

ESCAPE!

FREMANTLE TO FREEDOM



EDUCATION RESOURCE KIT

	Page
1. GLOSSARY (2 pages)	1-2
2. TIMELINE (7 pages)	3-9
3. RECOMMENDED READING (1 page).....	10

Fact Sheets:

FREMANTLE PRISON EDUCATION RESOURCE NOTES: CONVICT LIFE

FREMANTLE PRISON EDUCATION RESOURCE NOTES: CRIME & PUNISHMENT

GLOSSARY

AMBERGRIS

Ambergris is an excretion from the sperm whale formed in the whale's intestines in response, it is thought, to irritation caused to the stomach lining of the whale from the sharp, indigestible, parrot-like beaks of squid – one of the sperm whale's main foods. It is found floating on the oceans or collected from the shores of many countries around the world. It is a solid, waxy, flammable substance that was highly prized as a fixative in perfumery. Now largely replaced by synthetics.

BLUBBER

Blubber is the layer of fat on whales and other sea mammals.

BALEEN

Baleen (also called whalebone) is a substance made of keratin and is therefore stiff but somewhat elastic. Baleen makes up baleen plates, which are arranged in two parallel rows that look like combs of thick hair; they are attached to the upper jaws of baleen whales. Whales use these combs for filter feeding. Baleen plates were formerly used in buggy whips and parasol ribs, and to stiffen parts of women's stays and dresses, like corsets. Its function has now been replaced by plastic.

BONE MEAL

Bone meal is a mixture of crushed and coarsely ground bones that is used as an organic fertilizer for plants and in animal feed. As a fertilizer, bone meal is primarily used as a source of phosphorus. Bone meal was often used as a dietary calcium supplement.

CAPITAL PUNISHMENT

Capital punishment, (otherwise known as the death penalty) is the execution of a convicted criminal by the State as punishment for crimes known as capital crimes or capital offences. The word capital is derived from the Latin *capitalis*, which means concerning the head; therefore, to be subjected to capital punishment means to figuratively lose one's head.

CORPORAL PUNISHMENT

Corporal punishment is the deliberate infliction of pain intended as correction or punishment. Historically speaking most punishments, whether in judicial, domestic or educational settings were corporal in basis. The practice is generally held to differ from torture in that it is applied for disciplinary reasons and is therefore intended to be limited, rather than intended to totally destroy the will of the subject. The physical and psychological effects of certain severe or prolonged forms of corporal punishment are more or less indistinguishable from those of torture.

CAT O' NINE TAILS

A whip with nine separate woven tails with a knot and three strands at the end of each one. It originated as an implement for severe physical punishment in the British Royal Navy.

THE CATALPA

The name of the whaling ship that rescued the Fenians.

Catalpa is a large deciduous tree (chiefly North American) that grows to 10-25 m tall, and can be recognized by its large heart-shaped three-lobed leaves. It has white or yellow flowers and in the autumn produces 20-50 cm long fruits that resemble a slender bean pod. It is also known as the Indian Bean tree.

CLAN NA GAEL

An Irish republican organization in the United States founded in the 1870s. Successor to the Fenian Brotherhood and connected to the Irish Republican Brotherhood (IRB). It provided valuable support to Irish nationalists worldwide. Clan na Gael means the Irish Race.

COMPASS ROSE

A figure displaying the cardinal directions: north, south, east and west, on a map or nautical chart.

CONVICT ESTABLISHMENT

The name given to Fremantle's convict prison. The first was situated in premises leased from the Fremantle Harbour Master in June 1850. The current Fremantle Prison was built by convict labour between 1852 and 1860. In 1867 the Convict Establishment was renamed Fremantle Prison and in 1888 the British Government handed the prison over to the colonial authorities.

ETHNIC

Relating to a population subgroup within a larger or dominant national or cultural group with a common national or cultural tradition.

FENIAN

A member of an association of Irishmen (the Fenian Brotherhood) founded in the late 1850s with the aim of overthrowing the British Government in Ireland. It comes from the name Fianna –the legendary warriors of Irish mythology.

FLOGGING

To beat with a whip or stick as punishment or torture.

FURLING

To roll and secure a piece of fabric such as a flag or sail.

THE GEORGETTE

A privately owned ship that the British authorities in Fremantle commandeered to search for the Fenians after the escape from Fremantle Prison. It was a 211-ton, two masted iron hulled screw driven steamer built in Scotland in 1872. It arrived in Fremantle in 1873 to begin a coastal trading service. The ship sank in December 1876. Crew and passengers were rescued in dramatic circumstances by Aboriginal stockman Sam Isaacs and his employer's 16 year-old daughter Grace Bussell.

SEA SHANTY

Sea Shanties are shipboard working songs derived from the French word *chanter*, 'to sing'. In the days when human muscles were the main power source available aboard ship, sea shanties served a practical purpose: the rhythm of the song helped to synchronize the movements of the sailors as they toiled at repetitive tasks. These shanties also served a social purpose: singing and listening to songs helped alleviate boredom, and lightened the burden of hard work (of which there was no shortage on long voyages).

SCRIMSHAW

The process of adorning whalebone, whale teeth, ivory, shells or other material with carved designs.

SPERM OIL

An oil found with spermaceti in the head of a sperm whale and formerly used for lubrication.

SPERMACETI

Spermaceti is the semi liquid, waxy substance found in the head of the sperm whale. One of its uses was for making candles.

WEEVIL

A small beetle, the larvae of which typically develop in stored foodstuffs.

WHALEBOAT

A long narrow rowboat made with both ends sharp and raking, often steered with an oar, and formerly used by whalers for hunting whales.

WHALE OIL

Oil obtained from the blubber of a whale, formerly used in oil lamps and for making soap. A primary focus of whaling in the United States in the 1800s was the lamp oil made from the prodigious amount of fat contained in whales.

With the beginning of the American petroleum industry in the late 1850s the price of whale oil began to fall. Now it has ceased to be viable, as substitutes have been found for all its former uses.

WHALER

A person or ship engaged in whale fishing or hunting.

TIME LINE

with reference to Australia, Ireland, America and the Convict Era in Australia

493, March 17: *International Event.*

This is generally believed to be the date on which Bishop Patrick died. He was so loved by the Irish that he was made patron saint of all Ireland. March 17 is celebrated by Irish people world wide as St Patrick's day.

1492: *International Event.*

Christopher Columbus, an explorer and trader, crossed the Atlantic Ocean and reached the Americas on October 12, 1492. Although there is evidence of Pre-Columbian trans-Atlantic Ocean European contact, Columbus is commonly credited as the first European to see the Americas because of the profound impact his contact had on history.

1498: *International Event.*

Vasco De Gama, Portuguese discoverer of a sea route to India, arrived at Calicut India.

1611, December *International Event.*

Henderick Brouwer advised the managers of the VOC (Dutch East India Company) of a new route across the southern Indian Ocean, which enabled him to reduce the passage of time from Texel to Batavia Jakarta from the average of 12 months to just under 6 months. This new route brought Dutch sailors in contact with the western coast of the Great South Land for the first time.

1616: *Australian Event.*

Dirk Hartog in the *Eendracht* arrived at Cape Inscription and left a pewter plate. Coastal region in the vicinity is shown on Hartog's maps as *Eendrachtsland*. Believed to be first landfall on Western Australian soil by Europeans. (An earlier 1606 encounter on the northern coast of Australia near Papua New Guinea by the *Duyfken* is credited as being the first Australian visit by European explorers).

1620: *International Event.*

The *Mayflower* set sail from England to establish the first permanent colony in New England. The Pilgrim Fathers landed at what is now Plymouth, Massachusetts, USA, in December 1620.

1622, April: *Australian Event.*

Captain Brookes aboard the British East Indiaman vessel *Trial* sighted the Great Southland continent, the first Englishman to do so.

1770, April: *Australian Event.*

Lieutenant James Cook, in command of the *HM Bark Endeavour*, landed in Botany Bay (New South Wales), which he originally named Stingray Harbour. Eight days were spent exploring and gathering botanical specimens. They then sailed north, naming Port Jackson (Sydney Harbour) on the way but did not enter.

1773, December 16: *International Event.*

American colonists dressed as Indians, staged the Boston Tea Party to highlight their demand for no taxation without representation. They dumped 342 chests of tea from three British ships into Boston Harbour. The incident has been seen as helping to spark the American Revolution.

1774, March 16: *International Event.*

Matthew Flinders, English explorer and navigator, was born in Lincolnshire, England. Between December 1801 and June 1803 Flinders chartered the coastline of the continent we now know as Australia.

1775, April: *International Event.*

The American Revolutionary War began with the battles of Lexington and Concord.

1776, July 4: *International Event.*

The American Declaration of Independence was adopted in Philadelphia.

1786, 18 August: *Australian Event.*

The decision to send convicts to Botany Bay was taken by the British Government.

1787, May: *Australian Event.*

At daybreak in Portsmouth (UK), Captain Arthur Phillip gave the signal to the First Fleet of 11 ships to weigh anchor and begin the voyage to Botany Bay.

1788, January 18: *Australian Event.*

Captain Arthur Phillip arrived at Botany Bay aboard *HMS Supply* to establish the first European settlement in New South Wales. It was a convict settlement, marking the beginnings of transportation to Australia.

1788, January 26: Australian Event.

The First Fleet having arrived first at Botany Bay, moved north to a new site in Port Jackson. It was soon realised that Botany Bay did not live up to the glowing account that Lieutenant James Cook had given it in 1770. Later Captain Phillip described Port Jackson as “the finest harbour in the world, in which a thousand sail of the line may ride in the most perfect security...”.

1788, MARCH: Australian Event.

Governor Phillip despatched *HMS Supply* under Philip Gidley King to Norfolk Island to establish a penal colony.

1791, January 28: Australian Event.

James Stirling, the first Governor of the Swan River Colony, was born in Scotland.

1797, May 8: Australian Event.

John Septimus Roe, the Swan River Colony's first Surveyor was born.

1800, January: Australian Event.

The *Minerva* arrived in Sydney with 188 convicts; many were Irish political prisoners.

1808, January: Australian Event.

The officers of the New South Wales Corps arrested Governor William Bligh in the Rum Rebellion.

1812, June 18: International Event.

The US Congress declared war on Britain.

1818, January 26: Australian Event.

The first official celebrations were held marking the thirtieth anniversary of European settlement.

1820, June 19: Australian Event.

Sir Joseph Banks, naturalist, died. Joseph Banks sailed with Captain Cook on *HM Bark Endeavour* 1768-1771 and was the champion of Botany Bay as a convict colony.

1821, April: Australian Event.

Edmund Henderson was born in Muddiford, Hampshire, England. In 1849 he was appointed by the British Government as Comptroller General of convicts in Western Australia.

1826, December 25: Australian Event.

Major Edmund Lockyer, of the 57th Regiment of Foot, arrived aboard the brig *Amity* to establish an outpost of New South Wales at King George Sound (Albany).

1827, January: Australian Event.

Captain James Stirling sailed from Sydney, New South Wales, on board *HMS Success* to explore the Swan River area with a view to establishing a permanent settlement on the western coast of Australia.

1827, March: Australian Event.

Captain James Stirling commenced exploration of the Swan River. Stirling's report on his visit to the west coast ultimately led to the establishment of the Swan River Colony in 1829.

1828, November: Australian Event.

Australia's first census was held in the colony of New South Wales. Previous government statistical reports had been taken from “musters” where inhabitants were brought together for counting. In 1828, the white population was 36,598 of whom 20,870 were free and 15,728 were convicts. Indigenous Australians were not counted. Of the 36,598, 638 were living in what is now Queensland. There were also 18,128 people in Tasmania.

1828, December: Australian Event.

HMS Challenger under the command of Captain Charles Fremantle sailed from England to the Swan River to take possession of the west coast of New Holland.

1829 May 2: Australian Event.

Captain Charles Fremantle, accompanied by Lieutenant John Henry and 14 men from *HMS Challenger* went ashore on the mainland near the mouth of the Swan River. They hoisted the Union Jack and formally annexed for the British Crown “...all that part of New Holland which is not included in the territory of New South Wales”.

1829, June 2: Australian Event.

Captain James Stirling took over command of the *Parmelia* from her skipper, Captain Luscombe, to enter Cockburn Sound, Western Australia. To his undoubted embarrassment, he promptly ran it hard aground on the shoal that still bears the ship's name.

1829, June 8: Australian Event.

The *HMS Sulphur* arrived in the Swan River Colony bringing a detachment of the 63rd Regiment, commanded by Captain Irwin.

1829, June 17: Australian Event.

Captain Frederick Irwin read the official proclamation that appointed Captain James Stirling Lieutenant governor of the new colony (Western Australia).

1829, June 18: Australian Event.

The colony of Western Australia was proclaimed on Garden Island.

1829, September 4: Australian Event.

The *Marquis of Anglesea* was wrecked on Bathers Beach, Fremantle. All hands were saved. Later it was converted into the Governor James Stirling's Fremantle office, the Harbour Master's Office, the Post Office, and a prison ship for refractory servants. It also served as a colonial store. Anglesea Point and Point Marquis at each end of Bathers Beach, Fremantle, were named after the ship.

1829: Australian Event.

The first appointments for maintaining law and order in the Swan River colony were made. They were two Justices of the Peace and four Constables.

1830: Australian Event.

Christian Draper was the first man to be imprisoned in the hulk of the *Marquis of Anglesea* on Bather's Beach, Fremantle.

1830, September 1: Australian Event.

The first criminal listed in the Criminal Court Record Book of the Swan River Colony, was found guilty of larceny and was given 50 lashes and 14 days imprisonment.

1831, January: Australian Event.

The Round House on Arthur Head was completed. It was designed by Henry Reveley and was the Colony's first prison. It is the oldest building still standing in Western Australia.

1831, March: Australian Event.

The settlement at King George Sound ceased to be an outpost of New South Wales and passed to the control of Western Australia. Governor Stirling decreed the settlement to be called Albany from the new year of 1832.

1832: Australian Event.

The census in Western Australia indicated a population of 1244 people. (Aboriginal people were not counted but in the south west of Western Australia have been estimated to number 15,000).

1837, June: Australian Event.

Fremantle Whaling Company and Perth Whaling Company (based at Carnac Island) launched boats from Fremantle and Carnac Island in pursuit of a whale. Perth Whaling Co. wounded the whale and Fremantle Whaling Co. managed to capture it. It was decided to divide the spoils as it was the first whale caught by the newly formed companies.

1839, January: Australian Event.

John Hutt arrived on the vessel *Brothers* to take over from Sir James Stirling as Governor of the Swan River Colony.

1840: Australian Event.

Transportation to the Eastern States colonies ceased by order of the Queens Council.

1843: Australian Event.

The barque *Shepherd* left England carrying 28 boys from Parkhurst Prison on the Isle of Wight. The boys were being transported to Western Australia where they were to be apprenticed to tradesmen. One of the boys, John Gavin, aged 14, became the first European person to be hanged in the Swan River Colony, after he murdered George Pollard, his employer's son, in 1844.

1845, December 4: Australian Event.

The arrival of the *HMS Driver*, the first steam vessel to come to Fremantle. Smoke was seen on the horizon and it was thought that a ship was on fire. It was only when the vessel became visible that people realised it was a steam-driven vessel.

1847: International Event.

Greenwich Mean Time first adopted across the UK by the Railway Clearing House and by the following year by almost all railway companies.

1849, May 1: Australian Event.

A British Order in Council converted Western Australia into a penal colony. "That upon and from the first day of June in this present year; Her Majesty's settlements in Western Australia shall be places to which felons and other offenders in the United Kingdom then being or thereafter to be under sentence or order of transportation or banishments shall be conveyed...".

1850, June 1: Australian Event.

The first 75 convicts arrived in Western Australia on the *Scindian* with 54 guards and a number of officials and their families.

1850 Australian Event.

The census in Western Australia indicated a population of 5886.

1850: Australian Event.

The *Hashemy* arrived in Fremantle carrying 100 convicts. It was the second convict ship to come to Fremantle.

1851: Australian Event.

Formation of the Australasian League in Sydney to stop convict transportation.

1851: Australian Event.

Gold discovered in Victoria.

1851: Australian Event.

The *Mermaid* arrived in Fremantle carrying 208 convicts.

1851: Australian Event.

The *Pyrenees* arrived in Fremantle carrying 293 convicts.

1851: Australian Event.

The *Minden* arrived in Fremantle carrying 301 convicts.

1851: International Event.

Isaac Singer was granted a patent on his sewing machine.

1852: Australian Event.

The *William Jardine* arrived in Fremantle carrying 212 convicts.

1852: Australian Event.

The vessel *Marion* arrived in Fremantle carrying 279 convicts.

1853: Australian Event.

The vessel *Dudbrook* arrived in Fremantle bringing 228 convicts.

1853: Australian Event.

The *Pyrenees*, on her second voyage, arrived in Fremantle carrying 293 convicts. One of its charges was the convict Joseph Bolitho Johns, known as Moondyne Joe, Western Australia's most famous bushranger.

1853: Australian Event.

The *Robert Small* arrived in Fremantle carrying 303 convicts.

1853: Australian Event.

The *Phoebe Dunbar* arrived in Fremantle carrying 285 convicts.

1854: Australian Event.

The *Sea Park* arrived in Fremantle carrying 304 convicts.

1854: Australian Event.

The *Ramillies* arrived in Fremantle carrying 277 convicts.

1855: Australian Event.

Mary Henderson, wife of Captain Edmund Henderson, Comptroller of Convicts in Western Australia, died. In 1856 Captain Henderson returned to England with his son. Two years later he returned to Western Australia as Comptroller of Convicts for a second period bringing with him his new wife.

1855: Australian Event.

The *Stag* arrived in Fremantle carrying 224 convicts.

1855: Australian Event.

The *Adelaide* arrived in Fremantle carrying 259 convicts.

1855: Australian Event.

Van Diemen's Land was re-named Tasmania.

1856: Australian Event.

The *William Hammond* arrived in Fremantle carrying 249 convicts.

1856: Australian Event.

The Eight Hour Labour League was formed in Melbourne. Their motto was eight hours labour, eight hours recreation and eight hours rest.

1856: Australian Event.

The *Runnymede* arrived in Fremantle carrying 248 convicts.

1857: Australian Event.

The *Clara* arrived in Fremantle carrying 262 convicts.

1858: Australian Event.

The vessel *Nile* arrived in Fremantle carrying 270 convicts.

1858: International Event.

The British crown took over rule in India from the East India Company.

1858: Australian Event.

All colonial prisoners confined at Perth Gaol were transferred to the Convict Establishment at Fremantle.

1858: Australian Event.

The *Lord Raglan* arrived in Fremantle with 268 convicts.

1859: Australian Event.

Northern New South Wales was proclaimed a separate colony with the name Queensland.

1859: International Event.

Construction began on the Suez Canal.

1859: Australian Event.

The *Sultana* arrived in Fremantle carrying 224 convicts.

1859: International Event.

Charles Darwin, British naturalist, published *On the Origin of Species*, which explained his theory of evolution.

1859, December 31: Australian Event.

The 3rd census in Western Australia was taken. There were 11,743 people in the colony.

1861: International Event.

The American Civil War began between the United States of America (Union) and the confederate States of America (Confederacy).

1861: Australian Event.

The *Palmerston* arrived in Fremantle carrying 293 convicts.

1862: Australian Event.

The *Lincelles* carrying 304 convicts arrived in Fremantle.

1862: Australian Event.

The *Norwood* carrying 290 convicts arrived in Fremantle.

1862: Australian Event.

The *York* arrived in Fremantle carrying 299 convicts.

1863: Australian Event.

The *Clyde* arrived in Fremantle with 320 convicts on board.

1863: International Event.

The Red Cross was founded by Swiss businessman, Henry Dunant after he witnessed the battle of Solferina in Northern Italy.

1863: Australian Event.

The *Merchantman* arrived in Fremantle carrying 191 convicts.

1863: Australian Event.

The *Lord Dalhousie* arrived in Fremantle carrying 270 convicts.

1863: Australian Event.

Lt Colonel Edmund Henderson, Comptroller General of Convicts, left Fremantle on board the *York* with his wife and family. Henderson arrived with the first convicts in 1850 and was responsible for the construction of the Fremantle Prison (the Convict Establishment).

1864: Australian Event.

The *Clara* arrived in Fremantle carrying 301 convicts.

1864: Australian Event.

The *Merchantman* arrived in Fremantle carrying 257 convicts.

1865: Australian Event.

The former Governor of the Swan River Colony, Vice Admiral Sir James Stirling, died in England aged 74.

1865: Australian Event.

The *Racehorse* arrived in Fremantle carrying 278 convicts.

1865: Australian Event.

The *Vimiera* arrived in Fremantle carrying 278 convicts.

1865: International Event.

The American Civil War ended bringing with it the abolition of slavery in America.

1866: Australian Event.

The *Belgravia* arrived in Fremantle carrying 276 convicts.

1866: Australian Event.

The first traffic-bridge across the Swan River at Fremantle opened. This was built by the convicts and because of its method of construction was known as the Bridge of Sticks.

1866: Australian Event.

The *Corona* arrived in Fremantle carrying 305 convicts.

1867: Australian Event.

The *Norwood* arrived carrying 253 convicts. This was the second last convict ship to arrive in Fremantle.

1867: International Event.

Alfred Nobel took out the patent for 'extradynamit' (dynamite).

1867, January: Australian Event.

The Government Gazette announced that the Imperial Convict Establishment be renamed the Fremantle Prison.

1868, January: Australian Event.

The last convict ship *Hougoumont* arrived in Fremantle with 279 convicts including political prisoner John Boyle O'Reilly and 61 other Irish political prisoners, known as Fenians. Transportation of convicts from UK to Western Australia (and to Australia) officially ended.

1869, February: Australian Event.

Fenian convict John Boyle O'Reilly escaped from Bunbury on the American whaler *Gazelle*.

1869: Australian Event.

The first telegraph line in the colony, between Perth and Fremantle, was formally opened. The work was done by private enterprise. Ultimately the line was acquired by the Government.

1869, February: Australian Event.

Moondyne Joe (Joseph Bolitho Johns) regarded today as Western Australia's most prominent bushranger, was recaptured in a cellar of Houghton's Vineyard, Upper Swan, after escaping from Fremantle Prison and eluding police for two years.

1869: International Event.

The Suez Canal was opened in Egypt, greatly shortening the distance by sea between Europe and Australia.

1870: Australian Event.

The first elections were held in Western Australia for the reconstituted Legislative Council. The franchise was dependent on property ownership, period of residency and excluded women, Aborigines, Asians, Africans, traitors, felons and the insane.

1872: Australian Event.

An Australian telegraph line opened to connect Adelaide with Port Darwin and was soon extended to link Australia with Java, India and Europe.

1872: International Event.

The brigantine *Mary Celeste* was discovered sailing on a starboard tack with cargo and stores intact, but without a soul on board. The fate of the 10 people on board the 'ghost' ship has never been resolved.

1873, March; Australian Event.

Anthony Trollope, celebrated novelist arrived in the colony. He was later to describe Fremantle as: "... a hot, white ugly town, with a very large prison, a lunatic asylum, and a hospital for ancient and worn-out convicts... At Fremantle there is hardly a man whom it can be worth the reader's while to have introduced to him."

1874: Australian Event.

Marcus Clarke's book *For the Term of his Natural Life* about the horrors of the convict system in Tasmania was published in Melbourne.

1875, April 29: International Event.

The *Catalpa*, a three-masted barque sailed for the Atlantic whaling grounds to begin the mission to rescue Fenian prisoners incarcerated in the Convict Establishment, Fremantle (Fremantle Prison). The vessel was under the command of Captain George Anthony, age 29 years.

1875, September: International Event.

John Breslin and Thomas Desmond left San Francisco bound for Fremantle via Sydney and Melbourne. Once in Fremantle their job was to organize the land support of the escape of six Fenian prisoners from Fremantle Prison. In 1868 the *Hougoumont*, the last vessel carrying convicts to WA, brought with it 62 Fenian prisoners, Irish rebels dedicated to the overthrow of the British Government in Ireland. The civilian Fenians were pardoned in 1869/70 but the military Fenians remained incarcerated in the Fremantle Prison until their escape in 1876.

1876, March 27: Australian Event.

The *Catalpa* reached Bunbury, south of Fremantle. The *Catalpa*, a whaler from New Bedford, USA, was part of an audacious plan to rescue six Fenian prisoners from the Fremantle Prison (Convict Establishment).

1876, April 16: Australian Event.

At noon the whaler *Catalpa* was 20 miles south of Rottneest Island where they awaited the whaleboat which had been sent to collect the six Fenian prisoners.

1876, April 17: Australian Event.

Six Fenian prisoners escaped from the Convict Establishment with the help of accomplices who arranged two traps to take them to Rockingham. There they embarked via whaleboat to join the *Catalpa* waiting for them off-shore.

1876, April 18: Australian Event.

The cornerstone of the Fremantle Lodge No 1033 was laid by Sir Archibald Paul Burt *'in the general absence of the populace. The inhabitants of Fremantle were clustered on the adjacent Arthur Head, scanning the horizon and worrying about the escaped Fenians.'*

1876, June 7: International Event.

John Boyle O'Reilly in Boston, USA received news of the Fenians' escape.

1876, August 19: International Event.

The *Catalpa* sailed into New York Harbour to a heroes' welcome.

1876, August 24: International Event.

The *Catalpa* sailed into its home-port of New Bedford. A cheering crowd greeted the six Fenian escapees. The artillery fired a salute for every state of the Union and every County in Ireland. They were celebrating the most daring escape ever made from the *'remotest prison in the world'*.

1876, December 1: Australian Event.

16 year-old Grace Bussell and Aboriginal stockman Sam Isaacs rescued survivors of the *SS Georgette*, which was wrecked on the south coast near Cape Naturaliste. They rode into the surf to rescue women and children from a foundered lifeboat which was upset by a big wave. Earlier in April of that year the colonial government had commandeered the *SS Georgette* and used it to pursue the American whaler *Catalpa* with its cargo of escaping Fenian convicts.

1876, December 8: Australian Event.

Perth was linked to London by telegraph.

1877 January: Australian Event.

A court of inquiry into the stranding of the *SS Georgette* on 1 December 1876, about 35 miles south of Cape Naturaliste (south west of Fremantle), found generally that the master Captain John Godfrey was not blameworthy, yet suspended his licence.

1878: International Event.

Thomas Edison invented the phonograph.

1880: International Event.

Thomas Edison invented the incandescent electric light bulb.

1880: Australian Event.

The bushranger Ned Kelly was hanged in Melbourne jail.

1887: Australian Event.

The first telephone branch opened in Fremantle.

1887: Australian Event.

John Breslin, the man who commanded the land force of the expedition to free the Fenian prisoners from Fremantle died in the USA.

1887: Australian Event.

The last hanging took place at the Perth jail. The convicted man was William Conroy, who had shot and killed Councillor Snook after the opening of the Fremantle Town Hall.

1890, April 10: Australian Event.

John Boyle O'Reilly, one of the military Fenians transported to Fremantle in 1868 died in Boston, USA. O'Reilly was an acclaimed novelist, poet, editor and journalist. He was only 46 years old.

1893: Australian Event.

Patrick "Paddy" Hannan was a gold prospector whose discovery on June 17, 1893 near Kalgoorlie, Western Australia set off a gold rush in the area.

1895, April: Australian Event.

Waltzing Matilda with words by Banjo Patterson was sung in public for the first time in the North Gregory Hotel in Winton, Queensland.

1895, December 1: Australian Event.

Western Australia was standardised to be eight hours ahead of Greenwich Mean Time.

1895: Australian Event.

Sir Edmund Henderson died in London. As Captain Edmund Henderson he was first Comptroller of Convicts (Fremantle Prison) in 1850.

1896: International Event.

Henry Ford took his first car on the roads of Detroit for a trial run.

1896: International Event.

The inventor of dynamite, Alfred Nobel died and the Nobel Prize came into being.

1897, 4 May: Australian Event.

Fremantle Harbour was officially opened. The steamer *Sultan* was the first ship to enter the new harbour.

1897: International Event.

With assistance from journalist Z. W. Pease, Captain Anthony's account of the rescue of the Fenians from Fremantle Prison, *The Catalpa Expedition*, was published.

1901, January: Australian Event.

The six Australian colonies *'united in a Federal Commonwealth'*.

1901, January: International Event.

Queen Victoria died, after a reign of 64 years.

1901, March: Australian Event.

The first Federal Election in Australia was held.

1901, May: Australian Event.

The First Federal Parliament met in Melbourne. The 4th Duke of York declared the newly formed Parliament open. Australia's new flag was flown for the first time over the Exhibition Building where the Parliament was held.

1903: Australian Event.

Australian women voted in a Federal Election for the first time.

1903, December 17: *International Event.*

Orville and Wilbur Wright make the first controlled flight in a heavier-than-air machine at Kittyhawk USA.

1904: *International Event.*

The United States of America and Panama signed a treaty granting the US rights to build the Panama Canal.

1906: *International Event.*

The S-O-S distress signal was adopted at the International Radio Telegraph Convention in Berlin.

1907: Australian Event.

New Division was opened in Fremantle Prison. Its construction was a reaction to an increase in crime that followed the population explosion caused by the 1890s gold rush. There was also pressure to implement different penal systems and the construction of a new cell block allowed for this.

1907: *International Event.*

Wireless telegraphic stations for Trans Atlantic communications were established.

1911: Australian Event.

The first national census was developed by the Commonwealth Bureau of Census and Statistics. The census occurred at midnight between 2 and 3 April 1911. Tabulation was carried out almost entirely by hand; over 4 million cards were sorted and physically counted for each tabulation. Results from the 1911 census took a long time to be released with delays increased by World War I. The Australian population was counted as 4,455,005.

1912, April: *International Event.*

The *Titanic* sank after striking an iceberg off Cape Race in the North Atlantic. It struck at 11:40 pm, and 2 hrs 40 mins later it sank. Over 1500 people perished in the accident. The disaster led to new regulations requiring ships to carry sufficient lifeboats for all on board, and to follow a more southerly liner track across the Atlantic. An ice patrol was also instituted which continues to this day.

1913, 22 May: *International Event.*

The captain of the *Catalpa*, George Anthony, died aged 69. The *Catalpa*, an American whaler, was used in the escape of the Fenian Prisoners from Fremantle Prison in 1876.

1914: *International Event.*

The First World War, also known as The Great War, The War to End All Wars, and World War I (abbreviated WWI) began. It was a global military conflict that took place mostly in Europe between 1914 and 1918. It was a war which left millions dead and shaped the modern world.

1915, April: *International Event.*

Australian and New Zealand (ANZAC) forces attacked Turkish positions on cliffs west of the Dardanelles Straits in the Gallipoli Peninsular, Turkey.

1918: *International Event.*

At 11:00 on November 11, 1918 — the eleventh hour of the eleventh day of the eleventh month — a ceasefire came into effect and the opposing armies on the Western Front began to withdraw from their positions. The Great War was over.

1921: Australian Event.

Australia's non-Aboriginal population was counted in April 1921 as 5,435,700. Indigenous Australians were listed separately. One of the significant findings of the 1921 Census was the low rate of males to females in the 20-30 year age group, showing the impact of World War I on the population.

1929, January: Australian Event.

Fremantle was proclaimed a city.

RECOMMENDED READING

Amos, Keith. *The Fenians in Australia 1865-1880*. Sydney, Australia: NSW University Press, 1988.

Barry, Liam. *Selected Poems, Speeches, Dedications and letters of John Boyle O'Reilly*. Australind, Western Australia: The National Gaelic Publications (C F N), 1994.

Barry, Liam. *Voices from the Tomb: a biographical dictionary of the 62 Fenians Transported to Western Australia*. Australind, Western Australia: National Gaelic Publications, 2006.

Barry, Liam. *Western Australia's Great Escape: the dramatic escape of Fenian John Boyle O'Reilly*. Australind, Western Australia: C. F. N. Publications, 1992.

Carr, Jack. 'The great escape: Incredible jailbreak of six Fenians from Fremantle in 1876'. in 'The Big Weekend', *West Australian* 19 November, 1994, p.5.

Erickson, Rica. *The Brand On His Coat: biographies of some Western Australian convicts*. Nedlands, Western Australia: University of Western Australia Press, 1983.

Evans, A. G. *Fanatic Heart: A life of John Boyle O'Reilly 1844-1890*. Nedlands, Western Australia: University of Western Australia Press, 1997.

Ewers, John K. *The Western Gateway: a history of Fremantle* 2nd edn. Nedlands, Western Australia: University of Western Australia Press (for the Fremantle City Council), 1971.

Fennell, Thomas McCarthy (author). Fennell P. & King M.(ed). *Voyage of the Hougoumont and Life at Fremantle*. USA: Xlibris Corporation, 2000.

Fennell, P. and King, M. *John Devoy's Catalpa Expedition*. New York, USA: New York University Press, 2006.

Galway, Terry. *Irish Rebel – John Devoy and America's fight for Ireland's freedom*. New York, USA: St Martin's Press, 1998.

Laubenstein, William: *The Emerald Whaler*, The Readers Book club issued by arrangement with Andre Deutsch, London, UK, 1962.

Lefroy, Joy and Mike, Illustrated by Marion Duke: *The Catalpa Escape*, Fremantle, WA: Fremantle Arts Centre Press, 2006.

Lisson, Deborah: *The Yankee Whaler – the diary of Thomas Morris*, Gosford, NSW: Scholastic Press, 2001.

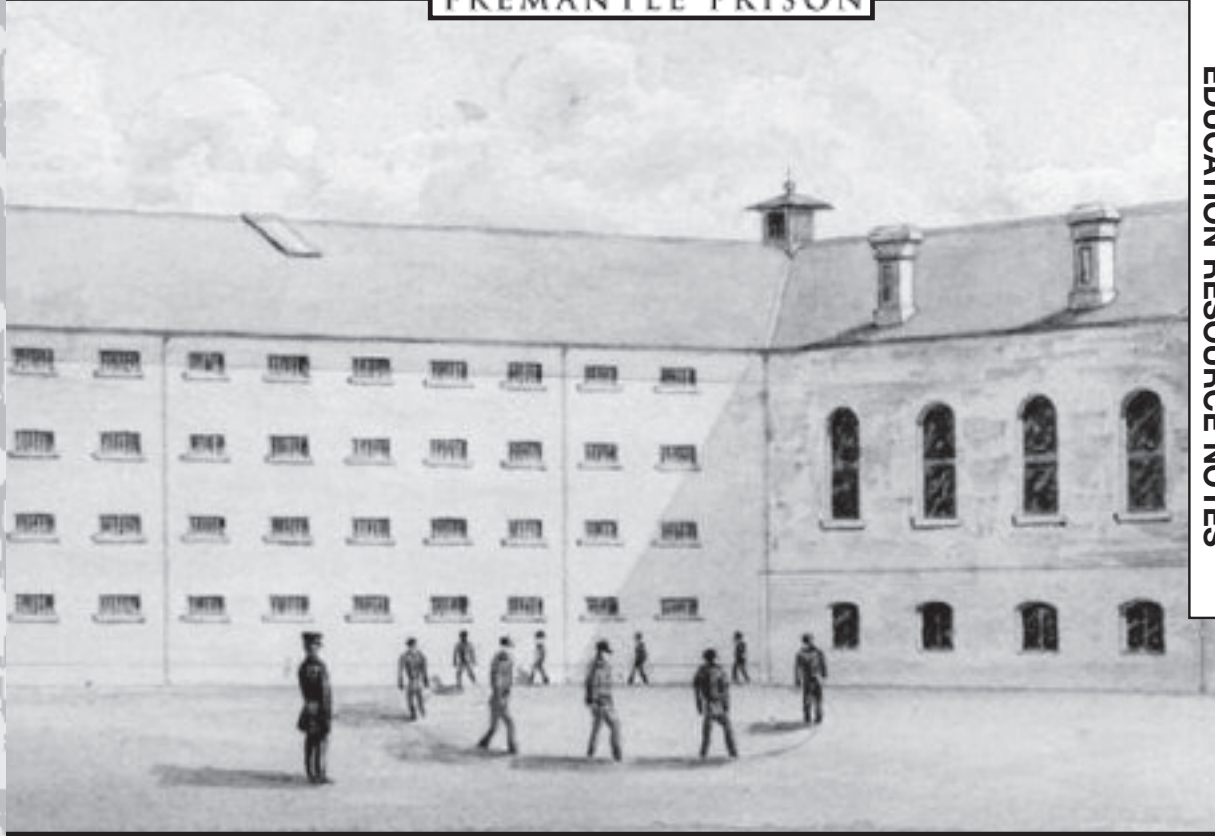
Pease, Z. W. *The Catalpa Expedition*. Carlisle, Western Australia: Hesperian Press, 1897 reprinted 2002.

Stevens, Peter. *The Voyage of the Catalpa*. New York, USA: Carroll and Graf, 2002.

Sullivan, Dr C.W. (ed). *Fenian Diary: Denis B. Cashman on board the Hougoumont*. Dublin, Ireland: Wolfhound Press, 2001.

Keywords to put into a search engine:

- Catalpa
- Fenian
- J B O'Reilly + 1869
- Georgette + 1876
- The Wild Goose + Fenian
- John Breslin + 1876
- www.fremantleprison.com.au



THE STORY

Henry Wray
Convict prison 1859
 watercolour
 6672 National Library of Australia

Number of convicts (1788 – 1868)

More than 160,000 convicts were transported from England, Ireland and the British colonies to Australia between 1788 and 1868. About 80,000 convicts were sent to New South Wales, including a few to Port Phillip (Melbourne, Victoria) and Moreton Bay (Brisbane, Queensland), which were part of NSW until 1851. No convicts were sent to South Australia.

Van Diemen's Land (Tasmania) received 69,000. The last convicts to land in eastern Australia arrived in Tasmania in 1852.

However Western Australia only started receiving convicts in 1850, becoming the last penal colony in the British Empire. The final convicts to be sent to Australia were those who arrived in WA in 1868.

9,700 male convicts were sent to WA to help its very small population to build public buildings. There were no female prisoners transported there.

Some 1,040 ships carried convicts from England, Ireland

and other places to Australia. About 165,000 departed from the ports of embarkation and 3,000 died en route.

Life in 18th century England

In 18th century England the gap between rich and poor was huge. King George III lived in his palace on the rich side of London, while in the east of the city most people were poor and hungry.

People began their working lives at the age of six, labouring long hours in factories for small wages.

Men had to live close to their workplaces, so hundreds of families would be crowded into just a few streets near butchers' shops and tanneries, where leather was made. The waste from these places, as well as sewerage from the houses, often ran openly in the street. Disease was common in these slums. Nobody thought that life would get any better so men and women tried to forget their troubles by getting drunk on cheap alcohol.

English crime and punishment

London's population doubled between 1750 and 1770. This rapidly rising birthrate meant that suddenly England had a workforce made up of very young people who had no hope for the future. There were not enough jobs to go round, and the only way people could survive was to steal.

More and more people were turning to crime and there seemed to be no way to stop them. The government began sentencing criminals to death for almost any offence.

They hoped that capital punishment would frighten people enough to make them think twice before committing a crime. A murderer, a thief or someone who cut down another person's shrubbery, could all get the same sentence. Thousands of people were hanged for crimes that would only get them a fine today.

It was too expensive to build more jails and the English upper class did not want to

have to see people suffering in chain gangs. Everyone wanted to get rid of the problem. The best solution seemed to be transportation – to take the prisoners to another country where England owned land and leave them there.

Transportation

Transportation had been used since the beginning of the 18th century to rid the English of their prisoners. It was a severe punishment as it effectively exiled people from their homeland to distant, unknown places. Usually convicts were taken to the British colony of America but the American War of Independence (1775–1783) changed that permanently. The Americans no longer wanted to be a part of the British Empire and were willing to fight for the right to govern themselves.

America won the war and its new government told Britain not to send any more white convicts. The Americans preferred to use black African slaves to do the work.

The prison hulks

England had to do something soon about the overcrowded jails. A short-term solution was found. There were some old, disused ships known as hulks moored in the Thames River that flows through London and at seaports on the south coast of England. It was decided that these would become floating jails. Convicts would eat and sleep on the hulks and be taken to work on the land every day.

While the hulks steadily filled with prisoners, the government tried to decide which of Britain's colonies could support a *penal settlement*. This is an isolated community of convicts set up especially for the purpose of punishment.

The west coast of Africa was a possibility. So was Australia: the great southern land that no one knew very much about. West Africa was the favourite option; because it was closer to England it would be cheaper to transport people there. The site was explored but found to be unsuitable.

By 1785 living conditions on board the hulks were getting worse. Almost a thousand more convicts were being added to the floating jails each year. In 1786 there was a rebellion on one prison hulk – eight convicts were shot dead and 46 wounded. Lord Sydney, the Home Office Secretary, made the final decision. A penal colony would be established at Botany Bay, Sydney.

What kind of criminal came to Australia?

The First Fleet carried 736 criminals. They were all thieves. Over a hundred had used violence in carrying out their crimes (there were 31 muggers and 71 highway robbers on board) but none were transported for a severe crime, like murder. These first convicts were not naturally dangerous or violent. There was no social security in England at this time and unemployment was even more of a problem than it is today. They were mostly hungry people who could not support themselves without stealing.

Where did they come from and how old were they?

Most of the First Fleet convicts were citizens of London. On later fleets many Irish people were transported.

The average age of a convict was around 27 years. The oldest male was Joseph Owen who was in his early sixties; the youngest was a nine-year-old chimney sweep called John Hudson, transported for seven years for stealing some clothes and a pistol. The youngest female was Elizabeth Hayward, a clog-maker who stole a linen dress and a silk bonnet. She was 13. The oldest woman was Dorothy Handland, who hanged herself from a gum tree at Sydney Cove in 1789 at the age of 84.

What did they look like?

200 years ago poor people were a lot shorter and scrawnier than the average person is today. This was because during the important growing years of childhood their food had not been very nutritious or plentiful. Most of the male convicts were under 173 cm. Many of them were only about 160 cm, which is now quite short even for a female.

The children that the convicts gave birth to later in Australia looked very different to their mothers and fathers. With a better diet and climate they tended to grow up tall and broad and were not as pale and hollow-cheeked as their parents.

What did they steal?

Most people stole food or things they could sell easily. John Price stole a goose; 22-year-old Elizabeth Powley took some bacon, flour, raisins and butter from a kitchen; and West Indian Thomas Chaddick raided a kitchen garden for cucumbers. 15-year-old John Wisehammer stole snuff (powdered tobacco that was sniffed, not smoked) and William Douglas picked a silver watch from a gentleman's pocket.

All of these people were driven to petty crimes by hunger. All were transported to Australia.

The government men

In general the unluckiest convicts were considered to be those who were kept in government service. If you were a government man you had the highest chance of ending up in the terrible chain gangs that slaved at the worst tasks, such as rock hewing and road building. Although conditions in many private posts were dreadful, at least the

assignment system offered you a slim chance of a better life.

Flogging

Being sent to Australia was only the first punishment for the transportees. There were many more to greet them once they had arrived.

The punishment most popular with officials was flogging and the threat of the lash hung over the convicts everyday.

Convicts come to WA

Western Australia began its life as a free colony in 1829. It was not until its 21st birthday in 1850 that the convict labour it sought to bolster its flagging economy finally arrived. The 18 year history of its convict past between 1850 and 1868 may be given most attention by historians but it is important to note that its first taste of convict life was in 1827. This was when a small party of soldiers and convicts arrived from Sydney to establish a British presence in the Albany region amidst fears



of French occupation. It is even possible that some of the New South Wales convicts found themselves further north in the Swan River Settlement in the years that followed.

As with Tasmania, New Zealand and Victoria, Western Australia also received a number of convict boys from Parkhurst Prison, England during the 1840s. They had been rehabilitated in England and arrived as free settlers destined for apprenticeships with local settlers, their convict past often forgotten.

Rottneest Island had been used for local colonial offenders since 1838 but 1850 marked a major change in policy when the first 75 convicts arrived from England aboard the Indiaman vessel, *Scindian*.



In all, around 9,720 British convicts were sent directly to the Swan River Colony in 43 ships between 1850-1868. 37 of the voyages carried large numbers of prisoners from England, although one ship actually collected her load in Bermuda. The remaining six ships brought smaller cargoes of military prisoners from amongst the ranks of British troops serving in India.

Western Australia's convicts were sentenced to terms of 6, 7, 10, 14 and 15 years and reports suggest that their literacy rate was around 75% as opposed to 50% for those sent to the eastern states. About a third of the convicts left the Swan River Colony after serving their time but many

were also reconvicted locally for later offences. There are also four instances of prisoners escaping and being sent out again after being re-captured.

The reasons for transportation to Western Australia

The accepted reason why Western Australia elected to change its status from a free colony to a penal colony was that local settlers needed a supply of cheap labour to help develop the region. The free colonists saw convict labour as essential for the colony's economic development, as the convicts could provide the much needed labour for public works and agriculture.

The decision also came at a time when the eastern states

were shutting down their penal settlements. Once again Britain found itself without an offshore dumping ground for convicts, just as had happened 65 years earlier after the American War of Independence.

Possibly out of necessity Britain was also reassessing its criminal system and beginning to keep more of its lesser offenders at home. That being the case, it is not surprising to find that many of WA's convicts were the more hardened criminals who were convicted for more serious crimes than stealing sheep and picking pockets, especially as the Western Australian chapter drew to a close.

The Swan River settlement was established as a free colony in 1829. It was slow to develop mainly due to the inhospitable nature of the land. Lured by Captain Stirling's glowing reports of the abundance of fertile land, many left in disgust when faced with the grim reality of Western Australia's formidable climate and conditions. The resulting small population meant there were few hands available to expand the colony beyond the early settlements around the Swan River and at Albany.

Between 1845 and 1847, York Agricultural Society, supported by several merchants, lobbied the colony's Legislative Council to petition the British Government to send convicts. They saw this as the best option to help supplement the lack of skilled and unskilled labour threatening to cripple the colony. The convicts were to provide much needed cheap labour for the building of roads, bridges, jetties and other infrastructure necessary to service the colony. For convicts who were nearing the end of their sentence a system of ticket-of-leave, similar to our modern day parole, was also introduced which helped provide labour for the development and expansion of agriculture.

Following a report from the colony and then debate within British government departments, an Order-in-Council was passed by the British Parliament on 1 May 1849, which stated:

"that upon and from the first day of June in this present year; Her

Majesty's settlements in Western Australia shall be places to which felons and other offenders in the United Kingdom then being or thereafter to be under sentence or order of transportation or banishments shall be conveyed."

Destination: The Convict Establishment, Fremantle

The first ship carrying convicts arrived at Fremantle on 1 June 1850. Captain Edmund Henderson was responsible for the 75 convicts on board as well as the Pensioner Guards, Warders and their families who accompanied them. The colony was completely unprepared for their arrival as the ship carrying this human cargo overtook the ship bringing the dispatch containing news of this event.

Henderson's first task was to find accommodation for his charges in the small port of Fremantle. A warehouse, leased from the Harbour Master Daniel Scott and located on the waterfront of the town was modified to serve as temporary quarters for the convicts until a more permanent depot could be built. Accommodation for the convicts' keepers was more problematic.

After considering several alternatives including Mount Eliza, now famous as the lookout at Kings Park, Henderson chose land on a limestone ridge above the town of Fremantle and was given a grant of around 36 acres. Henderson was pleased with the location and wrote to his superiors in England that:

"the site proposed is in every way well suited for the purpose; it is a healthy and elevated spot – removed from the business part of the town, and within convenient distance of the harbour; in the improvement of which there will be the employment for the Prisoners for many years after the Government works are complete."

Fremantle Prison, originally known as the Convict Establishment, was built by convict labour between 1852 and 1860 from limestone quarried on site. The limestone of the ridge provided the building material not only for the prison itself but for the

Warders' and Pensioner Guards' quarters as well. A company of Royal Engineers led by Captain Wray was sent to Western Australia to assist in the building campaign. These men supervised the convicts in the building of the Convict Establishment and other public buildings and works throughout the colony.

Work on the prison itself began in 1852 and by 1855 enough of the main cell block, perimeter walls and service buildings were complete for the convicts to be transferred to the site. The prison was completed by 1859. Accommodation and services included the perimeter walls, the gatehouse, the main cell block, a hospital, workshops and a service building that housed the cook house, bake house and laundry. Four double storey houses were constructed on the western side of the Prison for the senior officers of the establishment. These grand buildings helped confirm the officers' high status in the society of the colony.

By the time transportation ceased in 1868 just over 9,700 convicts had been transported to WA. In 1886, with less than fifty convicts still imprisoned, the British government passed control of the Prison to the colonial government. Fremantle Prison then became the Swan River Colony's primary place of incarceration.

The Perth Gaol (built by convicts in the 1850s and located in the grounds of the WA Museum) was closed and all of its inmates, including the women, were transferred to Fremantle. The original cook house, bake house and laundry was sectioned off from the rest of the Prison and converted into the colony's only women's prison.

Some changes were made to conditions in the Prison following the Royal Commission held in the 1890s. The two most dramatic of these were the enlargement of the cells, originally 4' x 7' (1.2 x 2.1 m) by knocking down a wall between two cells and the erection of walls in the cell range to allow for the classification of prisoners. Workshops were also constructed in an attempt to provide more work opportunities for the prisoners.



THE FACTS

1829

Swan River Colony founded in Perth with the landing of the first settlers at Garden Island and later at Fremantle.

1831

Round House, Fremantle built – served as a courthouse, place of detention and execution; the first public building in WA.

1834

First duel fought in colony; surgeon in attendance.

1839

Henry Vincent appointed Superintendent of the Native Establishment on Rottnest Island (R. J. Ferguson, *Rottnest Island History and Architecture*, 1986, p. 13).

1842 – 49

Juveniles of both sexes sent from Parkhurst Prison Reformatory on the Isle of Wight (UK) to work in WA on farms and in households.

1844

John Gavin, a 15-year-old Parkhurst boy, sentenced to hang for the murder at Murray River of 15-year-old George Pollard, his employer's son. He was hanged publicly in front of the Round House, Fremantle on 14 April and buried without ceremony in the sandhills to the south, gaining the dubious distinction of being the first European legally executed in the colony.

1849

Included in the dispatches sent to the Colonial Office in London by Governor Fitzgerald was "a set of resolutions...demanding the formation of a penal establishment on a large scale," delivered to him by a deputation from a public meeting held in Perth on 23 February. Secretary of State

for the Colonies in London, Earl Grey, had an Order in Council passed permitting the Governor to declare the colony "a place to which convicts could be sent." This allowed ticket-of-leave men to be included amongst transportees but they "had to be connected with some kind of establishment". (Alexandra Hasluck, *Unwilling Emigrants*, 1959, pp. 28-29).

1850

The first Comptroller-General of Convicts in WA, Captain E. Y. W. Henderson (Royal Engineers), arrived off Fremantle with the first shipment of 75 transportees aboard the chartered *Scindian* on 1 June.

Early convicts were men selected because they had almost finished their sentences and were therefore less difficult to control. No female convicts sent to WA. The first Convict Establishment was situated in premises leased from the Harbour Master of Fremantle, Captain Daniel Scott, consisting of a wool shed and some other buildings that occupied the land about where the Esplanade Hotel presently stands; a limestone store was added by convict labour later. All the original buildings were demolished to make way for other structures over time.

Convict Depots, to handle the distribution of ticket-of-leave men, were gradually established in metropolitan and country areas including: Fremantle, North Fremantle, Freshwater Bay (Claremont), Mt Eliza (at foot of Kings Park, Perth), Guildford, York, Toodyay, Bunbury, Albany, Champion Bay District (near Geraldton), Port Gregory (coast north of Geraldton) and Greenough. Ticket-of-leave men were allowed to send for their wives provided they had the money for it.

1851

A colonial Police Force established.

Work began on building the first of the Warders' cottages in Henderson Street, Fremantle (these still exist).

Lt. Henry Wray (Royal Engineers) arrived; he commanded the 20th Company of Royal Engineers working closely with Edmund Henderson.

1854

95 sappers and miners, 20 Field Company Royal Engineers arrived.

Construction of the 4 two storey houses lining the west boundary wall at the front of the Convict Establishment began; these were to house the senior officers of the institution and were all completed by 1857.

A grand two storey house, designed by Henderson (later to be known as 'The Knowle') was built slightly to the south of the Convict Establishment. He moved into it with his wife and their young son (this became the original premises of Fremantle Hospital when that institution was founded in 1897; it still stands in the hospital grounds).

In November the building of the main cell block of the Convict Establishment began.

1854 – 79

Surgeon Attfield served as medical officer to the Convict Establishment. He died at Hove, Sussex aged 101 (b. c1823 – d.c 1924) (J. K. Hitchcock, *The History of Fremantle: The Front Gate of Australia 1829-1929*, c1929).

1855

Southern wing of Convict Establishment's main cell block opened for use. On 1 June first convicts transferred from temporary Establishment at Scott's Warehouse.

Boundary walls of the permanent Convict Establishment completed.

1855 – 56

Perth Gaol built and opened.

1856

Clock installed in Gatehouse tower of Fremantle Prison.

1859

Convict Establishment project at Fremantle officially completed on 31 December.

1861 – 64

Asylum at Fremantle (now the Fremantle Arts Centre) built by convict labour.

1862 – 68

Governorship of Dr John Stephen Hampton. He arrived from Tasmania where he was embroiled in controversy and immediately set about establishing a stricter and harsher regime at the Convict Establishment, increasing the construction of public works using convict labour.

1867

Government Gazette of 22 January announced that the Convict Establishment was renamed Fremantle Prison.

1868

Transportation of convicts from UK to Western Australia (and to Australia) officially ended. The last ship carrying 280 convicts was the *Hougoumont*, which arrived on 9 January.

"It is believed that 9,501 convicts stepped onto Western Australian soil alive," conveyed here on the voyages of variously named vessels (Gillian O'Mara, *Convict Records of Western Australia*, 1990, p.1).

1876

Colonial Convict Department disbanded.

Irish Fenian political prisoners who had been sent to Western Australia as convicts escaped from the prison via Rockingham. With well organised outside assistance they evaded recapture, sailing on the American whaling boat, the *Catalpa*, to New York, then Boston, USA.

1886

Fremantle Prison and Fremantle Asylum handed over to the colonial Government on 31 March.

1887

Fremantle Town Hall opened.

Last man hanged at Perth Gaol – W. Conroy.

1888

With less than 50 men imprisoned in WA under the convict system the British government negotiated to hand Fremantle Prison over to the colonial authorities.

The gallows (execution chamber) built at Fremantle Prison. From this time on it became the colony's (and later the State's) only legal place of execution.



References

Anderson, C., Clark, B., Hewitt, A., Pyne, M., Moore, S., Dunshea, C., *Checkerboard: themes and skills in Australian history*, Longman Cheshire, 1993

Bogle, Michael, *Convicts*, Historic Houses Trust of NSW, 1999

Erickson, Rica (ed), *The Brand On His Coat: biographies of some Western Australian Convicts*, University of Western Australia Press, 1983

Ferguson, RJ, *Rottnest Island History and Architecture*, University of Western Australia Press, 1986

Hasluck, Alexandra, *Unwilling Emigrants*, Fremantle Arts Centre Press, 1991 (first pub. 1959)

Hitchcock, JK, *The History of Fremantle: The Front Gate of Australia 1829-1929*, c1929

O'Mara, Gillian, *Convict Records of Western Australia: A Research Guide*, Friends of Battye Library, Perth, 1990

Webster's History of Australia, Webster Publishing, 1997

Williams, Matthew, *Australian Knowledge: The Convict Era*, Grolier Australia 1999

Sheppard, Barrie, *Colourful Characters of Australia's Past: Convicts*, Echidna Books, 2001

Shipstone, Graham, *Key Questions in Australian History*, Oxford University Press, 1999

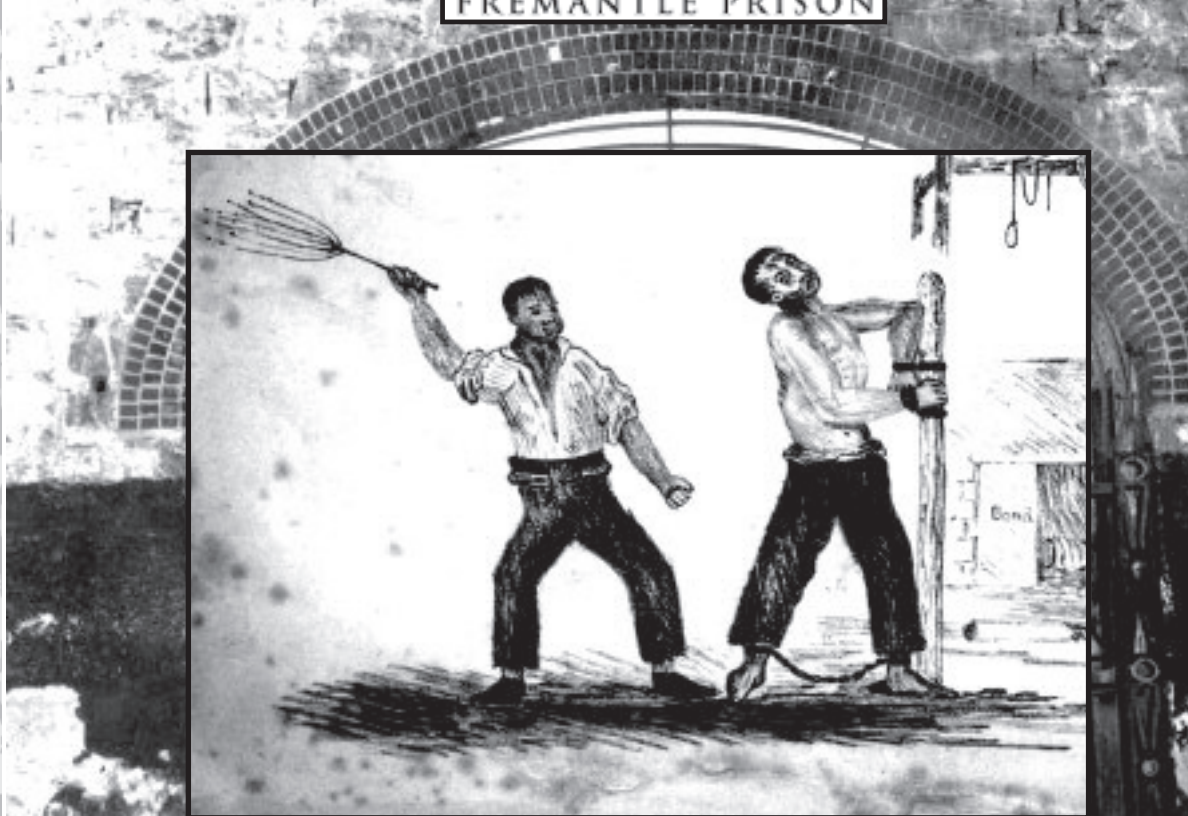
Website

Reinhard Donath: Convicts
www.englisch.schule.de/perthcon.htm



Government of
Western
Australia

www.fremantleprison.com.au



Flogging prisoners, Tasmania 1850's
James Reid Scott
R454 National Library of Australia

THE STORY

Introduction

Incarceration, corporal and capital punishment, solitary confinement were all practised at Fremantle Prison during its past.

Over time the understanding of, and attitudes towards, what constitutes a criminal act and how that act should be punished has changed substantially. Comparisons between the types of crimes committed and the type and length of sentence across time can provide evidence not only of changes in society itself but also in the general philosophy of criminal and social justice.

Definitions

The *death penalty* is the premeditated and cold-blooded killing of a human being by the state - *When the State Kills*, Amnesty International Publications, 1989, p.1.

Capital punishment, n. the punishment of death for a crime; death penalty - *Collins Dictionary*, 1985.

Death penalty, n. the sentence of death as given to a convicted criminal; capital punishment - *Macquarie Dictionary*, 1985.

The term '*capital punishment*' is derived from the Latin '*caput*', meaning 'head'. It originally referred to death by decapitation, but now applies generally to state sanctioned executions (I. Potas & J. Walker, *Trends and Issues: Capital Punishment*, Australian Institute of Criminology, 1987).

Capital Punishment

During the early days of settlement in Western Australia between 1829 and 1855, legal executions of convicted criminals appear to have taken place in various

localities including York, Perth, Fremantle and Canning River. In some cases, prisoners condemned to hang were executed at the spot where they had committed the crime.

Perth Gaol opened in 1856 and until 1888 it was the major focus for legal executions by hanging in the State.

In 1867 the Convict Establishment at Fremantle was renamed Fremantle Prison and in 1886 it was handed over to the colonial government as a major high security prison. One of the first things the government did was

to build a gallows there in 1888. This became the only place of legal execution in Western Australia between 1888 and 1984. During that time 43 men and 1 woman were hanged there.

The last person to be hanged at the gallows in Fremantle Prison was Eric Edgar Cooke in 1964. Cooke was a serial killer who was charged with and tried for only one murder. However evidence plus his own voluntary confessions indicate that he killed a number of others over a three to four year period in the suburbs of Perth.

FLOGGING WAS DONE WITH A 'CAT-O'-NINE-TAILS'. THIS WAS A WHIP MADE OF LEATHER STRANDS. THE LEATHER WOULD TEAR INTO THE FLESH WITH EACH STROKE. PRISONERS WOULD HAVE SALT RUBBED INTO THE WOUNDS TO KEEP THE AREA DISINFECTED.

THE FACTS

Hangings at Fremantle Prison were usually carried out on a Monday morning at 8 am.

Prior to this time the hangman was responsible for seeing that a number of things were in order. These included: testing that the trapdoor mechanism functioned properly, eliminating any potential for the rope to stretch and determining the length of rope needed to properly execute a condemned person, using calculations accounting for their height and their weight.

On the day of the execution the condemned person was woken around 5.30 am. He showered and was given breakfast. He was then transferred from death row located in the New Division cellblock, to a cell in the Solitary Confinement block, where he was kept under constant surveillance. He was allowed the services of a priest or an equivalent and offered the option of a glass of whisky.

At the allotted time the prisoner was escorted to the gallows with his hands and feet secured in leather shackles and his head covered by a cloth hood.

The formalities of the hanging ritual were strictly observed. Once everything was in place the event happened very quickly. The time from leaving the condemned cell in solitary confinement to the actual hanging was approximately 60 seconds.

Corporal Punishment

Two forms of corporal punishment were administered at Fremantle Prison during its history: *flogging* and *birching*.

Neither was used arbitrarily. It was either part of a prisoner's original sentence issued by the courts for the crimes he had been found guilty of committing; or it was the result of a charge laid for a serious breach of prison discipline. Such charges were heard before a magistrate or in a

court, and if the prisoner was found guilty he could be given a sentence involving corporal punishment.

Flogging was done with a 'cat-o'-nine-tails'. This was a whip made of leather strands. The leather would tear into the flesh with each stroke. Prisoners would have salt rubbed into the wounds to keep the area disinfected (although it would also have initially increased the pain). If the prisoner required further lashes, the wounds were healed then the punishment continued. While the punishment was carried out the offender was placed on a specially designed A-frame flogging triangle in an allocated place in the prison yard.

Birching used a bundle of between nine to twelve long birch twigs bound together by cord. The twigs were lashed together at one end to form a handle and left free at the other in a spray about six inches in circumference. The birch was soaked in water before use. A low narrow table was used. The offender was not strapped to the table, but his hands and feet were usually held.

Flogging and birching were usually the job of the prison officer. Sometimes officers were offered an extra fee to induce them to take on the task of flagellator.

But most people who had to either undergo it, administer it or observe its application agreed with Mr Justice Murray who, in 1983 said that he thought it "a degrading and brutalising punishment not only so far as it affects the person who is whipped, but also those who have to perform the act or witness its performance".

Prison Regulations stated that the number of strokes must not exceed 25. In the case of an offender under 18 years of age the number of strokes must not exceed 12. The instrument

must be either a birch rod cane, or the instrument commonly called a cat, which was to be made of leather or cord without any metallic substance woven in. The cat was not to be used in the case of an offender under 18 years old.

Prison Regulations also pointed out that the Magistrate or the Justices of the Peace imposing the sentence had to specify the number of strokes and the instrument with which they were to be given.

A medical officer always attended to ensure that the sentence was carried out properly.

The last flogging was administered at Fremantle Prison at 9 am on 21 June 1943 when a prisoner, sentenced to receive 25 lashes of the cat, received 17. The doctor intervened in this case, but it is believed that the remainder of the sentence was completed later when the prisoner was declared fit. The flagellator was from outside the Western Australian prison system and wore a mask.

The last birching at Fremantle Prison was carried out on 20 August 1962 when a prisoner received 12 strokes.

Corporal punishment and hard labour were abolished in Western Australia under the Criminal Law Amendment Act (No. 2) 1992, effective from 6 January 1993.



History of the Court in WA

When Captain James Stirling and his settlers arrived in Western Australia in June 1829, one of their first activities in establishing the colony was to set up a judicial system. They did this under the authority of the British Secretary of State for the Colonies.

Eight justices of the peace were engaged to address all justice matters from administration to handing down punishments for crime. British law was used as Australia had not developed its own laws at this time.

The first court hearing in WA was held in July 1830. Initially only four months each year were allocated for court hearings. However by 1843 there were enough cases to justify the court opening every month.

Between 1830 and 1836 Western Australia's court proceedings were held on Saturday mornings in the Anglican Church of St James. In 1837, eight years after the European settlers first arrived, Western Australia's first Supreme Court was opened in what is now known as Stirling Gardens. It now houses the Francis Burt Law



Education Centre.

Fremantle Courthouse

The city of Fremantle has played an important role in the history of Western Australia's courts. In fact the colony's first murder conviction was handed down in Fremantle's first courthouse, then located at Arthur's Head (at the western end of High Street).

On 3 April 1844, a 15 year-old boy, John Gavin, was tried for the murder of George Pollard (aged 15). Gavin admitted to breaking the sleeping victim's skull with an axe in an uncontrollable homicidal impulse. For his crime he was sentenced to be hanged and suspended in chains until dead, which occurred just three days later.

The small courthouse building, constructed of limestone and with magnificent ocean views, was located adjacent to the left of Fremantle's distinctive landmark, the Round House (built by the colony's first civil engineer Henry Reveley in 1831).

The original courthouse served the colony until the mid 1880s when it was demolished and replaced by the building at the corner of Marine Terrace and Mouat Street, known locally as the "old courthouse". JJ Harwood and Sons built this classic-style building that was designed by Captain R E Wray in 1884.

The Henderson Street courthouse and police station were originally amongst a number of buildings designed by Captain E Y L Henderson and built by convict labour in 1850 under the direction of J Manning (Clerk of Works) to house military guards, Sapper Instructors (Royal Engineers) and prison warders.

In 1897 they were redeveloped into the courthouse that was used for more than a century. Built during the economic boom of the gold rush, the Henderson Street courthouse was classified by the National Trust as an outstanding architectural

CORPORAL PUNISHMENT



The gallows, Fremantle Prison

example of the convict period in both design and workmanship.

NOTORIOUS PRISONERS

Ernest Alexander 'Shiner' Ryan

1887 – Born Kensington, South Australia (suburb of Adelaide).

1914 – Involved in robbery near Everleigh Railway Workshops, Sydney. Probably first time a motor vehicle was used in such an escapade in Australia. In this year he met Kate 'Bonny' Leigh, known as the Queen of Surry Hills for her involvement in sly grog outlets, prostitution and drugs. He was arrested and tried for his part in the above robbery during 1914. Kate gave him an alibi but their subterfuge was revealed at the trial. She was sentenced to five years for perjury. He got 10 years for his nefarious activities.

1930s – He migrated to WA and spent much of this time in Fremantle Prison for picking shop locks (he could do this with his back to the lock so he

could keep watch at the same time) and stealing stock.

Whilst in Fremantle Prison he was noted for: being the only one who knew how to keep the tower clock running on time; making model boats from porridge; creating interesting paintings; and producing counterfeit two shilling pieces in the prison's metal workshop. These were passed as currency in the Fremantle community for a while before being detected.

1940 – Around this time he decided to reform. He left prison and became a model citizen, well liked and respected in the Fremantle community.

Beyond the Prison walls he lived in a house opposite Fremantle Hospital. He used his skills as a locksmith legitimately in the community ie for mending watches and clocks; was known to be involved in procuring illegal abortions; used his handyman skills to mend bicycles and broken toys; was involved in the invention and marketing of

the war time kero candle; and people bought his V for Victory signs and hung them at their front doors during World War II to help raise money for charity.

1949 – Married Kate Leigh at St John's Church, Fremantle in a flurry of publicity. She was 70, he was 62. The marriage lasted only six months. Kate had come to Fremantle in the hope of persuading him to go back to Sydney with her. She thought that by marrying him he would follow her back to the Eastern States but he was too well settled in the Fremantle community. They became involved in legal proceedings and carried on a public slanging match.

1957 – Ryan died and is buried in Fremantle Cemetery.

Martha Rendell

Martha Rendell died in 1909 when she became the first and only woman hanged in Western Australia. She was executed at Fremantle Prison for the murder of the children of Thomas Morris, whom she married in 1906 after he had



thrown his wife out. Soon after their marriage three of his children Anne, Olive and Arthur died and in 1909 she attempted to murder the older boy, George, but failed.

It was alleged that she killed the children by swabbing their throats with hydrochloric acid after they had complained of sore throats; because she was jealous of the attention her husband gave them.

Rendell protested her innocence to the last. There was a great deal of public controversy in the period between the sentencing in December and the execution in the following October. Letters to the *West Australian* indicate that the general public were equally divided on whether the death sentence should be applied. However appeals for clemency were dismissed and Rendell ascended the scaffold at Fremantle Prison at 8 am on 6 October 1909.

Eric Edgar Cooke

Eric Edgar Cooke, a married man with seven children, was arrested in the Perth metropolitan area in 1963 and charged with murder. Although a serial killer suspected of murdering a number of people, his trial in 1964 was for the murder of a single victim, John Lindsay Sturkey. He went to trial for murder in the Perth Supreme Court on 25 November 1963 and the jury had the choice of finding him guilty of wilful murder or not guilty on the grounds of insanity. The trial lasted three days and he was found guilty as charged and sentenced to death. On 26 October 1964 he was hanged on the gallows at Fremantle Prison.

Cooke's body was buried in an unmarked pauper's grave at Fremantle Cemetery and was laid to rest on top of serial killer Martha Rendell.

Cooke's hanging was significant for at least two reasons. Firstly, his arrest, imprisonment and execution brought to an end his reign of

terror that lasted several years and involved a number of murders before he was finally caught. It has often been said to mark the end of the age of innocence in Perth.

Secondly, it marked a change of attitude in Western Australia towards the automatic application of capital punishment law for those found guilty of premeditated murder. For 20 years after his hanging, death sentences were commuted to terms of imprisonment until capital punishment was finally abolished in the State during 1984.

Cooke was the last person to be legally hanged in Western Australia. After his execution, capital punishment remained as an option for the courts when sentencing those found guilty of heinous crimes, such as premeditated murder. But all such sentences were commuted to terms of imprisonment after 26 October 1964.

In 1984 legislation to repeal the capital punishment laws of Western Australia passed through its Parliament. This finally brought Western Australia into line with the rest of the States and Territories of the country. The Federal Government was then able to pass legislation in 1985 abolishing capital punishment in Australia for all offences.

The Longest Serving Prisoner

In 1885 a 27 year-old man was found guilty of committing a serious crime and sentenced to serve 20 years in Fremantle Prison. When his time expired and he was due for release he refused to leave. The Crown Solicitor ruled that he could be classed as a pauper and remain in the Prison.

As the prisoner was of Chinese origin (his exact nationality is not known – at this time all people from Asian countries were classed as 'Chinese'), his life here must have been very lonely and isolated. He knew little English apart from a few words and phrases. Whilst he was offered the opportunity of learning a trade in one of the workshops, he declined, preferring to do labouring tasks. He was an inmate of Fremantle Prison from 1885 until he died in 1920, giving him the dubious distinction of serving a record 35 years' detention.

References

- Blackburn, Estelle, *Broken Lives*, Stellar Publishing Pty Ltd, 1998
- Davidson, Ron, *High Jinks at the Hot Pool*, Fremantle Arts Centre Press, 1994
- Drewe, Robert, *The Shark Net*, Penguin Books Australia Ltd, 2000
- Finnane, Mark, *Punishment in Australian Society*, Oxford University Press, 1997
- Potas, I, & Walker, J., *Trends and Issues: Capital Punishment*, Australian Institute of Criminology, 1987
- Purdue, Brian, *Legal Executions in Western Australia*, Foundation Press, 1993
- Stewart, Alex, *Prisoners - Histories*, Research File No. 34, Fremantle Prison

Websites

- Crime and punishment Records of the Western Circuit
www.devon.gov.uk/dro/crime02.html
- Punishment has declined in brutality ...Western Australia
www.abs.gov.au www.corpun.com/atoz1.htm
- Reinhard Donath: Convicts Crime & capital punishment Western Australia
www.englisch.schule.de/perthcon.htm
- Crime... punishment, in 1849 transportation started to Western Australia
www.schools.bedfordshire.gov.uk/gaol/glossary.htm

www.fremantleprison.com.au

