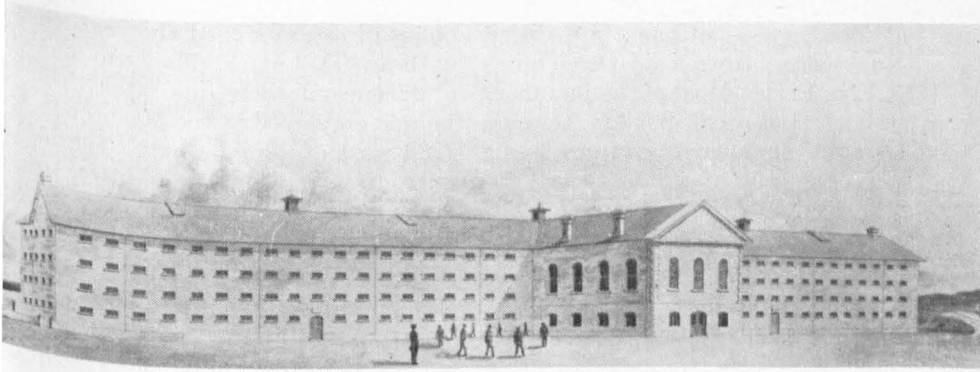


Convict Prison, Fremantle

Unwilling Emigrants*

Seventy-one years ago, in January 1891, a Yorkshire poacher died in Western Australia after a sentence of 'transportation for life'. Here, in story form by 'F.M.E.' is a true picture of a period in our treatment of offenders which is often misunderstood and misrepresented.

THE SUB-TITLE "A Study of the Convict Period in Western Australia" explains the title of the book but the writer covers a wider field than this would suggest and throws fresh light on the early history of the Colony.

She is by birth and education exceptionally well qualified for the study undertaken. A graduate of the University of Western Australia she became a student of social history and for the thesis under review has consulted many sources of information in Australia and England. She is the wife of the Hon. Paul Hasluck, Minister for Territories and has made good use of his library of Australian books and of his observations collected over many years. The references and explanatory notes prove how thoroughly she has done her work; the documentation is excellent and there is an impressive bibliography of Official Documents, Newspapers, Journals, MSS and printed works. She has blended all these threads in an attractive pattern. Through the factual accuracy of a Blue-book runs a moving story — moving but never mawkish or sentimental, scholarly in its presentation, compassionate and humane. The story of the letters written by a convict's wife to her husband or rather written by others for her — as she herself was illiterate — which inspired the making of the book, is told in the Prologue. In 1931 the letters were found in a grey kangaroo skin pouch during the demolition of old police buildings

at Toodyay — at one time called Newcastle, a town sixty-three miles N.E. of Perth. Most of the members of the Historical Society Council thought that these letters being personal and of no historical interest should be destroyed. The honorary secretary, Mr. Paul Hasluck, strongly resisted this proposal and after making copies returned the originals to the Keeper of the Records. Twenty years later Mrs. Hasluck came upon the copies which her husband had made and was moved by the pathos of "these poor illiterate letters which at times break into the spirit of true and artless poetry" *Sunt lacrimae rerum* — there are tears in things. She then determined to write a history of West Australia's convict period and at the same time to throw such light as was possible on the personality of the writer of ninety years ago, "yet whose words tear at the heart strings". She was Myra Sykes, wife of a convict William Sykes, and although Myra remains "a wistful ghost arising from the faded ink and brittle pages of her letters", of William we are given a much fuller account. He was one of a family of six and his father, a coachman, died when William was fourteen. His mother married again and after ten years she was again a widow and William unmarried lived with her, and worked as a coal-pit trammer.

In 1853 he married Myra Wilcock, daughter of a miner's widow with six other children. Myra, aged twenty-one, was in service at a private school and he was twenty-six. All the parties at the wedding being illiterate signed the register with an "X" mark. They had four children and sometime after 1859 he was employed at the Masbrough Iron-works. Amid ugly sordid surroundings there was little to relieve the dreary round of work beyond visits to the public house to employ his scanty leisure.

There was one activity in lives of otherwise unrelieved boredom which not only provided excitement but also furnished food for hungry families of ill-paid workers — night poaching, and it was this crime that led to Sykes's downfall. From local newspapers of the time Mrs. Hasluck extracted the story of the poaching affray on the night of 10th October, 1865, which resulted in the death of a game-keeper, and from the same sources she has given us an account of the three day trial at which Sykes and one of his fellow poachers were sentenced to transportation for life and two others to penal servitude for twenty years. Incidentally, the poachers were armed with sticks and stones but the three keepers had life preservers and one of them had a double-barrelled pistol.

To the Judge's obvious annoyance the verdict was manslaughter and not murder.

The coroner alone came out well at the inquest in that he had the courage to condemn the Game laws and the social conditions which made poaching inevitable in the case of desperate men. Posterity would judge Society itself. To make a digression: in reading Mrs. Hasluck's occasional remarks on

social conditions at this time — the mid-nineteenth century — it seems paradoxical that an age when respectability was a cult, morality outwardly most apparent, churches well attended, the country rich and flourishing, coincided with an age when the conditions of the workers in fields and factories disgraced our vaunted civilisation. In the Church there was indolence and place-seeking, in the Public Schools revolting cruelty, in the Army and Navy little regard for the well-being of the men.

There is a certain irony in the fact that the Catechism's "to do my duty in that state of life unto which it shall please God to call me" stifled to some extent efforts to ameliorate the conditions of the poor. Was it surprising that the official attitude to crime was vindictive rather than reformative, Mosaic rather than Christian, uninformed by any considerations of education, heredity, environment or psychology? Was it surprising that the poor sought forgetfulness in drink "the cheapest way out of Manchester" or that men in country districts sought to supplement a starvation diet by poaching a rabbit or two for a hungry family even though poaching was considered a most heinous offence?

To return to William Sykes. From this time onwards Sykes became a number only — 8740 West Riding Prison, Wakefield, and later 9589 Fremantle. Myra saw him for a few minutes after he was sentenced and may have visited him at Wakefield, where he was first punished by solitary confinement for nine months, but never again as a free man. One letter to him from Myra written during this time has survived. From Wakefield he was transferred to Portsmouth, one of the three public works prisons receiving those who had done separate confinement at Wakefield, Leicester, Millbank or Pentonville. By this time (1867) the era of transportation to penal colonies was ending. Men with short sentences did penal servitude in English prisons, long term criminals (seven years to life) did a part of their sentence in England before being transported.

For fifty years (1733 - 1783) the British had sent convicts from England to America but after achieving their independence the Americans refused to receive transported convicts. Attention was then turned to Australia, and in 1787 the first ships carrying convicts after a voyage of eight months reached Botany Bay. In 1852 this system of transportation ended but as will be explained later there was one colony to which they could be sent — Western Australia.

We are given an appalling account of conditions at the public works prisons extracted from an article in the "*Cornhill Magazine*", January - June, 1866 "A letter from a convict in W.A. to his brother in England" in which the conditions at Portsmouth are described.

When Sykes knew that he was shortly to be transported he must have asked Myra to visit him, but the journey from Yorkshire was beyond her means: she was working to support herself and family of

four. She could not write but her employer wrote for her and his letter has survived. She wrote again but this letter is lost although a pathetic list of articles which she sent to him in a box was found in the kangaroo skin pouch. The box contained *inter alia* "old favourite tobacco pouch, two fig cakes, apples, a packet of spice, parcel of tobacco" and the list ends with the touching entry "Alfred (their youngest child) sends his little pocket knife". In March, 1867, Sykes with other convicts embarked at Portsmouth on the "*Norwood*" (785 tons). The master had a crew of thirty-nine and for the care of the convicts there was a Staff Surgeon, R.N. and a Religious Instructor. The "*Norwood*" was the last but one of the convict ships ever to sail to Australia. If Sykes had committed his crime a few months later he would at least have escaped transportation. Other convicts embarked in April at Chatham and Portland and brought the total number to 254 in charge of a military pensioner guard of thirty-four.

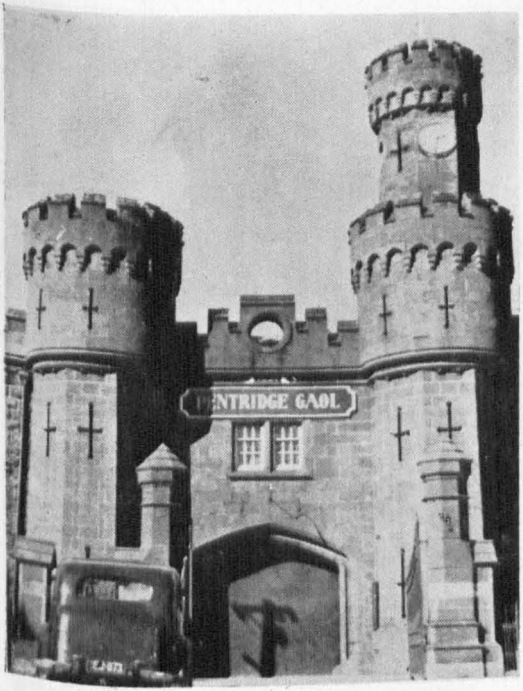
Sykes and his fellow convicts escaped the horrors of earlier transportation voyages when the unfortunate men were chained "half naked and filthy below decks for the entire voyage" attacked by dysentery, typhus and scurvy. An account of the conditions may be found in the "*Memoir of the Life of Elizabeth Fry*" edited by two of her daughters, published in 1847. This source is not mentioned by Mrs. Hasluck.

Thanks to the work of the Select Committee on Transportation and the efforts of Sir W. Molesworth, the conditions on these ships were greatly improved and life on board the "*Norwood*" was reasonably tolerable. The food was adequate—pork, pease soup and plum dough — and in the daytime at any rate on deck and in the open air the convicts found life bearable, even cheerful but at night, herded together below in darkness they suffered inevitably a degeneration in their characters. Their behaviour otherwise was generally orderly and well behaved. Sykes kept a short diary of the voyage scrappy and atrociously ill spelt on one sheet of paper. This too was found in the pouch.

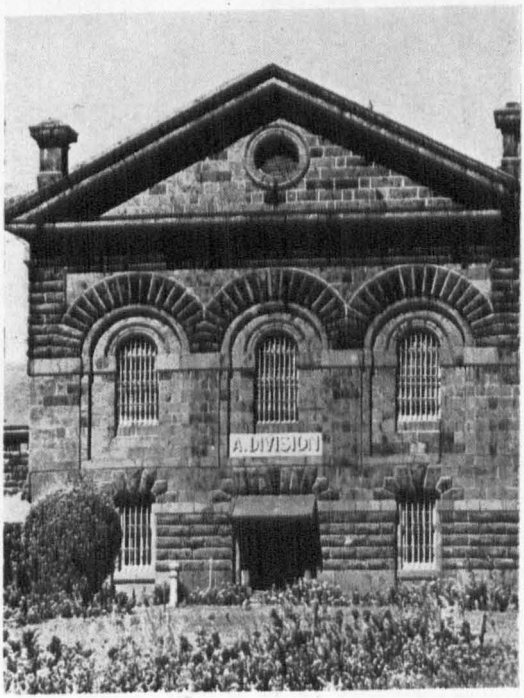
On 14th July the convicts were landed in barges at Fremantle and marched to the Convict Establishment.

At this point we are given a concise history of the State of Western Australia from its foundation in 1829 to the end of the convict system in 1867.

There is one book to which Mrs. Hasluck does not refer considering it perhaps outside the scope of her thesis, "*Cattle Chosen*" by E. O. G. Sharn, published by the O.U.P. in 1926. This is the story of the first group settlement in Western Australia (1829–41) which describes the life and adventures of Mrs. Bussell, the widow of a Hampshire vicar who migrated to the country with her seven children, the eldest being a scholar of Winchester and Oxford — adventures hardly less credible than those of the Swiss Family Robinson.



Entrance to Pentridge Goal, Coburg, one of the Northern suburbs of Melbourne, Victoria.



"A Division" at Pentridge Goal is reserved for first offenders.

Interior of "G Division" (Psychiatric Division) of Pentridge Gaol.

Prisoners moving off to work, at the penal establishment at French Island, Western Port Bay, Victoria. These men will be working without supervision, building fences at a location about half a mile from the administrative centre.

Typical cell at the penal establishment at French Island, Western Port Bay, Victoria.

Convict transportation ceased in 1852 and it had never been applied to W.A. but after considerable reluctance the settlers in that colony petitioned the Colonial Office in 1854 for the establishment of a penal settlement. After prolonged negotiations (which Mrs. Hasluck has traced in detail) this was granted. On 1st June, 1850, the '*Scandian*' with seventy-five convicts on board and fifty pensioner guards with their families reached W.A. and by 1853 2,475 convicts had been sent out. This vast colony with a population of only 5,000 was in desperate need of labourers, not only for agriculture but also for house and bridge building, and road making.

At first the convicts were employed in building prisons, warder's and pensioner guards' quarters, but in time they were used for work more to the general advantage in Fremantle, Bunbury, Busselton and Perth and in the country districts. Through the whole convict period the prisoners provided most of the heavy labour for public buildings but lack of skilled workers among them made it necessary to use at the same time free labour.

Sykes was lucky in that the harsh regime of Governor Hampton had been superseded by the more humane administration of Captain Henderson who, amongst other reforms, abolished flogging except in very rare cases and considered

that putting men to labour in chains, like flogging, did more harm than good. Such treatment and solitary confinement he considered merely led to escapes of men rendered desperate by intolerable treatment.

In fact a convict's life on the whole at this period, certainly for the unmarried ones, was far from being unmitigated misery. Conditions were hard but he was well fed and work in the open was healthy and the hours were reasonable.

Especially free and easy was life on a road party. A warder was in charge of twenty to forty men who lived in huts or tents. Discipline was easy and after a nine hours working day the convicts were free to stroll or sit round a camp fire eating kangaroo stew, with 'possums or parrots as pets. There was too a tobacco allowance. The warder had a convict constable who had earned this post by good conduct to assist him. Ordinary convicts on road making were paid 1d. to 2½d. a day and constables received 1s. 0d. a day after three months service and after twelve months 2s. 6d. a day. They were eligible for increased remission of sentence and in some cases became members of the Colonial police force.

In spite of the forebodings of pessimists there was very little crime during this period and the men treated with humanity responded in many cases and, given the opportunity, became useful members of society. Indeed in many respects the system was in advance of the penal system prevailing in the home country.

There was one famous or rather notorious exception to the generally well behaved convicts 'Moondyne Joe' whose escapes and adventures are still remembered.

His story is told entertainingly in this book. We are also given the story of one O'Reilly, a Fenian, who with the help of a Roman Catholic priest successfully escaped in 1868. Six other Fenians — always the most refractory of prisoners — escaped on a whaler in 1876 through American help.

By 1874 there were only 324 probation and re-convicted men left. Sykes's ticket of leave was due in 1878 but by good conduct he had already earned several months remission. He was given a conditional release in 1885 and was then to all intents and purposes a free man except in the northern gold regions. After seven years of working on the roads he was returned to Fremantle and from there he was sent to Toodyay, then known as Newcastle. He was there in 1877 on ticket of leave which entitled him to certain privileges and the choice of district in which he wished to be registered after reporting to the Resident Magistrate. While at Newcastle he must have seen the arrival of the famous explorer Ernest Giles, who with his party had crossed the Great Australian Desert from Adelaide. Their use of camels for transport caused a sensation among the settlers.

Sykes with his ticket of leave could have applied for his family to be sent out to Western Australia at Government expense. Few

applied for this either because they could not support them, or because they had bigamously married again, or simply because they did not want them. We are compelled to believe from such evidence as is available that his twenty-five years of exile had made Sykes indifferent to home ties and obliterated whatever love he once had for his wife and family, and that he lacked the courage or impulse to support them. He spent the last years of his life, probably on maintenance work, on the line between Clackline and Newcastle. On 29th December, 1890, the police at Newport were informed that William Sykes, conditional release holder, was lying ill and helpless in his hut on the Clackline railway. He was removed to Newcastle hospital and died there on the 4th January of a 'hepatic ulcer with chronic hepatitis' aged 63. His few effects of trifling value and his dog and gun were taken to the police office. The dog was sold for £1.14s.0d., and the gun £1 and this amount went towards the funeral expenses. It was here, as stated earlier, that the kangaroo skin pouch was discovered in a crevice forty-one years later, and the letter in the pouch inspired the writing of this book.

It is regrettable that little if anything can be said in Sykes's favour but the blame for such men's behaviour must be placed largely on the social conditions of the age in which they lived. Mrs Hasluck's book leaves no doubt on this point.

In the first appendix to the book we are given the full text of the letters that have survived: eight are from his wife and in some of them she expresses her longing for news. In one she wrote — or rather someone wrote for her as she was illiterate — "I wonce was thee years and had not had a letter . . . one of the police sade he heard you was dead. I put the chealdren and myself in black for you my little Tirza went to the first place in deap black then I heard that your sister had got a letter from you."

Sykes seems to have written once or twice to his sister rather than to his wife. Myra gave him news of the family and their doings. Her letters are those of a loving and faithful wife. "My Dear husban I sends my nearest and Dearest Love to you . . . with A 1,000 loves and kiss wish we may meet again ho (?) that we'r cold in this world." A part of this letter — a photograph — is the frontispiece of this book. His son William writes in 1875 "Dear father mother would like to no if they would alow you our likeness Dear father you never name me in your letters Dear father mother wants to now if you ever hear of been sat free . . . " There is nothing to show that Sykes was moved by these pathetic loving letters.

Drink was another factor in the degeneration of Sykes's character. We learn that from 1879 he was frequently fined for drunkenness 'the prevailing crime' says the report of the Comptroller General in 1866. In Mrs. Hasluck's words "Perhaps the realization of hopelessness had set in: small wonder if for him and others like him, the

waters of Lethe came only out of a bottle."

Sykes was buried in Toodyay cemetery in a nameless grave outside the consecrated ground, and there he rests with many other convicts all long ago forgotten "they took their wages and are dead" but their wages were small.

They came for the most part from the slums of cities, slaves of "the dark Satanic mills" underpaid, underfed, uneducated victims of the industrial age, but it should not be forgotten that but for their toil Western Australia, desperate for labour for roads and buildings and in the fields, would have disintegrated as a colony. They saved 'the sum of things' not for pay but to gratify the vengeance of a cruel society. The book contains in addition to the letters, explanatory notes references and appendices. There are two of the last of special interest "The Nature of the Convicts sent to W.A. between 1850 and 1868" and "Figures showing Type and Prevalence of offences committed during the convict period." There are eight plates showing early views of Fremantle and Perth, prisons and other buildings and portraits of some of the characters referred to in the text.

F.M.E.

As the PRISON SERVICE JOURNAL went to press on the story of William Sykes, Miss W. A. Elkin (Honorary Librarian of the Howard League for Penal Reform) sent a copy of a letter written to the Reverend John Jebb, a relative of the famous Sir Joshua Jebb, architect of Pentonville, first Surveyor-General of Prisons and first Chairman of the Directors of Convict Prisons. "The points of view expressed about separate confinement and transportation are so different from those given in the histories of penal methods", comments Miss Elkin.

Similar comment was made by Mr. Gordon Hawkins, now Senior Lecturer in Criminology at the University of Sydney, in our last issue, about prisoners who had been sentenced to transportation just prior to the passing of the Act which substituted imprisonment in this country for expatriation . . . . . 'some of them had pleaded guilty merely in order to get sent abroad'. Their reaction when they became aware that they were not going to be transported was described in an official report . . . 'disappointment rendered them thoroughly reckless: hope died within them . . .' Prison historians, said Mr. Hawkins, who regale their readers with stories of the horror and inhumanity of transportation usually neglect such details as this.

The letter from a wife who pleaded for her husband to be transported is another detail of the same kind. The name and address of the family concerned have been deleted in order to avoid embarrassment to any descendants of F . . . . N . . . . about whose subsequent career (in England, or as an emigrant whose wife was willing even if he may not have been) we have no information.

EDITOR

Jan 5th. 1852

"My husband has for years been employed at the Post Office, and has ever borne an honest upright character, till in November 1850 he was unfortunately led into bad company and commenced drinking which sad evil he continued for 3 months, the effects of which so weakened his intellect that in an evil hour he was tempted to open several letters and take out a few trifling trinkets, of little value—which he sold openly for a few shillings—the act of a madman and such a breach of trust he would never have committed had he been in his senses—to which he was soon brought by being apprehended and committed to Worcester Prison—too late regretting the folly that had brought him to this sad condition. March the 8th 51 he pleaded guilty at his trial and was sentenced to '*ten years transportation*'. March 27th he was removed to Northampton Boro' goal where he has undergone nine months separate confinement under the spiritual guidance of the good Christian Chaplain the Revd. Chas. West who has been most kind both to him and myself under the painful circumstances—and I have every reason to believe that my poor husband has become truly penitent, and looking unto a merciful Saviour for forgiveness for the past and strength to help in time of need.

"My great sorrow is to find that on the 22nd of December he was removed from Northampton to Woolwich where he is labouring in the Dockyard at work his health is not capable of—and I am afraid *undoing* all that the good Mr. West has worked in him—for they have no daily prayers—only service on a Sunday. Revd. Sir I will not dwell upon the heavy sorrow and misery brought upon myself and dear child by this unfortunate affair of my poor husband, but state that you would be doing me a great Christian kindness and favour if you would use your interest with Col. Jebb to get my husband removed to the colonies as soon as possible, where—*by good conduct*, he would have a ticket of leave granted to him—and obtain some situation his excellent education is capable of—and again become an honest respectable man.

"I have friends here who are getting up a Petition to the Queen —to pray for a commutation of his sentence—signed by the inhabitants of this place who have known my husband many years, and are convinced of the real honesty of his heart.

"I must state that he was *not* amongst the convicts who last week became mutinous at Woolwich—his address is 'F.... N... No. 1116 Ship Defence'.

"I trust Revd. Sir you will kindly use your interest for me—and pardon the liberty I have taken—but I know you are a Christian Minister and would wish to relieve those in distress.

"Believe me Rev. Sir
Your humble and obdt Servt
E.... A. N..."

The pictures of the early convict prison at Fremantle, Western Australia, and the present-day prisons in Victoria, are reproduced by permission of the Director of the News and Information Bureau at the Office of the High Commissioner for Australia, Australia House, Strand, London, W.C.2.

**Unwilling Emigrants* by Alexandra Hasluck. Oxford University Press. 32s. 6d.