

FREMANTLE PRISON

AUSTRALIAN HISTORY CURRICULUM

LINKS FOR YEAR 5

THE AUSTRALIAN COLONIES



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FREMANTLE PRISON

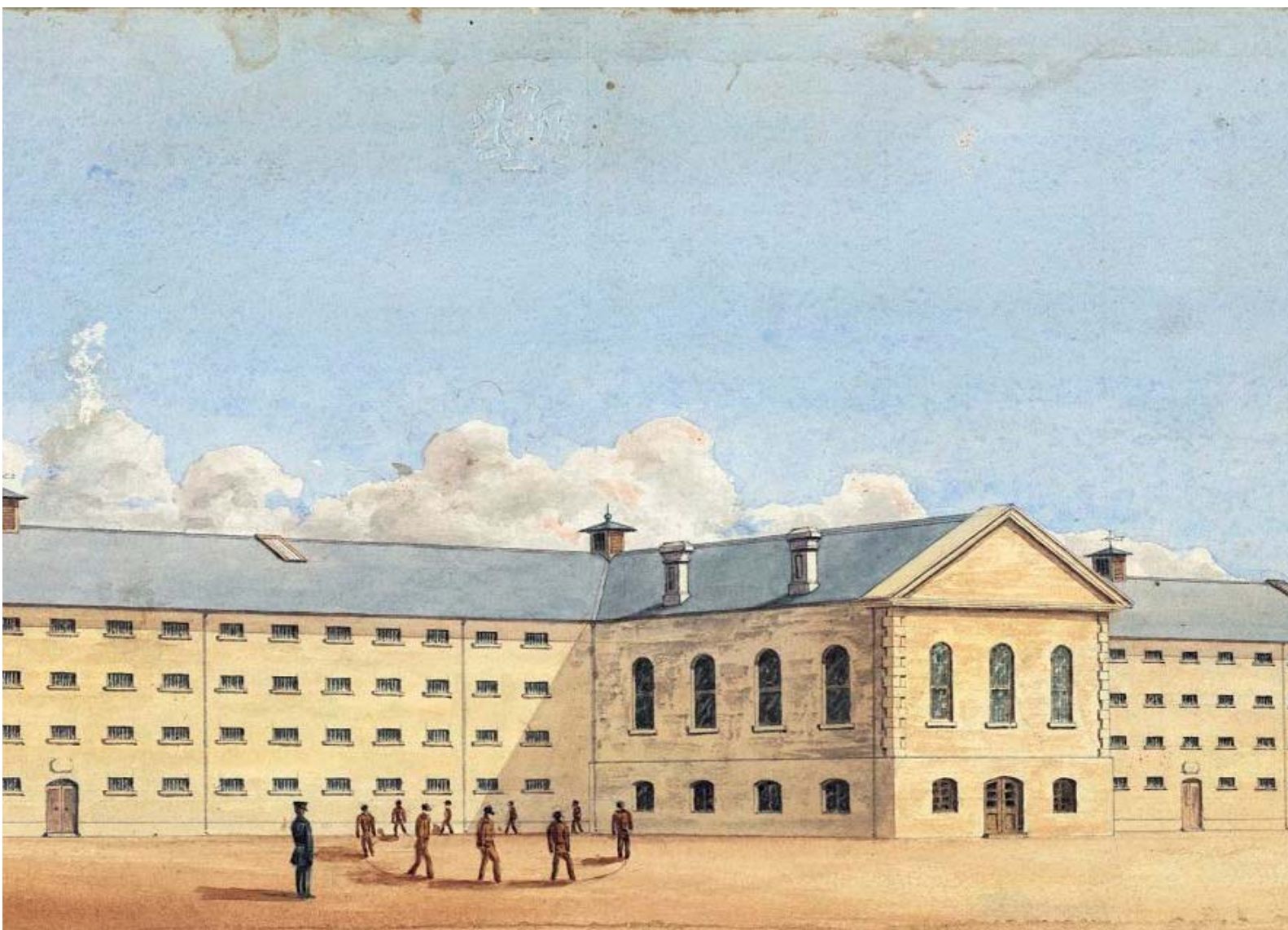
In 2010 Fremantle Prison, along with 10 other historic convict sites around Australia, was placed on the World Heritage Register for places of universal significance. Collectively known as the Australian Convict Sites these places tell the story of the colonisation of Australia and the building of a nation.

Fremantle Prison is Western Australia's most important historical site. As a World Heritage Site, Fremantle Prison is recognised as having the same level of cultural significance as other iconic sites such as the Pyramids of Egypt, the Great Wall of China, or the Historic Centre of Rome.

For 136 years between 1855 and 1991 Fremantle Prison was continuously occupied by prisoners. Convicts built the Prison between 1851 and 1859. Initially called the Convict Establishment, Fremantle Prison held male prisoners of the British Government transported to Western Australia. After 1886 Fremantle Prison became the colony's main place of incarceration for men, women and juveniles. Fremantle Prison itself was finally decommissioned in November 1991 when its male prisoners were transferred to the new maximum security prison at Casuarina.

Fremantle Prison was a brutal place of violent punishments such as floggings and hangings. Conditions were primitive - freezing in winter and scorching in summer, infested with cockroaches and rats, the site was lonely and cruel. It housed thousands of prisoners, each with a fascinating story to tell. It was the site of numerous daring escapes and prisoner riots.

Western Australia, as we know it today, would not be here if not for the introduction of convicts to the colony and the construction of Fremantle Prison. For students studying the history of our State and Australia, Fremantle Prison is an essential site of historical investigation.



CURRICULUM LINKS

YEAR 5 – THE AUSTRALIAN COLONIES

The Year 5 curriculum provides a study of colonial Australia. Students look at the founding of the British colonies and the development of a colony. They learn about what life was like for different groups of people in the colonial period. They examine significant events and people, political and economic developments, social structures, and settlement patterns.

A framework for developing students' historical knowledge, understanding and skills is provided by inquiry questions. The key inquiry questions at this year level are:

- **What do we know about the lives of people in Australia's colonial past and how do we know?**

As a place of active historical inquiry Fremantle Prison has a wealth of information and stories for students studying Western Australian History. Our online education resources are packed with information about the Prison, its role in the development of the colony, and biographical information about significant people who lived and worked here.

- **How did an Australian colony develop over time and why?**

Fremantle Prison played a major role in the development of the Swan River Colony. As the seat of the convict system it influenced the development of the colony for more than 50 years.

- **How did colonial settlement change the environment?**

The work of convicts changed the face of Western Australia through extensive building projects, land clearing, and infrastructure development such as roads, jetties and wells. The forced labour of the convicts was organised and centrally controlled from Fremantle Prison.

- **What were the significant events and who were the significant people that shaped Australian colonies?**

The history of Fremantle Prison is packed with stories of escapes, punishments, riots and reform. Both prison administrators and prisoners who spent time at Fremantle Prison were significant figures in the development of the colony.

HISTORICAL CONCEPTS

Evidence and Significance

Fremantle Prison exhibits an extraordinary power of place. Because it remained operational as a prison until 1991, the site is remarkably intact and authentic. Students visiting the Prison can see first hand what life was like for modern prisoners as well as for convicts 150 years ago. Seeing the original heritage fabric allows students to identify the heritage significance of the site.

Sources

Our tour guides encourage students to ask questions while on tour. In this way are tours focus on an exchange of information rather than a one-way lecture on the Prison's history – our tour guides are sources of information directed by the active inquiry of students.

Continuity and change

On a tour of the Prison students can identify what aspects of the prison system changed over the years and what stayed the same.

Cause and Effect

Our display cells provide a visual example of how changes to cells over the Prison's history were driven by cause and effect.

Perspective

People in the past may have had different points of view about a particular event, depending on their age, gender, social position, beliefs and values etc. Our tour guides tell stories about historical individuals and provide an insight into their differing perspectives.

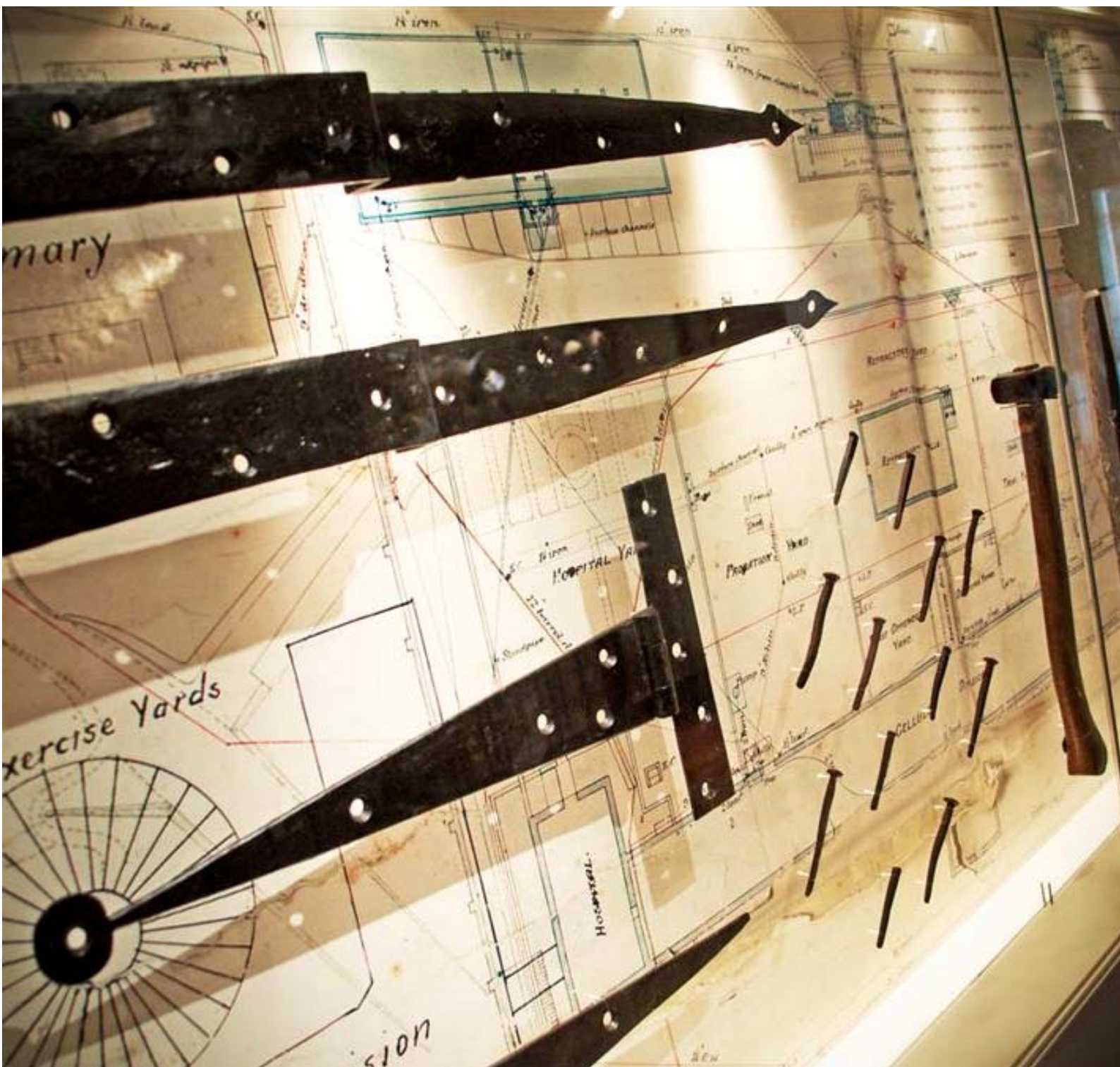
Empathy

An understanding of the past from the point of view of a particular individual or group, including an appreciation of the circumstances they faced, and the motivations, values and attitudes behind their actions. Students on tour see the real conditions of incarceration and punishment which helps them to empathise with prisoners' experiences.

HISTORICAL INQUIRY

Fremantle Prison is a site of active historical inquiry. Historical research to inform the content of our tours and exhibitions is ongoing. Curators research and manage the Prison's collection which includes convict artefacts, prison clothing, documents, photographs and artworks. Prison historians research the intangible heritage of the site which includes stories of prison life, escapes, riots and punishments. Heritage specialists manage and conserve the Prison's buildings and structures, ensuring that they are preserved for generations to come.

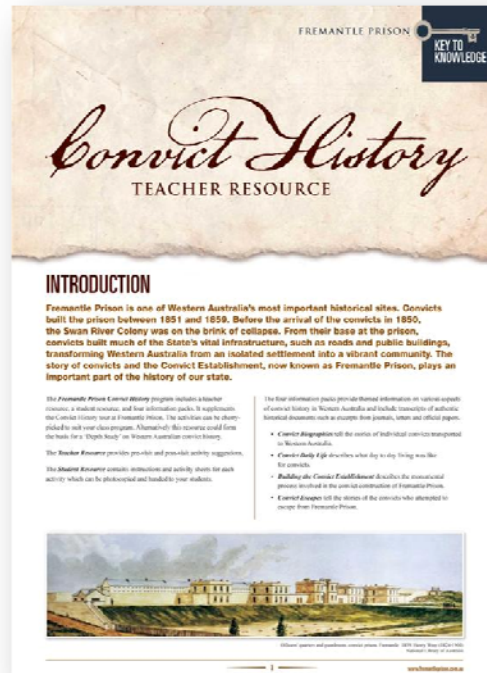
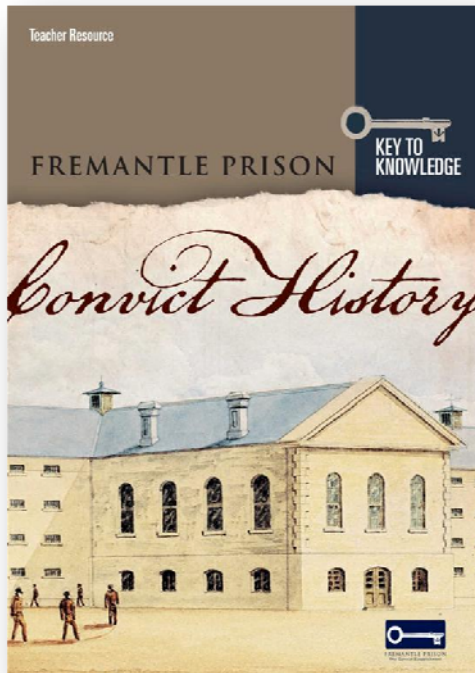
Fremantle Prison has two visitor centres which provide visitors to the site with an introduction to the history of Fremantle Prison and the themes of incarceration. The Convict Depot focuses on the story of the convicts who originally built Fremantle Prison.



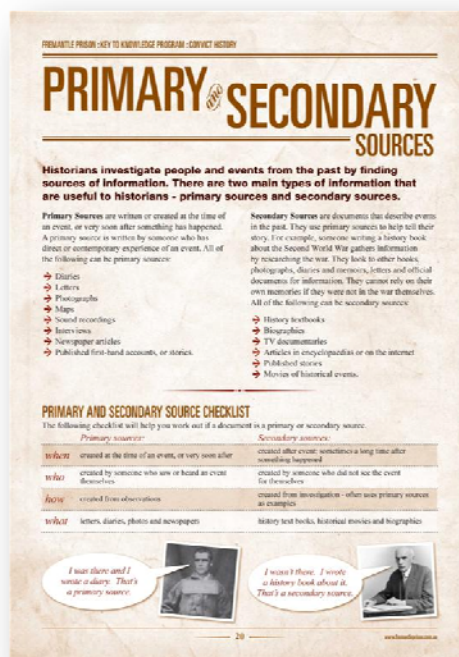
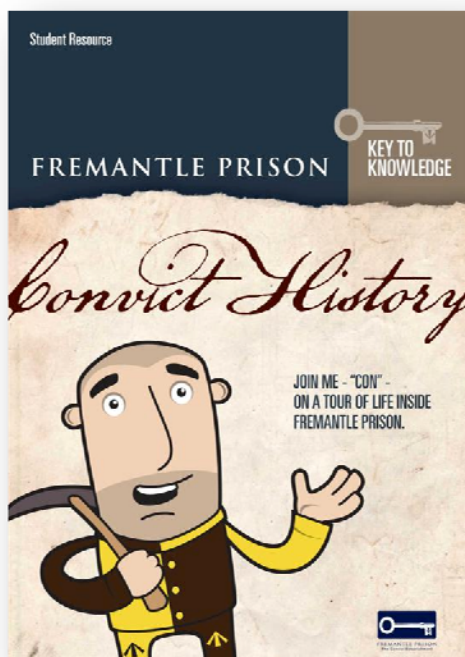
TEACHING RESOURCES

Fremantle Prison's on-line Convict History resources are designed for students studying early colonial or convict history. These resources are free and downloadable at www.fremantleprison.com.au

The Teacher Resource provides suggested pre-visit and post-visit activities.



The Student Resource provides activity and information sheets for students. An example activity is provided on the following page.



PRIMARY SECONDARY SOURCES

Historians investigate people and events from the past by finding sources of information. There are two main types of information that are useful to historians - primary sources and secondary sources.

Primary Sources are written or created at the time of an event, or very soon after something has happened. A primary source is written by someone who has direct or contemporary experience of an event. All of the following can be primary sources:

- ➔ Diaries
- ➔ Letters
- ➔ Photographs
- ➔ Maps
- ➔ Sound recordings
- ➔ Interviews
- ➔ Newspaper articles
- ➔ Published first-hand accounts, or stories.

Secondary Sources are documents that describe events in the past. They use primary sources to help tell their story. For example, someone writing a history book about the Second World War gathers information by researching the war. They look to other books, photographs, diaries and memoirs, letters and official documents for information. They cannot rely on their own memories if they were not in the war themselves. All of the following can be secondary sources:

- ➔ History textbooks
- ➔ Biographies
- ➔ TV documentaries
- ➔ Articles in encyclopaedias or on the internet
- ➔ Published stories
- ➔ Movies of historical events.

PRIMARY AND SECONDARY SOURCE CHECKLIST

The following checklist will help you work out if a document is a primary or secondary source.

| | <i>Primary sources:</i> | <i>Secondary sources:</i> |
|-------------|---|---|
| <i>when</i> | created at the time of an event, or very soon after | created after event; sometimes a long time after something happened |
| <i>who</i> | created by someone who saw or heard an event themselves | created by someone who did not see the event for themselves |
| <i>how</i> | created from observations | created from investigation - often uses primary sources as examples |
| <i>what</i> | letters, diaries, photos and newspapers | history text books, historical movies and biographies |

I was there and I wrote a diary. That's a primary source.

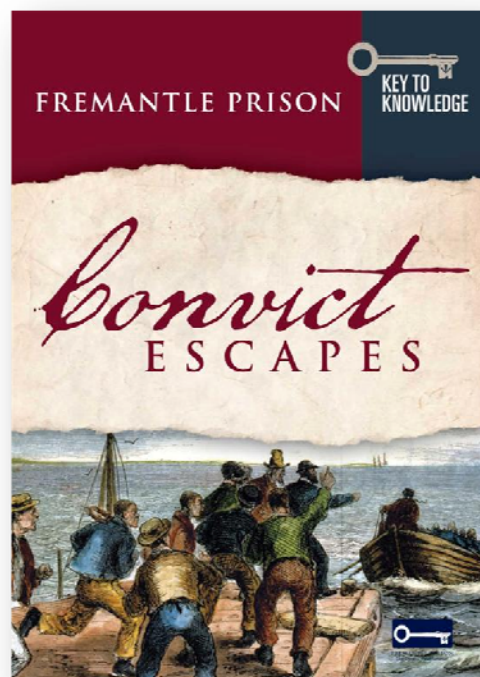
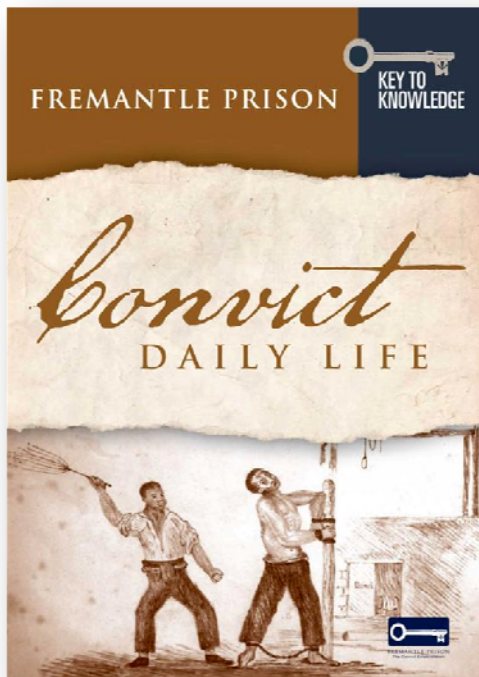
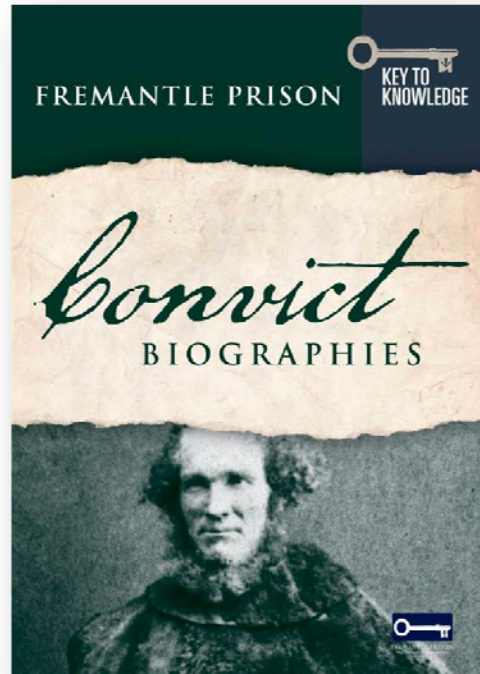
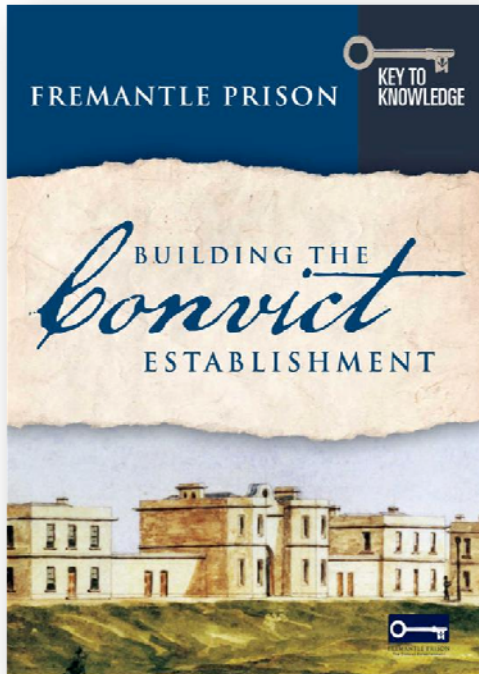


I wasn't there. I wrote a history book about it. That's a secondary source.



RESOURCE BOOKLETS

There are four resource booklets that provide supporting information for the student and teacher booklets.



SUGGESTED PRE-VISIT ACTIVITY

In terms of preparing students for a visit to Fremantle Prison, a useful pre-visit activity would be to run a simple Five Ws and an H exercise to focus students on what they plan to learn from their visit. In small groups students list possible questions focussed around the theme of their visit. Ideally their questions should link back to one or more of the key inquiry questions from the Australian History Curriculum for year 5:

- **What do we know about the lives of people in Australia’s colonial past and how do we know?**
- **How did an Australian colony develop over time and why?**
- **How did colonial settlement change the environment?**
- **What were the significant events and who were the significant people that shaped Australia colonies?**

Questions are grouped into five Ws and an H. These questions then form the focus of their visit to Fremantle Prison and are used to direct the tour guides tour.

What do I want to know?

WHAT?

WHO?

WHEN?

WHERE?

WHY?

HOW?

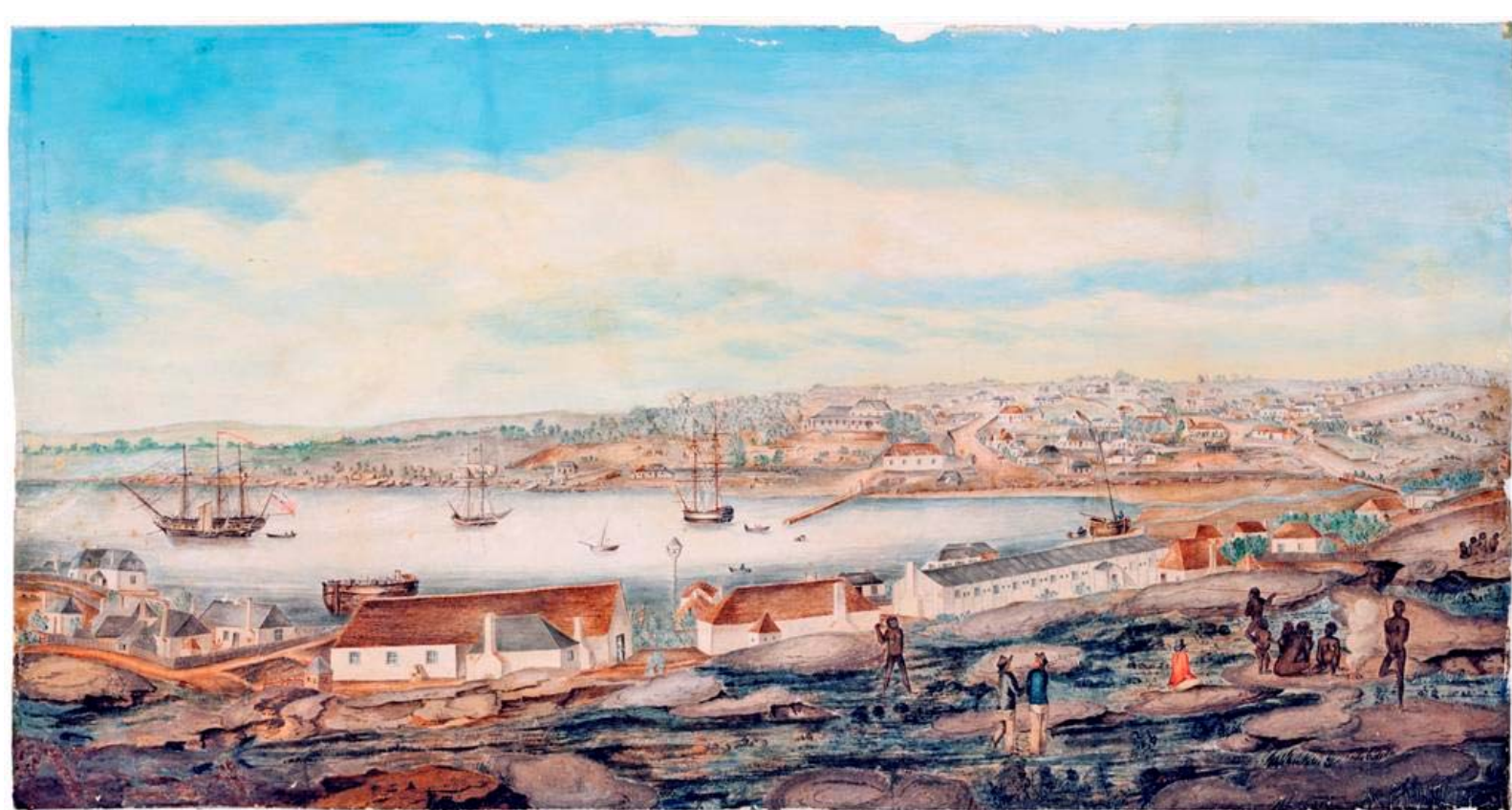
Write a question you can ask the tour guide on your trip to Fremantle Prison.

FREMANTLE PRISON HISTORICAL OVERVIEW

CONVICT AND COLONIAL ERA

INTRODUCTION

British transportation of convicts to Australia was the first time in history that a new society was built on the labour of convicted criminals. Between 1788 and 1868, approximately 166,000 convict men, women and children were sent to Australia on 806 ships. Thousands of soldiers, pensioner guards and prison warders, many accompanied by their families, came to manage the prisoners. Australia, a vast continent inhabited by Aboriginal people with their own cultures and traditions, was forever changed both physically and culturally by this massive forced migration. It is impossible to understand modern Australia today without reference to its convict past.



View of Sydney Cove, 1803, George William Evans
State Library of NSW

OVERVIEW

In 1788, eleven transport ships comprising the First Fleet carried 775 convicts and 645 military guards and their families to the new convict colony of New South Wales. Western Australia was first colonised 43 years later in 1829. Unlike the eastern colonies it was a free settlement. However, the inhospitable nature of the land made life difficult and the colony struggled for 20 years. The settlers eventually petitioned the British Government to send convicts and the colony was transformed into a penal colony in 1849.

The first convicts arrived in 1850. Over the next 18 years nearly 10,000 convicts landed in Western Australia. They built roads, bridges and much-needed public infrastructure. As the colony became more economically viable the public mood for convicts changed and transportation ended in 1868. The convict system continued to operate for another 18 years. After the convicts served out their sentences they entered the community as free men. Even so, society during this time was fractured into two classes, free settlers and ex-convicts. This social division lasted for many years and even throughout the Twentieth Century, Western Australians shunned their convict ancestry and the past was treated as a shameful secret. It is arguable however that without the transportation of convicts it is possible that the Swan River Colony would not have endured.

FROM FREE SETTLEMENT TO PENAL COLONY

The political object of transportation is colonisation.

Superintendent Thomas Dixon's Half-yearly Report, 10 January 1857

Convicts played a vital role in the history of Western Australia. During its first two decades the Swan River Colony suffered from a severe labour shortage and a lack of public infrastructure such as roads, bridges, jetties, sewerage systems, hospitals and schools. Many of the early settlers abandoned the colony and headed east to the more established settlements in New South Wales and Tasmania. With less than 6,000 settlers remaining by the late 1840s, the failure and collapse of the colony was an imminent possibility.

Convict labour was seen as a feasible solution to the colony's woes. A sympathetic British Government, looking for an answer to their burgeoning prison population, agreed and on 6 November 1849 the Swan River Colony became a penal settlement.

ARRIVAL OF CONVICTS

In June 1850, the first convict transport ship the *Scindian* arrived at Fremantle. On board were Royal Engineer Captain Edmund Henderson and his family, the Superintendent of Convicts Thomas Hill Dixon, 75 male convicts, some warders, and 50 Pensioner Guards.

Henderson rented a warehouse on the beachfront at South Beach from the harbourmaster, Captain Daniel Scott, located where the Esplanade Hotel is today. The convicts were forced to stay aboard the *Scindian* where it lay at anchor in Gages Roads while the warehouse was made secure and suitable for their accommodation.

If any colonist wishes for proof of the incalculable benefit this colony will receive, from the formation of the Convict Establishment, let him visit Fremantle, and contrast what he will now observe there, with what was to be seen only a couple of months since. Where before was nothing but long faces, downcast looks, depression and listlessness, now will be found happy smiling countenances, and a bustle and activity which augurs well both for the present and the future.

The Perth Gazette, 5 July 1850

In the first year of transportation, four ships unloaded 676 convicts¹ into a town of less than 500 people. The free citizens of Fremantle, fearing the social impact of the 'degenerate' convict presence, called for greater security and controlling measures such as curfews. Fitzgerald ordered Henderson to forbid any ticket-of-leave men from working in Fremantle.



View of South Bay, Fremantle c1855 (artist unknown)
Fremantle Prison Collection

CONVICTS BUILD FREMANTLE PRISON AND COLONIAL PUBLIC INFRASTRUCTURE

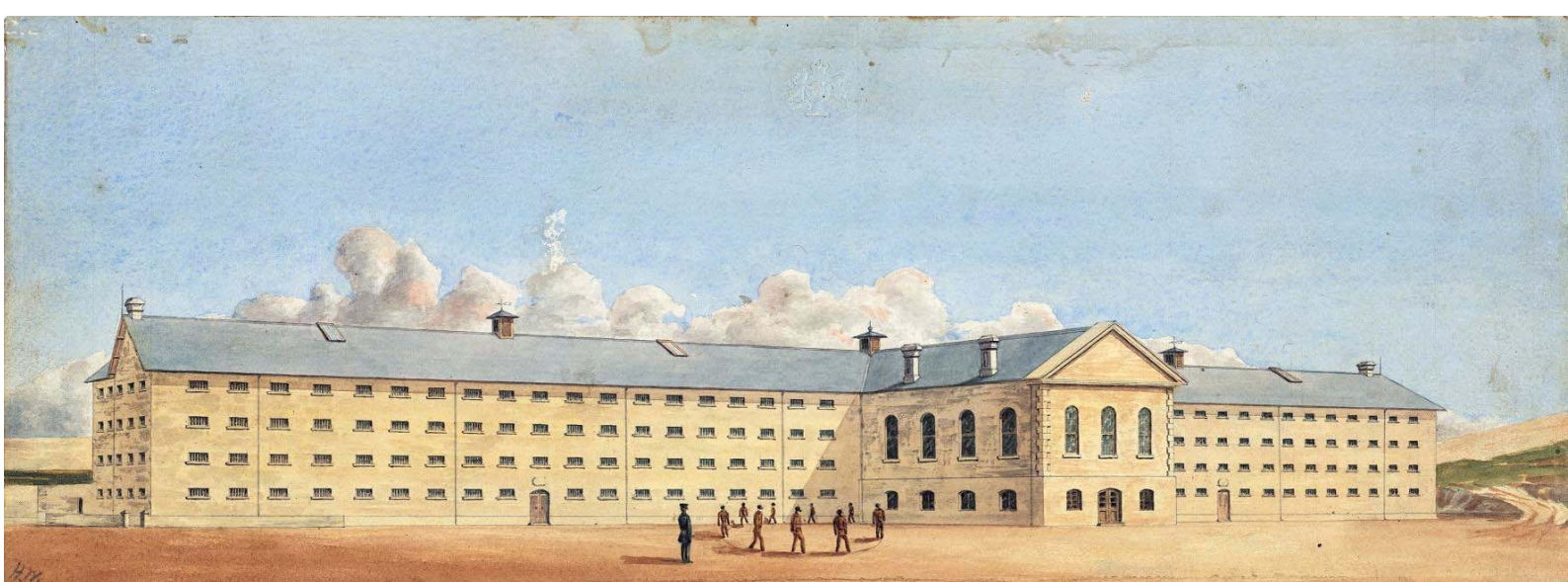
A hillside above Fremantle was chosen as the site for the new convict prison. Fremantle Prison was built between 1851 and 1859 from limestone quarried on-site. Construction involved three main projects including accommodation buildings for prison officers, service buildings and perimeter walls, and cell ranges. Royal Engineers (commonly known as the Sappers) from the British Army provided technical supervision while the convicts built the prison.

¹ The *Scindian* landed on 1 June 1850 with 75 convicts, the *Hashemy* on 25 October 1850 with 100 convicts, the *Mermaid* on 13 May 1851 with 208 convicts, and the *Pyrenees* on 28 June 1851 with 293 convicts (Bateson, C., 1974)

After 10 years of planning and building, the Convict Establishment, designed to accommodate 882 convicts, was ready. The following year only one convict was sent out from England. This lull in transportation, however, was short lived and the steady stream of convicts began flowing once again in 1861. It continued without interruption until transportation ceased in 1868.

The convicts came to build a colony, and build one they did. During the 1850s and 1860s vital infrastructure as well as a number of important buildings in Fremantle and Perth were constructed. Between 1850 and 1862 convicts built 563 miles of road, including Stirling and Canning Highways, and 239 bridges. They cut down more than 4000 trees, dug 44 wells and made 543 culverts. Convicts built the South Bay Jetty at Anglesea Point which served as Fremantle's main jetty until the early 1870s, and the North Bay Jetty in the mouth of the Swan River.

Important public buildings constructed by convicts included the Fremantle Lunatic Asylum, the Perth Gaol and Courthouse, Perth Colonial Hospital, Government House, the Perth Town Hall, as well as convict depots throughout the colony.



Convict Prison, Fremantle 1859, Henry Wray
National Library of Australia

TRANSPORTATION ENDS 1868

On 20 June 1863, a Commission into transportation and penal servitude to Western Australia, chaired by Earl Grey, recommended that transportation be extended indefinitely as a permanent policy. This recommendation was met with strong criticism by the eastern colonies who believed that the 'convict stain' tainted the entire continent and that ex-Swan River convicts with conditional pardons were relocating to the eastern states bringing crime and moral decay with them. The eastern colonies had abolished transportation to their part of Australia two decades previously and were keen to see it stopped in the west as well. They were at odds with many of the Swan River settlers who had enjoyed more than a decade of economic growth as a result of convict labour.

The following year rich pastoral lands were discovered in the north of Western Australia. Hampton wrote to the British Government requesting increased transportation so that

convict labour could be used to open up the north. The Secretary of State, sensing a potential division between the north and south of Western Australia, decided to settle the vexed issue of transportation then and there. He announced the end of transportation in three years time. The Times newspaper in England commented:

This discovery could not fail to mark an epoch in the history of Western Australia. When a new country is thrown open for settlement in Australia the admission or non-admission of convict labour becomes a matter of the first moment. ... It would have been possible no doubt to place the new settlement under different regulations from the old, but had this arrangement been made the feud now existing between Western Australia and the Eastern Colonies must have arisen in an aggravated form between the North and South of Western Australia itself. There was a judicious way, and one only, of meeting the difficulty, and that was to cut the knot of it and solve the convict question by the same stroke.

The Times, quoted in The Cyclopedia of Western Australia, Vol. 1 1985, Hesperian Press, p. 108.

Early in 1865 the House of Commons was informed that the system would come to an end by 1868. A despatch was forwarded to Governor Hampton stating that;

... (t)he present intention of the Government is to send out two ships containing from 270 to 280 convicts, in each of the years 1865, 1866, and 1867, at the end of which time transportation will cease.

Reviewing the achievements of the convicts, the *Inquirer* gave a summary of the results of eighteen years of transportation:

We have made roads and bridges and constructed many public works which without the aid of the convict system we could not have performed. A large Imperial expenditure in the colony has maintained a trade and strengthened the hands of the settlers. ... We have learned that the criminal is not all evil, that the angel within is not forever expelled by the verdict of a jury, that it may and does survive many deviations from the path of rectitude, and leaves us at times to marvel at the good that lingers around the hearts of even the hardest offenders needing but little kindness from one to another to bring it out.

The Times, quoted in The Cyclopedia of Western Australia, Vol. 1 1985, Hesperian Press, p. 108.

There can be no doubt that transportation was coming to a natural and appropriate end. Public opinion on how criminals were treated by the government was changing in a fundamental sense. Just as institutionalised slavery was viewed as an historical shame, so too would transportation be viewed in a short period of time.



Fremantle Prison Gatehouse with signal cannon in foreground c.1870s
Fremantle Prison Collection

CONVICT SYSTEM ENDS 1886

Even though transportation of convicts to Western Australia had ceased, 3158 convicts remained in the system, most of whom were working in the colony on tickets of leave. Fremantle prison remained under administration of the British Government and the system continued to operate for another 18 years.

By 1884 only 63 prisoners populated Fremantle Prison, aging ex-convicts and serial re-offenders. By this stage the prison was a mostly empty complex, quiet but for the sounds of a few remaining angry and bitter men. The British Government, reluctant to continue paying for Fremantle Prison, decided to hand the Prison over to the colony. On 31 March 1886 Fremantle Prison was transferred to the Colonial Government, bringing an end to 36 years of convict history in Western Australia.

STORY: THOMAS BUSHELL – STORY OF PUNISHMENT 1865

Thomas Bushell, a young Irishman in the British Army, was sentenced to life imprisonment and transportation for striking a superior officer while serving in Malta. He arrived in Fremantle on the Edwin Fox in 1858. Working in the kitchen the following year he wrecked some kitchen tools by using them to clean the boilers and was sentenced to the Refractory Block. While locked in a dark cell he attempted to hang himself using a cord pulled from the lining of his jacket. He was transferred to the temporary asylum on Cliff Street near the Commissariat whereupon he assaulted the warders who came to his cell. Surgeon Attfield ordered him into solitary confinement and after six weeks seclusion he had calmed down. Four months later Attfield recommended that he be discharged and returned to the establishment. Bushell responded by tearing up his bedding and threatened to kill himself and anyone who came near. He was diagnosed to be insane but too dangerous to keep at the asylum. He was returned to the Refractory Block in the establishment.

From this point on Bushell was constantly in trouble, threatening warders, refusing to work, and attempting to escape. He was flogged, spent weeks on bread and water, and spent weeks on end in solitary. At one point he was sentenced to hard labour in leg irons and worked on the Fremantle Bridge building site. He spent a year out of trouble working from the Guildford Convict Depot before he threatened to kill a co-worker. He was sentenced to 100 lashes and two weeks on bread and water in solitary. On release from the Refractory Block he was sent to the Albany Depot where he attempted to escape, and was again returned to the establishment.

Far from achieving his ticket of leave, in 1863 Bushell attempted to escape another three times and was sent to work on Rottnest Island. Five months later he was returned to Fremantle for disobedience and placed in irons. He was again put to work on the Fremantle Bridge and kept in irons for eight months. Then, finally in 1865, Bushell went too far and attacked a warder with a knife.

The knife attack

After working in the Prison Bakehouse on the Sunday Bushell smuggled a 13-inch dough knife back to his cell. That afternoon as Warder Hollis was mustering the convicts for the church service, Bushell came up behind and struck him in the shoulder with the knife. He immediately gave himself up to the warders and told them he had attacked Hollis. His reason for the attack was that:

Hollis had told some prisoners that Bushell had given the information which led to the discovery that the window of (convict) 8047 Charles Kemball had been bored with an augur.

Bushell was locked in the Refractory Block and on 6 September 1865 he was tried before Chief Justice Burt on the charge of 'feloniously and maliciously stabbing Warder Hollis with the intent to Murder'. Bushell pleaded not guilty and conducted his own defence. While not denying he had attacked Hollis, he stated that he had not intended to kill him and he was sorry for what he did.

Warder Hollis actually spoke in defence of Bushell, explaining to the Chief Justice and the jury that the prisoners 'consider it most disgraceful to tell tales on one another ... (and he) did not believe the prisoner intended to harm him.' Despite Hollis' defence of the man who had

attacked him, the jury found Bushell guilty. Three days later Thomas Bushell, at the age of 29, was hanged at the Perth Gaol.

CONVICT 1014 JOSEPH LUCAS HORROCKS

Not all convicts were inherently villainous or hapless vagabonds. In time many of them commanded respect and even admiration for their achievements.

R. Erickson, *The Brand on his Coat – Biographies of some Western Australian convicts*, 1983

Joseph Lucas Horrocks was convicted of forgery and attempting to pass a false bill of exchange in London in 1851. Sentenced to 14 years transportation he arrived at Fremantle on the *Marion* in 1852. Horrocks differed from the other convicts in that he was well educated, and at 35 years much older than the men around him.

Between 1852 and 1853 he worked on the construction of the Convict Establishment. In 1853 he earned his ticket of leave and travelled north to the Lynton Depot at Port Gregory where he worked as a doctor.

The Lynton Depot was abandoned in 1857. Horrocks received his conditional pardon and settled in the district of Wanerenooka where he developed a successful copper mine. News of Horrocks' enterprise spread and many newly released convicts headed north with the hope of employment. He employed 60 ticket of leave men between 1862 and 1865. Horrocks built a mill and encouraged farmers to settle in the area. He built the Gwalla Church between 1861 and 1864 and opened a schoolhouse in 1863. He petitioned for the state's first public railway to be built between his mine and Geraldton port, thirty miles to the south. The railway opened in 1879.

The community with its 'curving stone-walled road, its neat row of cottages and carefully tended gardens' as described by Rica Erickson in *The Brand on His Coat*, was named Northampton in 1864.

Horrocks died from general ill health on 7 October 1865 and was buried in the Gwalla Cemetery near his church. Joseph Horrocks was one of the most successful convicts who built not only a good life for himself but an entire community after he was freed from prison.

MOONDYNE JOE

One of Fremantle Prison's most famous inmates was Joseph Bolitho Johns, known as Moondyne Joe. Moondyne Joe was celebrated by Perth and Fremantle newspapers at the time for his many escape attempts as well as his ability to embarrass Governor Hampton.



Moondyne Joe 1880
Hesperian Press and Ian Elliot

Joseph Bolitho Johns (1830-1900), better known as the Western Australian bushranger Moondyne Joe. This is the only known photograph of Joseph Bolitho Johns (1830-1900). It depicts Johns holding a tomahawk and wearing a kangaroo skin cape.

When Joseph Johns arrived at Fremantle on the *Pyrenees* in 1853, he was immediately granted his ticket of leave. He worked as an animal tracker near Toodyay until 1861 when he was accused of stealing a horse. This earned him a three year sentence in the Convict Establishment. It was not long before he received another ticket of leave. He returned to the Moondyne Springs area near Toodyay, but only four years later in 1865 he went back to prison after stealing and killing an ox. He escaped from a work party in that year but was recaptured and another year was added to his sentence. A year later he managed to escape once again but was again recaptured and a further five years were added to his sentence. By this time the newspapers were writing about Moondyne Joe and he became well known in the colony.

Frustrated by Joe's escapes, Governor Hampton ordered an escape proof cell to be built in the establishment for Moondyne Joe. The cell was reinforced with wood panelling and long nails to prevent Joe from digging his way out. Inspecting this cell Governor Hampton told Moondyne Joe sarcastically, "If you get out again, I'll forgive you."

Joe's health got worse. To give him fresh air and exercise, he was put to work breaking rocks in the Parade Ground in 1867. Under strict supervision Joe broke rocks daily until a large pile of rubble had built up near the front wall of the prison. Now, partially hidden behind the pile, Joe quickly dug a hole through the prison wall with his pickaxe and emerged into the Superintendent's yard. He escaped through a gate and disappeared into nearby bushland.

Moondyne Joe was at large for the next two years. In 1869 he broke into the cellar of Houghton's Vineyard in the Swan Valley intending to steal some wine. Bad timing saw a group of policemen led into the cellars for a social drink and Joe, attempting to flee, literally ran into their arms.

He was returned to the Establishment. This time Joe behaved himself and did not try to escape again. He earned his ticket of leave in 1871 and became a free man in 1873. He stayed out of trouble for the rest of his life.

CONVICT 5850 ANDREW MILLER

Miller jumped up. They all ran together ... I called on Miller to stand, and he turned round and fired; the ball struck some dry jam trees just above my head ... He then fired at me again and I threw myself down behind a tree ... I fired at Miller ... I struck Miller in the groin ... Miller fell from the loss of blood.

Detective John McKenna, reporting on the capture and death of ex-convict and wanted murderer, Andrew Miller, 1884

Andrew Miller was 16 when convicted at Cambridge in 1859 for house breaking and larceny. He was transported for 10 years and arrived in Fremantle on the *Palmerston* in February 1861.

In July 1862 while working on a road party between Guilford and York, Miller and four companions held up two approaching supply carts. They attacked the teamsters and made off with the supplies. Miller threatened the teamsters; 'if you holler again I'll put your bloody light out,' he cried, and 'dead men tell no tales'. He was caught the next day and returned to the Convict Establishment.

Miller was a difficult prisoner who constantly tried to escape. Caught each time he was punished with a stint in solitary confinement. After a period of good behaviour he was released with a ticket of leave. However, ten years later he was caught stealing a wallet and sent back to Fremantle Prison for three years of hard labour.

Finally in September 1884 he was charged with the murder of a policeman in Beverley. Miller and an ex-convict named Thomas Carbury became violently intoxicated after drinking in the Settler's Arms Hotel in Beverley. They were arrested by Constable Patrick Hackett who locked the pair up and released them later that evening after they had sobered up. However, later that night Miller and Carbury followed and attacked Constable Hackett, beating him to death with two hammers.

The well-liked policeman had a wife and a one week old baby. A major manhunt for his murderers followed. The police came upon the convicts resting by a local river. During a major gunfight Miller was shot in the groin but Carbury escaped. Miller, bleeding badly, admitted to the killing and cursed Carbury for being a coward. He died shortly after.

CONVICT 7340 THOMAS 'SATAN' BROWNE

Should any evil befall me I ask you kindly to see to my funeral ... These are the true and last words of a lost and dying man who has lived industriously, frugally and honestly as you yourself can testify. ... I wish to lay against my child.

Thomas Browne, in a letter to detective Sergeant Rowe on the night of his death, 1882

Thomas Browne was an architect and civil engineer in London with experience in building railways. Convicted of forging a money order he was transported to Western Australia on the *Lord Dalhousie* and arrived in Fremantle in 1863. For the next year and a half his skills were put to use on building projects in the colony.

Browne received a ticket of leave in June 1865 and found work as a schoolmaster near Bunbury. Four years later he received a conditional pardon and moved to Fremantle to work as an architect and land agent. He earned the nickname 'Satan' because of his black hair, sallow complexion and thin face. He married in 1875 and he and his wife had a daughter who unfortunately died six months later.

While his personal life was marred with tragedy, Browne's public life suffered from the stigma of his convict background and he found it difficult to find employment. James Thomas, the Director of Public Works, took a dislike to Browne and ensured that no-one would employ him. At this point Browne decided to change career entirely.

In 1879 he leased the Old Mill in South Perth. He developed it as a pleasure resort which included a dining and supper room on the first floor, surrounded by a wide circular balcony, a smoking room for gentlemen on the second floor, and a viewing gallery at the top of the tower boasting views across the river to Mount Eliza and Perth. 'Alta Gardens' opened with a flourish on 21 April 1880 and quickly became the place to be seen in the upper social circles of the colony.

However, Browne's bad luck was soon to return and by 1881 he was deep in debt. When it was apparent that he would be returned to Fremantle Prison he committed suicide, swallowing a lethal dose of strychnine.



The Convict Establishment c1864, Thomas 'Satan' Browne
State Library of New South Wales

CONVICT 9843 JOHN BOYLE O'REILLY

They rode for hours until they reached a dry swamp near the sea. ... They had no water, and suffered horribly from thirst. Through the hot day that followed, O'Reilly lay on the sand, tortured with blistering pains and hunger. ... In the afternoon the white sails of the whaleships were seen and the company put out, but to their amazement the Vigilant sailed away, never heeding their signals.

Captain George S. Anthony, Commander of the *Catalpa*, 1897

In 1868 the British Government sent 62 Fenians (Irish nationalists opposed to British rule in Ireland during the 1800s), on the last transport ship, the *Hougoumont*, to Fremantle. The Fenians differed from the typical convicts in that they were generally well educated, literate men.



John Boyle O'Reilly c1867
Courtesy Kevin Cusack, USA

John Boyle O'Reilly was put to work in the Prison Library as the Chaplain's clerk. As a trusted prisoner he was soon transferred to a work party in Bunbury where it was his responsibility to help muster the convicts and carry communications between the work party warder and the

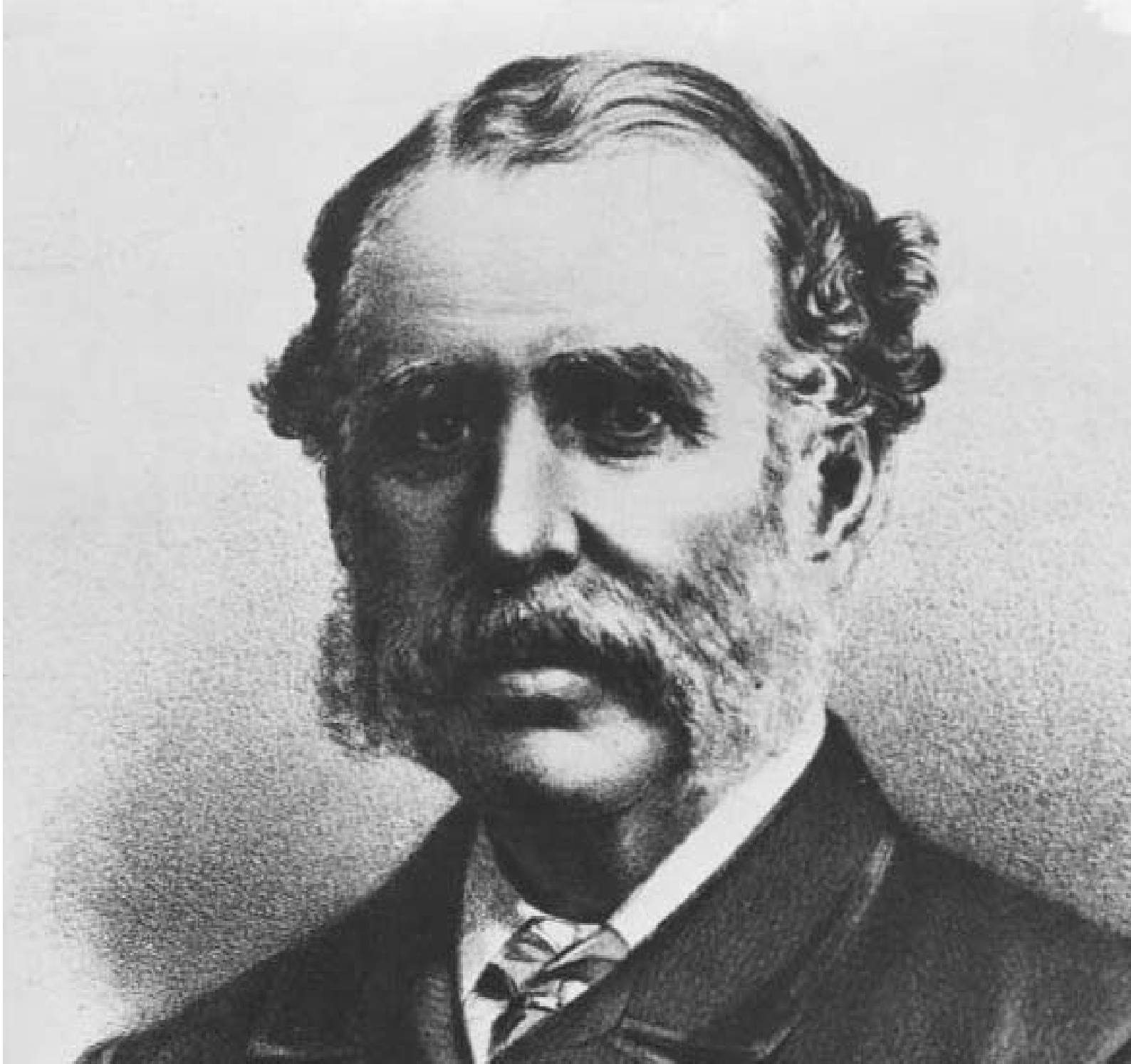
local convict depot. O'Reilly took advantage of this trusted position to meet with two locals in the Bunbury Irish Catholic community, a local priest Father McCabe and 'Big Jim' Maguire. Together they planned O'Reilly's escape and organised passage for him on an American whaler the *Vigilant*. On the appointed day in February 1869, O'Reilly absconded from the work party, met up with Maguire and rode to a secluded beach where a rowboat waited. They rowed out into Geographe Bay but unfortunately the *Vigilant* failed to sight them and sailed away.

By this time the police and Aboriginal trackers were chasing him. Over the next few weeks O'Reilly was forced to hide in the sand dunes in the scorching summer sun with little fresh water while his friends organised another rescue. Eventually another whaler the *Gazelle* was secured to carry O'Reilly to safety. On 2 March 1869 he again rowed out into Geographe Bay, was picked up by the whaler and sailed away to freedom.

O'Reilly did not forget the Fenian prisoners left behind in Fremantle Prison. Once in America he met with John Devoy, a member of the American Fenian Brotherhood, and helped plan their rescue. Their arrangements ultimately led to the famous *Catalpa* escape.

EDMUND HENDERSON- COMPTROLLER-GENERAL OF CONVICTS

The Comptroller-General was in charge of all aspects of convict life. Sir Edmund Henderson was born on 19 April 1821 in Hampshire, England, into a military family. After quickly rising through the ranks of the Royal Engineers (a command in the British Army commonly referred to as the Sappers), he was appointed the Swan River Colony's first Comptroller-General of Convicts.



Comptroller-General Edmund Henderson c1860
State Library of Western Australia

Henderson was 'a kindly and just man, moderate and understanding, opposed to the harsher forms of discipline. He thought that flogging did more harm than good, and that putting men in chains was useless and aggravating.'² Henderson often disagreed with the colony's governors. For example, when designing the Convict Establishment, he argued that a solitary confinement block was unnecessary – he believed that the cramped conditions of the cells in the main cell block would be punishment enough. However, Governor Fitzgerald ordered Henderson to build the Refractory Block, a place of secondary punishment for those convicts who broke the rules.

In 1855 Henderson's wife Mary died while the new prison was still being built and in February the following year Henderson returned to England for an extended period of absence. Henderson returned to Australia two years later in 1858 with a new wife to oversee the final stages of the prison building project.

Henderson was popular amongst the free settlers for his good management of the convicts and his positive approach towards prisoner reform. However, this changed in 1862 when Governor Kennedy was replaced by John Hampton. Governor Hampton's strong belief in strict discipline clashed with Henderson's more humane approach. Henderson resigned from his position and left the colony with his family on 7 February 1863.

² Hasluck, Alexandra (1959). *Unwilling Emigrants*. Melbourne: Oxford University Press. Republished in 1991 by Fremantle Arts Centre Press.

GOVERNOR HAMPTON

John Hampton was appointed Governor of Western Australia on 28 February 1862. He had a controversial background – while employed as Comptroller-General of Convicts in Van Diemen's Land from 1846 to 1855 he was accused of corruption and making money from the illegal employment of convict labour. His governorship of the colony came to be one of the darkest periods for convicts in the prison's history.



Governor John Hampton c1860s
State Library of Western Australia

During his six year term as Governor of Western Australia Hampton payed close attention to convict affairs. His interference in convict management drew the hostility of Perth newspapers and many prominent citizens. Comptroller-General Henderson resigned and left the colony in December 1862. Before Henderson's replacement arrived, Hampton assumed direct control of the Convict Establishment. When the new Comptroller-General Captain Newland arrived in 1863, Governor Hampton refused to give up control and he and Newland constantly argued.

Newland left in 1866 and Governor Hampton placed his own son George Hampton in the role of Acting Comptroller-General. George was an unlikable man and he became extremely unpopular with the colonists.

Hampton was a tyrannical leader. During the years 1865 to 1867 the number of floggings at the establishment increased. Hampton reintroduced the use of solitary confinement which had ceased three years earlier. A convict caught attempting to escape could receive 100 lashes from the cat o' nine tails, and perhaps six to nine months solitary confinement beginning with 30 days on bread and water.³ Both the convicts and the general community complained about the Hamptons. On 5 September 1866 the *Inquirer* referred to the 'severity of punishment' in the establishment and Hampton's 'repressive regime.'⁴

Under the management of the Hamptons, escape attempts increased. Between June 1866 and March 1867, more than 90 convicts attempted to escape – three times the number of any other nine-month period.⁵ Of the 32 floggings during 1864, 25 were for escape attempts. Similarly, during 1865, 23 of the 40 floggings were for escape attempts.

³ Hasluck, A. *Unwilling Emigrants*, Fremantle Arts Centre Press, 1991, p. 60.

⁴ *Inquirer*, 5 September 1866.

⁵ Elliot, I. *Moondyne Joe – The man and the myth*, University of Western Australia Press, 1978. p. 87

FREMANTLE PRISON TIMELINE

| DATE | EVENT |
|------------------|---|
| 1788 | First Fleet arrives Port Jackson |
| 1819 - 1821 | Bigge Inquiry - Recommends stricter convict system |
| 1827 | Captain James Stirling explores Swan River area Stirling recommends establishment a colony at the Swan River |
| 25 April 1829 | <i>HMS Challenger</i> captained by Charles Fremantle arrives Cockburn Sound |
| 1 June 1829 | <i>HMS Parmelia</i> captained by Stirling arrives Cockburn Sound |
| 12 August 1829 | Foundation of Perth |
| 1837-1838 | Molesworth Committee - Recommends abolishment of transportation |
| 1840 | Transportation to NSW ends |
| 1842 – 1849 | Western Australia accepts 234 Parkhurst Apprentices |
| 1843 – 1844 | Economic depression effects colony |
| 1846 | York Agricultural Society petitions Legislative Council for colony to accept convicts |
| 6 November 1849 | Swan River colony officially becomes a penal settlement |
| 1 June 1850 | <i>Scindian</i> arrives Fremantle with first convicts In the first year of transportation, 4 ships unload 676 convicts |
| 18 December 1851 | Captain Henry Wray and Twentieth Company of Royal Engineers arrive Fremantle on the <i>Anna Robertson</i> |
| 1853 | Transportation to Van Dieman's Land ends |
| 1 June 1855 | Convicts move from temporary establishment to main cell block |
| 1856 | Select Committee on Transportation investigates transportation to colony |
| 2 January 1858 | Henry Wray leaves the colony |
| 1859 | Fremantle population is 2946 |
| 15 April 1859 | Superintendent Dixon suspended – flees colony in July |
| December 1859 | Construction of Convict Establishment officially completed |
| 28 February 1862 | Governor Hampton replaces Governor Kennedy |
| December 1862 | Comptroller-General Henderson resigns and departs colony |
| 1863 | Captain Newland replaces Henderson as Comptroller-General |
| 30 March 1863 | Warder Johns refuses order to give convict Own Duffy 100 lashes. He is relieved from duty |
| 1864 | Frequency of floggings at prison increases rapidly Government House completed using convict labour |

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| 1865 | Fremantle Lunatic Asylum completed, built with convict labour |
| 1866 | George Hampton replaces Newland as Acting Comptroller-General Fremantle (Stick) Bridge completed using convict labour |
| 5 September 1866 | Inquirer refers to 'severity of punishment' at the prison and is highly critical of George Hampton |
| 1867 | Convict Establishment renamed Fremantle Prison |
| March 1867 | George Hampton abolishes Board of Magistrates, removing prisoners' means of redress |
| 1868 | Transportation of convicts to colony ends with arrival of the last convict transport <i>Hougoumont</i> Upper southern association ward converted to prison schoolroom |
| 2 November 1868 | Governor Hampton resigns and departs colony |
| 31 March 1886 | Fremantle prison handed over to colonial authorities and becomes colonial prison |
| 1888 | Gallows constructed |
| 14 April 1888 | Transfer of prisoners from Perth Gaol to Fremantle Prison completed |
| 1889 | Jimmy Long first man hanged at Fremantle Prison |
| 1893 | Gold strikes at Coolgardie and Kalgoorlie |
| 1897 | Superintendent George orders height of perimeter walls to be increased in response to escape attempts |
| 1898 | Royal Commission into Prison System |
| 1899 | Royal Commission recommends abolition of dark cells and leg irons at Fremantle Prison, enlargement of cells and division of main cell block |
| 1900 | West Workshops constructed |
| August 1900 | Western Australian vote to join the Commonwealth |
| 1 January 1901 | Federation of states |