

## **Dobbers and Cobbers: Informers and Mateship among Convicts, Officials and Settlers on the Grass Tree Hill Road, Tasmania 1830-1850**

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This paper outlines the construction of the Grass Tree Hill Road near Richmond, Tasmania. Using Richmond Police records and other colonial sources, the road's construction is discussed and the longer -term implications of the road gang and convict system on Tasmanian and Australian society are considered. These effects were neatly paraphrased by Peter Ustinov who, in reply to a journalist's question at Sydney Airport, said

"I wouldn't be worried about a society descended from convicts, but about a society descended from the guards."

The survival of the Richmond Police Magistrate records, Lands and Survey Department and other colonial correspondence allows the study of the Grass Tree Hill road gang. Intrigued with constant charges and counter-charges by convicts and overseers, in addition to official sparring, I was led to muse upon the impact of road gangs on colonial society, and by inheritance, 20<sup>th</sup> century Australia.

The other side of the mateship thesis of Russel Ward and others is a less likeable and yet equally strong and pervasive history of spying and informing. Generally known as "dobbing" or in union parlance, "scabbing", fear of the traitor was all too real in Arthurian Van Diemens Land. Lt Governor George Arthur had introduced a system of "espionage", as he called it, to de-stabilise any unity among convicts. Those forwarding information were rewarded with shortened sentences, tickets-of-leave, and positions as overseers and constables. The capture of absconders was especially rewarded with 10 pounds sterling the standard fee.<sup>1</sup> At Port Arthur, an allowance of tea and sugar was an incentive for overseers and artisans.<sup>2</sup>

Past interest in the Grass Tree Hill road has centred upon its title as the "Carrington Cut" and debate over whether the road was a whim of Lt Governor George Arthur. Louisa Ann Meredith traversed it in 1848 and commented only on the beauty of the view and the goodness of the road's surface. Neither she nor later writers considered the impact on the individual employed on a road gang or on the psyche of a society descended from overseer and convict.

The topography, land use and transport method dictated early routes. The low but rugged Meehan Ranges, separating the Derwent River from Pittwater and Richmond, proved an

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<sup>1</sup> Heard, D. The Journal of Charles O'Hara Booth, Hobart. 1981, P.22

<sup>2</sup> Heard, *ibid*, P.30.

obstacle to both black and, later, white inhabitants. Tribal Aborigines were the first to move over the hills from Risdon to Pittwater. Bridle trails crossing from the Derwent were still often used well into the 20<sup>th</sup> century by farm-workers taking short-cuts over the Meehan Ranges. Perhaps the bridle trails followed the paths of the Aborigines? These trails may have been used by landed proprietors like Gregson, Knopwood and others crossing to the Coal River district for game hunting. Why would a hostelry at Dulcot on the road between Cambridge and Richmond be known as the *Risdon Inn* other than to signify the destination of the trail at Dulcot, a hamlet two miles from Risdon, on the other side of the Meehan Ranges? The exploitation of the Coal River Valley and the Pittwater district for cereals, potatoes and other crops, and livestock is well documented, as is the hunting of kangaroo and native emu. Evans and Knopwood reported on the sport, with two cart loads of kangaroos and emus being easily slaughtered before nine o'clock in a morning.<sup>3</sup>

The poor condition of the roads is commonly stated. In 1816, the Lt Governor was thrown from his carriage while travelling from Kangaroo Point to his *Carrington* property on the Coal River, causing him to be "considerably bruised."<sup>4</sup> John Birchall and settlers from Pittwater were unable to deliver commissioned wheat to Kangaroo Point in 1816, owing to "the late heavy rains".<sup>5</sup> Wade and other Pittwater settlers complained to Bigge in 1821 of the poor state of the road and the unreliable nature of shipping freights to Hobart, owing to fickle winds. Evans explains the delayed development of roads around Pittwater and the Derwent being due to the easy access to settlement offered by the waterways of estuaries. Evans describes the route to Launceston via "Kangaroo Point, the Coal River district and thence to the Plains of Jerusalem", but indicates that the "best and general route" is via Austin's Ferry, through Brighton.<sup>6</sup> At Risdon on the east of the Derwent, large farms were established, including Geils' at *Geils Town* and Gregson's at *Restdown*. Dr James Murdoch grew opium, rosemary, and camomile for medicinal use in the late 1820s.<sup>7</sup>

A route existed from Kangaroo Point (Bellerive) opposite Hobart to Port Dalrymple, the first northern settlement in the island. However, the commercial use of this route, and the development of Kangaroo Point as an industrial centre for transhipment of convicts, cattle and a slaughter house, as well as shipyards may indicate why the more genteel residents of Hobart Town preferred a more salubrious crossing point up-river at Risdon. The inspection of stock coming and going on the Port Dalrymple road to prevent cattle stealing slowed the sale of stock. In 1817, because of the difficulty of stockmen bringing cattle to Kangaroo Point

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<sup>3</sup> G.W. Evans. Descriptions of V. D. L., 1822, P.89.

<sup>4</sup> HTG August. 1816 P.2, C.2

<sup>5</sup> HTG.31 August, 1816 P. 1,C. 1.

<sup>6</sup> *ibid* P.72.

<sup>7</sup> "Murdoch Centenary Publication". 1922., Tasmaniana Library

from Port Dalrymple, stock owners were allowed to slaughter their own animals until the slaughter house at Kangaroo Point had been completed.<sup>8</sup> In the same year, Lewis, the auctioneer and owner of *Llanherne* advertised the sale of cattle at Kangaroo Point "now on the road from Port Dalrymple". (The droving of stock from The Point to Tea Tree Bush may explain the two backroads crossing from Richmond. In 1819, 149 convicts per *Lord Melville* were landed at Kangaroo Point "the body of which went off direct for Port Dalrymple".<sup>9</sup>

In addition to the industrial nature of Kangaroo Point, other reasons for seeking an alternative route into the interior included the unpredictable winds on the Derwent, which claimed lives in the early years of settlement, and the subsequent search for a narrower site over the Derwent. Pontoon and other bridge types were suggested during the 1820s and 30s and refer to the area now straddled by the Bowen Bridge. Across the Derwent, the upper-class residential district of New Town was situated. The Risdon ferry connected the genteel traveller to the macadamised surface of the Grass Tree Hill Road. Louisa Ann Meredith's use of this route in 1848 is indicative of the kind of traveller using it. Was the road's construction adjacent to New Town purely coincidence?

Construction of the Grass Tree Hill Road began in 1833. Despite Bryan's accusations concerning the Grass Tree Hill Road being built to speed Arthur's travels to his farm *Carrington* near Richmond, public meetings were held in Richmond to discuss the line the proposed road would take. These discussions followed agitation for improved roads in the district in the late 1820s. The demand by influential settlers for better roads indicates that roads were (and are) built to fulfil economic needs. The impact of roads and the motivation for their construction is an aspect of history ignored. Convict road gangs were apparently placed where commercial needs dictated. The particular line a route might follow was, however, fickle, and influenced by local pressures. Conflicting interests may result in a poor line of road, and not one an engineer may have chosen. (Arguments over the Main Line Railways route indicates the problem is perhaps typical for all communication routes.) In the 1840s attempts to economise by the Government forced land-owners to contribute to the cost of locating gangs performing road-building which benefited an individual. In 1844 Askin Morrison contributed toward the housing and maintenance of a probation gang at Parsons Pass, near Black Charley's Opening on the East Coast Road.<sup>10</sup>

Indecision and poor planning is indicated by the fact that in 1836, three years after the start of the Grass Tree Hill Road, the public were invited to comment upon the line adopted by the Surveyor-General.<sup>11</sup> The slow progress of the road forced Arthur to consult with Cheyne,

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<sup>8</sup> Hobart Town Gazette, 6 Sept. 1817

<sup>9</sup> HTG, 2 Jan., 1819 P.2, C.2

<sup>10</sup> Miscellaneous microfilm 62/3. A1091, 1st Oct. 1845. Archives Office of Tasmania

<sup>11</sup> Hobart Town Courier, 29 Jul., 1936 P.4, C.4

the Surveyor-General, who in 1835 was asked to survey three lines of road. The second was from "Grass Tree Hill to Richmond and then to Ross, with a branch to Oatlands and a branch to Little Swanport, Spring Bay etc". (The other lines were to Sandy Bay, and from Sandy Hill to Reiby's Ford (Hadspen), and New Norfolk to Hamilton).<sup>12</sup>

The Grass Tree hill route appears to follow that decided at a public meeting in April 1832 prior to gangs first arriving; the route proposed was from Derwent Park to Richmond at the narrowest point between Risdon and Geilston, then to Richmond, Jerusalem Plains (Colebrook), Flat-topped Hill and west of Blue Hill to Oatlands. However, further meetings continued to debate the virtues of various routes during its construction.<sup>13</sup>

In six years, only 10 of the fourteen miles from Risdon to Richmond had been completed.<sup>14</sup> 1833 had also been the start of the Richmond to Oatlands route, but in 1836 work on this section was suspended and resumed in 1839.<sup>15</sup>

A plan of the structures which stood on Grass Tree Hill survives, and the sites are still visible. The convicts were housed in barracks near the top of Grass Tree Hill and with a road station at the Malcolms Huts road intersection. The ruins of the Grass Tree Hill road station were remembered by elderly residents I interviewed. The 1839 Field Notebook of Surveyor Calder plots some of the buildings on the Grass Tree Hill road. The structures were sited on terraces cut into the banks of the top-side of the road. Buildings included the Superintendent's House and garden, and nearby a "good stone store". A flight of steps in three tiers ran up to a wooden chapel, 48ft x 78ft. Here, Rev. Knopwood spoke to the convicts in sermons on such topics as "Duty and Submission", before adjourning to Gregson's farm at *Restdown* to imbibe copious cups of claret on Sundays.<sup>16</sup> A second run of steps wound up to the prisoner's yard and barracks, a timbered shed, approximately 90ft x 36ft, surrounded by a fence 72ft x 186ft. Nearby stood a small cell block 24ft x 32ft. The Commandant's House, garden and out-buildings including a kitchen, are detailed, a picket fence surrounding the garden, and with a verandah part-way around the dwelling.<sup>17</sup> (See plan herewith.)

The 50 convicts who began work in 1833 were expanded to 139 in 1838. Of these, 72 were in chains, 34 out of chains, with others waiting assignment.<sup>18</sup> The gang was assisted by 2 horses

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<sup>12</sup> Lands and Survey Department, 1/78/3, 22 Apr., 1835

<sup>13</sup> HTC, 19 Sept., 1837 P.2, C.3.

<sup>14</sup> Colonial Secretary's Office, 50/1839

<sup>15</sup> *ibid*, 1839

<sup>16</sup> Nicholls, M. (ed.) *The Diary of Rev Robert Knopwood*, Hobart, 1977, P.618

<sup>17</sup> Lands Department, Field Notebook 79, July 1839

<sup>18</sup> Colonial Secretary's Office 5/127/302, 30 Jul 1838

and 7 bullocks, an increase from the 4 bullocks and one horse of 1835. The single horse was "Captain", an aged and un-servicable animal.<sup>19</sup> Another party of 50 convicts was then employed at Half-Way Hill, the razor-back track which wound over Break Neck Hill behind Cambridge on an alternative route from Kangaroo Point to Richmond. Much of this road is still evident, climbing over the hills before the *Horse Shoe Hotel* at Cambridge and re-entering the Richmond road below *Craigow*. Repair work began in 1838 on the Half Way and continued intermittently. By July 1842, the section over Half Way Hill was still unfinished.<sup>20</sup>

A prisoners' barracks plan for the Malcolm Hut Road Station stood on the Richmond side of Grass Tree Hill. A surviving plan shows a yard 70ft x 90ft (approx). Surrounding prisoners' wards, 16'11"x14', each housed 20 men. Adjoining are three conjoined "detached huts", on the northern wall of which is a skillion for "breaking stones in bad weather". Separate, and to the south of the prisoners barracks, were joined sergeant's rooms and stores. Nearby was the soldiers' barracks, each 2 rooms and guard house, being 16ft square. The whole site is enclosed by a fence, probably of pickets. On the bottom side of the "Cross Road to Half Way Hill" (now Malcolms Hut Road), stood the blacksmith's shop and yard. His forge was essential for sharpening picks and removing or attaching leg-irons. A drop-gate prevented thoroughfare on the Cross Road to Half Way Hill.<sup>21</sup>

The name "Malcolms Hut Road" derives from the ownership by surveyor William Malcolm of *Brookbank*, then the Malcolm's property below this road with frontage onto the Grass Tree Hill road. Arriving in 1827 per *Triton*<sup>22</sup>, Malcolm worked as a contract surveyor for the Lands and Survey's Department and was dismissed in 1840 for errors in surveying at Prossers Plains.<sup>23</sup> His property advertised as *Malcolms* was sold by auction June 1841:

....the new brick residence and extensive premises 7 miles and an hours drive from Risdon Ferry" on the new "Macadamized road."<sup>24</sup>

In this physical setting, the Richmond Court records provide an insight into the social setting, including the sub-culture of a road gang, the relationship between its members with overseers, with senior officials, and the use of the gang as a work force. The role of Richmond traders and entrepreneurs indicates (as will be seen), that, while they were willing to exploit the labour of the gangs, those convicts with skills also benefited privately.

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<sup>19</sup> Colonial Secretary's Office, 1/16557, 1834

<sup>20</sup> True Colonist, 15 Jul 1842, P.2, C.6

<sup>21</sup> Public Works Dept., F. 98, 290/1370.

<sup>22</sup> HTG. 271/27, P. 1.

<sup>23</sup> Lands and Survey Department, 1/79/1840 P. 292.

<sup>24</sup> HTC, 4 Jun, 1841, 3 E

Complaints concerning the wanderings of Grass Tree Hill road-gangs began within three months of their arrival. In July 1833 Gregson (living at *Restdown* on the Derwent River below Grass Tree Hill) complained of:

Nearly 80 convicts... without an overseer or responsible person in charge ...  
The men have been working for themselves, wandering over the country in  
all directions like vagrants.

Gregson also used the opportunity to complain of an unsupervised gang at Kangaroo Point which had committed a "variety of depredations".<sup>25</sup>

Although Roderic O'Connor, Director of Roads, defended the supervision of the gang, explaining that the men had been sent to Grass Tree Hill to erect a new jail - erecting all but the superintendent's quarters, and Arthur insisted that the party was regularly visited by Lt Bayley, 21st Regt., from Richmond, - the documents indicate that Gregson's complaints were justified.

In June 1836, Grass Tree Hill men were seen making off with some of Gregson's sheep. The two men seen were dressed in "black hat, duck trousers and duck frock" - (John Morris) and the other (Benjamin Morrill) in straw hat, duck trousers and magpie jacket". When a constable from Grass Tree Hill approached the spot he heard "a cooeing which he supposed to be the man driving the sheep cooeing to another man".<sup>26</sup>

During 1833 and 1834, dozens of prisoners regularly absconded from Grass Tree Hill. In June 1834, Peter Murdoch, Police Magistrate was moved:

.... to offer a few remarks on the Grass Tree Hill Work Gang. I have occasionally visited them, and had other opportunities of becoming acquainted with their state of discipline and although I consider it has been in many respects very deficient, I can say from considerable experience that it is impossible for any superintendent to enforce effective regulations with the force that Mr Cunningham has under him.

He has but two overseers who are at work with the gangs all day and consequently cannot attend to the night and other musters. There is no person in charge of the huts and the cooks (and the) sick. On one occasion I found say 60 men in the huts and could find no responsible person.

Murdoch's evidence to the Molesworth Committee was critical of the slow progress of the Grass Tree Hill road and the negative effects of road gangs on prisoners where punishment

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<sup>25</sup> Colonial Secretary's Office, 1/667/14839, 31 Jul, 1833.

<sup>26</sup> Lower Courts, 440 28 Jun, 1834.

turned men into "useless machines". (His evidence contradicted the later decision to work convicts in probationary gangs).<sup>27</sup>

The problems on Grass Tree Hill were to be checked by the transfer to the station of Lieutenant Benjamin Bayly, and a military detachment. Bayly - friend of Booth, the Port Arthur Commandant, both of the 21st Regiment - was appointed Superintendent and Visiting Magistrate at Grass Tree Hill in 1833.<sup>28</sup> In the meantime, Major De Gillern (at *Glen Ayr* now *Strathayr*) and Messrs Gregson and McRae on the Derwent side of Grass Tree Hill had suffered depredations.

The enlarged work-force of 155 men of the road party was irregularly supplied with clothing and as there were no stores throughout the country, men who were sentenced to Grass Tree Hill generally arrived in rags. Lt Bayly was ordered to "restrain any disorderly spirit". Arthur could not understand why the men at Grass Tree Hill (and at Spring Hill) could not be as successfully and systematically coerced as those at Port Arthur under Captain Booth.

When Arthur visited Grass Tree Hill in May 1834, prisoners complained of the poor conditions and asked to be sent to Port Arthur. (They had not heard of Arthur's coercive instructions which had recently removed rights to private gardens and other incentives; Arthur told Booth that Port Arthur had been made appear too attractive!)

Arthur was distressed by the smell of the barracks and its leaking roof, and even more incensed by the prisoners' refusal to accept the meat furnished by the contractor.<sup>29</sup>

Their behaviour, he felt, "manifested a disorderly spirit", and the general appearance indicated defective discipline.<sup>30</sup> The gaol, which had not been erected by June 1834, was standing by Arthur's next visit in October, when he expressed himself "highly satisfied" with improvements. The gaol only needed to be "enclosed with a strong stockade." In December of that year Arthur wanted the gaol divided into two, "with no more than 40 in each" with a second gaol to facilitate discipline (to Arthur "the main consideration") although this would "retard the road".<sup>31</sup> Arthur insisted that the Grass Tree Hill road be widened, as the track would not be passable after dark in a carriage.<sup>32</sup> Arthur was also concerned that Bayly as superintendent and magistrate could not be an impartial judge to whom prisoners could turn if ill-used.

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<sup>27</sup> Molesworth Committee Report, Vol.2, P.124.

<sup>28</sup> Heard, op. cit. P.246.

<sup>29</sup> Colonial Secretary's Office, 1/15733, June 1834.

<sup>30</sup> *ibid*, June 1834.

<sup>31</sup> Colonial Secretary's Office, 1/16555, 1 Dec., 1834.

<sup>32</sup> Colonial Secretary's Office 1/15733, June 1834.

The Court records provide an insight into the life of road gang prisoners. Poor clothing, housing and inadequate diet appear to be the chief motive for disobedience and absconding. In April 1834, John Patching (*Gilmore*, 14 yrs) was charged with refusing to work. In defence, the prisoner stated he would go to work "if you give me a shirt". Superintendent Cunningham was unable to give him a shirt and Patching said he could work but "that he was nearly naked and that he had asked the Superintendent for clothes but had been refused". Punishment: 1 months imprisonment and 4 months hard labour, Richmond Chain Gang.<sup>33</sup>

Quakers Backhouse and Walker also noticed this problem, and when reporting on chain-gangs observed:

Many prisoners are sent to the Chain-gang, and Road-parties, almost destitute of clothing; and, arriving after the regular time of supply, they remain long, almost in a state of nudity. Many come also with very bad shoes, and suffer much in consequence from the nature of the work they are engaged in.

The shoes supplied by Government are frequently of too slight a kind for road making, and the men are often in a bad state for working before the time arrives for the delivery of new shoes.<sup>34</sup>

In July 1834, Giles Brown (*John* 1-7 yrs), Edward Giffiths (*England*, 7yrs). Bewley Tuck (*Lotus* 7 yrs) were charged with "refusing to work unless they received a pair of boots each". Bewley Tuck received 4 months and the others 2 months labour in irons, on the Grass Tree Hill gang.

Tuck, shoemaker from Surrey, in 1832 was sentenced for stealing bread. A turbulent and independent-minded prisoner, he became an institutionalised dependent, being photographed at Port Arthur in 1874, a pauper 40 years on. Whether victim or culprit is hard to assess, but he "toured" the island as a road-gang member, at Oatlands, Campbell Town, Perth and Launceston. Gang employment under Arthur's system insisted on contrite behaviour. For the independent spirit, the only alternative to open displays of dissatisfaction was devious corruption. Tuck chose the former course. His first offence on arrival in Van Diemens Land was refusing to attend church and was immediately sent to Grass Tree Hill in July 1833. His offences reflect the scarcity of food and clothing at this station. In 1835 he was charged with using a pass and "clandestinely making clothes for his own benefit."<sup>35</sup>

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<sup>33</sup> Miscellaneous Microfilm, AOT, 10/3-11 - 30 Apr, 1834.

<sup>34</sup> Backhouse Narrative, Appendix E., P.X.

<sup>35</sup> CON 3I/43.



Offences involving clothing started shortly after the gangs arrived at the new site. Stealing and trading in clothing reveal the existence of a black-market. The accusation and defence relied on the spy system referred to earlier.

Benjamin Parsons was charged with possessing a:

.... damask tablecloth and shawl, of red stuff, property of Thomas Sharpe, settler of Risdon.<sup>36</sup> Constable John Jones found them in the rocks not far front the station of Grass Tree Hill".

These were stolen by five men who broke into Sharpe's house at midnight. Two of these were capitally convicted. Four Grass Tree Hill men were implicated in a robbery in Richmond during 1835, when a silver pencil-case, rings and silver spoons were stolen from the house of Captain Wright.<sup>37</sup> Going King's evidence, Charles Cooze informed Overseer Earl that William Smith had showed him some stockings and said they had as much property as four men could carry away.<sup>38</sup> Cooze, in gaol for stealing Gregson's mutton, sent another overseer, Edward Forster, to see the stolen goods at Crane's House in Richmond. Here lived Harris, who was known as "the lagger" or receiver. No goods were found. The gangs' subculture indicates stand-over tactics within. George Allen, one of the accused, was quoted as saying he would want for nothing whilst he was there (i.e. Grass Tree Hill) "as he could hang him". Allen was referring to Harry, a servant who apparently was implicated in the robbery. On another occasion, Thomas Merrill was charged with being absent and "selling the jacket and waistcoat of another prisoner" to Mr McRae's cook".<sup>39</sup>

Crimes involving food included two incidents of hunting kangaroo. George Britton (*York*, 14) went absent without leave from 11 pm to 1 am one evening. Pleading guilty, he stated:

I went not more than 200 yards from the huts to catch a few kangaroos. We work hard all day and cannot make our rations do.

Punishment, 50 lashes.<sup>40</sup>

Another group of absconders was sentenced to 12 months hard labour for returning 3 hours late, after "checking kangaroo traps".<sup>41</sup>

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<sup>36</sup> Lower Courts, 440/F26, January 1834.

<sup>37</sup> Lower Courts, 44F26, 1 Jul, 1835.

<sup>38</sup> Lower Courts, 44F26, 1 Jul, 1835.

<sup>39</sup> Miscellaneous Microfilm, AOT, (CY15) Grass Tree Hill, 2 Dec., 1833.

<sup>40</sup> *ibid.*

<sup>41</sup> Miscellaneous Microfilm, AOT 110/3 - No. 11, G.T.H., 27 Feb., 1834

The shortage of food for road gangs was also commented upon by Backhouse and Walker. They criticised the once-a-week distribution of rations, resulting in prisoners being "often without food for 2 or 3 days at the end of the week..."<sup>42</sup>

Joseph Clarke's defence when charged with disorderly conduct involving Duncan McGilvray, a fellow prisoner, was that he hit the latter when McGilvray was caught stealing his bread for which Clarke "threw him out of the berth", (i.e. his sleeping compartment.) Sentence, 6 months hard labour.

Clarke, 20 years old, and from Coleshile, Warwickshire, had stolen 18 awls from his master in 1828. Although well-behaved before and during his voyage on the *Manlius 2*, he fell foul of Presnell, his master of Kangaroo Point, and shortly after was sent to Grass Tree Hill with an 18 months extended sentence. Like Tuck, with whom he committed at least one offence, Clarke was a shoemaker, and also was later sentenced to Port Arthur.<sup>43</sup> Bewley Tuck and two others (Chandler and Bones) were charged with "Drawing rations twice over under false pretences". The case was dismissed, with more than a hint that the javelin-man had been set-up. Tuck and Bones had been charged one month before with feigning illness.<sup>44</sup> George Cooper, ill and under the doctor's hands, was charged with being absent. He claimed he was ill because his rations were stolen, and that he went to "the quarry on this side of the huts where I was taken" to escape the noise within the huts.<sup>45</sup> Tobacco presented a perennial problem; a case of selling bread rations for tobacco on Grass Tree Hill was dismissed.<sup>46</sup>

The rebelliousness of the Grass Tree Hill gang showed in open defiance of orders, and eventually permission was sought for military to guard prisoners with loaded muskets. In May 1834, six prisoners (Bewley Tuck, Joseph Clarke, James Phillips (*York* 14 yrs), John Smith (*Strathfieldsay* 7 yrs), Benjamin Moorill (*Woodman - Life*) and Samuel Pitt (*Surrey*, 7 yrs)), were charged with insolent and threatening and abusive language during evening muster. The conflict arose over a refusal to cover their sleeping berths as instructed. The accused requested nails from William Cunningham, the Superintendent. His refusal re-started the abusive confrontation. The six prisoner mixed with those from other huts, and later refused to leave their own huts "till they had supper". Clarke and three others received six Saturday afternoon "work orders". Tuck and Smith received four.<sup>47</sup> The slight punishment handed out appears to indicate the prisoners were justified in their protest.

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<sup>42</sup> Narrative, (Appendix E, P. x(iii) ).

<sup>43</sup> CON 18/15.CON 31/6.

<sup>44</sup> Miscellaneous Microfilm, 325, Nov. 1833.

<sup>45</sup> Miscellaneous Microfilm, 110/3, No. 11. Grass Tree Hill, 14 Mar, 1834.

<sup>46</sup> Tasmanian Papers 325, 6 Nov, 1833.

<sup>47</sup> Miscellaneous Microfilm, 110/3, No. 11, 14 May, 1834.

Superintendent Cunningham's replacement by a sterner John Murray also occurred at this time, apparently due to the mishandling of the prisoners.

In August 1835, nearly 12 months after Arthur had expressed himself satisfied with remedial discipline at Grass Tree Hill, an open rebellion by the 3rd Class Gang resulted in the military requesting they be allowed to stand guard with "their fire-locks loaded". Although pressed to allow the military to carry loaded weapons, Arthur hesitated, urging "the greatest caution" on the subject.<sup>48</sup>

Five of the gang knocked out their pick-handles, and gave a shout saying "the first bloody soldier that follows, we will take his life", according to John Shaw, soldier, 21st Regiment. Two were recaptured "after a desperate resistance on the part of the prisoners". "There appeared to be a general inclination in the 3rd Class to abscond, their conduct was outrageous". Robert Steven, a private in the 21st Regiment, captured an escapee after parrying his bayonet with the prisoner's pick-handle, while the prisoner threatened - "you bugger, I will kill you at all events".

On Arthur's recommendation, Overseer Lawrence Murray, who led the partial recapture, was granted a reward - "a gift or clothing or something useful would be the least objectionable made."<sup>49</sup> L. Murray (*Castle Forbes*, 7 yrs) in 1833 had been charged with hitting a watchman with a staff because he was "filthy" and had used Murray's bed. Sentence: 3 months Richmond Chain Gang.<sup>50</sup> Recapturing escapees was obviously the way to get on in the world. Murray, as will be seen, was far from lily white.

Clandestine cooperation of prisoners tried to out-manoeuvre petty officials. The importance of being "on-side" with the blacksmith is indicated by the following incidents, which also illustrate the degree collusion between prisoners could jeopardise effective order and the "coercion" so sought by Arthur. Henry Scarlett, blacksmith at Grass Tree Hill was absent from Muster and accused of attaching the prisoners shackles so badly that "many of the men can get their irons off". Sentence: 3 months hard labour.<sup>51</sup> On another occasion, Thomas Edwards, blacksmith, was charged with:

....taking a prisoner belonging to the chain-gang and giving him rum, on the pretence of having the prisoner's irons altered at the forge".<sup>52</sup> Sentence: 4 months hard labour, Constitution Hill Road Party.

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<sup>48</sup> Colonial Secretary's Office 1/821/17506, 2 Sept, 1836.

<sup>49</sup> *ibid*

<sup>50</sup> Miscellaneous Microfilm, 110(26 Nov, 1833).

<sup>51</sup> Tasmanian Papers 325 10 Dec, 1833.

<sup>52</sup> Miscellaneous Microfilm, 110/34, No. 11, 12 Aug, 1834.

Such cooperation conflicted with the pressure to inform, as exemplified by the case of John Thomas, blacksmith, who, in offering tea to an overseer, turned Crown witness. As a result Joseph Asquith, quarryman, and James Durance, stonemason, were removed to Port Arthur.<sup>53</sup>

Illicit recreation available to convicts included card-playing (for which David Hillyard and Edward Desmond received, respectively, two months and a reprimand),<sup>54</sup> visiting the Richmond races, an apparently popular venue with assigned and gang prisoners, as was visiting a brothel at Richmond.<sup>55</sup> Two bricklayers, who enjoyed singing, were later arrested at Antill Ponds and received 6 months, Hulk Gang, Hobart. Their explanation for escaping included a felt injustice from a harsh master, Superintendent John Murray, which resulted in their absconding.<sup>56</sup> Their explanation is typical: injustice, harsh and unfair treatment were apparent motives for absconding from Grass Tree Hill. Poor facilities, including food and clothing, plus incompetent, inadequate supervision were additional incentives for escapees.

Injustice both in treatment, causing absconding, and in sentencing, is evident. Daniel Kett (*Georgiana* 2 - 7 yrs) and John Jones (*Arab* 7 yrs) also absconded and claimed Murray, the Superintendent, was too severe, "keeping them at work from daylight until dark, with very little time to have their meals". These two were found because of "smoke under Butchers Hill in a gully."<sup>57</sup>

Some prisoners, probably aided by assigned servants, covered 25-30 miles before being recaptured. Three men (Nugent, Davis and Timmins) were arrested at New Norfolk after 4 days absence. Davis had hoped for assignment after he was sent up with a gang to build a bridge at the River Dee. His explanation at least resulted in a lessened sentence.<sup>58</sup> Some escapees were caught locally, near the Sawspit, Sorell and at Bream Creek (heading toward Port Arthur), while others were arrested at Launceston and New Norfolk.

George Gear (*Marist* 14 + 7 years) overstayed his pass and received only 3 Saturday afternoon "work-orders". George Vinge (*Red Rover*, 7 yrs) on the other band, received 36 lashes for being absent without leave, claiming he was grieved after receiving a letter from home telling him of the death of friends.<sup>59</sup>

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<sup>53</sup> Miscellaneous Microfilm, 110/3, - 14 Nov, 1833.

<sup>54</sup> Miscellaneous Microfilm, 325, 9 Dec, 1834.

<sup>55</sup> Miscellaneous Microfilm, 0/3, - 5 Jan, 1835.

<sup>56</sup> Miscellaneous Microfilm, 325,/ - 16 Nov, 1833.

<sup>57</sup> *ibid*, 26 Nov, 1833.

<sup>58</sup> *ibid*, 11 Dec, 1833

<sup>59</sup> Miscellaneous Microfilm, 110/2, - 2 Nov, 1833.

The disparate sentencing amongst prisoners is also evident in the inequitable treatment of bond and free. This difference is exemplified by two cases heard consecutively at Richmond. The first, a free settler, received a 5/- fine for indecent exposure, while the second, a prisoner, received 25 lashes for being drunk. Colloquial expressions are also revealed by the Court records. Arthur Campbell (*Minerva*, Life) was given one week's hard labour for "a piece of impertinence" in calling "he is gone for a log" (meaning the person had gone into hiding) when the name of an absconder was called at evening muster.

The pressure to inform even affected romantic associations attempted by men of the Public Works. Thomas Samuel White was charged with "indecent conduct" on the evidence of Thomas Norris, who claimed he saw a "man with a woman coming along the road toward Richmond"(i.e. Grass Tree Hill road):

.... he was sitting on a tree with his arm round the woman's neck. They rose off the tree and went about 30 yards among the scrub, and they both lay down, and I saw them also rise up....

Sentence: Solitary confinement 2 days.<sup>60</sup>

The position of skilled tradesmen and mechanics on gang-sites presented a particular problem as their performance and self-esteem was affected by their treatment. Arthur granted mechanics working on the Ross Bridge Party "verbal permission" to work privately, and they "earned large sums in so doing, buying civilian clothing with their earnings".<sup>61</sup> This pragmatic approach appears to question many previous assumptions concerning Arthur's strictly regimented treatment of prisoners. At Grass Tree Hill this conflict in the special treatment of skilled "mechanics" also occurred. The independent status of the craftsman is reflected in the reaction of stone-mason Luke Roberts (*Woodford*, 7 yrs) when working at the foot of Grass Tree Hill. One of 5 men allowed a separate hut, Roberts refused to sleep in the large prisoner's hut, claiming he slept in the small one "by direction of Mr O'Connor". The punishment of sleeping in the large hut was in reply to Roberts resting while building a chimney. When Murray, the Superintendent, tried to put handcuffs on Roberts, he refused and:

.... abused (Murray) grossly in the presence of the whole gang calling me a bloody tyrant and other expressions which continued as much as 10 minutes.<sup>62</sup>

Roberts' tirade went on:

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<sup>60</sup> Miscellaneous Microfilm. 110/3, - 11-16 Mar. 1834.

<sup>61</sup> Colonial Secretary's Office, 1/8/ 1655 1 Dec. 1834.

<sup>62</sup> Miscellaneous Microfilm, 110/2. No.6, 23 Nov, 1833.

He would never work another stroke on the ground, that (Murray) might give him a pick and shovel, but that he would never work as a mason"

Roberts claimed Roderic O'Connor, Director of Roads, had sent him and two others to build a culvert, and the stone cut for the culvert had been appropriated for the Superintendent's own use.

He had mantle-pieces cut with flowers on it and .... (he had) another stonemason named Randall cut the flowers, since which Mr Murray has made him an overseer.

Roberts also accused Murray of having a shoe-maker in his own employ. For his independent spirit, Roberts received imprisonment and hard labour for 12 months, Hulk Chain Gang.

Although John Murray had been appointed Head Overseer, replacing the less successful Mr Cunningham, Murray appears to have blended harsh discipline with profiteering from the gang under his charge. This was a common problem. Overseer Robinson was sentenced to seven years hard labour for theft at Grass Tree Hill.<sup>63</sup>

While Bewley Tuck, Joseph Clarke and the runaways chose open defiance, other prisoners, as hinted, took the opportunity to develop entrepreneurial skills. Encouraged by the possibility of private gain, settlers, overseers and prisoners colluded for mutual benefit. The extent of such collusion which ran contrary to Arthur's apparent desires, is hard to determine. Only those caught are known, and only some of these records survive. Restrictions by Arthur on allowing settlers to give incentives to servants contrasts with the temptation for gain available to overseers, officials and prisoners.

William Fitzgerald, under colonial sentence, was charged in July 1834, with bringing 3,000 shingles from Grass Tree Hill without leave. Lt Bayley met the culprit driving the Government cart and bullocks, loaded with shingles, "going up the hill near Major De Gillern's."<sup>64</sup> Fitzgerald claimed to have received the shingles from James Hunt, and was told to leave them "at French's House." Fitzgerald supposed Hunt had been given permission as he (Hunt) was Mr Bayly's private servant. "(Sentence: 4 months hard labour Grass Tree Hill Road Party). Hunt (*Commander Harcourt* - Life) was then charged with "improper conduct in splitting shingles for himself and sending them from Grass Tree Hill to Richmond in a Government Cart."<sup>65</sup> Pleading guilty, Hunt said in his defence that "he is sorry and throws himself upon the mercy of the court." Magistrate Peter Murdoch exercised his mercy and committed Hunt to three months Grass Tree Hill Chain Gang.

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<sup>63</sup> Colonial Secretary's Office 1/15733 4 Jun, 1834.

<sup>64</sup> Miscellaneous Microfilm, 110/3, - No.11, A1472, 7 Jul, 1834.

<sup>65</sup> *ibid*

A serious incident involving suspected fraud of the Government by a contractor occurred in 1835, when J.K. Buscomb, Richmond entrepreneur, builder and miller supplied the Grass Tree Hill convicts with adulterated flour. The unsuitable flour was found following serious out-break of diarrhoea amongst prisoners. Seventy complained of illness, 6 were exempted from work, while next morning "65 complained of their bowels but only 9 were exempted from labour". Lt Bayly and Dr Brock examined the flour and bread declaring it unfit for use. Colonial Surgeon Scott was of the opinion that the "flour appears to contain a large quantity of maize meal and will make a heavy bread".<sup>66</sup> The commissariat clerk at Richmond was directed to tell Mr Buscombe "to comply with the terms of his agreement, flour of good quality, and manufactured from wheat only."<sup>67</sup>

This incident seems not to have affected Buscombe's success as a business man, nor deterred his tendency to questionable practices. In mid-1841 he was charged with having a deficient weight in his possession.<sup>68</sup> Payment of an assigned servant caused Buscombe's brother, Henry, to be charged. James Murphy received 7 shillings per week from Henry Buscombe, a more than fair sum.<sup>69</sup>

A proven case of stand-over tactics occurred in 1836 when John Martin, Public Works overseer, was charged with having Government men in his employment. Henry Buscombe was strongly implicated. Edward Butterworth and Thomas Williams paid Martin a dollar a week "for being watchman" while John Wilkinson, hut keeper, also paid one dollar a week for being "allowed reaping, threshing and cleaning." Thomas Richardson brick maker with the Public Works, paid Martin 2 pound sterling for burning bricks which James Lord, overseer, and Thomas Broad, flagellator, had made. Three thousand of the 9000 bricks burnt were taken as commission by Martin, and sold to "Mr Henry Buscombe". Buscombe had paid the brick-burner 2 pounds 12 shillings - Martin received 2 pounds while the 12 shillings was kept by Richardson.<sup>70</sup>

Further collusion and stand-over tactics emerged amongst the gang of the Restdown Road Party on the eastern shore of the Derwent at Risdon during 1841. By this time, the bulk of the work on the Grass Tree Hill Road was at an end and the buildings both here and at Malcolm's Huts converted for other uses. The collusion at Restdown where the Risdon Ferry crossed from New Town involved a number of familiar names including escapee-chaser Lawrence Murray and a "Mr Martin" - probably John Martin. Contrary to orders, Martin employed "a very bad character John William Pett (*Norfolk*) as gate keeper and messenger.

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<sup>66</sup> Colonial Secretary's Office, 01/73/16689, 1835.

<sup>67</sup> *ibid*

<sup>68</sup> Miscellaneous Microfilm, 110/3, - No. 11-10/6/1842.

<sup>69</sup> Miscellaneous Microfilm 110/3, No. 3-11-30/9/1837.

<sup>70</sup> Lower Courts, 440,/9/3/ 1836.

Martin had been guilty of former misconduct and steps only recently taken for his dismissal. According to Police Magistrate Forth, Pett was "a dangerous character, extremely cunning and possessed I am certain of much money."<sup>71</sup> Members of the road party at Restdown were in the employ of Peter Woodward, formerly of the Road Department. His house was "... too near the station and the station too much in the vicinity of the licensed premises" i.e. at the Restdown Ferry.

Magistrate Forth in making the report was, like George Arthur, keen to initiate a small piece of counter-espionage of his own to expose corrupt officials. Peter Woodcock (*Isabella*), who had revealed Lawrence Murray's corrupt dealings, was kept in the Restdown party to make overseer Murray "fearful of doing anything too glaringly bad for fear of it being reported." John Dillon (*Sirius*), Woodcock's friend, was recommended as constable to the police party currently occupying the recently vacated buildings at Grass Tree Hill. Pett, Murray and others were removed from Restdown, Petts; to Richmond Gaol to "prevent the possibility of keeping *any* (sic) overseer or writer *under pay*" (sic): Ian Belcher, shoemaker (*Gilmore*) removed to prevent his making shoes for Mr Woodward and family", and Fri (?) Southerwood, carpenter (*Chapman*) was removed to prevent "his being employed otherwise than for Government purposes."<sup>72</sup>

By late 1841, the Grass Tree Hill and Malcolms Hut stations were all unused. Shortly before its closure, Malcolms Hut's most famous resident, Martin Cash, absconded. He had arrived to work with the prisoners "in constructing a road leading from Richmond to Restdown Ferry, which is now the main thoroughfare to Hobart Town."<sup>73</sup> Cash's account indicates the existence of a cash economy amongst prisoners, who were forced to bribe for their food. On reaching his "wretched quarters" Cash requested some food and in return was offered 2 fat-cakes and some boiled mutton - but in return the messenger to the gang overseer "demanded one shilling". These billeted men, the cook and messenger, acting in concert by clipping from the prisoners rations, and were always prepared for similar contingencies, scarcely a day passing without having to provide for the wants of some fresh arrivals, that is if they had any money in their possession." Cash had three or five pounds sterling when he left Campbell Town as a prisoner. With 3 others, Cash was "put to a go-cart" (or handcart) in order to convey stone from a quarry about a mile distant from the station." This was the first time he had seen men taking the place of horses - even in N.S.W. - and Cash promptly escaped.<sup>74</sup>

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<sup>71</sup> Miscellaneous Microfilm, 110/3, - No. 11, 14/7/1841.

<sup>72</sup> *ibid*, 14 Sept, 1841.

<sup>73</sup> Cash, M. Biography. P.23.

<sup>74</sup> *ibid*, pp.23-5.



The obsolete road stations were used by police officers to check movements of people on the roads. Watch-houses, with 2 or 3 constables, were located in 1841 at Grass Tree Hill, Half Way Hill, Campania, Jerusalem, Carlton, Sorell, Lower Settlement, Muddy Plains, White Marsh and Bream Creek.<sup>75</sup>

At Grass Tree Hill, the buildings were in disrepair, but it was suggested the chapel be retained to house larger groups or prisoners en route. The chapel's unauthorised demolition caused an amount of paper warfare.<sup>76</sup> "Malcolms Huts" were prematurely occupied by the Police Department in September 1841. The existence of a garden there appeared a point of conflict.<sup>77</sup> (The road name apparently refers to the "huts" of the road station adjacent to *Malcolms* farm; hence "Malcolms Hut Road").

Following Calder's survey, blocks were divided and land (for a township of Shelstone) allocated at the top of Grass Tree Hill. Edwin Weavell was publican at the *Help Me Thru the World Inn* at the top of Grass Tree Hill in 1843.<sup>78</sup> Weavell, a cripple, and with a crippled son and large family, had built large premises and had "extended his all in building the house and depended on the license for the subsistence of his family."<sup>79</sup> At Malcolms Hut in 1845 stood *The Rose, Shamrock & Thistle*; although the period of its life is uncertain.<sup>80</sup> During the 1880s the site of the Malcolm Hut Station became *Swallowfields*, the farm of Ted King, son of an Irish convict, Dennis King. The future of the road was short-lived. Although used for taking stock to Hobart, the road never had a coaching or delivery service using its length, and lapsed into a back-road.

What effect did the road gang have on the social attitudes of its prisoners, its guards, and on the descendants of a colony and a country seeking national identity and independence? The enforced cooperation of a road-gang would appear likely to discourage mutual assistance among emancipists, other than in small trustworthy bands. Such a tendency was noted in 1846 by Bishop Nixon. Once free, ex-convicts:

.... loved to lead solitary lives, wandering away from towns and settlements, forming little groups in the bush, where they could remain unnoticed and unreprieved."<sup>81</sup>

A similar reclusive existence was seen recently (1985) on television amongst American Vietnam veterans; 1,000 of them were living in the wild in one area of Oregon alone, unable

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<sup>75</sup> Miscellaneous Microfilm, 110/3, No. 11 - 5 Aug, 1841.

<sup>76</sup> Miscellaneous Microfilm 110/3,3 May. 1841.

<sup>77</sup> *ibid*, 14 Aug, 1841.

<sup>78</sup> Jones, E. Richmond, *A Crossing Place*. 1970, P. 14.

<sup>79</sup> Hobart Town Advertiser

<sup>80</sup> Jones, *op. cit.* P.14.

<sup>81</sup> Nixon, quoted in Robson, *A History of Tasmania*, P. 411.

to adjust to conventional society. What motives compelled the 'old lags' to go into the bush - shock? shame? violence? These seemed to be the reactions of the Vietnam veterans at least.

Other emancipists joined Wesleyan and fundamentalist sects as a form of union. But lacking ethnic unity, more interested in restrictive rules for the flock, and the neighbourhood, they were hardly likely to contribute to a lively culture, with a music and literature of its own.

Of those prisoners who returned to civilian life, what effect did their experience have on attitudes to police, to wives, to children, to corporal punishment, to employment, to mateship - to dobbing? Police Magistrate Forth's use of "fearful" and "fear" in the one sentence is indicative of the destructive effect of the convict road party systems. Fear of the informer may have resulted in the distrust of strangers prevalent in older settled areas such as Richmond and Oatlands. This distrust was reinforced by fear of the runaway convicts, common in the 1840s and 1850s, and the later fear of "tracker-men" and women - tramps - related to me by elderly residents of the Richmond district when referring to their childhood before World War I. A contemporary xenophobia is evident in Richmond today where a newcomer campaigning for council elections recently was told by a long-term resident "we don't want your type here". Elderly residents also related how, in their youth, strangers were set upon in the bar of the *Bridge Inn*, Richmond.

The non-acceptance of "new" residents, some of 30 years standing, contrasts with the more recent post-convict towns. In the latter, conversation is easier to start. This is typical of Campania, only 7 miles north of Richmond. A mid-Victorian railway village, Campania was established in 1874 to coincide with the Main Line Railway from Hobart to Launceston, and has inherited a distinctly more open manner. These apparently subjective comments are reinforced by opinions of residents of Campania, and once observed, are quite noticeable. A similar openness appears prevalent in other post-convict regions, such as the north-east of Tasmania.

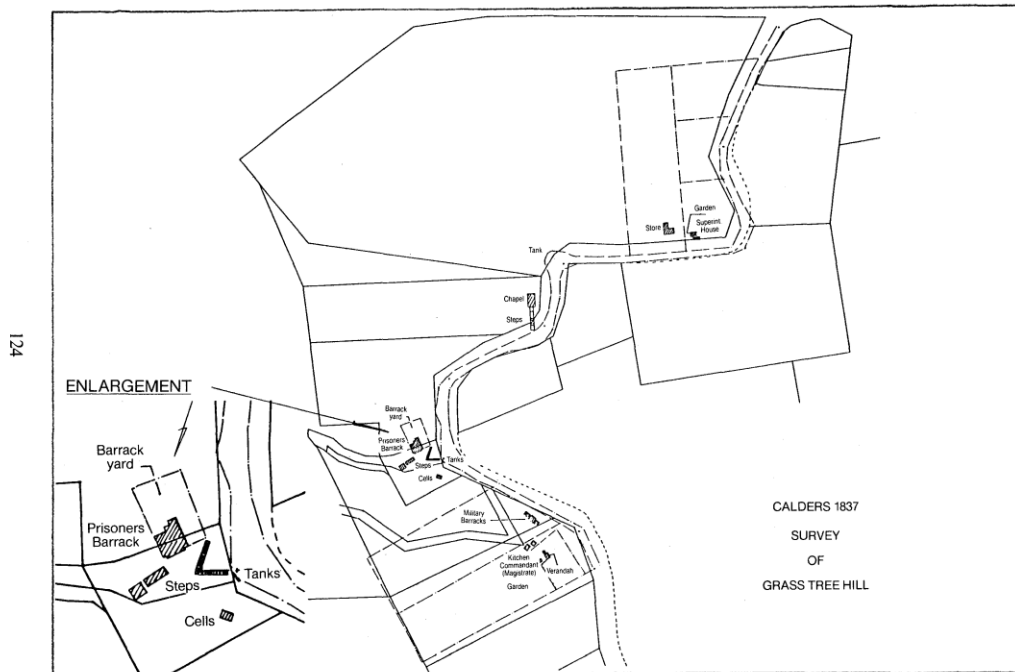
Fear of the traitor appears to reinforce the mate-ship ethos, making the clanishness of "cobbers" all the more fervent and extreme, with an unwillingness to behave outside the group mores in case of ostracism. The celebrated despatching of Aaron Sherriff by Ned Kelly's gang, and the lesser known and much earlier shooting by Matthew Brady of an informer at Cocked Hat Hill, near Launceston, is the classical treatment meted out to the turn-coat.

The survival of loyalty as THE praiseworthy Australian attribute is indicative of the strength of this characteristic in the face of organised pressure to practise the opposite. Its survival reflects a positive and supportive instinct, despite its retrogressive aspects. These older customs dominate while the role of the "nark" being negative, elusive, secretive - and uncomplimentary - are forgotten. Although forgotten, their efforts, as indicated, are

inherited. The survival of a society depends on social cohesion, mutual trust, plus a reciprocal sharing, in the workplace, in group decision making, and extended family life. These characteristics were not promoted by the convict system. The one attribute inherited appears to be the ability to unite in opposition but not to unite to create.

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## Plans of Grass Tree Hill Convict Road Station



The accompanying plan was re-drawn from the 1837 map and field notes of surveyor James Calder. The field note books (held by State Archives or the Lands Department) are an untapped source of information for the location of buildings and other physical features. Drawn by the surveyor in the field, the note-books are usually the size of a stenographer's note-pad, and information is noted from the bottom to the top of the note-book!

Information and measurements from the field note-books was used to draught plans of roads and towns. Buildings such as the residences and prisoners' barracks at Grass Tree Hill are given in detail. However, these details are absent from the finished map, and here-in lies the value of the note books. Surveyors and archaeologist can re-locate the site of vanished structures, a practice used during the Port Arthur Conservation Project.

The map showing the Grass Tree Hill convict station in 1837 was drafted from both the field note-book of Calder and later survey-maps, and reduced to the current scale of the Lands Department by John Medbury and staff, to whom I am indebted.

The only structure surviving from this period is the sand-stone water-trough-plan. Adjacent were steps leading to the prisoners' barracks. It is hoped that it will be possible to locate sites of structures from this temporary road station.

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