CHAPTER 8

The love of liberty

Invalids were not passive participants in the institutional drama. Their actions, particularly resistance to the imposition of middle class virtues, added fuel to the process of social change. Within institutions order was opposed by disorder, and while the administrative goal was an orderly establishment in practice disorder often held sway. This chapter details how, as bureaucrats and administrators sought to extend their authority over invalids they were met with sustained resistance to, and persistent manipulation of, the charitable institutional system. This is part of what Meranze has referred to as the 'dynamics of discipline'. This chapter will also show that invalids resisted the control measures imposed upon them and that they proved to be proficient adversaries in manipulating the charitable system to their advantage. The importance of resistance was not only that it procured change in institutional conditions, but that it also brought about inmate visibility and gave wider exposure to the plight of the invalid. This resistance, and this manipulation, played their parts in bringing about change in both conditions and attitudes.

In many respects the invalid-depot-cum-charitable-institution, was the equivalent of the British workhouse. This was an institution that invalids would have been familiar with, an institution which from the late eighteenth-century onwards was 'viewed with hatred and seen as a form of punishment by those intended to occupy them'. Convict experiences had, however, taught emancipist men and women that tackling the system head on was a

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2 This was in keeping with their 'Vandemonian' spirit, defined by Alex Castles as independence, resilience, resourcefulness, adaptability, cynicism towards authority and an ability to come to terms with difficult conditions. See A.C. Castles, 'The Vandemonian spirit and the law', Tasmanian Historical Research Association, Papers and Proceedings 38, nos. 3 and 4 (1991), pp. 105-118.
3 S. Piddick, 'Accommodating the destitute: an historical and archaeological consideration of the destitute asylum of Adelaide', unpublished M.A. dissertation, University of South Australia, 1996, p. 76.
road to physical and mental ruination. Ian Duffield exemplifies this point well in his exposé of the life of the convict Thomas Day. In this account Duffield relates the role of prudence and feigned submission as instruments for self-preservation and easing the immediate material circumstances of incarceration. In like manner, what invalids did was to bend, not to the system, but the system to them. They fought to retain their dignity through liberty and this was obtained through manipulation and covert insubordination. Their subculture was sustained through their relationships with one another and their interaction, not only with those who sought to dominate and control them, but also with the fabric of the institutional spaces which were brought to bear in this process. Resistance was evident in their acts of petty destruction, theft and malingering. Their actions, their voices and those of the administrators, political elite and philanthropists allow a deconstruction of the society in which they lived.

**Freedom of movement: self-discharge, readmission and day passes**

From the earliest days of the colonial charitable institutions, pauper invalids manipulated the system by discharging and readmitting themselves, as and

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4 Much of the following discussion is concerned with male invalid resistance and manipulation of the system. This is reflective of the surviving evidence and not the capacity of female invalids to engage in such activities. Resistance was not the prerogative of solely male invalids. Female invalids transferred to the Cascades Female Factory in 1861, did not lightly accept its penal regime. They resisted it as much as they were able. For example, a bell was rung at 9.00 pm signifying silence, though 'they did not usually do so.' (THAP, 5, 1860, Paper 46.)


6 Rubington and Weinberg have defined subculture as a social construct which 'come[s] into being when a category of persons find themselves suffering a common fate. It is essential, however, for them to be in contact with one another and to find out in the course of communication that they do in fact have common interests. These interests arise generally from their social situation because they face more or less the same dilemma.' Cited in P. Archard, *Vagrancy, Alcoholism and Social Control* (London, 1979), p. 175. Peter Archard has further argued that a crucial factor in the self-recognition of a deviant identity, 'whether acquired through the process of subcultural association or not, is a prior awareness by the individual that he may be subject to a variety of social control forces that may serve to change his status from that of normal to deviant.' (p. 178.)

7 It was also evident in their attempt to be themselves. Leland Ferguson has argued, in relation to North American slavery, that 'by striving to build and live their own subculture, . . . African-Americans unconsciously distanced themselves from the kinds of rationalizations that would have helped make slavery work. They resisted slavery by being themselves.' L. Ferguson, 'Struggling with pots in colonial South Carolina' in R. McGuire and R. Paynter (eds), *The Archaeology of Inequality* (Oxford, 1991), p. 28.
when they desired. For example, in northern Tasmania in the mid to late 1850s, if a male invalid could not obtain admission into the Cornwall Hospital there were three options open to him. He could accept 'transportation', initially to Impression Bay, but after 1857 to Port Arthur (with all the penal connotations which that represented); become a vagrant (subject to the ramifications of the Vagrancy Act); or, starve. Male pauper invalids were sentenced to Impression Bay and Port Arthur, as were female invalids to the Cascades Female Factory and the Launceston Female House of Correction, for the crime of poverty. Two examples of this policy were W. Stone (who was blind) and J. Sullivan, invalids charged under the vagrancy laws, who although sentenced to three months imprisonment were ordered to be removed to Impression Bay as opposed to the gaol. Their crime was that they had been found wandering without any visible means of support and thus were guilty of being idle and disorderly. These men possibly fared better than James Quinn and Thomas Taylor who, in the same month, were also charged with being idle and disorderly and of having no visible means of subsistence. They received the customary three months imprisonment, but were instructed to serve their sentence with hard labour. Possibly Quinn and Taylor were not invalids but healthy vagrants, the true targets of the act. While invalids were not necessarily the intended recipients, the act did opportunistically allow the authorities to detain pauper invalids. This legal loop-hole was extensively used by the government in the latter half of the 1850s as one means of addressing the invalid crisis. As The Hobart Town Daily Mercury put it:

The aged, the infirm, the blind, the halt, and the lame, each take their turn at the bar of the Police Office and plead guilty to the heinous offences of sleeping in the open air, of being under sheds, and of having no visible means of subsistence; and for these crimes, the Bench is compelled to sentence them to imprisonment with hard labour in order that they may obtain the food necessary to keep their bodies and souls together.

8 The Hobart Town Daily Mercury, 4.6.1855, p. 2 c. 3.
9 ibid., 11.6.1855, p. 2 c. 6.
10 ibid., 19.5.1859, p. 2 c. 1-3. (Emphasis in original.)
The removal of invalids to Impression Bay and Port Arthur was effectively a sentence of internal penal transportation. It was a re-transportation to a penal settlement for the joint crimes of being old, poor and disabled, and it was applied virtually exclusively to emancipists. Miller and other northern citizens recognised the injustice in having to excise the poor from their community in order that they be transported to a southern penal establishment. As he wrote:

The removal of such persons to Impression Bay is frequently attended with great hardship & positive cruelty — such as sending off quite enfeebled persons — aged 80 & 90 — withdrawing them from all friendly sympathy etc etc.

Both Miller and Sherwin were not only opposed to the transportation of poor infirm people because of the harshness of such removal, but also on practical economic grounds. The removal of northern invalids south was expensive and frequently ineffective. All emancipists had experienced the circumscribed space of institutional life and its attendant power relations. In wishing to avoid a repeat dose of this 'moral' medicine, northern invalids resisted being transported south and refused to be subjected to the control and discipline of penal authority. Such was their animosity to being institutionalised at a convict station that they would leave the coach on its journey, choosing the uncertainties of vagrancy to the confinement, isolation and discipline of Impression Bay or Port Arthur. They would also frequently leave these institutions, which more often than not had no legal power of detention, and return to Launceston only to be re-transported south, at public expense, yet

12 AOT: CSD 1/156/5061, Miller to Henty, 30.3.1858; and, AOT: CSD 1/84/72, Sherwin to Henty, 8.9.1858.
13 AOT: CSD 1/84/72, Sherwin to Henty, 8.9.1858.
14 See AOT: CSD 1/156/5061, Miller to Henty, 30.3.1858; and, AOT: CSD 1/156/5061, Sherwin to Henty, 31.3.1858, for details of their opposition on practical and economic grounds. Also, see AOT: CSD 25/1/7538, Solly to Lord, 22.7.1859; and, AOT: CSD 25/1/7549, Government Circular, 23.8.1859, for evidence regarding the physical harshness involved in the transportation of pauper invalids, pauper medical cases, pauper lunatics and orphans. These documents indicate that prior to this time such persons, when transported by coach, did so without any rugs or wrappers to protect them from exposure to cold and inclement weather and that, further, they were not supplied with food sufficient for the journey which they were undertaking.
15 AOT: CSD 1/156/5061, Miller to Henty, 30.3.1858.
again. Often this pattern was repeated two, three, or four times for the same individual.16 Sherwin set off fiscal alarm bells when he wrote to the Colonial Secretary expressing his concern and suggesting that it was useless to forward invalids without some mode of coercion to ensure that they arrived and remained at their destination.17

Invalids discharged from the Cornwall Hospital due to want of space for 'medical' patients would, according to Miller, go wandering the countryside.18 When an order for their removal by coach to Port Arthur finally arrived, the invalid would have vanished. What really irked Miller was that the invalid could apply again to the police magistrate a few months later to be sent to the southern invalid station with temporary accommodation in the hospital, while the wheels of officialdom slowly turned in processing the application, with the likelihood of no different an outcome.19 The hospital bore the costs associated with housing this invalid, costs Miller felt should have been expended upon the genuinely sick, not just the old and decrepit. Patently some emancipist invalids were using the system to their own ends in order to gain a spell of respite — a period of shelter, food and warmth. As Sherwin put it:

such is the love of liberty that when their strength is somewhat restored by the discipline & care bestowed upon them at the asylum [Impression Bay and Port Arthur] — despite former experience — they will again go forth & be again exposed to want & disease.20

In the late 1850s the number of steps involved in the process of having an invalid admitted into a depot inevitably resulted in prolonged (and possibly deliberate) delays. This wait gave the applicant an opportunity to disappear if relief inside a government institution was not what they desired. For

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16 *ibid.*; and, AOT: CSD 1/84/72, Sherwin to Henty, 8.9.1858.
17 AOT: CSD 1/156/5061, Sherwin to Henty, 31.3.1858; and, AOT: CSD 1/156/5061, Sherwin to Henty, 30.3.1857.
19 AOT: CSD 1/156/5061, Miller to Henty, 30.3.1858.
20 AOT: CSD 1/156/5061, Sherwin to Henty, 31.3.1858. (Emphasis mine.)
example, in January 1858 the Reverend Arthur Davenport sent a recommendation to the Colonial Secretary that the emancipist William Button be admitted to an invalid depot as he was old, destitute and incapable of earning a livelihood. It would seem that Button sought only occasional relief but was eager to avoid institutionalisation within the depot. Thus, despite every endeavour to locate him, it appears that Button resisted entry into the charitable institutional system by disappearing. The official record documents numerous instances where applicants could not be found. These cases are yet another example of the loathing emancipists had towards returning to a government institution, especially as most were either located in ex-convict buildings or were still functioning penal establishments. Many of these men and women subsisted by resorting to petty crime, but the surviving evidence suggests that begging was their chief means of procuring a livelihood.

Invalids found themselves serving a sentence in gaol for minor offences punishable under the Vagrancy Act, such as begging alms or being idle and disorderly. In 1882, for example, there were a number of emancipist males who judging from their ages (at least two were 70) were in all probability invalids, who were sentenced to terms varying from three to six months for being idle and disorderly. Indeed, on 23 February 1883, there were 17 male and 11 female invalids maintained at the Hobart Penal Establishment. They had been found guilty of vagrancy, being idle and disorderly, indecency, assaulting police, larceny, drunkenness, breaches of the Charitable Institutions Act, obscene language, disturbing the peace and committing a nuisance.

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21 AOT: CSD 1/29/31, Davenport to Colonial Secretary, 16.1.1858.
23 See AOT: CSD 1/29/31. This file lists a number of such cases in addition to that of William Button.
25 ibid., p. 45.
Manipulation of the charitable system by invalids discharging and then readmitting themselves, as and when they desired, was common. Both the superintendents and respective boards of the Brickfields, Cascades and LID protested against loop-holes in regulations which permitted invalids to pervert the system in this manner. The Board administering the LID, for example, believed that when a man persisted in leaving the institution, in spite of the opinion of the medical officer, he should be 'treated as a vagrant, and sent for a term to the House of Correction, where he would learn to appreciate the comforts of the Depot.' But the reality was that many of these men already had experience of the house of correction and a host of other coercive institutions. That this might have been a factor in their decision to leave, despite having no means to sustain themselves, seems to have escaped the Board. That men in such a condition would vote with their feet was both a reflection upon conditions within the depot and house of correction, as well as a further indication of their longing for liberty. Many Tasmanian pauper invalids appear to have taken Jean Rousseau's maxim to heart: 'I prefer liberty with danger than peace with slavery.'

While Launceston invalids favoured accommodation within the institutional space of that city rather than being forwarded to New Town, they were not all pleased with the arrangements they encountered in their town's institutions. This is graphically illustrated by a conflict which arose between Thomas Clements, the Superintendent of the LBA, and James Miller, an inmate of that institution. Antagonism developed between these two men sometime in late 1897. The exact basis of this is not known but by the end of the year Miller's strife with Clements had evolved into open hostility. No longer was he merely insolent to Clements but in late December 1897 he assaulted him. As a result of this incident Miller was 'brought before the Police Magistrate and charged with misconduct, and remanded for a week.'

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26 TLCP, 16, 1872, Paper 5, p. 3.
27 TLCP, 18, 1872, Paper 8, p. 3.
28 Cited www.newspeakdictionary.com, political quotes, on freedom.
29 AOT: CSD 22/17/163, Stephenson to Chief Secretary, 15.6.1898.
30 ibid.
When his case was subsequently heard 'he was advised to conduct himself in a proper manner and discharged.'  He apparently then stalked Clements for about three weeks, awaiting the opportunity 'to give him the full benefit (sic) of his knife'.

On 2 February 1898 he took his chance in St Johns Street, Launceston, where he attempted to stab Clements in his left thigh. Fortunately, Clements was able to deflect this attack and Miller was arrested and charged with assault. He pleaded guilty, was subsequently sentenced to six months imprisonment and was transported south for incarceration in the Hobart Gaol. However, his stay in that institution was relatively brief as he was only detained in the gaol for about two weeks before being transferred to the NTCI on 19 February 1898. This was because:

Shortly after his arrival in the Hobart Gaol it was found that Miller's health was too precocious a character to admit of his further detention, and the Medical Officer recommended his transfer to the Charitable Depot, and the Government had no alternative but to follow this course.

Miller subsequently discharged himself from the NTCI on 7 June 1898, and returned to Launceston on the train using a pass he had apparently been issued for this purpose. Understandably, Clements was most anxious to learn as to why Miller had 'been discharged at his own request from New Town, before the expiration of his sentence' and who was responsible for issuing him a travel pass. Clements was most concerned about the impact that this turn of events would have on the inmates of the LBA. He stated that 'When so much sympathy is shown the troublesome Characters by the Authorities, it makes it so much more difficult to maintain proper discipline.' In these latter sentiments George Richardson, the Superintendent of the NTCI, concurred when asked to comment on the circumstances of the

31 ibid.
32 ibid.
33 ibid.
34 ibid.
35 AOT: CSD 22/17/163, Steward to Stephenson, 30.6.1898.
36 AOT: CSD 22/17/163, Stephenson to Chief Secretary, 15.6.1898; and, AOT: CSD 22/17/163, Clements to Richardson, 9.6.1898.
37 AOT: CSD 22/17/163, Clements to Richardson, 9.6.1898.
38 ibid.
case. However, he pointed out that he had been given little option in this case. Once Miller had claimed his discharge Richardson apparently had no legal right to detain him further. However, he claimed that he 'refused to give him a transport order to Launceston' and that if Miller had received one, then he was not aware from who it had been obtained. When the Chief Secretary investigated this case he also was unable to determine how Miller acquired the means to return to Launceston. It is most probable that Miller was not issued a travel pass but procured a ticket through his own exertions. This case demonstrates a clear bureaucratic division between the administration of charitable and penal institutions and a separation in the management of the inmates of these differing institutions. It also demonstrates that inmates were possibly aware of this changed state of affairs, and definitely cognisant of their rights, and were prepared to manipulate these circumstances to their own advantage. Thus Miller got himself transferred from a penal institution to a charitable institution and then took advantage of a legal loop-hole which enabled him to discharge himself two months before the expiry of his sentence.

The annual reports for the LID indicate that a considerable number of invalids left the depot with no visible means of support. A review of invalid numbers at this institution (see Table 8.1.) demonstrates a high turnover in the inmate population as revealed by the number of admittances and discharges compared to the daily average number of inmates. What the data does not provide is a good indication of the number of inmates who absconded from the depot or who were expelled for misconduct. In 1872, for example, two inmates did not return after being allowed out on a pass and eight were turned out for misconduct. In 1873, 22 inmates left the institution when compelled to labour in the establishment's garden and another absconded in the same year. The years 1872 and 1873 were not exceptional,

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39 AOT: CSD 22/17/163, Richardson to Clements, 11.6.1898.
40 ibid.
41 AOT: CSD 22/17/163, Steward to Stephenson, 30.6.1898.
42 TLCP, 19, 1873, Paper 8, p. 3.
43 TLCP, 20, 1874, Paper 7, p. 3.
they tell a story repeated throughout the 1870s which casts a pall over the numerous entries by middle class visitors which favourably comment on the comfort extended to invalids. It also makes a mockery of the widely held middle class belief that institutions, like the LID, were immoderate in their treatment of invalids and that elements of the poor fought for admittance in order to benefit from the duplicity of indolence and imposition.\textsuperscript{44} The reality was anything but indolent. Cox told an 1871 Royal Commission that during the two-and-a-half years that the depot had been open that he had never 'known a case to be admitted that was not really deserving.'\textsuperscript{45}

In 1863, the Hobart Town Municipal Council expressed concern about the amount of visible 'Vagrancy and medicity' on the streets of the town.\textsuperscript{46} The then Mayor, Alfred Kennerly, led the council in strongly advocating that invalids sent to Port Arthur be detained there.\textsuperscript{47} Kennerly believed that the increase in vagrancy that he had observed was primarily made up of men freely returning from the invalid depot at Port Arthur as, and when, the fancy took them. Kennerly and his fellow councillors believed that these invalids were a serious threat to the order of the city and the security of citizens, and that they represented a considerable financial burden on the government. A municipal committee alluded to weaknesses in the existing law which allowed the men to return from Port Arthur when they so desired.\textsuperscript{48} Kennerly was aware that depriving invalids of their liberty was a touchy issue but, nevertheless, he argued for the introduction of legislation which would

\textsuperscript{44} For example, in December 1876, Thomas Reibey, the Colonial Secretary, inspected the Brickfields. He concluded that 'very many out of the 253 present could and ought to be made to obtain their own daily bread.' (TLCP, 24, 1877, Paper 6, p. 4.) This was an opinion shared by James Gray, Member of the House of Assembly, who visited the institution a couple of weeks after Reibey. He believed that there were in the order of 50 inmates capable of earning their own livelihood. Given the shortage of rural labour, he believed that these men should be forcibly evicted and sent to country districts. (TLCP, 24, 1877, Paper 6, p. 5.) To some extent Withrington encouraged this belief by reporting that he had noted inmates who 'preferr[ed] the Depot to being obliged to earn their own livelihood.' (TLCP, 26, 1878-9, Paper 8, p. 3.)

\textsuperscript{45} TLCP, 17, 1871, Paper 47, p. 48, paragraph 65.

\textsuperscript{46} AOT: CSD 4/36/410, Kennerly to Colonial Secretary, 3.2.1863.

\textsuperscript{47} Kennerly was actively involved in the management of boys homes in Tasmania.

\textsuperscript{48} Kennerly was also running another agenda as Chairman of the Board of Management of the HGH, responsible for the Brickfields. This body was actively pursuing more
enable just that to transpire. While agreeing to review the matter, the
government was decidedly edgy about pursuing legislative measures along
the lines that Kennerly proposed. This was not to remain the situation for
long but at that moment in time at least invalids still had a significant voice in
determining when they left an institution.

**TABLE 8.1 Numbers of male inmates at the Launceston Invalid Depot, 1868-1901.**

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<td>TLCP, 15, 1869, Paper 5, p. 3.</td>
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<td>115</td>
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<td>TLCP, 18, 1872, Paper 8, p. 3.</td>
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regulatory control over invalids in order to check inmates at the Brickfields manipulating
the system by discharging and re-admitting themselves at will.

49 AOT: CSD 4/36/410, Whyte to Kennerly, 9.2.1863.
Inmate resistance and manipulation of the charitable institutional system was disclosed through the very high turnover in admissions and discharges from depots, as well as through abuses of day passes. These were issues of considerable importance to both the government and the administrators of the depots. As the situation stood, institutional officers had no authority to detain men regarded by the medical officer as being unfit to earn a livelihood from vacating the depot; and as such there was relative ease in ingress and egress from establishments. The problem, as seen from the administrators perspective, was that men frequently left the depot to beg about the streets for a short time before claiming re-admission, sometimes in a far worse condition than when they left. Often they returned in an intoxicated state and upon being refused admission besieged the CSO with fresh applications for admittance, causing much inconvenience for administrators. This was an issue about liberty, power and control over the movement of pauper invalids through space. It must be remembered that emancipist invalids also actively sought entry into charitable institutions, such as the LGH. Indeed, Miller reported in mid 1865 that invalids saw their admission into such institutions as a right. Failure on the part of administrators, like Miller, to comply with

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50 TLCP, 11, 1865, Paper 9, p. 3.
such a request being liable to result in abuse and threats. While such actions were perceived as an imposition by Miller and his colleagues, they were part of the overall invalid survival strategy. It was not simply sufficient to be able to leave charitable institutions but, in order to maintain liberty, pauper emancipists needed to be able to access them as and when they needed. Their motivation was not to maximise their sojourn in institutional space, as administrators believed, but to minimise these periods of institutionalisation. In this way an invalid subculture sought to subvert the intentions of the charitable system to meet their own exigencies. This was not a resistance with the design of overthrowing or toppling the extant system, but rather, one intended to permit the survival of pauper emancipist culture within the charitable institutional framework.

It was not only male invalids who engaged in this strategy. In 1877, for example:

a woman of upwards of 70 years of age, without relations or friends, a cripple on crutches, insisted upon her discharge from the Female Invalid Asylum, notwithstanding the remonstrance of the Superintendent, the Medical Officer, and her own clergyman, and the next morning went begging to Government House.

She was but one of many old people aged from 60 years to over 80 who were, according to the HBS, infesting the streets, or wandering through the country begging from place to place, or seeking relief from the Benevolent Society.

Despite the vagaries of life outside an institution their love of liberty was such that they would risk all to beg, steal and tramp in order to survive outside the depots.

51 AOT: CSD 25/7, Miller to Colonial Secretary, 27.5.1862.
52 This position is quite the opposite to that put by Robert Hughes who maintained that the convict system, as practised in Van Diemen’s Land ‘turned out an unleavened human mass, a submissive lumpenproletariat of men and women, cudgelled into humility by repetitive task-work and the all-pervasive threat of corporal punishment. They [emancipists] learnt to eat out of the hand of Authority, because Authority always fed them.’ See R. Hughes, The Fatal Shore (London, 1988), p. 594. (Emphasis in original.) Such an argument removes all independent agency from emancipists. This is an unsustainable assertion, in light of the overwhelming evidence supporting invalid self-determination.
53 TLCP, 26, 1878-9, Paper 16, p. 4.
54 TLCP, 28, 1879-80, Paper 15, p. 3.
In his evidence before the 1863 Joint Committee Inquiry on Prison Labour, Withrington was specifically asked about men leaving and returning at will. He informed the committee that while paupers could move between the institution and the external world with considerable ease, it was not quite as straightforward as suggested. Men could leave the institution when they desired, but readmittance required the approval of the Colonial Secretary. This was the only real measure of control that the administration had on the manipulation of the system by invalids, other than the internal regulations that could be applied to the institutionalised population. This was an area of invalid management which the Joint Committee identified as requiring greater control. Responding to this need, the government imposed more rigid and coercive confinement regulations. It decided that 'when men voluntarily left the Depot, without a certificate from the Medical Officer that they were fit for work, they should not be again admitted.' This was not necessarily a new policy but rather the more rigid implementation of existing procedure. As early as mid 1851 ‘free’ emancipists seeking a discharge from the invalid station at Impression Bay were cautioned that, in the event of their being unable to secure a livelihood, they would not again be taken into the establishment.56

Administrators also applied more stringent controls on the issuing of day passes to inmates. Whereas these had been relatively easily gained in the early 1860s, by the late 1860s they were granted only when a reasonable cause was shown and where they were not likely to be abused.57 By the early 1870s, inmates were only granted a day once a month, and then only during the summer months.58 Consequently, there was an increase in inmate dependency upon the capacity of the institution to accommodate them when they had no means of their own. Their ‘free return pass’ was eliminated. However,

55 TLCP, 11, 1865, Paper 9, p. 3.
56 For examples of this see AOT: CON 89/1/139/3296, Returns of free men discharged from Impression Bay.
57 TLCP, 14, 1868, Paper 4, p. 3.
58 TLCP, 17, 1871, Paper 47, p. 87, paragraph 455.
证据显示，Withrington在1871年向皇家委员会提供的证据表明，尽管采取了更严格的控制措施，但人们仍然滥用他们的日间通行证。Withrington描述了人们习惯性地使用日间通行证作为乞讨的手段，以及在几天后醉酒或寻求重新进入的情况。

That paupers persistently abused their leave in this manner demonstrated a form of contempt towards their institutional administrators and a strength to exercise their own will and their own ‘class’ decorum. This was an issue not only observable at the Brickfields but also at other charitable institutions. For example, Austin Atkins, Superintendent of the Cascades, reported in 1871 that invalid inmates were constantly leaving and returning to the institution. He stated that:

They have been in and out four or five times a month — they leave to get drink and to beg. This is a decided nuisance to the community. Paupers from the country are sent to town by coach and from thence here in cabs at the expense of the Government; and after having been in the Institution a few days, claim their discharge.59

There is some evidence that invalids did indeed secure discharges from invalid depots in order to over-indulge in alcohol. For example, on 10 December 1872, two decrepit old men were fined for drunkenness and, as they were unable to pay the fine, found themselves with a gaol sentence. One of these men had only just been discharged from the Brickfields.60 It would appear that immediately upon his discharge he had sought out a mate and broken his drought with a binge.

59 ibid., p. 87, paragraph 457. They almost certainly also used these opportunities to make more prosaic purchases as there were no facilities available at the Brickfields to enable them to purchase items such as tea, coffee, sugar and the like. There was no internal facility such as a canteen. Nothing was sold at the depot and no officer was permitted to sell any item to an inmate. Should an inmate have acquired a small amount of money and desired items like coffee, then he could ask the institution’s messenger to make a purchase for him. (TLCP, 17, 1871, Paper 47, p. 87, paragraph 459.) This was a system open to corruption. Therefore, men would almost certainly have taken advantage of any time spent outside the institution in acquiring items, which may normally have been considered standard but within the institutional setting would have acquired a luxury status. Withrington may have felt that by denying the internal sale of goods he further extended his control over the men whereas he was really merely creating the demand for a covert market and impetus for trafficking. See R.A. Radford, ‘The economic organisation of a P.O.W. camp, Economica 12 (1945), pp. 189-201.

60 THAP, 22, 1871, Paper 127, p. 8.

Invalids appear to have been adept at detecting weaknesses in the system designed to control them and of manipulating these to their own advantage. For an invalid located in the country desiring to spend time in Hobart Town, a few days spent in the Cascades was a small price to pay in exchange for free transportation. Notwithstanding the introduction of supposedly more compelling rules regulating the capacity for inmates to enter and leave at will, it appears that in practice nothing much changed between the situation in the early 1860s to that existing in the early 1870s. For example, the emancipist John De La Hunt was admitted to the Cascades on 25 January 1871; was discharged on 29 January; readmitted 23 February; discharged again on 6 March; readmitted 10 April; and discharged again on 17 April 1871. In response to such cases the 1871 Royal Commission recommended that 'restrictions be imposed on Invalids leaving and returning to the Depots, and that a labour test be enforced.'

William Benson, the Medical Officer at the Cascades, was likewise opposed to invalids entering and leaving depots apparently at will. He expressed concern that no reference was made to himself regarding the discharge of inmates from the Cascades. He did not believe that paupers should have the right to manipulate the system and recommended the introduction of new regulations to better manage the movement of paupers between the institutions and the outside world. He further recommended better

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62 TLCP, 17, 1871, Paper 47, p. 91, paragraph 503. Also see pp. 15-19 for a return of inmates at the Cascade Pauper Establishment, Hobart Town, showing their dates of admission and discharge. For example, Richard Brown, aged 60, admitted 14.9.1867, discharged 4.12.1867, readmitted 1.1.1868, discharged 17.8.1868, readmitted 9.9.1868, discharged 29.9.1868, readmitted 8.10.1868, discharged 10.2.1870, readmitted 14.2.1870, discharged 4.5.1870, readmitted 9.5.1870, discharged 30.11.1870. There are numerous other inmates exhibiting a similar pattern of repeated admissions and discharges such as George Greenwood, who was admitted and discharged on nine occasions between 19.8.1867 and 30.11.1870. Such ingress and egress patterns were also evident amongst female paupers at the Cascades. Examples which stand out upon cursory examination are Mary Dunn (five admission periods between 6.4.1869 and 30.11.1870), Mary Findlater (five admission periods between 23.8.1867 and 30.11.1870), Mary Harper (six admission periods between 9.11.1867 and 30.11.1870), and Catherine Collins (seven admission periods between 19.6.1867 and 30.11.1870).

63 TLCP, 17, 1871, Paper 47, p. xli. (Emphasis mine.)

64 Ibid., p. 99, paragraph 599.
coordination between the depots and private charity. Benson was one of several individuals who came to recognise that invalids were also incorporating private charity into their survival strategy as a means of limiting their stay within invalid depots. By accessing private charity and the resources of benevolent societies, invalids were able to minimise the amount of liberty they sacrificed upon entering a depot. Robert Andrew Mather, a member of both the HGH Board and the Executive Committee of the HBS, was also concerned about the manner in which invalids were utilising depots and the charity of the HBS as a means of maintaining themselves outside of institutional space. He was part of a more conservative faction of the middle class who wished to place restrictions upon the movement of invalids. Mather recommended that invalids should not be allowed to leave a depot within six months of admittance and then only on the recommendation of the superintendent or any person guaranteeing their support. Invalids who left otherwise and were found begging were to be punished as vagrants.66

The development of a coordinated working relationship involving the exchange of information between charitable administrators and the HBS was implemented in the late 1860s. This was to assist both groups in checking imposition caused by invalids leaving the depots and then attempting to maintain themselves by acquiring the aid of the HBS.66 Instances of this particular form of imposition, whereby those who had discharged themselves from invalid establishments and then applied to the charitably disposed for at least a night's lodgings, necessitated constant watchfulness by benevolent organisations.67 In this, the HBS saw itself as aiding the government in checking pauperism and imposture. It saw itself as playing a role in a unified campaign to create an environment whereby invalids were forced to remain in depots. As part of this strategy the HBS initiated an arrangement in 1863 with the superintendents of the various southern invalid depots. From then on every case for relief where the applicant had previously been in an invalid

66 ibid., p. 91, paragraph 503.
67 The HBS's annual report for 1874 details an example of this form of imposition. See TLCP, 21, 1875, Paper 13, p. 3.
depot was referred back to the administrator of that institution, so that the Society could ascertain the circumstances under which the pauper had left that place. Those who had a valid reason for seeking their discharge and were then forced to apply for readmission were assisted by the HBS while they awaited a vacancy. However, those who left on what the Society viewed as unreasonable grounds were resolutely refused aid. The HBS argued that any weakening of this resolve would see begging and drunkenness rampant on the streets of Hobart Town.68 By the close of 1864 this position had narrowed to one in which they refused to give any aid to men who persisted in leaving depots while being deemed by medical officers as incapable of earning their own subsistence. It was their aim to ensure, as far as practicable, that no man should leave a depot ‘unless pronounced fit to earn his own living or unless some respectable person undertook to provide for him.’69 Elements within the government supported this position and pushed for affirmation of a regulation which would have seen any man claiming his discharge being informed that no assistance would be granted him by the Benevolent Society and that he would not be permitted re-entry to a depot, but if found begging he would be apprehended and punished in gaol.70 In the mid 1860s, not all politicians were in agreement with this uncompromising stance. The issue was brought to a head over the case of two invalids: John Parkhurst and Francis Hughes.71

67 TLCP, 23, 1876, Paper 15, p. 3.
68 AOT: CSD 25/8/40, Hall to Whyte, 3.6.1863.
70 ibid.
71 John Parkhurst was an emancipist pauper, aged 54, who had arrived in Van Diemen’s Land, per the Gilmore (3), in 1843. He was granted a conditional pardon on 29 August 1854. His health as a convict had been good and he had maintained himself as a gardener following emancipation, but by 1864 he was unable to work being nearly blind as a result of the loss of one eye and a cataract in the remaining one. Whilst a prisoner these visual disabilities had not been evident. He had been a patient of the HGH in early October 1864, but had, on 18 November 1864, requested his discharge ‘in the hope that he might maintain himself by his own exertions.’ He travelled to Oatlands to work but failed in this as a result of his blindness. He returned to Hobart Town on 24 November and sought temporary relief from the HBS while he awaited admission into an invalid depot. His application was refused because he had sought his own discharge from the hospital. Exactly how he was to survive in these circumstances is unclear as he had neither shelter nor the means to procure lodgings and food. (AOT: CSD 25/9/187 (106)/3, 25.11.1864; and, AOT: CSD 25/9/187/2, 25.11.1864.)
Francis Hughes was also a colonial emancipist pauper who had initially arrived in Van Diemen’s Land as a convict aboard the Waterlily in 1845. He was, in November 1864, aged
In considering their applications for temporary relief the HBS resolved not to grant any aid on the principle adopted that:

all persons already provided for in Hospitals or Depots demanding their Discharge (when Medical Certificates show them at the time to be totally incapable of earning a livelihood) ought not to receive any assistance from the Benevolent Society whose functions are to provide relief for the necessitous and not for those who wilfully leave relief provided for them.  

The HBS accused Parkhurst and Hughes of belonging to a category of troublesome men who annoyed the public with their constant entry and exit of benevolent asylums. The crux of the HBS’s grievance, and the point of contention they had with more progressive elements within the government, was that the HBS regarded both men as ungrateful for the relief already availed them. They also categorised them as beggars and drunkards and therefore deserving of suffering the consequences of their folly. In a significant response to the HBS’s stance on this issue, the Colonial Secretary, James Milne Wilson, detailed the government’s official position with regard to the detention of invalids. Wilson stated that he could not concur with the Benevolent Society for the following reasons:

The Establishments maintained by Government for the support of paupers are not of the character of prisons, in which a man once entering, his liberty becomes forfeited: and consequently no legal power of detention in a Depot exists. If, therefore, the pauper who has requested his discharge in the vain hope of being able to earn his own living, and enjoy his liberty finds himself unequal to the task, and the Benevolent Society enforce such a principle . . . he must either beg, steal, or starve, until a vacancy in the appointed Depot occurs, and I would desire to point out to the Committee [Executive Committee of the HBS] that the punishment proposed to be inflicted upon the pauper, would in

64. He had received a colonial conditional pardon which he had taken up on 18 November, 1862. He suffered from chronic rheumatism, a condition he contracted as a prisoner at Port Arthur. His general health as a prisoner and upon gaining his freedom was described as ‘indifferent’. At Port Arthur he was treated for rheumatism whilst both prisoner and invalid. In November 1864, he returned to Hobart via the government steamer but, finding himself unable to work, he begged to be returned to Port Arthur on the steamer’s next trip and in the interim be admitted into the Prisoners Barracks. Until a vacancy became available in the Barracks he sought temporary relief from the HBS which was denied. (AOT: CSD 25/9/187 (99)/4, 28.11.1864; and, AOT: CSD 25/9/187/5, 28.11.1864.)

72. Extract from the Minutes of the HBS for 30.11.1864 in AOT: CSD 25/9/187/1, Honourable Secretary HBS to Colonial Secretary, 2.12.1864.
73. ibid. (Emphasis in original.)
Wilson asked the HBS to reconsider their position and to continue to assist such men while they awaited readmission. The Society, however, maintained their position partly in fear that they would lose public support if they, in any way, weakened their uncompromising stand on this issue. Given that their level of government funding was proportionately tied to the level of subscription, any lessening of support would have resulted in a marked decline in the Society's income and thus its financial capacity to engage in relief work. It is also likely that the close relationship between invalid depot administration and the Benevolent Society played a crucial role in the continuance of their hardline stance. Withrington, for example, very much wished to see measures in place which would curb the capacity of invalids to leave the depots as they saw fit. He was both Superintendent of the Brickfields and a member of the Executive Committee of the HBS. While clearly a conflict of interest existed in regard to this matter, Withrington continued to apply pressure upon the HBS to maintain their stance.

The HBS's firm adherence on this matter eventually brought about a change in government policy. In March 1865, the CSO issued instructions directing invalid depot administrators to inform inmates who left without the concurrence of a medical officer that, should they seek readmission, all measures would be applied to send them to Port Arthur. All cases of invalids leaving an institution without institutional approval were to be forwarded to the CSO. Likewise, all cases where an inmate was discharged on account of misconduct were to be reported in order that the government could be in full receipt of the facts when considering any future application for readmission.

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74 AOT: CSD 25/9/187/6, Wilson to the Honourable Secretary HBS, 7.12.1864.
75 ibid.
76 AOT: CSD 25/9/187/6, Honourable Secretary HBS to Wilson, 15.12.1864.
77 AOT: CSD 25/10/259, Memorandum, James Whyte, 27.3.1865.
Just as the government and the HBS were irritated by the situation so too were Withrington and Atkins frustrated by the circumstances in which they found themselves. To counter the ongoing undermining of their authority both men sought enhanced powers to confine inmates to their respective institutions and greater authority to punish offending paupers. Withrington recommended that 'no man be allowed leave of absence until six months after admission, and then only for one day at a time.' In conjunction, with this he recommended measures which essentially were directed at improving professionalism in the management of inmates. In true Foucaultian fashion he hoped that by maintaining better records and procedures for accessing them he could counter manipulation of the system by being able to identify appropriate strategies to deal with individual men. This new record keeping system was designed to establish prior patterns of admission, discharge and conduct, information which Withrington hoped would strengthen his control over recalcitrant invalid paupers. He also sought to extend his control by tightening up existing punitive disciplinary measures. The areas in which he wished to crack down were: refusing to work, behaving in a refractory manner, assault, returning to the establishment drunk, making away or destroying clothing or other articles of government property and leaving the establishment without permission with government clothing. The additional powers that Withrington sought thus provide an insight into the multitude of measures employed by invalids in their attempt to use depots as asylums in the wider sense of the word.

The justification behind this sharpening in the severity of the disciplinary and punitive measures of the Brickfields was that it made the institution less appealing and, according to Withrington, assisted in protecting the government 'as much as possible from the admission of the idle and lazy, who in some cases prefer the quiet of a Pauper Establishment to earning their

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78 TLCP, 17, 1871, Paper 47, p. 87, paragraph 466.
79 ibid., p. 88, paragraph 466.
own bread. Withrington strongly believed that invalids were imposing on the charitable system. He described a situation in which:

paupers frequently apply for relief from the Benevolent Society on the very same day they are discharged at their own request, and telling the medical officer they have work to go to. Some of these could obtain work if they were so disposed, but on account of some very slight ailment they practise all kinds of deceit in order to obtain what they require from the public; and if they do not succeed, they immediately seek readmission into one or other of the charitable institutions.

The belief in invalid imposition was rife amongst the elite. For example, D. Lewis and J. M. Dooley, who inspected the Brickfields in late 1878, reported that the inmates appeared to be generally healthy and that there were many who seemed to be capable of labour but who were idle. It is, however, very difficult to imagine that any men capable of work were able to reside at the Brickfields in idleness, as all inmates who were certified by the medical officer as being able to work were invariably dismissed from the depot. It is highly improbable that invalids ever implemented imposition tactics such that it had any significant impact upon the charitable system. The real issue was the inability to manage increasing numbers of pauper applicants.

Seasonality
There was a seasonality to invalid and pauper utilisation of charitable institutions. In the case of Port Arthur, for example, in all instances where there are summer figures available they are noticeably less than the numbers of both imperial and colonial charges for the preceding, and following, mid year figures (see Table 8.2). This is indicative of invalids utilising the charitable institutional system to their own ends, by only seeking admission

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80 ibid.
81 No doubt individual instances of imposition did occur, but the available evidence suggests that imposition was neither systematic nor prevalent, although manipulation of the system would appear to have been commonplace. Yet Withrington's steadfast resolve in exercising nothing but the greatest economy in the running of the Brickfields frequently made inmate manipulation look like imposition.
82 TLCP, 28, 1879-80, Paper 7, p. 3.
83 ibid., p. 4.
84 TLCP, 29, 1880, Paper 8, p. 3.
85 See TLCP, 17, 1871, Paper 47, p. 88, paragraph 466.
to depots during the colder inclement months of winter. It also demonstrates resistance to the system of institutional care, in that men only tolerated institutionalisation at Port Arthur when they had no alternative. If an aged male emancipist was able to support himself outside of the depot, then he did so. The pattern of seasonality in Table 8.2 effectively nullifies a widely held belief that institutions were utilised by the idle as a means to escape work and that they encouraged pauperism and fostered imposition. Emancipist paupers, who made up the bulk of the invalid population, deployed strategies designed to keep themselves out of such institutions or, at the very least, to minimise the duration of any stay forced upon them. Their modus operandi was avoidance, not engagement, with such institutions.

Both male and female invalids resisted incarceration in the invalid depots through various labour self-help measures. The capacity to partially support oneself was more likely to endear an individual to the benevolent societies and the Administrator of Charitable Grants and thus enable them to access outdoor relief and an existence outside of an institution. Many invalids engaged in sporadic and seasonal labour in order to avoid permanent detention within a depot. Foremost amongst these was hop-picking. Many paupers, for example, chose to leave the NTCI during the hop-picking season and then reapplied for admittance once the crop had been harvested. The availability of casual agricultural labouring positions which afforded invalids an opportunity at securing an income were generally seasonally based. When this seasonality is taken into consideration with Tasmania’s temperate climate, it is understandable why charitable institutions experienced seasonal fluctuations in inmate numbers. The evidence given before the Royal Commission clearly indicates a significant rise in inmate numbers during winter. Dr C. E. Barnard, the Medical Officer to the NTCI, for example, reported that the number of invalids varied from time to time but that numbers were highest during the winter.\(^6\) This was an observation also made by other administrators and visitors.\(^7\) It reflects both the dearth in

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\(^6\) *TPP*, 15, 1888, Paper 50, p. 32.

\(^7\) *ibid.*, pp. 34 and 37; *TPP*, 32, 1888-9, Paper 11, p. 8; and, *TPP*, 15, 1888, Paper 50, p. 35.
agricultural labouring positions at this time and the need for the temperature sensitive elderly pauper to find shelter and escape the cold bite of winter.88

In order to leave the depot to engage in seasonal labour, any inmates who were still within their initial three month period of detention had to obtain a certificate from the medical officer.89 It would seem that this approval was relatively easily obtained. In response to a question before the 1888 Royal Commission regarding the fitness of female invalids to engage in hop-picking, the matron of the NTCI stated that it was 'better to let them go in a regular way than to allow them to evade the regulations.'90 Permitting inmates to leave the depot with its imprimatur would have allowed the institution to maintain a facade of authority in the face of a mass unsanctioned departure to the hop fields of New Norfolk. This appears to have been a situation in which anticipated inmate action affected the decisions of institutional administrators. The ability to leave the depot and freely engage with the outside world was important to invalids and demonstrated that institutionalisation was not their preferred mode of existence. If they were able to secure the means of survival on the outside then they would take that chance. According to Withrington, many paupers

88 The cold of winter was, and still is, a powerful force motivating invalids and paupers to seek institutional warmth during this season. It was evident not only in Tasmania but throughout the nineteenth-century Atlantic world. For example, *The Mercury*, of 12 May 1862, (p. 3 c. 4-p. 4 c. 1) published an excerpt regarding English pauper figures which had appeared in the *Times*. This article stated that: 'It is well known, and can be easily understood, that Pauperism has always a tendency to increase as winter sets in. Outdoor employment falls off, many trades come to a stand, and wages diminish exactly as the necessities of life become more urgent and costly. By the operation of these causes the list of Paupers is naturally swelled, till spring once more sets things flowing again, and brings back work and warmth together.' Likewise, in modern day India the same phenomena as was evident in nineteenth-century England and Tasmania is observable today. In New Delhi the poor and homeless apparently deliberately commit petty crimes with the onset of winter in order to gain a one to three month reprieve in the warm confines of the New Delhi Central Gaol, with food and basic clothing. Apparently this is an annual phenomenon lasting until 'it is warm enough for the poor to survive on the streets.' (*The Weekend Australian*, 27-8.12.1997, p. 5.) Viewed in this light the use of state institutions by paupers, in winter, whether in colonial Tasmania or modern day India, is part of a survival strategy. They were, and are, clearly manipulating the system to their own ends and not vice versa.


90 *ibid.*, p. 36.
did take the opportunity to leave the NTCI during the hop-picking season and then reapplied for admittance once the crop had been harvested.\textsuperscript{91}

TABLE 8.2: Numbers of paupers and invalids accommodated at Port Arthur, 1857-68, and the funds to which they were chargeable.

<table>
<thead>
<tr>
<th>DATE</th>
<th>Numbers chargeable to colonial funds</th>
<th>Numbers chargeable to imperial funds</th>
<th>Total Number</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>30.6.1858</td>
<td>154</td>
<td>120</td>
<td>274</td>
<td>\textit{BPP}, 14, p. 212; \textit{BPP}, 15, pp. 264 and 438.</td>
</tr>
<tr>
<td>30.6.1859</td>
<td>125</td>
<td>120</td>
<td>246</td>
<td>\textit{BPP}, 15, pp. 264 and 438.</td>
</tr>
<tr>
<td>15.3.1861</td>
<td>—</td>
<td>—</td>
<td>267</td>
<td>\textit{BPP}, 15, p. 421.</td>
</tr>
<tr>
<td>30.6.1861</td>
<td>70</td>
<td>205</td>
<td>275</td>
<td>\textit{BPP}, 15, pp. 438 and 584.</td>
</tr>
<tr>
<td>30.6.1862</td>
<td>52</td>
<td>227</td>
<td>279</td>
<td>\textit{BPP}, 15, pp. 584 and 719.</td>
</tr>
<tr>
<td>30.6.1866</td>
<td>71</td>
<td>213</td>
<td>284</td>
<td>\textit{BPP}, 16, pp. 388, 393 and 419.</td>
</tr>
<tr>
<td>30.6.1867</td>
<td>56</td>
<td>182</td>
<td>238</td>
<td>\textit{BPP}, 16, pp. 413, 416, 419 and 508.</td>
</tr>
<tr>
<td>30.6.1868</td>
<td>1</td>
<td>187</td>
<td>188</td>
<td>\textit{BPP}, 16, pp. 497, 500, and 508.</td>
</tr>
</tbody>
</table>

Quenching the thirst: absconding and alcohol

Under the \textit{Public Charities Act}, refusal to be transferred to another institution, or absconding or escape from an invalid depot, was punishable by imprisonment for a term of up to one month (with or without hard labour).\textsuperscript{92} Nevertheless, inmates did resist incarceration in charitable institutions by absconding. This information was not always recorded, and the LID was the only institution to systematically document the numbers absconding. These are presented in Table 3.1 from which it can be seen that there was always a

\textsuperscript{91} \textit{ibid.}, p. 34.
number of men prepared to oppose their detention and seek their liberty by escaping the confines of institutional space. From the annual reports of the Hobart Gaol, it is possible to determine that southern invalids were also prosecuted for absconding from invalid depots. For example, in July 1880, one prisoner was under sentence for having absconded from an invalid depot.\(^9\) In 1881, ten males were tried, convicted and received into the Campbell Street Gaol for breaches of the Charitable Institutions Act.\(^4\) Again in 1882, four male invalids likewise found themselves sentenced to two months in the Campbell Street Gaol for breaches of the Charitable Institutions Act. In the same year ten inmates of the LID were sentenced to the Launceston Gaol for breaches of the depot's regulations.\(^5\) Once again, such moves indicate the strong desire of invalids to determine their own destiny. It should also be noted that there was not universal support for sentencing invalids to prison for violating depot regulations. For example, the \textit{Report of the Commissioners into Penal Discipline in Tasmania} stated:

\begin{quote}
At Hobart we found numerous prisoners under magisterial sentences for absconding from, and trifling offences at, the Invalid depot. The transfer to the gaol is frequently regarded by such persons as an agreeable change from the monotony of life at the Depot, and, at best, is little or no punishment. Under such circumstances, and as the criminal statistics are on this account unduly augmented, we suggest that the law in this respect should be recommitted to the Depot instead of to the House of Correction.\(^6\)
\end{quote}

The Cascades was sited in a bleak, cheerless, isolated and cold location. Its thick walls prevented the penetration of external sound and their height the ingress of sunlight in winter. It was truly a disconsolate place, a place of misery. This was not lost on the inmates and there is evidence that the Brickfields was a preferred domicile by paupers to the Cascades.\(^7\) The conditions faced by invalids at the Cascades, its forlorn siting, its architectural failings, the dampness of its buildings, its inadequate food and the constant reminder of their advancing death through frequent interments in the

\(^9\) \textit{The Public Charities Act}, 1873 (37 Vict. No. 15), Section 10.
\(^4\) TLCP, 32, 1882, Paper 23, p. 8.
\(^5\) TLCP, 34, 1883, Paper 25, pp. 9, 12, and 22.
\(^6\) THAP, 44, 1883, Paper 44, p. 5.
institution's ever waiting cemetery were sufficient motive to cause inmates to regularly abscond. They would quit the place of their own will, even though they might only succeed in a temporary consolation outside its walls. Inmates absconding from the Cascades was a relatively common occurrence. For example, Charles Steventon did not return from a day pass on 21 August 1877, nor did Roger Williams and Samuel Poulson who absconded on 30 November 1878. When these absconders could be found they were returned by the police, as in the case of Thomas Cook who absconded on 15 April 1878, and was brought back to the institution at 9.00 pm the following day.

More often than not men did not so much abscond from depots as absent themselves without leave. They sought a temporary escape from the repressive environment of the depot and solace in alcohol. At the Cascades, for example, they would either present themselves at the gate having returned from a drinking spree, as did Daniel Murphy on 1 August 1878 and Samuel Aston on 3 October 1878; or, they would attempt to re-enter without detection. This could present difficulties, because, just as in contemporary prisons, a muster of inmates was conducted in the early evening allowing the authorities to identify any invalids who were absent without leave. Thomas F. failed in his attempt to re-enter undetected on 12 September 1877 and was subsequently reported for 'being absent without leave and returning drunk and conveying Spiritous liquor into the Depot'. William Moutton was discovered missing at the evening muster on 21 July 1877 but returned drunk later that evening. Moutton liked his drink and, on another occasion in December 1877 after being out on a day pass, was returned to the depot by the police in a very drunken state. Inmates returning drunk after been allowed out on a day pass were problematic for institutional authorities. Moutton was not an isolated case. For example, Timothy Shea returned late and drunk to the depot when allowed out on pass on 19 August 1878. Given that drink and drinking were part of pauper and emancipist culture,

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97 TLCP, 17, 1871, Paper 47, p. xxiii.
98 AOT: AA 492/1.
99 AOT: AA 492/1.
detention within a charitable institution was not going to deter the maintenance of this aspect of their lifestyle. It may have curtailed it to some extent but the institutional system simply did not have the means to eliminate alcohol from the lives of invalid inmates. Invalids absented themselves to drink, they got drunk when on day passes, and they smuggled alcohol into the institution whenever the opportunity arose. For example, Thomas Ghost and George Hutchins were reported on 26 July 1877, 'for Attempting to convey into the Depot Spirituous and fermented liquor' and William Thompson was sent to trial for being drunk and attempting to bring grog into the establishment on 26 May 1879. Absconding and breaches of regulations for offences involving alcohol were relatively common occurrences. Indeed the major breaches of regulations appear to have been returning drunk from a pass; or not returning at all; being absent without leave; attempting to smuggle alcohol into the establishment; disobedience of orders; using abusive, obscene, or threatening language; and fighting. These infractions of regulations were generally punished through withdrawing a man's tobacco ration, usually for a week.

While administrators regularly reported negligible or only minimal difficulty in maintaining discipline, institutional rules and regulations were challenged. Some of the ill-discipline alluded to in reports was related to trafficking in contraband. In evidence to the 1888 Royal Commission, Alfred Jones, the Superintendent of the LID, detailed the means by which Launceston invalids smuggled alcohol into the depot. Drink and drinking were clearly an important attribute of the social group from which inmates originated. William Smith O'Brien, the Irish 'political prisoner' commented

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100 ibid.
102 ibid., p. 57.
103 Marcus Rediker has discussed the importance of alcohol as a 'social cement' among eighteenth-century seamen. He has stated that 'Drinking occupied a central place in seafaring culture, ... Not only was drinking common; drinking to deadening excess was common'. He also stressed the importance of alcohol as offering a temporary release, an escape of sorts, from both the rigours and monotony of daily life. M. Rediker, Between the Devil and the Deep Blue Sea: Merchant Seamen, Pirates, and the Anglo-American Maritime World, 1700-1750 (Cambridge, 1993), pp. 191-3. These comments are just as pertinent to nineteenth-century Tasmanian emancipist paupers. The heavy binge drinking of
that 'Inebriation appears to be the only pleasurable excitement known to a very large proportion of the inhabitants of V.D. Land.'\textsuperscript{104} Even amongst the lower orders of the settlers, drinking was an important facet of their lives but there were recognised dangers. In relation to this Raymond Evans has argued that:

When the town worker, prospector or selector sought such temporary sensual escape [as drink could offer] from a lifestyle of exacting toil, they indulged heartily, yet with a clear knowledge that they ventured across a recognized colonial border — the frontier of bourgeois order and respectability; that if they remained there too long, their self-discipline would be shattered, and physical capacities destroyed.\textsuperscript{105}

Robert Venus, the Resident Overseer at the LID, reported that the only times that he had trouble with the male invalids was when they went out on passes and got drunk.\textsuperscript{106} Intemperate habits amongst invalid inmates had been stressed three years earlier in the Select Committee Inquiry into Charitable Grants. At this time it had been noted that upon being allowed out for a few hours inmates generally returned in 'a state of intoxication.'\textsuperscript{107} Nevertheless, this Select Committee, noting that not all inmates exhibited the same behavioural traits and reflecting the growing variance in the background of the inmate population, recommended that 'very much more liberty might be accorded than is presently allowed' to those 'feeble old people who [we]re known to be of sober habits'.\textsuperscript{108}

Those inmates that had a taste for alcohol resented the strictures placed upon them in regard to drink.\textsuperscript{109} Their efforts to obtain alcohol were clearly many

\textsuperscript{106} TPP, 15, 1885, Paper 50, p. 60.
\textsuperscript{107} TPP, 6, 1885, Paper 154, pp. 6, 15, and 33.
\textsuperscript{108} ibid., p. 6.
\textsuperscript{109} Withrington stated that the cause of much of the pauper community's prejudice toward the NTCl related to the inability of inmates to acquire beer. (TPP, 6, 1885, Paper 154, p. 19.)
and varied. Some, such as smuggling, were relatively crude in comparison to creating a situation in which alcohol was given out as official issue. Under instructions from the medical officer inmates could (and were) issued medical comforts. These consisted of items such as gruel, sago, arrowroot, and brandy. These items represented a recognition of the specialised medical treatment required for aged inmates. But by far the biggest item on the medical comforts list was rum with a 'great many [of the men] get[ting] rum.' Apparently rum was cheaper than milk (and thus economical) and the medical officer believed it to be more beneficial to their health. Unsurprisingly, the men preferred the rum to the milk. The belief in the superior medical benefits of rum when compared to milk might have been reflective of the effect that issues of rum had on the behaviour of inmates. A compliant demeanour on the part of inmates in response to rum, and recalcitrant conduct in relation to milk, may have effectively manipulated administrators to approve the issuing of rum.

**Active disruption**

The stopping of a man's tobacco ration could, however, elicit a backlash. Men protested having their tobacco stopped. For example, at the Cascades on 21 May 1878, Joshua Graves had his tobacco suspended. In response to this 'he took up the earthenware Chamber at his bedside and smashed it on the floor'. This was the second instance of Graves breaking his chamber. He made his intentions clear, threatening to break something every time his tobacco was stopped. Destruction of depot property was one of a number of avenues open to inmates to fight back against what they perceived to be a curtailment of their rights. Thus, John Fisher was reported for setting fire to his bed and destroying one bolster, one pair of trousers, one vest and one jacket. Generally, however, less dramatic but nevertheless effective means of resistance were employed. A favoured tactic was refusal to clean the chamber pot. For example, John Gibson, John Mundy and William Benwell were

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111 *ibid.*, p. 64.
112 *ibid.*, pp. 57 and 64.
reported for dirty chambers on 6 May 1878, as were Charles Pitt and George Deacon in May the following year. However, John Roberts appears to have been one of few inmates who pursued this form of resistance resolutely. He is first reported on 14 April 1879 for refusing to keep his chamber pot clean. For this disobedience he had his tobacco allowance withheld until his pot was cleaned. He re-offended with implementation of the same punishment on 22, 28, and 29 April. From the end of April it appears that he stayed firm in his resolve not to submit to the direction of the authorities and simply refused to clean his chamber. Consequently on 5 May he forfeited his tobacco ration once more and further sanctions were imposed throughout the following two months. As institutional records of this case do not survive beyond early July 1879, it is not clear how the situation was resolved.

In April 1875 the lavatory floor of the LID was described as being:

of common brick worn through in holes the water standing in them making the floor very wet the old men are in the habit of making water when they can on the floor here. The place stinks, horribly.134

The deliberate urinating on the floor by the old men may have been a form of resistance which reflected aspects of the manner in which both the subordinate and the dominant groups perceived one another. Firstly, the invalids recognised that this was a form of insubordination that would cause damage to the fabric of their incarceration and, at the same time, was likely to cause personal offence to those who exercised power over them, given prevalent sanitation and personal hygiene ideals among the middle class. Secondly, the paucity of evidence indicating such behaviour was harshly dealt with reflects an attitude, on the part of the institutional bureaucracy, that while not appealing (‘the place stinks, horribly’), such behaviour was to be expected from the pauper class. Thus, to some extent the invalids were able to escape punishment for their protest by putting on a mask, made not by themselves, but shaped by the opprobrious attitudes of the institutional

134 AOT: AA 492/1.
bureaucrats. We know from inmate complaints that invalids were concerned by issues of hygiene, but by performing these particular acts they were able to hide facets of their private transcript from the scrutiny of more intense surveillance and escape retribution (for they were, after all, only performing an anticipated role). Scott has described this as 'playing dumb', where 'subordinates make creative use of the stereotypes intended to stigmatize them.' Likewise, Eric Hobsbawm has discussed the systematic use of ignorance by peasants to frustrate the aristocracy, claiming that '[t]he refusal to understand is a form of class struggle.'

It is possible that the men chose to wear the 'dirty' invalid mask at this juncture as a form of protest against the inadequate lavatory and bathroom space which had been allocated to them. John Firth, the then Director of Public Works, stated that the bathroom was not large enough, at only 14 by nine feet, for nearly 140 men to wash in. Inmates were not being furnished with the necessary facilities to enable them to maintain personal cleanliness. As late as 1872, the institution had no bath despite this fact having been brought to the attention of the government the previous year by the Board of Visitors. In beginning to comprehend the needs of the aged invalid this situation was viewed by the Board as a major shortcoming. It was also seen as a serious omission in the battle against lice.

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114 AOT; CSD 10/16/237, Firth to Colonial Secretary, 22.4.1875. Note the more humanised terminology, not inmates or objects but people — 'old men'.
115 The terminology 'public transcript' and 'private transcript' are used in this thesis in accordance with meaning given them by James Scott in *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven, 1990). Scott uses the term public transcript to describe 'the open interaction between subordinates and those who dominate'. (p. 1) In this context 'Public here refers to action that is openly avowed to the other party in the power relationship, and transcript is used almost in its juridical sense (proces verbal) of a complete record of what was said. This complete record, however, would also include nonspeech acts such as gestures and expressions.' (ibid.) The private, or hidden transcript (as Scott refers to it), is record of communication between subordinates which is kept concealed from those who dominant.
118 AOT: CSD 10/16/237, Firth to Colonial Secretary, 22.4.1875.
119 TLCP, 19, 1873, Paper 8, p. 3; and, TLCP, 18, 1872, Paper 8, p. 3.
120 ibid.
Another area where the authorities regularly encountered inmate resistance was in getting them to bathe. The stubbornness displayed by invalids reflected age specific issues which were impacting upon them. This reluctance appears not to have been related to bathing *per se* but to the temperature of the water into which the inmates were expected to immerse themselves. For example, Lavington Thompson, the Surgeon Superintendent of the LGH and Visiting Medical Officer to the LID, believed that difficulty in obtaining hot water for use by the men was the principal factor in their unwillingness to bath. This may reflect the fact that the elderly and infirm generally feel the cold to a greater extent than the young and fit, and thus have a disinclination to bathing in cold water. They also had an aversion to cold draughts which were prevalent at the NTCI. Here the inmates sought to minimise the effects of these, caused by the substandard ventilation system, by closing up windows and openings. It was recommended that ventilators on the most modern principles, which cannot be closed, and which would not be open to the objection of draught, be introduced.

The 1879 rules and regulations of the newly combined male and female institution at New Town differed little from those which had been issued a decade earlier to charitable institutions. The emphasis continued to be on cleanliness, discipline, order and routine. But, in addition to these facets of institutional life, the rules provide an opportunity to reveal facets of inmate subculture and resistance to the authority of Withrington and his officers. They also expose potential and actual aspects of the power struggle which took place between the dominant and subordinate groups within the establishment. For example, the superintendent was to 'preserve strict

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121 *TPP*, 15, 1888, Paper 50, p. 64.
124 A copy of the new 'Regulations for the New Town Charitable Establishment' is to be found in *The Hobart Gazette*, 19.8.1885, pp. 1191-1196.
discipline in the institution' having regard to both staff and inmates. In order to aid the superintendent in maintaining discipline over his charges, the new rules further formalised disciplinary procedures. They reflected a move away from a stress on generalised offences to specific offences with explicit associated punishments; and as such these regulation changes represent part of the process of professionalising the bureaucracy. For example, any inmate who wilfully destroyed or injured any clothing or bedding was liable, upon conviction before a Justice of the Peace, 'to be imprisoned, with or without hard labour, for any term not exceeding three months.' Again, the presence of such a rule is indicative that such destruction of clothing and bedding had taken place at some stage. The rule was in existence not only to permit the punishment of offenders but also to act as a deterrent to others contemplating similar actions. Acts such as the destruction of government property, refusal to labour, disobedience of the superintendent's orders, absconding, needlessly soiling the floor or verandah, depositing ashes in improper places, deliberately dirtying bedding, soiling and disfiguring walls, and the use of insulting, profane and obscene language or expressions towards officers, are all specifically dealt with in the new regulations. Invalids did not always comply with instructions and accept the conditions of their existence without a fight. Inmate resistance had a manifest impact upon institutional authority and this is evident in the increasingly common practice, from the late 1870s onwards, of gaoling refractory invalids. In just the same manner that the constant routine and regulation of their existence must have worn away at invalid resolve, so too must the ongoing breaches of regulations and petty damage to institutional property have irritated administrators and disrupted the ordered space the bureaucracy coveted. It was not, however, all stick and no carrot. There were changes to the regulations related to inmate leave from the institution. Under rule 63 it was possible for an inmate to receive up to seven days leave upon application and approval of the superintendent. While

127 AOT: CSD 13/13/146, Dodds to Governor, 28.2.1881.
there were conditions attached, this presented inmates with a significant increase in their capacity to maintain contact with the external world and would have represented an imposing inducement to conducting themselves within the framework of the institution's rules and regulations.

Rations and resistance
The quality and quantity of rations and food supplied to invalid inmates was naturally of particular concern to them and they were quite forthright in complaining about any perceived irregularities. There were definitely instances when they would have had good grounds for complaint. The Government Analyst, for example, reported in 1884 that bread supplied to the LID 'was of bad colour, sodden, heavy, and insufficiantly baked; it contained an excessive quantity of salt (more than two per cent), and was considered unfit for human food.'\(^{128}\) He went on to state that the character of the bread and the excess of salt indicated 'the probable use of carbonate of soda and hydrochloric acid in the place of yeast.'\(^{129}\) Protests were also made against the quality of meat supplied. For example, inmates of the Cascades were quick to give 'Great complaint' regarding the quality of meat issued them on 18 November 1877.\(^{130}\) In early 1890, the inmates of the LID commenced a series of protests against the quality of the salt beef with which the institution was being supplied.\(^{131}\) As a result of their repetitious complaints, Alfred Jones and James Pardey, the Medical Officer, increased the frequency of their inspection of the meat.\(^{132}\) They regularly found the meat to smell 'rank and sour' and to have been 'turning putrid' when pickled.\(^{133}\) This eventuated in some 4687\(\frac{1}{2}\) lbs of meat, valued at £65.10.3, being condemned 'as unfit for human consumption.'\(^{134}\)

\(^{128}\) *TPP*, 5, 1885, Paper 32, p. 5. Also see AOT: CSD 7/38/602, Chapman to Colonial Treasurer, 8.6.1874, for complaints made regarding the inferior quality of bread supplied to a number of government institutions in Hobart Town.

\(^{129}\) *TPP*, 5, 1885, Paper 32, p. 5.

\(^{130}\) AOT: AA 492/1.

\(^{131}\) AOT: CSD 16/10/27, Jones to Chief Secretary, 13.3.1890.

\(^{132}\) AOT: CSD 16/10/27, Pardey to Jones, 11.3.1890; AOT: CSD 16/10/27, Note, Pardey, 12.3.1890; and, AOT: CSD 16/10/27, Jones to Chief Secretary, 13.3.1890.

\(^{133}\) *ibid.*

\(^{134}\) *ibid.*
Special 'indulgence' meals, such as that authorised for all inmates of the Port Arthur establishment upon the visit of the Duke of Edinburgh to Tasmania in early 1868, when a dinner 'consisting of roast beef, plum pudding, and a glass of ale' was served, were so infrequent as to not make up for the paucity of food in the diet.\textsuperscript{135} Withrington utilised this situation in an attempt to control inmates through the supply of rations; though he was frequently thwarted.\textsuperscript{136} Resistance took the form of insubordination and it was sufficient to cause administrators to cease further advances upon what the men perceived as their rights. It is apparent that while individual complaints are rare, mass resistance to proposed, or implemented, changes to which inmates objected, either took place or were threatened. Their protests were sufficient to at least maintain the status quo on some occasions. Inmates were not completely powerless in their interactions with institutional administrators. Their capacity to disrupt the order and discipline, so desired by their middle class controllers, gave them some leverage in negotiating conditions within the institutions. The administrators were not able to smoothly manage the institutions without the tacit support of the inmates. The theme of collaboration is one taken up by Hamish Maxwell-Stewart in relation to the engagement of convict workers, and in particular, convict constables at the Port Arthur Penal Establishment. Maxwell-Stewart convincingly argues that the operation of institutions, such as Port Arthur, would have been impossible without the explicit cooperation of inmates engaged in the daily functioning of such places.\textsuperscript{137} In discussing the complexities of institutional

\textsuperscript{135} Brand Papers, 18, Mitchell Library/Tasmanian Papers 315, Commandant to Comptroller General, 25.11.1867. A similar meal, consisting of roast beef, plum pudding and one pint of beer, was also approved, by the Governor, for the inmates of the Brickfields Invalid Depot celebrating the arrival of the Duke at this time. (AOT: CSD 25/18/1517, 4.1.1868.) Roast beef and plum pudding was the standard fare on Christmas Day at Port Arthur for all the various categories of inmates. See The Mercury, 28.12.1860, p. 3 c. 1-2, for an example of just such a meal in 1860.

\textsuperscript{136} TLCP, 13, 1867, Paper 4, p. 3.

\textsuperscript{137} H. Maxwell-Stewart, 'The rise and fall of John Longworth: work and punishment in early Port Arthur', \textit{Tasmanian Historical Studies} 6, no. 2 (1999), pp. 96-114. This is also a theme taken up in P. MacFie and N. Hargraves, 'The empire's first stolen generation: the first intake at Point Puer', \textit{Tasmanian Historical Studies} 6, no. 2 (1999), pp. 129-54; and, P. MacFie, 'Dobbers and cobbers: informers and mateship among convicts, officials and settlers on the Grass Tree Hill Road, Tasmania 1830-1850', \textit{Tasmanian Historical Research Association} 35, no. 3 (September, 1988), pp. 112-27.
life, Tasmin O'Connor has remarked in an argument related to convict
stations, but equally applicable to invalid depots, that:

> At penal stations we find complexity and diversity. We find the carrot as well
> as the stick — though it is the latter that sets the tone. We find a tension
> between the economic and penal imperative. We find apparent compliance and
> collaboration as often as we find defiance — indeed the whole gamut of the complex
> convict response — but we do not find ease.¹³⁸

Despite inducements in the form of incentives and small payments,
Withrington was adamant that many inmates capable of labour refused to
work.¹³⁹ As was seen in regard to northern invalids resisting transportation
south, those whose health enabled them to confront institutional regulations
were, unsurprisingly, those who fought hardest against the controls placed
upon their lives. Attempts by Withrington to discipline these men were
thwarted by the actions of other inmates. For example, one of the means that
Withrington had at his disposal for punishing malingerers was to place them
on a reduced diet. From the evidence he gave to the 1863 Joint Committee on
Prison Labour Inquiry, however, it would appear that Withrington was
somewhat frustrated in this disciplinary measure as a result of the operation
of an internal moral economy. The other men would supply them with
additional food. O'Connor has recorded a similar situation in relation to the
Morton Bay Penal Settlement. She describes how men who had completed
their servitude and refused to continue to work were refused rations, but did
not starve as they were supplied by men still under sentence. She argues that
these latter men 'no doubt felt the vicarious pleasure from these acts of
blatant insubordination worth both the risk and the hunger pangs.'¹⁴⁰

Invalids held clearly defined ideas as to the balance of the power relationship
between themselves and the authorities. The Commandant of Port Arthur

¹³⁸ T. O'Connor, 'Buckley's chance: freedom and hope at the penal settlements of Newcastle
¹³⁹ The 1863 Joint Committee on Prison Labour report states that those inmates employed at
the Brickfields as warders were remunerated for their services at 4d. per day, whilst those
engaged at gardening and other activities were rewarded with a fig of tobacco each week.
(THAP, 10, 1863, Paper 82, p. 21.)
¹⁴⁰ O'Connor, 'Buckley's chance', p. 120.
reported that he experienced difficulty dealing with idle, ill-conducted paupers, some of who he described as being ‘most insolent’ to the extent that their behaviour threatened the preservation of ‘authority and the order and comfort of the depot.’\textsuperscript{14} This particular management concern came to a head in mid 1867 when a new ration scale for paupers effectively removed the Commandant’s capacity to enforce discipline by placing refractory inmates on a reduced diet. This had been a very effective disciplinary tool, food being an important issue with inmates. Only one official complaint has survived from this period. Thomas Reynolds, a free invalid, wrote to the Governor in June 1868 requesting that he be given some remunerative employment at Port Arthur. In this letter he stated that the rations were so small that he was often ‘in want of food’ and that his meat ration, after deducting bones, only amounted to one pound three ounces per week and that this was insufficient for the physical labour of the farm gang to which he had been ordered.\textsuperscript{15} In August of the same year, the paupers and invalids were successful in protesting a change in their rations which would have seen eight ounces of meat replaced by two eggs. As a result of their resistance to this proposed change, brought about by a surplus of eggs from the establishment’s farms, the inmates were able to increase the number of eggs substituted from two to three.\textsuperscript{16} For cleanliness, discipline and order to be seen to be maintained, the institutional administrators required the cooperation of the inmates and, in this case the price for that cooperation was three, and not two, eggs.

There is evidence that invalids protested against their 1876 removal to Port Arthur. They were particularly angered that the conditions at Port Arthur differed, for the worse, to those that they had experienced in Hobart Town. Of considerable importance to them upon their arrival at Port Arthur was the ration scale. In comparison to the Cascades the Port Arthur ration issue was significantly less (see Table 8.3). Most notable is the marked variance in the

\textsuperscript{14} Brand Papers, 18, Mitchell Library/Tasmanian Papers 315, Commandant to Comptroller General, 29.6.1867.
\textsuperscript{15} Brand Papers, 18, Mitchell Library/Tasmanian Papers 315, Reynolds to Governor, 4.6.1868.
\textsuperscript{16} Ibid., 31.8.1868.
scale of the tobacco allowance and the difference in the basis for tobacco being issued. In correspondence to the Colonial Secretary, the then Civil Commandant of Port Arthur, John Coverdale, stated that the differences in the scale had resulted in dissatisfaction amongst the men. Coverdale does not explicitly declare his position, but the reader is left with no doubt as to his sympathy with the invalids on this issue. Possibly because of this, or because of a sense of fair play, or both, Thomas Reibey, the Premier and Colonial Secretary, gained the Governor’s assent in approving the use of the Cascade scale at Port effective from 1 September 1876.

**TABLE 8.3: Comparison between the daily ration scale of the Cascades Invalid Depot and the Port Arthur Invalid Depot for August 1876.**

Based upon information contained in AOT: CSD 10/41/815 and principally AOT: CSD 10/41/815, Coverdale to Colonial Secretary, 12.8.1876.

<table>
<thead>
<tr>
<th>Item</th>
<th>Cascades</th>
<th>Port Arthur</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bread</td>
<td>(20%) 1 1/2 lbs.</td>
<td>(12%) 1 lb 6oz</td>
</tr>
<tr>
<td>Meat</td>
<td>3/4 lbs.</td>
<td>Alternative days 6 and 8 oz</td>
</tr>
<tr>
<td>Vegetables</td>
<td>3/4 lbs.</td>
<td>1 lbs.</td>
</tr>
<tr>
<td>Tea</td>
<td>1 1/4 OZ</td>
<td>3/16 OZ</td>
</tr>
<tr>
<td>Sugar</td>
<td>1 1/2 OZ</td>
<td>1 OZ</td>
</tr>
<tr>
<td>Barley</td>
<td>1/2 OZ</td>
<td>1/2 OZ</td>
</tr>
<tr>
<td>Salt</td>
<td>1/2 OZ</td>
<td>3/4 OZ</td>
</tr>
<tr>
<td>Soap</td>
<td>1/2 OZ</td>
<td>5/16 OZ</td>
</tr>
<tr>
<td>Tobacco</td>
<td>1 oz weekly, and Δ oz extra for each working man weekly</td>
<td>1/4 oz to well conducted</td>
</tr>
<tr>
<td>Pepper</td>
<td>1/100 OZ</td>
<td></td>
</tr>
<tr>
<td>Rice</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td>Milk</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td>Oatmeal</td>
<td>—</td>
<td>2 oz</td>
</tr>
<tr>
<td>Molasses</td>
<td>—</td>
<td>1/2 OZ</td>
</tr>
</tbody>
</table>

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144 AOT: CSD 10/41/815, Coverdale to Colonial Secretary, 12.8.1876.
145 AOT: CSD 10/41/815, Reibey to Colonial Storekeeper, 30.8.1876.
Invalids assert their 'rights'
Thompson was one of a number of officials, who before the 1888 Royal Commission admitted failings in the charitable system, such as the substandard accommodation at the LID. However, they were prepared to accept the *status quo* on the basis of the class from which invalids originated.\(^\text{16}\) Paupers, however, were not subservient in making demands for assistance. Increasingly the aged and infirm poor came to believe that access to out-door relief and government support in their time of need was a right. The Reverend J. L. Simmons, Chairman of the HBS, stated that 'They [paupers] do not ask for charity — they make a demand.'\(^\text{17}\) Not only was assistance being demanded as a right, but those making such claims 'deem[ed] it no disgrace'.\(^\text{18}\) Such a non-compliant stance was unlikely to meet the approval of the benevolent societies who expected docile submission and penitent gratitude from those they relieved. But it did play a role in improving conditions for the aged poor and improving emancipist access to out-door relief. When inmates came to express, in writing, their protestations, they created a whole new set of problems for administrators which are addressed in the following chapter.

\(^{16}\) *TPP*, 15, 1888, Paper 50, p. 64.

\(^{17}\) *ibid.*, p. 8.

\(^{18}\) *ibid.*, p. x.