentence, and then got his Ticket-of-Leave in March, 1859, when he came up from Port Arthur. In December, 1859, he absconded and received a sentence. He is, at present, in private service in Hobart Town.

No. 5, was transported from Bristol for stealing meat, in 1844, for 7 years, having been previously convicted. Arrived in November 1848, and committed 17 offences, and was then tried at Oatlands in June 1850, for assault and robbery, and was sentenced for 15 years, and to be sent for four years to Norfolk Island. He committed 24 offences and was removed to Port Arthur in 1853. He then committed 1 offence and received his Pass in September 1853. He then committed 2 offences, and was tried for embezzlement and was sent to Port Arthur for 18 months, in May 1855. He then committed 4 offences, and received a Ticket-of-Leave in August 1858. His Ticket was revoked in October 1859, but it was restored in November 1859.

No. 6, was transported from Sydney in 1844, for robbery under arms. He committed 24 offences, then received a Ticket-of-Leave in March 1856. He committed 2 offences and his Ticket was revoked in June 1856. He committed 1 offence and received a Ticket-of-Leave in June 1857. He committed 1 offence and his Ticket was revoked in August 1857. He received a Ticket-of-Leave in February 1858, which was revoked in March 1858. He committed 1 offence, and received a Ticket-of-Leave in January 1859. In March 1859 he received a sentence of 3 months at Port Arthur, for being in bed with a boy. He received a Conditional Pardon, 26th July, 1859, and his present residence is unknown.

No. 7, was transported from Scotland for 7 years, for theft, in 1846. He committed 6 offences, and was then tried for burglary, and received a sentence of transportation for life, and was sent to Norfolk Island for 7 years. Here he committed 18 offences, and was granted a Ticket-of-Leave in March 1858. He committed an offence, and his Ticket was revoked on 5th October, 1858. He committed 1 offence and his Ticket was restored on 19th October, 1858. He then committed 4 offences, and came up from Port Arthur, where he had been sent for some crime not stated on his Police Sheet, with the remark "separate treatment man," on 24th March, 1859. He now resides at Hamilton.

No. 8, was transported from Sydney in 1837, for life, having been previously transported from Ireland to Sydney for 7 years. He received a Pass in September 1845, and a Ticket-of-Leave in December, 1845. He was tried at Launceston, for stealing in a dwelling house, in August, 1846, and was sent for three years to Port Arthur. He received a Ticket-of-Leave in April, 1850. In June, 1850, he was sentenced to 15 years' transportation, for robbery and putting in fear, and was ordered for five years to Norfolk Island. In July, 1852, he received a Ticket of-Leave, and committed three offences. In July, 1854, he received a sentence of 18 months for larceny. He committed 1 offence, and received a Ticket in January, 1858. He committed an offence and received 9 months hard labour. He received a Ticket-of-Leave in November, 1859, and came up in that month from Port Arthur. He now resides at Sorell.

No. 9, arrived in Tasmania under a sentence of seven years from England, for receiving, in October, 1843. He committed 16 offences and received a Pass. He committed 10 offences, and became free in

December, 1850. In January, 1851, he was tried for stealing. In August, 1851, he received a sentence of 12 years for burglary, and was sent for four years to Norfolk Island. Here he committed two offences, and received a Ticket in March, 1856. He committed an offence, and his Ticket was revoked. He absconded, and got 12 months' hard labour in December, 1856, and received a Ticket-of-Leave in February, 1858, and a conditional Pardon in August, 1858. In October, 1858, he was sent to Port Arthur for six months as a very dangerous character, having been one of the "Garth" robbers. He returned to Town in March, 1859, and in April, 1859, received six months at Port Arthur. He returned in September, 1859, and is now residing in Hobart Town with a conditional Pardon.\*

No. 10, was transported from Sydney for robbery under arms, in 1846, for 15 years, having been transported to Sydney from England for highway robbery. He committed four offences, and got a Ticket-of-Leave in July, 1853. In February, 1854, he assaulted a little girl, and got a sentence of 18 months. His Ticket was restored on 22nd April, 1856. He then received a sentence of three years to Port Arthur for attempting to commit an assault. At Port Arthur he committed an offence, and received a Ticket-of-Leave. He came up from Port Arthur in April, 1859, and now resides at Bothwell.

No. 11, was transported from England for larceny in 1843, for 7 years. His previous character having been bad, and having been before convicted. He committed 20 offences, and was sent to Norfolk Island for 4 years. He was sent back to Port Arthur, and there committed 79 offences, and received a Ticket-of-Leave in June, 1838. In October 1847 he was sentenced for life for assault and robbery, and sent to Port Arthur for 4 years. Here he committed 11 offences and came up to Town, 25th August, 1859. Residence not stated.

No. 12, was transported from Ireland in 1840, for 7 years, for stealing wool. He committed one offence and received a Ticket in September 1844, and became free in February 1848. In January 1854, he was convicted of carnally knowing a girl under 10, and received sentence of death, which was commuted to life, with 6 years at Port Arthur. In March 1860 he received a Ticket-of-Leave, and came up from Port Arthur on 12th April, 1860. He now resides at Green Ponds.

No. 13, was transported from England for 7 years in 1839 for stealing, his character having been bad in every respect at home. He committed 64 offences, and became free in July 1847. He was then tried in Launceston for stealing from the person, and received 7 years sentence. He committed 4 offences, and was tried again at Launceston for cutting and wounding, and received a sentence of 2 years. He committed 6 offences, and received a Ticket-of-Leave in April 1859, when he came up from Port Arthur. He is now free, and his residence is unknown.

No. 14, was transported from England in 1847 for rape on a child. Surgeons reported that he betrayed some mental derangement. He committed 3 offences, and received a pass. He committed 8 offences, and received a Ticket-of-Leave in February 1859. He committed 2 offences, and got to Port Arthur, whence he returned in March 1859. He was again sent down, and again returned to town 21 June, 1860.

No. 15, was transported from England to Sydney in 1833 for 14 years, for picking pockets. In Sydney he committed 14 offences, and was transported to Tasmania for life, for shooting at the Colonial Secretary, in 1842. He committed 13 offences, and received a sentence of 5 years hard labour in chains at Norfolk Island, in 1850. There he committed 9 offences, and was returned to Tasmania, in 1852, where he committed 4 offences, and received a Ticket-of-Leave in February, 1858. In December, 1858, he was tried for burglary, and got to Port Arthur, whence he came up in May, 1859. He is at present in the Prisoners' Barracks. This was one of the "Garth" robbers, in 1858. This man has received 412 lashes, has passed 37 days in solitary confinement, 4015 days of hard labour in chains, and 50 days on the tread-wheel.

No. 16, was transported from Ireland for 7 years, for larceny, in 1845. He committed 7 offences, and became free in July, 1852. He was tried at Richmond, for larceny, and received 7 years transportation, and went to Port Arthur. Here he committed 14 offences, and got a Ticket-of-Leave in June, 1858. He committed an offence, and came up from Port Arthur, supposed to be insane. He became free by servitude in April, 1859. The Commandant's opinion is that "he is of a violent and treacherous disposition, and if not strictly watched will commit murder." He is now free, and his residence is unknown.

No. 17, was transported from England, for stealing, in 1830, for 7 years. He committed 2 offences, and was tried in 1835 for burglary, and was sentenced to transportation for life. He committed 15 offences, and was then tried for felony in August, 1843, and received sentence of transportation for life, with 5 years at Port Arthur. Here he committed 6 offences, and was sent to Norfolk Island in 1845. Here he committed 4 offences, and was returned to Tasmania in 1850. In December, 1851, he was tried for burglary, and received a sentence of 4 years in chains. In November, 1856, he was tried for criminally assaulting a girl of 7, and was sent to Port Arthur for 2 years. In November, 1858, he received a Ticket-of-Leave, and came up from Port Arthur in April, 1859. He is now an absconder illegally at large.

No. 18, was transported in 1841, from England, for 7 years, for stealing money. His English character being very indifferent. He committed 15 offences, and was tried at Hobart Town, in 1845, for highway robbery, and was sentenced to transportation for life, and to go to Norfolk Island for 4 years. At Norfolk Island he committed 34 offences. He returned to Tasmania and committed 1 offence, and in 1854 was tried for assault with arms, and received a sentence of 7 years, and to go to Port Arthur. Here he committed 7 offences, and 1 of them was making unnatural proposals to a soldier, in November, 1858. In November, 1859, he received a Ticket-of-Leave, committed an offence, and is now an Invalid at Port Arthur.

No. 19, was transported from England for life for rape, in 1833. Up to August, 1846, he had been 55 times punished for absconding, idleness, or insolence, &c., having received 646 lashes in 14 separate punishments. In January, 1847, he was tried for robbery under arms, and was transported for life: to be sent for 10 years to Norfolk Island; where, up to January, 1854, he was 81 times, with 291 lashes, punished for offences, principally disobedience of orders, and insolence. He was removed from Norfolk Island to Port

\* This man has passed 107 days in Solitary Confinement, 1470 days in Hard Labour, and 1520 days in Hard Labour in Chains.

Arthur, where he has been twice punished. He obtained a Ticket-of-Leave in October, 1859, which was revoked for absence in April last, and he is now an absconder illegally at large. He is 61 years of age, and has therefore been 27 years a convict.

No. 20, was transported from Gibraltar in 1832, for life, for stabbing with intent to murder, having been previously tried for cutting and wounding, in London. He arrived in 1852, and was sent to Port Arthur, where he has been nine times punished. The Commandant's report is, that he regards this man as one of the most desperate characters in the Colony. He came up with a Ticket-of-Leave on 8th May, 1860, and on 18th May, 1860, he absconded, for which he is now serving 3 months' hard labour in the Prisoners' Barracks.

No. 21, was transported from England in 1830, for stealing, for 7 years. He committed an offence for which he was flogged in February 1834. In July 1834 he was tried at Quarter Sessions for larceny, and received a sentence of 7 years. In September 1834 he was flogged for assaulting the gaoler. In October 1834 he absconded, and when taken, received a sentence of 2 years' imprisonment. In November 1834 he was flogged for gambling. In August 1835 he had 6 days solitary confinement for misconduct. In November 1835 he was imprisoned for attempting to abscond. In December 1835 he had 6 days solitary for idleness. In March 1836 he absconded, for which he was flogged. In the same month he was tried for cutting and wounding a man with intent to do him grievous bodily harm, and was sent to Norfolk Island for life. He was sent up to Sydney in 1842, and was tried at Maitland for wounding a man with intent to do grievous bodily harm, and was sentenced to transportation for life, to be detained on Norfolk Island for 4 years. On the voyage down he attempted with others piratically to seize the ship, for which he had 4 years added to his period of detention. In November 1845 he was punished for assaulting and ill-using a Policeman on duty. Between this time and 1850 he was punished 22 times for minor offences. In April 1852 he arrived in Tasmania from Norfolk Island, with orders to reside in a country district. In July 1852 he absconded, and was found on board a vessel leaving the Colony, for which he was sent to Port Arthur for 18 months. In January 1855, as a Passholder he committed forgery and was sentenced to 3 years in chains. In February 1855 he absconded and was sentenced to 12 months additional hard labour. In June 1857 he was punished for assaulting a Constable, and on same day he absconded, for which he had 9 months hard labour. He received a Ticket-of-Leave, and came up from Port Arthur on 9th December, 1858. On the 7th July, 1859, he was tried for assault and robbery at Launceston, and was sentenced to be hanged, which was done accordingly.

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Number of Men maintained at Port Arthur, including Paupers and Lunatics,	
on 1st July, 1860 .....	900
Number of Imperial Convicts under sentence at Port Arthur on 1st July, 1858.	339
Ditto ditto ditto, 1859.	310
Ditto ditto ditto, 1860.	271
Number of Colonial Convicts under sentence ditto, 1858.	240
Ditto ditto ditto, 1859.	263
Ditto ditto ditto, 1860.	298

W. NAIRN, *Comptroller-General*.

8th September, 1860.

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RETURN showing the Number of Men now under Sentence at Port Arthur, and showing how many came free to the Colony:—

Number under Sentence .....	564
Number came free to the Colony .....	24

W. NAIRN, *Comptroller-General*.

*Comptroller-General's Office, 10th August, 1860.*

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*Comptroller-General's Office, 3rd September, 1860.*

NUMERICAL Return of Ticket-of-Leave holders (Male) under sentence of Transportation, on 30th June, 1860:—

459.

W. NAIRN, *Comptroller-General*.

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NUMBER of Male Convicts transferred to Port Arthur from Norfolk Island on the breaking up of the Settlement there, 242;—of whom, on 1st September, 1860, 52 had become Free by expiration of their sentences; 32 had received Conditional Pardons; 22 had received Colonial conditional Pardons; 10 have been sent back to Sydney; 55 are holders of Tickets-of-Leave in Tasmania; 2 are Lunatics; 30 are under sentence at Port Arthur; 27 are Absconders illegally at large; 4 have died; 3 have been hanged; 5 are unaccounted for.