

**‘..... FRUITS OF AN EVIL SYSTEM..... ’**

**SOME NOTABLE FAILURES FROM POINT PUER JUVENILE  
PRISON**

**PORT ARTHUR, TASMANIA**

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In 1850 Quaker missionary Frederick Mackie used the phrase - 'fruits of an evil system' - when visiting two ex-Point Puer lads in their cells at Cascades Probation Station where the apparently uneducable boys were transferred after closure of Point Puer in 1848. <sup>1</sup> Mackie noted with empathy the plight of Robert Hart - confined to a light cell for 6 months with chains of 40 lb weight - and Thomas North, confined for 18 months in a dark separate cell with 26 lb weight, with 14 months to go. Allowed an hours exercise in the yard a day, Hart declined because of the weight of the chains.

Mackie commented,

“the gloomy countenance and knit brow of R. Hart relaxed after a little conversation with him, he shewed (sic) us a book in which he had been copying out some verses and learning off, “The happy shepherds”. He repeated them to us of his own accord. My soul mourned over these two youths. There was nothing forbidding or ferocious in their countenance, white the contrary, a cheerful pleasant smile would play over Hart’s features as he looked at R. Lindsey’s benevolent countenance. But their education had been a terrible one, sent to Point Pure (sic) mere boys, hardihood and daring would be the best lessons they were taught there. Humanising softening influences were not brought to bear upon their better feelings, they are spartan youths living in the 19th Century. They are the fruits of an evil system.” <sup>2</sup>

Mackie’s comments contrast with the generally held opinion that, as 19th Century historian West claimed, Point Puer was “an oasis - the desert of penal government”. This opinion of the juvenile prison initiated by Booth and Arthur in 1833 contrasts with several other negative views of the period; yet, West’s positive assertion has been repeated by several historians including A.G.L. Shaw, Lloyd Robson and more recently, Robert Hughes.

Mackie wasn’t the only contemporary commentator to criticise the products of Point Puer. Governor Denison and the Comptroller General believed the incorrigible prisoners on Norfolk Island were from two main sources - re-transported NSW convicts and “boys stationed at Point Puer” <sup>3</sup>

Something changed from the optimism of Booth’s early enthusiasm (where he spoke kindly of “my boys”) to the violence of the “bushranger-boys”, and the conflicting views of the two protagonists of the Anti-Transportation Movement, West and Denison.

West’s view on the Pt Puer success story were accepted Hooper’s major thesis, the Point Puer Experiment. West claimed that Pt Puer “was intended to reclaim and control rather than to punish the unfortunate youth submitted to its discipline. Many boys became apprentices and many were lost sight of as prisoners and are known only as respectable men” <sup>4</sup> Hooper claims

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1 Now called Koonya, remnants of the old station on the northern coast of Tasman Peninsula have been converted to colonial accommodation.

2 Nichols, M (ed.), Traveller Under Concern, the Journal of Frederick Mackie, Hobart, 1973

3 Comptroller General - Lieutenant Governor, British Parliamentary Papers Volume 12, 12/5/52, Univ. of Tas.

4 West in Hooper, P.169, PAMA

that “many boys, probably 2000, the majority of those who passed through Pt Puer, made good.”<sup>5</sup>

An unknown number of Point Puer lads did “make good”, but because of the “hated stain”, these known are yet small in number. Descendants with family history research are bringing to light these boys, including John Hargraves and Thomas Alexander. Hargraves arrived with the first batch of 66 boys in January 1834. (His great-great-grandson, Nigel Hargraves, is co-founder of the “Point Puer Descendants Association”). Hargraves senior, a shoe-maker, acquired land around Launceston before dying in penury. Alexander, also a shoemaker, moved to South Australia where his son started a lucrative boot-polish business in Adelaide that only left the family in the last decade.<sup>6</sup>

Why boys such as these succeeded and others became rebels, bushrangers in Tasmania and Victoria, suicides and recidivists remains unexplained. Initial research suggests a failure rate which calls to question the claims of the past 140 years.

Isolating the boys on Point Puer to learn trades was well-intentioned and useful skills were taught; but after hours (as in other all-male institutions) the Point appears to have been another story. Forced to submit to a rigid discipline and magistracy, boyhood pranks and failings become crimes, punished with solitary confinement on bread and water, loss of free time, birching on the breech, and extensions to sentence. Those game enough (or “flash” enough) to take on the system (the “bricks”) were to be admired, as the tell-tales (the “trunkers” were to be loathed. Once in the dock, the tougher boy “thinks himself a hero”.<sup>7</sup> This is the “evil system” to which Mackie referred.

Although reformation was the aim, the street-wise victims from the larger cities of Britain played the system at Point Puer as the Parkhurst exiles did on the Isle of Wight boys’ prison. Efforts of evangelical Wesleyans such as Chaplain Butters were responded to by boys whose religious feelings had “bordered on fanaticism.”

Lempriere described how “a number of boys separated themselves from their comrades, professed a godly sorrow for their sins and evinced every symptom of true repentance. Some of these boys, we are happy to say, have persevered in their religious career, but at one time, much doubt of the sincerity of the religious boys, as they were called, was entertained. They employed their leisure hours in prayer amongst the rocks and caves at the back of Point Puer, and in so loud a tone as showed an anxiety to be heard on earth as well as in heaven. Some even had visions. Indeed, the religious enthusiasm of these boys whether sincere or not, was carried to such a length as to cause Mr Butters to think it necessary to restrain them. Many of them have since, unfortunately, given proof that the suspicion as to their sincerity was but too well founded.”<sup>8</sup>

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<sup>5</sup> Hooper, *The Point Puer Experiment*, MA Thesis, University of Melbourne, 1955, P. 170.

<sup>6</sup> Correspondence, P.A.M.A.

<sup>7</sup> T. J. Lempriere, *Penal Settlements of Van Dieman’s Land*, 1839, P ?, Tas Lib

<sup>8</sup> Op cit.

In 1837, Commandant Booth and Jane Franklin (wife of the Lt. Governor) also noted with suspicion the same “cant among the boys who call themselves religious”. Jane Franklin described in her diary how -

“one very clever and impudent little boy was spokesman for several much taller than himself, and intimated they were better just now than they would be because the Governor was here. He was very cunning and very persevering. His name was Pollard. Another small boy but who said he was 15, James Collison, of remarkable countenance, rather interesting and sensible. He addressed himself to me as wishing for a bible which hearing he was a good boy, I promised him. Then he brought paper from his pocket with the names of 7 more boys who wished for a similar favour, all of the class of religious boys... The looks and language of this boy were remarkable, but I did not feel quite sure of his sincerity.”<sup>9</sup>

The conduct record for the rebellious Point Puer lads are useful guides to the offences, work habits, sub-culture and punishment regime used. Although some boys played the system, many took it head-on and society and the lads suffered the consequences.

Although flogging was used, limiting or removing hours of play had a more drastic effect, and was less harsh than removing one of two blankets for boys under detention. Common elements emerge when studying their “crimes” on The Point, and their later careers.

Of these selected, apart from Robert Hay, six were bushrangers while another was executed on Norfolk island. Four reached Victoria where the best known, Frank McCallum (or Captain Melville) became part of Australian folk-lore. Five died violently. All had accomplices of who some were Point Puer lads or had met at Port Arthur.

The first “rebel” to arrive, aboard the *Norfolk* on 28th August 1835 was William Driscoll, alias Timothy. As a bushranger on Tasmania’s east Coast and Northern Districts, Dido - as he was known - robbed in an apologetic manner. From St Giles, London, Driscoll received 14 years for stealing a “boot from a child”; aboard ship he was flogged for disorderly conduct.

Arriving when the population of Point Puer was only 229, a succession of offences began with “losing potato sets” (15 lashes on the breech), plus several “refusing to work” (5 days solitary confinement) plus “bathing and endangering himself”; “talking in cells”, “blasphemous language”, “absenting himself from Point Puer until brought back by a (military) escort” and “most improper language to an overseer” (remanded)<sup>10</sup>

Driscoll was assigned to the Cottons near Swansea (a Quaker family) and in 1855 with accomplice George King absconded. After a varied but successful career, including holding up Dr Storey and other east Coast residents he knew, “Dido” was sentenced to 5 years at Port Arthur, receiving a conditional pardon in 1858.

James Platt, a Tasmanian bushranger on the Prosser-Buckland area of Tasmania, arrived aboard the *Francis Charlotte* in May 1837. The boys on ship were put under the guidance of a far-sighted

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<sup>9</sup> In Brand, Vol. 25, P.A.M.A.

<sup>10</sup> Con 31/10 No. 1037 AOT

tutor, Nesbitt, who divided them into messes, providing above-deck activities, including music, and the boys were apparently well-behaved while on board. But once at Pt Puer, the ship-board advances quickly disappeared.

From Launceston, England, Platt was transported for stealing tobacco, behaving well aboard ship. Four months after arrival at Pt Puer he received 48 hours solitary confinement on bread and water for “gambling in school”, with offences of “idleness and insolence” degenerating into more serious misdemeanours including “absenting himself from the establishment” on several occasions, plus secreting chisels, removing leg irons and his “log” (to which he was chained.)<sup>11</sup>

By 1839 stripes on the breech were replaced with 50 lashes for absconding from the Grass Tree Hill Road Party near Richmond, only to be sent to the Victoria Valley station in the Tasmanian highlands in 1840, where he was charged with “aiding and abetting” and a “strong suspicion of having committed an unnatural crime”, as homosexual acts were described.

After being sentenced to Campbell Town, Platt was returned to Port Arthur in 1843. He absconded and, with accomplice Moore, became an outlaw. He joined with George Jones, the last free member of Martin Cash’s gang, committing more violent crimes near Hobart before being caught in a shoot-out at the Tea Tree Brush near Brighton. On 30th April 1844 Platt was executed in Hobart.<sup>12</sup>

Another lad who failed the reformist aims of the “Francis Charlotte” voyage and Point Puer was William Pearson, executed on Norfolk Island in 1846. From Nottingham, aged 11 and 4 foot, 8 inches tall, Pearson was transported for stealing knives, razors etc. Previously he had accumulated 30 prison offences for various food thefts, including stealing hens, bread, eggs, cakes, fowls and robbing an orchard.<sup>13</sup>

A month after arriving, like Platt, Pearson received a solitary confinement sentence for “having potatoes on the rocks,” followed by 24 offences in 13 months. All sentences were similar to Platt’s, plus “Ill-treating a fellow boy, and repeating the same after being rebuked”. Eventually sent to Norfolk island, William Pearson was executed as part of the 1846 rebellion.<sup>14</sup>

Frank McCallum arrived at Point Puer aboard the *Minerva* (2) in 1838.<sup>15</sup> A five foot tall 15 year old with red hair, he was transported for house-breaking.<sup>16</sup> From Inverness, Scotland, on ship he was a monitor in charge of the no. 2 Tutorial group receiving literacy tuition.<sup>17</sup>

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11 ???

12 CON 31/36, AOT

13 ibid

14 Lempriere, op cit, P ?

15 alias Francis McNeiss/ McNeil/ Melville, alias Edward Melville, later ‘Captain Melville’

16 CON 31/ ??

17 CSO 5/146/3551, 12.10.1838, Surgeon to Lt. Governor.

An unsung hero, as Victorian bushranger as 'Captain Melville' in the 1850's, McCallum played a pivotal role in making the public aware of the abuses suffered on the notorious Williamstown hulks. These led to the reform of the Victorian penal system.<sup>18</sup>

Frank was at Point Puer for 5 months before he committed offences. He received 3 days solitary confinement on bread and water for "misconduct, during divine service", then "for disorderly conduct in front of the magistrate, 36 stripes on the breech."

By 1841 he was at the Malcolms Hut Road Station near Richmond. Martin Cash, noted Tasmanian bushranger, was then working at the same station. Cash escaped from the station while McCallum was there. McCallum was returned to Port Arthur station in October 1841, where, for "Disorderly conduct in his gang, and insolence" he received 25 stripes to the breech. Seven months hard labour in chains was punishment for having 2 books in his possession, perhaps indicative of McCallum's literary mind, a characteristic which was to reappear in Victoria. In March 1845 McCallum was "in the upper floor of the (flour) mill, the door of which was broken open" (9 months hard labour in chains). After absconding and being returned to Port Arthur, he appears to have gained his pass.<sup>19</sup>

McCallum also shared Port Arthur with Martin Cash,, who escaped while Frank was there in 1843. The bravado, daring and chivalry of Cash may have been a role-model for McCallum, Cash being popularly regarded as a hero.

Frank, crossed to Victoria about 1850 and by 1852, in the company of William Robert Roberts, haunted the Mt Macedon area where there are two Melville Caves. They held up the managers and shearers at Aitcheson's sheep station near Wardy Yallock in December 1852. Another story claims he learnt the language of an aboriginal tribe. Robbing on the Ballarat Road and near Geelong, many legends survive concerning Frank's good looks and chivalrous behaviour toward women.

Frequenting a brothel in Geelong was his downfall. 'Captain Melville' was sentenced by Judge Barry in 1853 to 32 years gaol for highway robbery, and the former Point Puer boy was imprisoned on the hulk *Success* at Williamstown. After the murder of a hated overseer by a gang of prisoners, McCallum conducted his own defence and gave an eloquent and moving description from the dock of hulk life under the cold hand of John Price, the former Norfolk Island commandant. His experiences were reported in detail in Melbourne newspapers and aroused public sympathy and concern. He defended himself and would die 'not as a ruffian or a villain but as a man oppressed.'<sup>20</sup> On a technicality McCallum was acquitted.

McCallum's description of the hulk life resulted in a parliamentary enquiry which was investigating John Price's administration at the time of his trial. Evidence suggests that McCallum was spokesman and leader for hulk prisoners, taking part in the revolt at the time of

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18 The outcome resulted in construction of the new Pentridge Gaol; its first governor in 1857 was William Napier Champ, formerly commandant at Port Arthur.

19 CON 31/32, AOT

20 Melbourne Argus, 22/211/1856.

Price's murder.<sup>21</sup> Shortly after, McCallum, was found in his cell, strangled by his scarf in unexplained circumstances.<sup>22</sup>

By 1842 Point Puer was administered as a probation station, under a post-assignment system of punishment, requiring prisoners to pass through gang work before being eligible for hire. Andrew Kelly arrived at Point Puer in 1842, sentenced to 7 years transportation for stealing 3 shilling from a woman in Sunderland. With a good ship report from the surgeon, Kelly, aged 12 and 4 foot 4 inches tall, broke only 4 minor rules in 3 years.

Described as unable to "earn his livelihood yet", (i.e., probably backward), Kelly's backwardness may have been responsible for his returning to crime and re-sentencing to Port Arthur in 1850. Here he joined ranks with James Dalton, a 16 year old with "respectable connections" who was sentenced for stealing a cloak.<sup>23</sup> In December 1852 with five others, the two escaped from Tasman Peninsula, the rest losing their lives at sea. Dalton had returned from his sentence on Norfolk island as a tough prisoner.

Raiding houses near Campbell Town in the Midlands, including the *Halfway House*, they bailed up 30 people at Simeon Lord's homestead, *Bona Vista*, near Avoca. After imprisoning other settlers, a party was sent in pursuit and Dalton shot and killed Constable Buckmaster. Crossing to Victoria they were recognized. Debonair and well-dressed, Dalton was observed exchanging bank notes, reflecting his "respectable connections". Returned to Launceston, they were hanged on 26th April, 1853.

The robbery in April 1852 of the gold ship *Nelson* at Geelong was sensational for its daring and the unexplained sequel to the conviction; despite many accusations the gold was never found. These robbers included James Morgan alias James Gavagan, transported to Pt Puer in February 1836 on the *Asia* (4) for "stealing 21 umbrellas".<sup>24</sup> James's record runs for two pages; his offences continued until 1840 when he was transferred to Port Arthur.

Gavagan's offences, once started at Pt Puer, came thick and fast, and included "making use of blasphemous language" (2 days solitary confinement on bread and water), "striking a fellow boy" (ditto punishment), "having thread improperly in his possession", (3 days solitary confinement on bread and water); "absent from the Establishment" (5 stripes on the breech). "Insolent remark to an overseer and irregular conduct in Barracks during the night" (48 hours solitary confinement on bread and water); "Being in the government garden and having sprigs improperly in his possession" (48 hours solitary confinement on bread and water). By October 1841, Gavagan experienced 6 weeks hard labour in chains for misconduct.

The degeneration of the record, the types of offences and their frequency indicate much about the "hidden Point Puer". Benjamin Horne, whose 1842 report is the most detailed, refers to the bullying tactics and regime of silence which threatened potential informers. "Labouring under the effects of liquor" (7 days in cell on bread and water) followed by "improper language",

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21 Barry, J. V. *The Life and Death of John Price*, Melbourne University Press, 1964, P. 80-82. Tas Lib

22 Boxhall, George *An Illustrated History of Australian Bushranging*, Melbourne, 1988, p77.

23 CON 31/10 AOT

24 Con 31/16 No. 1148 AOT

“striking an overseer” and then “Disrespectful conduct toward one of the military” portray a story in their own right.

The possession of liquor and other illegal “luxuries” indicate a black market. In another case - at the Coal Mines on Tasman Peninsula - a male prostitute (another Point Puer boy) was found with large quantities of flour and tobacco in his hut.<sup>25</sup>

Commandant Booth was aware of homosexual practices - referring to them as “horrid crimes.”<sup>26</sup> Male rape is also strongly implied by Marcus Clark’s boy suicides in “The Term of His Natural Life.” “The Term” describes two cases of suicide; the well-known boys’ scene poignantly acted in Norman Davis film. Not used in the film is the suicide of a young man (formerly the Commandant’s servant) who was deranged on release from the prison barracks. After pleading with the clergyman, “I’d rather be dead than stay another night in that place” and asking “does the Commandant know what goes on in there?”<sup>27</sup> The prisoner Kirkland, called “Miss Nancy” , by other prisoners, aroused the sympathy of Rev North who claimed “The condition of those dormitories is infamous”.<sup>28</sup> Kirkland attempted suicide before dying from flogging.

The diary of T. J. Lempriere, accountant and visiting magistrate at Point Puer, also refers to the deaths of boys from falling on rocks with a strong suggestion of suicide. The prisoners’ conduct records, and the journals of Booth and Lempriere indicated that Marcus Clark’s long-ridiculed scene is, like much of “The Term”, factually based. As accountant and magistrate at Port Arthur for 15 years, Lempriere knew the system better than most. Lempriere recorded in his journal (in French),

... one of the poor little convicts from Point Puer let himself fall from the rocks today - he broke his thigh and wrist and a fracture of the skull finished the business - he was called Peter Haydon.<sup>29</sup>

Three years later he attended the inquest into the death of “one of the boys at Point Puer (who) drowned himself; another inquest I suppose.”<sup>30</sup> The disappearance of reports of the deaths of Port Arthur and Point Puer in most cases leaves a mystery. Samuel Barlow, for example, died at Point Puer on 8th July 1845, aged 19. A report dated 8 days later does not appear to have survived.<sup>31</sup>

When the Quaker missionaries visited Robert Hart at the Cascades in 1850 he had been sentenced for 20 offences following his arrival in 1843. From 1850 until his release to freedom in 1854 a further 20 followed. These occurred despite a “good” hulk report and the surgeon’s comment that he was “attentive to school” aboard the *Forfarshire*. At 17 years and 4 foot 8 inches

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26 Booth, 19th October 1836, Heard, D. (ed.) Journal of Charles O’Hara Booth, Hobart, 1981, p202.

27 Clarke, M. The Term of His Natural life, Chapters 13 & 14.

28 *ibid*, P. 278

29 Journal of T. J. Lempriere, Mitchell Library, Sydney. 9th July 1834, P. 20., Translation, Port Arthur Conservation Project 1985.

30 *ibid*, Typescript, 1.1.37 to 12.9.38, Allport Library, Hobart, 16/2/37

31 CON 33/25, “Elphinstone (3)” AOT

Hart's offences are mainly for being absent without leave or absconding. He graduated to the lash very quickly, being described as an "extremely bad character".<sup>32</sup>

But his treatment at the boy's prison may explain his later aggressive behaviour. Hart's case was part of the evidence used by a disgruntled overseer George Farris, against John Mitchell, the Superintendent of Point Puer. Farris claimed that Mitchell goaded Hart following a flogging.

"Immediately after the infliction and whilst the boy was still suffering from the torture, he was ordered to the stone heap and in the most aggravating tone and matter was directed by Mitchell to throw a stone if he could at his Mr Mitchell's head and knock out his brains."<sup>33</sup>

Mitchell defended himself;

The boy Hart received on the day named 36 lashes for absconding. Whilst he was under sentence he boasted he would throw a stone at me. This was said as it often is by way of bravado to the boy's companions. About 20 minutes after he had been punished I endeavoured to point out the folly and absurdity of acting in the manner in which he appeared determined to act.<sup>34</sup>

Following closure of Point Puer in 1848-9 the remaining boys were sent to hiring depots if useful; most being sent to the New Town Farm Depot at the Queens Orphanage, the remainder were sent to the Cascades, Tasman Peninsula.

The Cascades Probation Station, directed by Superintendent Ballantine, became notorious during the 1850's for violent forms of punishment on some of its inmates, including recalcitrant lads from Point Puer. The ring-leaders among the overseers were some transferred from Norfolk Island who used similar methods of punishment, including the gag. Like many other prisoners of the latter period, the signature of an official laying charge is often missing. Robert Hart for example, after extended periods of solitary confinement including 6 months in the new Silent Prison at Port Arthur in 1852, was returned to the Cascades in 1853 and freedom in 1854. His fate is unknown.

The closure of the Cascades in 1855 and the more humane treatment of men imprisoned there was caused by public indignation and pressure on the Government led by the humanitarian Bishop Willson, the Catholic bishop who led criticism of John Price's Norfolk Island.<sup>35</sup>

The dramatic life and end for rebels contrasts sharply with the "silent" suffering of men who were "conditioned" by Port Arthur's own Pentonville, the Model Prison built in the early 1850's to quieten returning Norfolk island prisoners. Survival of only a proportion of convict records possibly leads to great weight being placed on survivors; the records of these rebels tell us much about the lives of others and not just themselves. A fragmentary record book from the Model Prison is the only such document found - at least in Tasmania. Of the 26 inmates of the

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<sup>32</sup> CON 33/44 AOT

<sup>33</sup> Misc. 62/3a 1092, AOT

<sup>34</sup> *ibid*

<sup>35</sup> Southerwood, WT *The Convict's Friend*, Bishop R. W. Willson, George Town, 1989, p355.

prison listed in the period covering the late 1850's, six and possibly eight were Point Puer boys.  
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William Pritchard, a "sweep" aged 15 from Broadstreet, was transported for "stealing a pigs head and a piece of pork", and was "gaoled once for 11 pairs of stockings", On the hulk he was "flogged for noise three or four times" and described on board the *Elphinstone 3* as "disorderly". After arriving in 1842 and committing four minor offences, Pritchard was eventually released to freedom in 1848 via New Town Farm, Hobart's juvenile hiring station, although described as unable to earn his own livelihood - a possible reference to mental backwardness.

Re-convicted in 1856 for malicious assault and again in 1865, Pritchard, spent 2 days in the Model Prison in 1857 for "making use of improper language". His first offence resulted in a four year sentence with 55 days of solitary confinement and 10 weeks of hard labour.<sup>37</sup>

Also described as "unable to earn his own livelihood", Joseph Cocum aged 12 and 4 foot 3 inches tall was sentenced from Bristol for "stealing a saucepan" and was described as "bad in every respect", being punished for "indecentcy", with boys on board". He left Point Pour with "a breech having been caned 25 times on several occasions" on direction of O'Hara Booth, in 1848. In 1857 he was re-transported, serving time in the Model Prison.<sup>38</sup>

Whatever the proportion of "failures" to "successes" the rebellious lads interacted strongly with one another, putting peer-pressure to behave likewise on their quieter prisons mates.

Those boys who melted into the Australian and New Zealand mainstream took their conditioned experiences with them. Despite repression of convict ancestry, non-verbal speech and attitudes were still reflected in the families which these lads produced, in the work place and on the sports-ground.

The rebel's gameness, bravery and championing of the down trodden by Frank McNamara were characteristics admired by the Australian male; the bullying and bastardry in police forces, prisons and military colleges presented a dichotomy in the evolution of the Australian personality.

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36 CON 171, AOT

37 CON 33/25, CON 37/2, AOT

38 CON 33/25, CON 37/2, AOT