CHAPTER 10

Poverty is their misfortune, not their crime

You know little and care less of the world of the living dead, but because it is part of your bigger world, you must learn to feel the sadness, misery, the madness and above all, the flaming injustice of it.¹

The dissemination to Tasmania of new ideas, such as those related to institutional building standards, ventilation, sanitation, medical treatment and aged care, appears to have been rapid, but the impetus and means to implement such concepts was frequently lacking. Often it was either pressure from the community through newspaper exposure, or influence from above, which compelled institutions to engage new thinking in a practical way. The previous chapter detailed inmate voices of opposition. This chapter documents the objections expressed by those members of the middle class who supported reform of the colony’s charitable institutions.

The middle class was divided in how it believed the state should manage pauper invalids. On one side there were those, as epitomised by the benevolent societies, who held a very conservative position which sought to blame, stigmatise, alienate and punish pauper invalids within the confines of institutional space. There was, however, opposition to this punitive approach to aged poor management reflective of a growing social reform movement. Even in the late 1850s, The Mercury was highly critical of the government for the continuation of the practice of detaining invalids under the vagrancy laws. In May 1859, in an editorial on the subject, it went as far as to describe the government as ‘heartless and unfeeling’.² The paper opposed the administration’s position which appeared to be that the emancipist pauper was in some manner less deserving of state compassion. It deplored the refusal of the authorities to appropriately and benevolently address the

² The Hobart Town Daily Mercury, 19.5.1859, p. 2 c. 1-3.
invalid crisis and alleviate the condition of the infirm. The subjection of pauper invalids to the vagrancy law was perceived as a harsh and degrading response. It appeared that poverty resulting from infirmity and age was only to be relieved if the invalid was transformed into a felon. That moral debasement was the only price at which the government would dispense relief, was strongly rebuked. The paper stated that it was an abominable system in which poverty was 'treated as a degradation; affliction as crime."
The editor did not believe it the fault of the individual that they had been struck down with an infirmity. The invalid was blameless for his circumstances. He maintained that:

The character of the Colony is irreparably injured by the toleration of a system so opposed to all feelings of humanity. By a mere fiction the government is presumed to represent the popular voice; and unless, therefore, we demand that this inequity be done away at once we cannot blame disgrace which such a law as this must fasten upon any community professing to be under the humanizing influences of philanthropy and religion."

By the late 1850s and early 1860s, there were murmurings in the print media that the provision for the infirm and destitute at both the HGH and Port Arthur was flawed. Institutionalisation of invalids was said to be 'strangely inadequate and ineffective.' This comment was specifically directed at the convention of sentencing and imprisoning destitute pauper emancipists as idle and disorderly. By 1860, The Mercury was applauding the founding of alternative institutions, such as the Female Infirmary and the Brickfields, for their reception, as these establishments permitted some classification between the deserving and undeserving. The unworthy being the idle and dissolute beggars who were seen as proper subjects for imprisonment under the vagrancy laws. However, the 'really unfortunate and necessitous individual' did not deserve 'the same initiatory penal-discipline' which merely secured

3 ibid.
4 ibid.
5 ibid.
6 The Hobart Town Daily Mercury, 20.5.1859, p. 2 c. 3.
7 The Hobart Town Daily Mercury, 13.3.1860, p. 3 c. 5.
8 ibid.
for them 'a miserable subsistence for the remainder of their wretched lives.' The opening of new institutions was most welcomed, as it reassured the public that due attention was being paid to the management of paupers, who would not in the future 'be exposed to trial and imprisonment for the unpardonable crime of poverty, and whose waning lives would pass away without exposure to the fate of a felon.' However, the establishment of new institutions did not eliminate the practice of sentencing destitute pauper invalids to penal institutions; it merely expanded the options available as to where such individuals could be sent.

Management practices within the new institutions were also subject to criticism, such as the confinement of invalids to the upper storey of the LGH. Not all in the community accepted that such restriction was in the best interests of the invalids. Objections to this practice were voiced once it became public knowledge. The principal protagonists in the campaign against the confinement of the invalids were the Reverend John Williams and J. P. Jones, both of Westbury, a district with several long-term 'patients' in the LGH. Williams and Jones challenged the position taken by John Miller, the Superintendent of the LGH, on this issue. They were blunt but eloquent in their addresses to the Colonial Secretary. They stressed that their complaint was not against the general management of the LGH or the treatment of so-called 'medical' patients, but rather they narrowed their criticism to a very specific indictment.

[Were] the invalids stationed in the Launceston Hospital confined altogether to an upper story [sic] of the building with no opportunity for enjoying fresh air and exercise beyond what limits of a verandah may afford them? For example, in March, 1870, Joseph Gettridge, described in The Mercury as a 'miserable-looking specimen of humanity' was charged with 'being an idle and disorderly person, sleeping in the open air, and having no visible means of subsistence.' He received a sentence of six months imprisonment. (The Hobart Town Daily Mercury, 21.3.1870, p. 2 c. 6.)

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9 ibid.
10 ibid.
11 For example, in March, 1870, Joseph Gettridge, described in The Mercury as a 'miserable-looking specimen of humanity' was charged with 'being an idle and disorderly person, sleeping in the open air, and having no visible means of subsistence.' He received a sentence of six months imprisonment. (The Hobart Town Daily Mercury, 21.3.1870, p. 2 c. 6.)
12 AOT: CSD 25/13/901, Williams to Jones, 5.9.1866; AOT: CSD 25/13/901, Williams to Colonial Secretary, 5.10.1866; and, AOT: CSD 25/13/901, Jones to Colonial Secretary, 8.10.1866.
For if this was the case then it was ‘a disgrace to a Christian country.’

Miller conceded that the invalids were indeed confined to the upper storey as charged, but his defence this position demonstrated that he had failed to grasp the essence of the argument but forward by Williams and Jones. At issue was not the quantity of space that the invalids had (Miller argued that there was more than sufficient cubic feet available), but the quality of that space and the quality of life it offered. Miller maintained that the system was justified on the grounds of convenience, in that it afforded an extremely effective means of supervision. He then went on to state that such confinement was of no grievance to people of the ‘the lower order of the Tasmanian population’ from which the invalids came. This was no doubt a reference to their convict precedents which, if anything, would more likely have installed a hatred of such confinement rather than an eagerness to embrace it. The upper storey also offered a magnificent view which could not be obtained from the ground floor. But the issue was not that the invalids were accommodated on the upper floor but that they were restricted to this space. Again Miller missed the point of Williams and Jones’ case. Further, Miller singled out the very favourable remarks made by medical men from neighbouring colonies about the system he had instigated. This was a point of view hotly contested by Williams, who elevated the argument above such parsimonious matters when he stated to the Colonial Secretary:

But Sir I maintain this is a question upon which we do not need to seek medical testimony, it appeals to the very interests of our common humanity. The invalids of whom we speak are not always sick persons or even convalescents but such as from ages or infirmity are unable to earn a livelihood & are therefore maintained by the State. But are they Sir on this account to be confined to an upper story [sic], to tread the Earth no more, to be confined to the dreary limits of a verandah when they seek air, exercise & may I not add recreation. Is the love of liberty so dead within them that they may be kept as birds in a cage [... ?!] all this to be no hardship because they have a given number of square feet to traverse.

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13 AOT: CSD 25/13/901, Williams to Colonial Secretary, 5.10.1866.
14 ibid.
15 AOT: CSD 25/13/901, Miller to Colonial Secretary, 17.9.1866.
16 ibid.
Both Williams and Jones forcefully argued that measures had to be immediately taken to ameliorate the conditions under which invalids were confined in Launceston.  

The position Miller took in this matter was at odds with his previous stance on the treatment of invalids. It is likely that personal disappointment at the failure of the LGH to achieve his expectations played a prominent role in his attitude. He had campaigned extremely hard for a new hospital in the late 1850s and had fought vigorously in the early 1860s to ensure that it benefited from all the latest theories of hospital construction. Miller and the board had been extremely proud of their creation. They regarded it 'as a building eminently suited for the purpose for which it is intended, and the possession of which may be to the public of Launceston a subject of congratulation.' This purpose was the treatment of medical cases and not the care of pauper invalids. Miller was first and foremost a medical man and therefore it must have been a devastating personal blow to see his dream of a medical establishment effectively nullified by the ongoing presentation of relatively significant numbers of invalids. He had failed in his bid to create a medical establishment and instead he was again faced with the conditions of the old Cornwall Hospital which he had so much wished to escape.  

During the 1860s, as a means of effecting classification between medical patients and invalid inmates, the HGH operated a policy of transferring bedridden cases and those chronic and incurable cases requiring constant medical attention to the Brickfields and Cascades. William Crowther was one

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17 AOT: CSD 25/13/901, Williams to Colonial Secretary, 5.10.1866. (Emphasis mine.)  
18 AOT: CSD 25/13/901, Williams to Colonial Secretary, 5.10.1866 and AOT: CSD 25/13/901, Jones to Colonial Secretary, 8.10.1866. There are also other pertinent reasons as to why it was objectionable to accommodate invalids in upper storey wards, such as the fatiguing nature of stair-climbing for aged and infirmed persons, and danger to the inmate should they miss their footing and fall. By the 1890s it was recognised, at least in South Australia, that accommodating invalids where stair access was required was careless and rash. See ML 361/A, Proceedings of the First Australasian Conference on Charity. Held in Melbourne. From 17th to 21st November, 1890. Convened by the Charity Organisation Society of Melbourne (Melbourne, 1891), p. 80.  
19 TLCP, 7, 1862, Paper 21, p. 3.  
20 AOT: CSD 25/13/901, Miller to Colonial Secretary, 17.9.1866. (Emphasis in original.)
of several reformists who was vocal in his opposition to this practice. In 1871, he detailed his opposition before a Royal Commission into charitable institutions. From his evidence we gain a completely different picture of conditions within the Cascades and the Brickfields. It is hard to imagine that the institutions Crowther elaborated upon could possibly be the same ones that so many other observers described as clean, comfortable, orderly and well disciplined. Crowther was very critical of these charitable institutions confining inmates who he believed were subjects more fitting to a hospital, concluding that the institutions were ill-suited for their purposes. With regard to the situation at the Brickfields he stated:

When I last visited the Brickfields I found 14 individuals in bed, a considerable number of which were in a ward 27 x 29, and only 11 feet high. One, a man named Howe, the subject of chest disease with spitting blood, complained of the heat and stench at night, from the numbers the ward contained and the nature of their maladies. He had never left his bed since arrival at the Brickfields. His was a case that ought to be in an infirmary. I maintain there should be plenty of space. There ought to be an Infirmary.\textsuperscript{21}

Crowther received some support from Dr William Benson, the Cascades Medical Officer, regarding his criticism of the Brickfields and Cascades being used as invalid depots and of the treatment of ‘medical cases’ in these institutions. Benson did not accept, from a sanitary perspective, that the Cascades was a suitable place to accommodate invalids. He believed that it was poorly sited, being built on low lying ground which had been effectively a morass. Its high walls prevented sunshine from finding its way into the depot giving it an overall cheerless demeanour.\textsuperscript{22} He reserved his most

\begin{footnotes}{\textsuperscript{21}}TLCP, 17, 1871, Paper 47, p. 94, paragraph 546.\end{footnotes}

\begin{footnotes}{\textsuperscript{22}}ibid., p. 98, paragraph 593.\end{footnotes}

This perspective of the Cascades was still prevalent some 15 years later when, in an article on the hospital for the insane then occupying part of this institution site, The Mercury stated: ‘A glance at the locality is sufficient to show that it is quite unfit to be the site of a lunatic or any other asylum. The buildings lie at the bottom of a gully, and are damp in the extreme, for besides being liable to the mists that continually settle on the slopes of Mount Wellington, they are flanked by a lofty range of hills which in winter-time rob them of the sunlight for the best part of the day.’\textsuperscript{(The Mercury, 24.2.1885, p. 3 c. 1-2.)} Clearly, the Cascades was one of the poorest locations possible to site institutions for the confinement, care and management of society’s deviants. It is also highly improbable that its penal architecture would in any manner have assisted in the tasks it was put to during the last three decades of the nineteenth-century. A point not lost on The Tasmanian Tribune (11.12.1874, p. 3 c. 4-5) in an article they wrote reviewing the Female House of Correction.
scathing remarks for the site of the invalid hospital wards at the Cascades. There were four wards used in this establishment for accommodating bedridden cases. These, according to Benson, were located ‘in the worst part of the building, where there is a want of air, and where the ventilation is bad.’ Another opponent of the use of the Cascades as an invalid depot was Dr Edward Swarbreck Hall, a medical and sanitary reformer, long time health officer for Hobart Town and Chairman of the Executive Committee of the HBS. Hall, uncharacteristically for a member of the ultra-conservative HBS, displayed compassion and sympathy for the plight of those invalids sentenced to the Cascades. When he looked at these men and women he saw not idlers, drunkards, vagabonds and mendicants but ‘poor creatures who are from disease and old age incapable of supporting themselves, and who are without relatives or friends to aid them.’ He believed that it was:

the duty of every Christian Government to do all that can be done to smooth the hard passage to eternity of those whose bodily ailments are pronounced by medical judgement to be hopelessly irremediable.

Given this conviction, it is understandable that Hall was very much against the use of the Cascades as an invalid depot, especially considering that, in his opinion, it shut inmates out from any pleasant surroundings. Like other reformers of his day, Hall held that care of the aged needed to sever its past association with penal management. This is reflected in his opinion of the Cascades. He believed it to be ‘a positive cruelty to make this misplaced, gloomy old prison with all its penal associations, a refuge for invalids.’ Hall applied further pressure for improvements to the conditions at the Cascades by arguing his case in a couple of lengthy items in The Mercury. In a letter to the editor, he stated that the conditions at the Cascades were even more pitiable than those of the Brickfields, an institution he had previously

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24 ibid., p. 84.
25 ibid.
26 ibid.
denounced. He described what he found upon an inspection of the Cascades conducted on 16 May 1871 as follows:

The hospital wards are utterly unfitted for the humane treatment of the sick on modern principles. One small room with one window, a fireplace, and a rude unguarded hole direct through the outer wall for ventilation, contains four beds all occupied. The air-space from wall to wall and floor to ceiling is about 1,400 cubic feet, so that deducting the space occupied by the bodies of the patients, beds, etc., etc., each individual has only about 300 cubic feet of breathing room, being actually less than the lodging-house law for London, and I think for Tasmania also, requires for tramps. The army regulations order just over four times as much as the minimum allowance in military hospitals in temperate climates, with the best ventilation that scientific skill has yet devised. All the other wards are nearly as defective as this is in this most important of all sanitary requirements. Not a hair mattress, pillow, etc., in any one of them. In most to give sufficient elevation to the head and shoulders the poor sufferers are obliged to stuff under their straw pillows all their body clothing. There are sheets in the lower wards but none in the upper. The blankets had not a very satisfactory appearance as to cleanliness. I could not find even that there was any regular renewal of the straw beds. In fact the spirit in which the instructions for the management of convict hospitals was formerly couched, seems to be utterly disregarded here. . . . The soup was good, but I suspect most of the toothless old men, aged from 70 to 94 years, . . . could scarcely masticate the solid food. 27

The Mercury published an ensuing letter, in which Hall continued to expose the grim conditions facing the Cascades inmates.28 This time he concentrated on conditions in the female invalid wards and pointed out that it appeared that they were being treated worse than prisoners. The women themselves unfavourably contrasted the institution with the old Female Infirmary. Hall stated that those who had formerly been accommodated at the Female Infirmary complained bitterly of their treatment at the Cascades, at its prison character and of their desire to be elsewhere. 29

That the treatment invalids received in the depots was significantly inferior to that which was offered hospital patients was a matter of great concern to Hall. He believed that persons suffering from ailments should receive equal care and treatment whether they be accommodated in a hospital or invalid depot. He deplored that:

27 The Mercury, 23.5.1871, p. 2 c. 7-p. 3 c. 1. (Emphasis in original.)
28 The Mercury, 27.5.1871, p. 3 c. 2-3.
The patient who leaves an ordinary well ordered hospital on receiving the fearful sentence that his case is hopeless, has to bear not alone with that doom of despair; he has to lose at the same moment every alleviation which his sufferings had hitherto received. We see numbers suffering agonically of weariness, or losing their last chances of recovery because they are unable to sit on the hard benches, which are the only alternatives to their beds. Members of an 1871 Royal Commission stated that they found the colony’s depots to be commodious, clean and comfortable, especially the Brickfields. In evidence before the 1871 Royal Commission, Hall contradicted this assessment describing an institution in which the conditions were anything but comfortable. He was highly critical of both the lack of comfort afforded the inmates and also of the substandard medical attention they received. His comments document the austere conditions which invalids had to endure. In regard to the comfort and medical treatment of the aged poor at the Brickfields, Hall stated:

The accommodation, however, for those hopelessly diseased is altogether insufficient. Of all classes of sufferers these are those who should command the warmest sympathy, and every appliance to relieve the tortures, mental and bodily, that such a state entails. For bed-ridden old men, some nearing their hundredth year (one aged 92 died last month), to have only straw beds and pillows, and those who can sit up no easy reclining chairs, etc. is a condition I am sure that any feeling person who knows the uneasiness resulting from confinement to bed for a few days only, with everything to relieve hard pressure on the body, can readily appreciate and deplore. There is not a hair-mattrass (sic.), a water bed, an air-bed or pillow, etc. in the establishment for the comfort of any sufferer, though his flesh may be rotting for the want of it. If such things are deemed essentially requisite for the treatment of the sick in hospitals where acute diseases only are admitted, how much more necessary must they be in Institutions where the hopelessly diseased are treated? Months, nay years of physical torture is undergone by cancerous and other diseases without hope of cure, but whose sufferings ought to be mitigated by every appliance and comfort that human skill and Christian kindness can devise.

The medical attendance is not sufficient. Two hundred (200) and more invalids require a much better provision for their treatment than the present arrangement admits of. When so many duties are forced upon one person, some must be neglected. The Resident Medical Officer of the Hospital ought to be confined strictly to the attendance on that establishment alone. The medical attendance is not sufficient. Two hundred (200) and more invalids require a much better provision for their treatment than the present arrangement admits of. When so many duties are forced upon one person, some must be neglected. The Resident Medical Officer of the Hospital ought to be confined strictly to the attendance on that establishment alone.29

29 ibid.
30 ibid., p. 2 c. 7-p. 3 c. 1.
31 TLCP, 17, 1871, Paper 47, p. xxiii.
32 ibid., pp. 83-4. (Emphasis mine.) There is some evidence, from Dr William Benson, the medical officer at the Cascades, that straw filled mattresses were deliberately used as they were easier to change should they become soiled, which appears to have been a regular occurrence amongst bedridden invalids. (ibid., p. 99, paragraph 604). Hall’s protestations in regard to the type of mattress used at the Brickfields had limited success in improving inmate conditions. The Mercury (23.5.1871, p. 2 c. 7-p. 3 c. 1) reported that a small
That the inmates of the Brickfields should ‘command the warmest sympathy’ is a conviction radically at odds with prevailing middle class sentiment, and in the early 1870s Hall was very much ahead of his time. He was a middle class man sympathetic to the plight of the aged poor, a man aware of the needs of this group and, in particular, their specialised medical requirements. He had a very different perspective to that held by most of his contemporaries. While clearly influenced by his religious beliefs, his perception of the problems facing invalids in a medical, as opposed to solely moral, light denoted a significant shift in, and addition to, middle class attitudes towards the emancipist poor.

Middle class reformers had an impact in terms of the conditions inmates encountered within institutional spaces and as catalysts in changing the wider public opinion of invalids. Annual and other official reports related to the Cascades, for example, indicate that internal conditions were well ordered, that it was clean and that good discipline was maintained. Life inside for the inmate was, however, anything but favourable. Evidence from external observers indicates that conditions were defective in many respects. The humanitarian Phillip T. Smith and his daughter, Marian, regularly visited the Cascades and other government charitable institutions over a great many years and were reproachful of the management of the institutions they

Members of the 1871 Royal Commission, in keeping with the poor law mentalité of ‘less eligibility’, believed it would be pernicious to ‘make institutions designed for the relief of pauperism more attractive than the home which the honest self-denying workman can hope to secure for himself in old age by the observance of habits of temperance and economy. Public charity should not be so much a boon, as a mitigation of the consequences of the neglect or violation of wholesome general laws.’ (TLCP, 17, 1871, Paper 47, p. xxiii.)

It is important to note that there was a diverse range of opinion amongst the middle class regarding the treatment of paupers and invalids, and on public charity in general. In their introductory remarks to their report, the 1871 Royal Commissioners noted that they themselves were not unified on all the opinions it contained. They stated that ‘The question of Public Charity is one on which fundamental differences of opinion prevail, and it is impossible in a Report of this character to avoid the expression of views which do not harmonise equally with the sentiments of every Member of a Commission in which these differences are represented.’ (ibid., p. v.)
encountered.\textsuperscript{35} Their subsequent written complaints give an insight into life inside these institutions and insights into the reformist mind. They also lend credence to the few surviving documented complaints made by inmates. Further, they exposed and brought attention to irregularities which justify suspicion of other improprieties taking place outside the realm of independent observation.

In late October 1873, for example, the Smiths' complained about the rations being issued to the old pauper women. They alleged that the women were issued with boiled bullocks' liver and potatoes for their dinner.\textsuperscript{36} They argued that not only did such offal not form part of government rations, but that such a mode of cooking rendered its mastication near impossible for aged inmates, many of who were toothless. To press home the point, three portions of the meat were forwarded with their complaint directly to Thomas Chapman, the then Colonial Secretary.\textsuperscript{37} Chapman acted immediately and wrote to Ringrose Austin Atkins, the then Superintendent of the Cascades, demanding an explanation as boiled liver did not meet the requirement that the inmates be 'supplied with good wholesome food.'\textsuperscript{38} Atkins responded by stating that the Smiths' were mistaken in what had been served to the inmates; it was boiled bullocks' heart not liver.\textsuperscript{39} Whilst bullocks' heart is very nutritious it would appear that Atkins missed the point. It did not matter how wholesome the food might be, if it could not be consumed, then it was nutritionally useless.

Atkins disliked Marian Smith's visits to the pauper female wards at the Cascades but his challenge to them failed and within a month he was having

\textsuperscript{35} Philip Smith had a long history as an advocate for disadvantaged groups, which had its origins in the anti-transportation movement. In the 1840s he had argued against assignment, comparing it to slavery. With the cessation of transportation he had turned his attention towards invalids, acting as an advocate for social reform of their treatment. See J. Hargrave, 'A pauper establishment is not a jail: old crawlers in Tasmania 1856-1895', unpublished Master of Humanities dissertation, University of Tasmania, 1993, pp. 77-81.
\textsuperscript{36} AOT: CSD 7/59/1436, Smith to Chapman, 29.10.1873.
\textsuperscript{37} ibid.
\textsuperscript{38} AOT: CSD 7/59/1436, Smith to Atkins, 29.10.1873.
\textsuperscript{39} AOT: CSD 7/59/1436, Note, Atkins to Colonial Secretary, 31.10.1873, appended to AOT: CSD 7/59/1436, Smith to Atkins, 29.10.1873.
to again answer to the Colonial Secretary in response to issues raised by the Smiths'. This time the complaint related to a bedridden woman, Susan Carr, who suffered from an unspecified disease, but most likely severe bed sores and an ulcerated leg. They alleged that Carr had been left in a foul state. According to Marian Smith, who was visiting another woman, Ellen Mitchell, the 'smell was most offensive fully 3 yards off, and I was unable to remain with Mitchell, whose bed is only 4 feet away.'

This particular case raised several points. Firstly, the ethical issue of what medical, let alone psychological, effects this situation had on the other women in the ward; secondly, there was the concern of patient hygiene; and, thirdly, there were the issues of safety (particularly in terms of fire evacuation) and incarceration, in that the ward which was reserved for bedridden cases was located in an upper storey. P. T. Smith viewed the medical treatment of inmates and the quality of accommodation at the Cascades as being negligent and defective. Indeed, he stated that medical treatment was at best unsatisfactory and careless, and at worst inhumane.

In the early 1870s a number of complaints regarding the management of the Brickfields found their way into the newspapers of the colony. In July 1873, for example, The Tasmanian Tribune printed an article entitled 'Disgusting Sight at the Brickfields'. This article detailed the state in which, upon a visit by friends, one of the inmates was encountered. According to the report the conditions to which this individual was subjected were as follows:

> vermin were crawling over his body, and ... his bedding was in a most filthy condition, the pillow being in such a black and greasy condition that, to use the words of our informant, "it will soon stick to the poor fellow's cheek."  

Reports such as this demanded government action to improve management practices at the depot. The call for reform came not only from the newspapers but also from vocal middle class reformers. By the mid 1870s, P. T. Smith had

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40 AOT: CSD 7/59/1436, Enclosure, Smith to Benson, 17.11.1873, in Smith to Chapman, 17.11.1873.
41 AOT: CSD 7/59/1436, Smith to Chapman, 17.11.1873.
42 The Tasmanian Tribune, 9.7.1873, p. 2 c. 4.
established a track record as an advocate for invalid concerns. In April 1875, he passionately drew the government’s attention to the appalling conditions in which invalids were kept at the Brickfields. Of particular concern to Smith were some of the consequences of overcrowding, such as inadequate built space, especially in terms of daytime accommodation. For more than a year Smith had been pressing this issue with the Colonial Secretary, but to no avail. He was frustrated at the apparent inaction of the government to make good its undertakings that it would address the problem by erecting a new building within the grounds of the depot. He had suggested how the depot could be better utilised and had recommended that the dayroom could be enlarged by extending it into a storeroom. Such a proposal indicates that Smith was intimately familiar with the buildings and conditions at the Brickfields. Smith described the state of the dayroom as follows:

There is, not near sufficient standing room much less sitting room for half the inmates, and the crowding consequent in wet & cold weather is sometimes like so many animals in a pen and the air is most offensive, and the struggle for seats & warmth incessant.43

Knowing that converting the storeroom into a dayroom would not solve the lack of dayroom space, he further suggested that a number of other rooms, then off limits to invalids during the daytime, be made available. He advocated that some rooms, such as the messroom, be given multiple functions and suggested that, following meals, inmates be allowed the privilege to both smoke and read within this space. Smith specifically selected three groupings from amongst the invalid population to argue his case — the aged, the sick and the blind. These were all groups which during the latter half of the nineteenth-century underwent the transition from undeserving to deserving. As Smith put it, specifically in terms of the insufficiency of space and heat:

Winter has now begun, and I submit that this state of things ought not to be permitted to continue any longer, if only for the sake of the very old, infirm, and blind.44

43 AOT: CSD 10/38/718, Smith to Chapman, 4.6.1875.
44 ibid.
Reformers like Smith played an important role in forcing the government to recognise that inmates had rights. This is evident in Smith’s opposition to the Sunday confinement of inmates to the Brickfields’ quadrangle in order that Withrington might have a day off. The issue appears to have been that the inmates were denied full access to the depot grounds and, instead, were confined to a drab yard as if they were prisoners. Withrington objected to allowing invalids a free rein of the grounds as he believed that they would abuse such a privilege by annoying the public moving along the road (presumably by begging alms) or by indulging in the trafficking of banned items. He believed that the only way such activities could be controlled was by his presence to monitor the actions of inmates (and presumably warders). He was not prepared to do this on a Sunday, reasonably believing he was entitled to a day off, but unreasonably he was unwilling to delegate and appoint an officer to carry out this function. Smith challenged Withrington’s stance on this issue stating that:

> the comfort & enjoyment of some 200 men are worth something even when put in competition with the liberty of the Superintendent, and one ought not to be sacrificed to the other.

Another reformer, S. Smith Travers also believed that Withrington’s day of leisure ‘should not be purchased at the expense of these old men’.

Withrington’s response to the complaint was to play upon middle class fears of direct exposure to pauperism and to the assumed moral reform such confinement engendered amongst the inmates. He portrayed the situation which had existed prior to Sunday confinement as one whereby the inmates, virtually en masse, had absented themselves from the depot to beg alms and solicit money from respectable persons going to church, to enable them to indulge in intemperate behaviour. They were also accused of using the profits of a traffic in their tobacco ration to acquire drink through exchanges

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45 ibid.
made with non-institutionalised associates on the depot’s grounds on these Sundays. However, this behaviour appears to have been curbed not so much by confinement, and thus restriction of access to these associates, but through a 43 percent reduction in the amount of tobacco issued. While confinement assisted in stemming the flow of intoxicating liquor, it also limited the recreational options available to inmates. Divine service was held three times on Sunday and Withrington espoused that a beneficial consequence of restricted liberty was that the inmates attended ‘much better’. There was, therefore, not only moral improvement resulting from the supposed reduction in the consumption of the demon drink but also boredom, brought on by the limited options available in the quadrangle, which herded the men into a space designed for moral improvement.

Smith believed that the right of the invalids to liberty should not be discarded until the problems alluded to by Withrington had been proven to eventuate as a result of a test. The Governor eventually approved a five month trial whereby the inmates would be ‘allowed in the grounds around the Depot on Sundays and Holidays from half past ten to a quarter to one o’clock, and again from four to six o’clock in the afternoon.’ Three ‘steady and reliable’ inmates were chosen to act as special warders to prevent any irregularity or breach of Regulations in return for an extra tobacco ration and payment of 2s.6d. per month. After the trial period of five months Withrington was to report on whether the men had appreciated the ‘privilege’ or abused it. This limited reprieve on invalid access to the grounds looks like a negotiated settlement in the dispute between Withrington and Smith. The length of time that such change in policy took to enact is a testament to Smith’s perseverance and Withrington’s power in controlling the administration of the Brickfields.

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47 AOT: CSD 7/29/324, Withrington to Colonial Secretary, 11.12.1874.
49 ibid.
50 ibid.
In the same year, 1875, Smith was also engaged in fighting for better conditions in other charitable institutions and acting as an advocate for specific inmates. For example, Smith pressured Chapman into taking action regarding the case of Thomas Watts, a former Port Arthur constable with 17 years service. For ten of those years he was also a warder of the Port Arthur Invalid Depot. He had, from mid 1874, been based at Eagle Hawk Neck where in late May or June 1875, (there is considerable discrepancy between the antagonistic parties as to the exact date) he suffered hip and serious shoulder injuries, at the age of 72, as a result of a fall from a horse. Smith alleged that the medical attention Watts received following his fall was negligent, and that as a result he was left permanently crippled with an irreducible dislocation of the shoulder. Subsequent attempts to set his shoulder at the HGH failed and he was left unable to earn a living. He was discharged from government service and had no alternative but to enter the Brickfields Depot. Both Watts and Smith believed that as his injury was sustained whilst in government service, and augmented through government medical neglect, his claim deserved consideration. Chapman exonerated John Coverdale, the Civil Commandant of Port Arthur and doctor responsible for Watts' treatment at the time of his injury, from 'any culpable neglect'. He was, however, reprimanded. This was not sufficient for Smith who vigorously pursued the case believing that a 'grievous injury and injustice' had been done. In a letter to the editor of The Mercury he stated that:

The Colonial Secretary seems adverse to any further investigation, and to be hampered by the support he feels himself bound to give to his subordinate;—quite right, perhaps, but it does not satisfy me, nor am I bound to accept his decision as final. I believe Watts' case to be a very hard one, and to be the consequence of culpable neglect, and I believe his summary dismissal after 17 years' service to be quite exceptional under the circumstances.

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51 THAP, 31, 1876, Paper 117, p. 6.
52 AOT: CSD 10/43/834, Tumley to Colonial Secretary, 21.8.1875.
53 THAP, 31, 1876, Paper 117, p. 3.
54 ibid., p. 4.
55 ibid., p. 9.
56 Smith to Colonial Secretary, 20.12.1875, cited in The Mercury, 10.1.1876, p. 3 c. 2.
Although barred from publishing the Colonial Secretary’s correspondence on this subject, Smith kept true to his threat to publish facets of the case. Copies of the correspondence which he had entered into were published in The Mercury in January 1876. This action facilitated the issue being aired in parliament and Chapman subsequently looked favourably on the Watts’ case.

A fair degree of animosity must have developed between Withrington and Smith. In some degree this was reflective of the struggle ensuing between old guard conservatives and those advocating a reformist agenda. Smith was extremely critical, over a number of years, of Withrington’s management practices. On 11 December 1875, he wrote to the Colonial Secretary, in part stating:

All our charitable institutions want watching. It is the only check, bad as it is, where there is practically no responsible management, and I think . . . that the Brickfields is no exception.

Such was the persistence and accuracy of Smith’s complaints that the Colonial Secretary was often compelled to follow them up in a manner which could only have been disconcerting to Withrington. In late 1875 or early 1876, for example, a full scale confrontation developed between Smith and Withrington over conditions in Ward 7, also known as the ‘Upper Ward’ at the Brickfields. Smith told the Colonial Secretary that as ‘Small as this affair may seem, it is not small in reference to the public or the inmates.’

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57 The Mercury, 10.1.1876, p. 3 c. 1.
58 ibid., p. 3 c. 1-2 and 29.1.1876, p. 3 c. 4.
59 Cited in The Mercury, 8.1.1876, p. 3 c. 3-4.
60 Indeed so persistent and steadfast was Smith in his advocacy of invalid complaints that it appears inmates resorted to threatening Withrington with Mr Smith should they not receive the redress they believed they were warranted on a range of matters. See The Mercury, 8.1.1876, p. 3 c. 3-4.
61 As had been the case with Hall’s critique of the Cascades five years earlier, The Mercury gave prominence and wider exposure to this conflict by publishing Smith’s correspondence with the Colonial Secretary on this matter and a number of other issues that Smith had regarding Withrington’s management, such as neglect of bedridden patients; lack of proper classification, supervision, and attendance on patients; the need for a better day-room; Sunday confinement in the yard; poor ventilation; and, his forced expulsion upon one occasion. See The Mercury, 8.1.1876, p. 3 c. 3-4 and The Mercury, 29.1.1876, p. 3 c. 4.
62 Smith to Colonial Secretary, 11.12.1875, cited in The Mercury, 8.1.1876, p. 3 c. 3-4.
surviving records leave no doubt that, in late 1875, Smith initiated a serious complaint about the conditions, management, care and treatment of sick and bedridden invalids held in an upper storey ward. The gravity of the complaint demanded Chapman act and, in late December 1875, he wrote to Withrington requesting answers to a set of specific questions.\textsuperscript{49} He requested detailed information related to the capacity of staff to perform their duties and the numbers of inmates they were required to attend. He wanted staff names, their duties, the amount of remuneration they received, their qualifications and the length of time they had been performing these duties.

Withrington immediately responded to Chapman's request, possibly hoping to nip yet another complaint in the bud before it could flourish into a full scale inquiry.\textsuperscript{44} Withrington's reply is significant because it is a window into the everyday management of the sick ward, or at least how it should have been managed. From his answers it is clear that the head wardsman was solely responsible for the issuing of medicines and that such duty was performed generally three times a day. It was revealed that this position had been held by the same man since the depot had been opened in 1859. Thus, Withrington's right-hand man had served with him for 16 years. The existence of such a long working relationship is indicative of a closeness and loyalty between these men which in all likelihood spilled over into a personal one.

While it was the head wardsman's duty to issue the medicines, it was not his to follow up their administration. It appears that the medicines were issued to the various wardsmen; in the case of the upper ward an inmate named James King who had held this position since January 1873, receiving 15 shillings a month for his duties. These involved ensuring that the patients took their medicine, attending to their needs and maintaining the ward in a clean state. He had won this prized position within the institution by being civil, obliging

\textsuperscript{43} AOT: CSD 10/34/554, Chapman to Withrington, 23.12.1875.
\textsuperscript{44} AOT: CSD 10/34/554, Withrington to Chapman, 24.12.1875.
Compliance, obedience and conformity had rewarded this inmate with a privileged role which also conferred a degree of power over his fellow inmates. Withrington was more than satisfied with King’s performance having only once found fault with him; that of a zinc urinal bucket being left in the ward after it should have been removed.

Withrington believed that no special qualification was required by King in order to perform his duties. This was because if an inmate was to become permanently bedridden, he was invariably (but not always) removed from this upper ward to what was referred to as the ‘sick ward’, or else transferred to the HGH. Yet Withrington’s own description of the inmates of this ward indicates that they required specialised medical care and that there were those who were clearly all but bedridden cases. Withrington attempted to taint them as malingerers who kept to their beds in order to avoid doing any light labour. He quotes one patient stating to the medical officer, upon the expiry of his three month detention, that ‘I am as well as ever I was and insist upon being discharged’. Given that passing the medical officer as fit was a legal prerequisite to being discharged it was hardly surprising that inmates would make such assertions. But Withrington also let slip that:

> The generality of the Patients in this ward are suffering from old age, Debility or Chronic Ulcers, they require their beds to be left down to enable them to rest occasionally during the day, there are no bedridden cases here[.] One man Wm Teale who had a slight paralatic [sic] attack a few days since[.] I have placed there also Joseph Aylward suffering at present from Fistula[.]

William Nichols, an ex-inmate, stated that there ‘were about fifty men in my ward some very helpless and a few bedridden’. The men in this ward were unmistakably suffering from conditions which should have rendered them exempt from labour and have identified them as requiring specialised

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65 AOT: CSD 10/34/554, Withrington to Colonial Secretary, 24.12.1875.
66 ibid.
67 ibid.
68 ibid.
69 AOT: CSD 10/34/554, Statutory Declaration, William Nichol, 15.2.1876.
treatment. By isolating them from the other inmates Withrington effectively permitted them to be identified as a group.

Smith pursued Withrington over the state of affairs in the upper ward and again wrote to Chapman on 26 February 1876, accusing Withrington of mismanagement, misrepresentation of the true state of affairs at the Brickfields and challenging him to instigate an inquiry into the issues he had raised.  

Appended to Smith's allegations were supporting statutory declarations taken from George Abel, William Nichols, and Henry Worthy. All three of these men were ex-inmates of this ward. Abel had left the ward approximately five weeks earlier and, at this time, was an inmate of the Cascades Invalid Depot. Nichols had ceased to be an inmate of the upper ward on or about 21 January 1876, after a duration of some 18 months in the Brickfields. Worthy, now an inmate of the Cascades, had been at the Brickfields between May and August 1875. His bed had been at the top of the ward next to that occupied by Abel and opposite to that used by Nichols. All three men gave consistent testimony as to the sanitary conditions within this ward, particularly the facilities available at night and the use of a zinc bucket as a common toilet. Their evidence verifies that it was an established and standard practice for a zinc bucket to be left between the beds at the top of the ward for the inmates to use as a toilet. Due to its prominence in the dispute between Withrington and Smith, this altercation is referred to hereafter as the 'zinc bucket affair'.

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70 AOT: CSD 10/34/554, Robertson to Colonial Secretary, 6.3.1876.
71 AOT: CSD 10/34/554, Statutory Declaration, George Abel, William Nichols and Henry Worthy, 15.2.1876.
72 There is good evidence that the insanitary conditions described and the use of a zinc bucket as a toilet were standard institutional procedure at this time. Such practices were still in use at Lachlan Park (the New Norfolk lunatic asylum) in the 1960s. Several visual recordings made of conditions in the buildings of this institution in the 1960s clearly show zinc buckets being used by male patients for both urination and defecation. It appears that they were located in the centre line of wards, one per pair of opposing beds. (AOT: NS 1552/8, 9, & 10.)
73 Even at the time Smith referred to this incident in the local newspaper as the 'bucket affair'. For example see The Mercury, 8.1.1876, p. 3 c. 3-4.
Smith and the patients objected to the use of the bucket; in particular, the infrequency of its being emptied, the resultant mess and stench, and the healthramifications of such a situation. Given that there were in the order of 50 men confined to this ward, it is not surprising that all those giving evidence categorically stated that the bucket was infrequently emptied, usually only once a day in the evening, and that they witnessed it regularly 'overflowing covering the floor between the beds, which King had to clean up in the morning.' Nichols stated that the very frail often missed the bucket when using it, thus dirtying the floor. Nichols stated that there was some improvement, near the end of 1875, (just after Chapman’s first enquiry about conditions on this ward) with the introduction of a night stool and use of the bucket restricted to night time use. The evidence that both Nichols and Worthy give indicated that the bucket was used for relieving both bodily wastes. But because it was sharp on its edges the men were unable to sit upon it which only resulted in the floor around the bucket being filthied by the men and adding to the mess that King had to clean up. It is, therefore, interesting to note that none of the men complain about King who, understandably, would have had good grounds to be angered by the mess that he was forced to clean up on what would appear to be a daily basis.

The men stated that they made multiple complaints about the use of the bucket and its resultant fetor to King. Worthy complained of ‘the bad stench from it.’ Nichols stated that its presence made him ‘at times feel queer’. None of their testimony reflected any ill treatment by King as a result of his being made to clean their mess. Indeed it would appear that King attempted to resolve some aspects of the problem. For example, the bucket also leaked and King attempted to solve the leakage by stopping the holes with clay. No doubt King also had much to complain about regarding this situation. It is likely that he had little hesitation in raising the inmates’ concerns with Withrington but it was to no avail. Worthy stated that when he directly

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74 AOT: CSD 10/34/554, Statutory Declaration, George Abel, 15.2.1876.
75 AOT: CSD 10/34/554, Statutory Declaration, Henry Worthy, 15.2.1876.
76 AOT: CSD 10/34/554, Statutory Declaration, William Nichol, 15.2.1876.
complained to Withrington he was told to mind his own business. The solution to the issue was straightforward, the replacement of the single zinc bucket with night stools and their emptying and cleaning as required. If the work associated with this was too great an impost upon King, then another inmate or inmates could always have been assigned the task.

Withrington responded by requesting that James Robertson, a Justice of the Peace, visit the depot and take statutory declarations from the inmates of the upper ward. Robertson visited the depot on 3 March 1876, and took formal statements from Thomas Finn, Henry Parsonage, James Webber, Henry Andrews, John Turner, and Robert Engelbut. Just how free from bias, coercion, intimidation and compliance these statements were is questionable, particularly given the power relationships involved between the dominant and subordinate groups. As James Scott has argued, a ‘function of the public transcript is to create the appearance of unanimity among the ruling groups and the appearance of consent among subordinates.’ In his covering letter to the Colonial Secretary, Robertson leaves no doubt as to where his sympathies lay. He stated that it was his opinion ‘that the Institution is a great Public good and well managed’ and he quoted a comment made by Dr Hall, who was also visiting the institution that day, that it would ‘satisfy the most Fastideoius [sic] individual’. Robertson was a ‘true believer’ in the public good of charitable institutions and, as such, he was unlikely to find fault with the Brickfields. Robertson and Withrington shared similar conservative middle class values. This would have been recognised by the inmates and thus it was reflected in their statements. These accounts are not surprisingly contradictory to those given by the ex-inmates freed from an ongoing power relationship with Withrington. They stated that there were night stools present in the ward day and night; that there was never any filth on the floor and, if there was, it was immediately cleaned up; that the zinc bucket was

77 AOT: CSD 10/34/554, Statutory Declaration, Henry Worthy, 15.2.1876.
79 AOT: CSD 10/34/554, Robertson to Colonial Secretary, 6.3.1876.
80 ibid.
only ever used to take the slops out; and, that King and Withrington showed them nothing but kindness. This latter point is reiterated in Robertson's covering letter where he stated:

One and all expressed their Gratitude and thankfulness for the great benefits received from the Asylum they also desire to express their gratitude for the Uniform Kindness they receive from Mr. Withrington and the wards man James King.  

Withrington further responded to Smith's allegations in his typical manner. He sought to character assassinate those ex-inmates giving evidence against him and questioned Smith's intentions in presenting such at this time. He pointed out that Worthy had been at both the Norfolk Island and Port Arthur penal settlements and implied that he was not to be believed. He attempted further to denigrate Worthy's statement by pointing out that he had made no complaints while an inmate of the depot. However, Worthy's statement contradicts Withrington on this matter, recording the objection he made and Withrington's response. While Withrington was aware of the content of the statements made against him, it would appear that he had not sighted them. Further, the ex-inmates versions make it apparent that there was a chain of command in complaint making and that in the first instance complaints were directed to the wardsman. Withrington attempted to undermine Smith by pointing out that, despite having made several visits to the depot during 1875, Smith had made no verbal or written complaint until November 1875.

Despite Withrington's rebuttal, this attack by Smith on his management clearly shook him. A petition, signed by 100 Brickfields invalids and another 20 paupers residing at the Cornelian Bay, supportive of his management, evidences just how damaging this incident had been. It exposed a man who was afraid and believed that he could be dismissed over this matter. The wording of the petition tears away Withrington's public persona and reveals his inner fears. It discloses a man knowingly fighting for his position. The

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81 ibid.
82 AOT: CSD 10/34/554, Withrington to Colonial Secretary, 6.3.1876.
83 ibid.
petition, addressed not to the parliament or the Governor, but to Chapman stated:

That your petitioners having heard it rumoured that it was the intentions of the Government to remove or that Government were thinking of removing our present Superintendent Mr John Withrington from his present situation.

Therefore your humble petitioners most respectfully request that you will use your powerful influence to retain our Superintendent in his present situation which he has fulfilled the duties of to the entire satisfaction of your petitioners as in duty bound will ever pray etc.84

It may well be that the above petition turned the tide for Withrington, or at least gave Chapman the means to retain an officer who in his opinion ran an economically efficient institution in difficult financial times. Whatever the case, Chapman chose to accept as true those declarations taken by Robertson over those presented by Smith.85 He also accepted Hall’s verdict on Withrington’s management over that of Smith’s. He was unwilling to ‘condemn a Public servant who ha[d] throughout a lengthened period of service exerted himself in the faithful discharge of his duties’.86 Thus, Withrington won this battle and Smith consequently refrained from any further dealings with the institution.

Smith also involved himself in attempting to improve sanitary conditions at the New Town Establishment for Female Paupers. During a visit to the female invalid depot in September 1875, Smith discovered that a room on the ground floor was used to segregate, isolate and punish inmates who were difficult to control. On 22 September 1875, the day Smith inspected this room, it was occupied by a Mrs Hoisey.87 Smith described this woman as appearing to be ‘a little out of her mind & was too noisy at times’.88 Sandford Scott, the Superintendent of the establishment, described Hoisey as ‘a noisy, filthy, and

84 AOT: CSD 10/37/688, Petition of 120 paupers and invalids of the Brickfields Establishment to Chapman, 8.3.1876.
85 AOT: CSD 10/34/554, Chapman to Smith, 9.3.1876.
86 ibid.
87 AOT: CSD 10/32/495, Smith to Colonial Secretary, 23.9.1875.
88 ibid.
destructive old woman, a perfect pest . . . [with] disgusting habits'. While it is likely that both opinions of Hoisey are accurate, the point Smith was making was that her unacceptable behaviour, in all likelihood resulting from dementia, did not warrant her being subjected to the conditions that existed in this particular room. That this room was separated from a common privy and a cess-pool (which was only covered by loose boards) by a short and narrow passage gave it a decidedly punitive flavour. The stench which arose from the privy and the near over-flowing cess-pool was invidious in the extreme. Smith found himself wishing to retreat from it as soon as possible and those ladies who were accompanying him at the time, namely his daughter and a Mrs Castray, expressed astonishment and disgust. Smith argued that use of this room was 'inconsistent with health, decency & humanity'. He uncompromisingly pointed the finger of blame at Scott and demanded that the situation be rectified. As a result Hoisey was transferred from the room and it was recommended that the privies be removed. Scott, in all likelihood performed this under duress. He was an intolerant man who viewed his charges more or less as parasites on society. In his original annual report for the year 1876 he stated that:

Many of the Inmates belong to a class, the greater part of whose life has been not only troublesome, but burdensome to the State and will continue so until they die.\footnote{AOT: CSD 10/32/495, Note, Scott to Solly, 24.9.1875, appended to Smith to Colonial Secretary, 23.9.1875.}

The Colonial Secretary excised this line from the version which was presented to the parliament. The problem that Scott faced was that he had little choice but to remove Hoisey back to a dormitory but, because of her habits, he refused to place her with other inmates. This meant that the five other beds in the dormitory Hoisey then occupied remained vacant. This had the effect of merely intensifying an already overcrowded institution. It must

\footnote{AOT: CSD 10/32/495, Smith to Colonial Secretary, 23.9.1875.}

\footnote{ibid.}

\footnote{AOT: CSD 10/32/495, Note, Scott to Solly, 24.9.1875, appended to Smith to Colonial Secretary, 23.9.1875.}

\footnote{ibid.}

\footnote{AOT: CSD 10/15/220, Annual Report for the New Town Charitable Institution for Indigent Females for the year 1876, Scott to Colonial Secretary, 28.3.1877.}
also have highlighted the need for specialised spaces for accommodating the
non-violent mentally aged within invalid establishments.

When confronted with the realities of invalid management, public outcry and
outrage brought about change. In early 1880, for example, a ‘lamentable
occurrence’ took place in which a dieing male emancipist invalid was
transferred from the HGH to the Brickfields. On 13 January 1880, 95-year-
old John Mogford, who was described by Dr Smart, Chairman of the HGH
Board of Management, as being ‘in a state of extreme feebleness and
exhaustion, totally helpless and unable to take sustenance, with sores on
various parts of his body’, was removed from the HGH to the Brickfields.
Adjacent to the name John Mogford in the return of men transferred from the
General Hospital to the Brickfields, is the remark that ‘when this man was
received it was necessary for the Medical Officer to visit him without delay,
as he appeared in a dying state.’ Mogford did indeed die on 19 January 1880,
six days after his transfer. In isolation, this might have been seen as a tragic
lapse in judgement by the medical practitioners who requested and
authorised the re-location, except for the fact that there were other such
notable occurrences. Only two months previously two other HGH patients,
Thomas Collins (aged 61) and William Reid (aged 81), had died under
identical circumstances. As Withrington observed they had been ‘received
from the General Hospital, in a very bad state, and appeared to me to be in a
dieing condition.’ One death could be overlooked but three in two months
smacked of institutional neglect or procedural failure. With the publication of
these details in The Mercury, William Moore, the then Colonial Secretary, had

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94 AOT: CSD 10/76/1955, Smart to Colonial Secretary, 14.2.1880.
95 AOT: CSD 10/76/1955, Smart to Colonial Secretary, 14.2.1880 and AOT: CSD 10/76/1955,
Moore to Smart, 14.2.1880.
96 AOT: CSD 10/76/1955, Return of men transferred from HGH to Brickfields Invalid
Depot.
97 AOT: CSD 10/76/1955, Moore to Smart, 14.2.1880 and AOT: CSD 10/76/1955, Return of
men transferred from HGH to Brickfields Invalid Depot. A full description of this case
and the debate that it provoked is recorded in The Mercury, 14.2.1880, p. 3 c. 3-4.
98 AOT: CSD 10/76/1955, Return of men transferred from HGH to Brickfields Invalid
Depot.
99 ibid.
very little option other than to order an immediate enquiry. As a result, the House Surgeon was censured and given a strict injunction from both Moore and the HGH Board to the effect that there would be no such transfers in the future.

In September 1885, Ayde Douglas, Moore’s successor, received a comprehensive critique of the NTCI from the Ladies Visiting Committee. In several respects the ‘suggestions’ that the Committee’s Honorary Secretary, Emily Maxwell, forwarded to the Government represented a progressive perspective, while those of Louis Hurst, the NTCI Matron, who was requested by Douglas to respond to Maxwell’s points, are of an older thinking. Maxwell’s letter to Douglas demonstrated that these Lady Visitors were more observant than their male counterparts. The detail in the Lady Visitors’ critique was consistent with significantly more quantitative and qualitative inspections of management. They visited the institution on a weekly basis and, rather than merely casting their eyes over its spaces, they inspected, probed and asked questions. This was part of the charitable duties performed by virtuous middle class women. While there may have been some debate as to the proper role of middle class women in charitable work, by the midpoint of the nineteenth-century their charitable endeavours were

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100 AOT: CSD 10/76/1955, Moore to Smart, 14.2.1880.
101 AOT: CSD 10/76/1955, Smart to Colonial Secretary, 14.2.1880; AOT: CSD 10/76/1955, Moore to Smart, 28.2.1880; and, The Mercury, 14.2.1880, p. 2 c. 3.
102 AOT: CSD 13/17/188, Maxwell to Chief Secretary, 7.9.1885.
103 It should be noted that the capacity for the Ladies to regularly inspect the NTCI was resultant of a change in the policy of secluding and isolating invalids. By the mid 1880s the public had unfettered visiting rights. In a move which seems out of character, Withrington had initiated at New Town a policy of transparency and opened the institution up to all and any visitors. The public were permitted to ‘visit any time during the day.’ (TPP, 6, 1885, Paper 154, p. 16.) Such a move suggests that Withrington believed implicitly that every part of the New Town operation was proper and correct. By his standards this was almost certainly the case but, judging by the criticism directed at management of the institution, there were those who chose to disagree.
104 Elizabeth Windschuttle maintains that moral force was recognised as equal in importance to legal coercion in the cause of social control in colonial society. She has argued that upper and middle class women were an important force behind the rapid expansion of philanthropic activity ‘aimed at providing aid and shelter for the poor but, at the same time, separating them from the cultural and political influence of their peers and turning them into docile and industrious citizens.’ (E. Windschuttle, ‘Women and the origins of colonial philanthropy’ in R. Kennedy (ed.), Australian Welfare History: Critical Essays
an accepted part of the social landscape, especially in relation to addressing female cases of distress. It was also evident that many such women gained a considerable understanding of health care and institutional matters and that this was seen as 'a vital part of the moral and practical education of girls.'

As a result of all their activities, middle class Tasmanian ladies became intimately aware of issues facing inmates and thus were able to determine weaknesses in the management and care of female invalids and were able to offer viable solutions. Maxwell identified five major issues of concern. These were substandard nursing, overcrowding, the presence of insane inmates, issues related to the need for a dayroom and problems presented by the presence of unwed mothers and their off-spring.

The Ladies were particularly concerned about the ‘want of efficient nursing in the two hospital wards’. The existing nursing staff were all invalid inmates themselves who, according to Maxwell, were untrained, ignorant and unfit to have care of the sick and dying. Maxwell stated that:

> The patients suffer from their [invalid nurses] harshness and neglect and even the most necessary attention is either grudgingly given, or sometimes withheld altogether.

Maxwell suggested that this situation could be improved by allowing the matron to employ two trained nurses of ‘sufficient character’ and capability that they could be left in charge of the hospital wards and supervision of the invalid ‘nurses’. Hurst responded by stating she believed her inmate nurses to be suitable and that there was ‘a good understanding between patients and


106 AOT: CSD 13/17/188, Maxwell to Chief Secretary, 7.9.1885.

107 ibid.
nurses'. In Hurst's mind these invalid nurses might well have been suitable and, given the existence of institutional violence, an 'understanding' would have rapidly developed between the dominant and subordinate inmate groups. The divergence in perspective is revealing. Hurst's attitude was reflective of an older paradigm in which inmates had tended (but not necessarily tenderly) to one another as a means of maintaining low institutional running costs. Maxwell, on the other hand, supported the process of medical professionalisation, the recognition of the need for specialised treatment and care for geriatric invalids, and an amelioration in the status of nurses (an exclusively female vocation attracting increasing numbers of middle class ladies). Hurst was not ignorant of Maxwell's position; she just did not agree with it.

From the mid 1880s onwards the NTCI Ladies Visiting Committee voiced a number of concerns, particularly in regard to the female wards. Due to substandard ventilation, female inmates were required to leave their wards and spend their days on a verandah, exposed to the full impact of cold and inclement weather. Many of them suffered from chronic rheumatism, and the effects of this painful and crippling disability were magnified as a result of this practice. The Ladies Committee argued that the problem could be simply and effectively solved by the addition of a dayroom. Hurst, however, denied that the women were forced out onto the verandah in

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108 ibid.
109 AOT: CSD 13/17/188, Response, Hurst, 14.7.1885, appended to Maxwell to Chief Secretary, 7.9.1885.
110 Defective ventilation was a substantive problem at the NTCI, which amplified a substandard septic system. For example, in 1885, a committee of inspection reported that: 'While they found order and cleanliness everywhere manifest throughout the day and night wards, they were painfully struck by the unwholesome odours in many of the men's rooms, arising, it appeared, from entirely defective ventilation. The offensive stench proceeding from out-offices in or close proximity to the wards and walks of the inmates forced itself on the notice of your Committee, who feel that better ventilation in the buildings, and the improvement or removal of the out-offices referred to, are imperatively required.' (TPP, 6, 1885, Paper 154, p. 6.)
111 This was an issue which Withrington had identified, in respect to the male invalids, a good five years earlier when he had drawn attention to the need for a dayroom for the men, in order to protect them from the cold and wet of the winter; the absence of such causing severe discomfort to the inmates. (TLCP, 29, 1880, Paper 9, p. 3.) In 1884 a new dayroom for males had stoves installed. The heat these stoves generated was much appreciated by the aged and infirmed men. (TPP, 5, 1885, Paper 9, p. 3.)
inclement weather, except to smoke. She stated that they were allowed to remain in the wards on these days and that fires were lit to maintain warmth.\textsuperscript{112} As had been the case with previous complaints, fault was averted from institutional deficiencies and attributed to inmate behaviour.

Another concern that the Ladies had was the presence of inmates not suited to an invalid establishment. This issue related to more refined ideals of intra-pauper classification and tighter identification of the parameters of invalidism. No longer was a general pauper population to be tolerated within the space of the charitable institution. Increasingly, the government came under pressure to ensure that these establishments remained the provenance of the aged and infirm pauper. In this case, the Ladies objected to the presence of young, single, unwed mothers who they saw as having questionable morals. Many of these ‘girls’ were products of the institution, having grown up within its spaces when it functioned as the state’s principal orphanage. These young women could have been subjected to both physical and sexual abuse and almost certainly emotional neglect.\textsuperscript{113} They were hardened by their life experience which made them, in the eyes of the Ladies, defiant, difficult to control and traffickers in illicit goods. They introduced alcohol which led to ‘a good deal of riotous conduct’, (or opportune relief depending upon your perspective.)\textsuperscript{114} The Ladies saw the presence of these girls as a moral contagion operating upon the ‘legitimate occupants of the

\textsuperscript{112} The record suggests that Hurst did not give an honest response and that female invalids were indeed forced outdoors onto the verandah and not permitted to remain in their ward. W. Crosby, a visitor to the establishment in 1886, recorded that the female invalids complained to him that they had ‘no other day shelter than that afforded by [an] open verandah attached to the portion of the building set apart for them . . . [and that] better protection from the cold and inclemency of the weather can be provided, a portion, say 100 feet, of the verandah might advantageously be enclosed . . . to afford warmth and shelter, more particularly in the early morning, when those not absolutely sick or incapacitated [were] obliged to leave the dormitories or refractory.’ (TPP, 11, 1887, Paper 10, p. 6. (Emphasis mine.))

\textsuperscript{113} Examples of alleged sexual abuse and inquiries into physical mistreatment of children at the Queen’s Asylum, New Town, are documented in K. Pearce, ‘The Queen’s Orphan Asylum — New Town’ in I. Terry and K. Evans (eds), Hobart’s History: The First Two Hundred Years: Papers and Proceedings of the Conference Held by the Professional Historians Association of Tasmania on 4 October 1997 (North Hobart, 1998), pp. 19-34.

\textsuperscript{114} AOT: CSD 13/17/188, Maxwell to Chief Secretary, 7.9.1885.
Infirmary'. This represented a considerable departure from an earlier orthodoxy which saw all occupants of such institutions as being morally depraved. The stance taken by the Ladies is representative of the process by which invalids crossed the boundary from undeserving to deserving. On the issue of the presence of these younger 'paupers', Hurst was in agreement with the Ladies. She believed that they should be dealt with under the Vagrancy Act and confined in the Female House of Correction. On a practical note, however, she did point out the contribution that they made in terms of carrying out the heavier work of the institution, but on balance she agreed their presence was undesirable.

In the aftermath of the 1888 Royal Commission, there followed a series of government sponsored inquiries and investigations which targeted the administration of specific institutions. One which focussed on the Cascades Hospital for the Insane was initiated following a scathing sermon on its management by the Dean of Hobart, delivered from the pulpit of St David’s Cathedral on the evening of Sunday, 15 September 1889. Dean Dundas was highly critical of the lack of comfort of inmates at both the Cascades Hospital for the Insane and the NTCI. He stated:

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115 ibid. Withrington, on the other hand, reflecting the persistence of an older, more conservative position, actually saw the moral contamination flowing not from the young women but from the older invalids. He stated that the young women were ‘quite bad enough in themselves’ but that ‘the association of the old women makes them much worse.’ (TPP, 6, 1885, Paper 154, p. 14.)

116 Nevertheless, there were still individuals who perceived invalids as distributors of contagion, although the contaminant was now being viewed in medical, as opposed to moral, terms, reflective of the increasing medicalisation of the management of deviant populations. For example, in 1884, Dr John Coverdale, former superintendent of both the Port Arthur Invalid Depot and the Cascades Invalid Depot, and then current Superintendent of the Cascades Contagious Diseases Hospital, wrote in support of a view that vagrants (many of who were invalids) were distributors of contagion and that measures should be enforced upon such ‘classes of persons’ in order to prevent the spread of such contagion. (TPP, 1, 1884, Paper 8, p. 3.)

117 Despite a belief that all laying-in cases should be sent to the Cascades, in practice it would seem that these younger women were present to act as wardswomen and nurses, as the female invalids were generally no longer capable of looking after themselves and their age prevented the securing from among their own ranks individuals capable of performing the duties of warder. (TPP, 20, 1890, Paper No. 11, pp. 10-11.)
We in this colony are reaping the harvest of the harsh, unjust treatment of the past. There are institutions amongst us which no one can enter without feeling a sense of shame, and consciousness that injustice and wrong have prevailed.\textsuperscript{118}

He called upon society 'to make an effort to redress the evil.'\textsuperscript{119} In particular, Dundas directed his attack at insufficient levels of nourishment and warmth, and, in the case of the NTCI, substandard medical attention and the lack of professionally trained nursing staff. Dundas recognised that the mad and aged required specialised care and attention; and that this they were not being furnished. His concerns resulted in the instigation of a parliamentary inquiry.\textsuperscript{120} The issues raised by Dundas related to the question of inmate comfort. Since the mid 1870s this issue had become as important as cleanliness, discipline and order. That the sermon Dundas preached should have elicited such a response, indicated that the perception that invalids were more a socio-medical problem, as opposed to a moral and criminal contagion, was gaining ascendency within the ranks of the social elite.

While Hall had pointed out, nearly 20 years earlier, that charitable institutions were essentially medical establishments and rightfully deserved having their medical needs met, he had very much been in the vanguard of the reformist movement. By the late 1880s there was wide recognition that the medical facilities of charitable institutions were not able to address serious, acute, medical conditions, and that they were likewise floundering in their treatment of chronic conditions. This is evident in the exchange between Maxwell and Hurst. What can be observed in their discourse is the emergence of a transition from a carceral perspective of invalid depots to one more recognising institutions' wider responsibilities for geriatric care.

The voices of middle class social campaigners were able to succeed where patient complaints failed. Institutional administrators were unable to utilise the same tactics as they had applied to inmate criticism. Reproach from middle class benevolent groups carried more weight with the colonial

\textsuperscript{118} The Tasmanian News, 17.9.1889, p. 2 c. 5-6.
\textsuperscript{119} ibid.
\textsuperscript{120} ibid.
administration than those of emancipist inmates. Change articulated from below could be dismissed, but that from above was accepted. This was well exemplified in relation to grievances concerning the lack of warmth at New Town. When Moore received a complaint from the Ladies Visiting Committee that the female inmates at New Town were provided with ‘insufficient clothing’ he did not instigate an inquiry with the intention of refuting this claim. Rather, he responded favourably to a request for additional clothing and arranged for the supply of 150 shawls and a number of flannel petticoats. The defects that social agitators exposed were not easily deflected, and fault could not be attributed to vices and failings inherent within the character of the progressives, and thus they demanded redress.

Yet administrators still objected to what they saw as the interference in the cordial management of their establishments by social reformers. They argued that such visitors disrupted the discipline of the institutions. The reality was that independent visitors did undermine the power and authority of those charged with the supervision of institutions, because they gave both the inmates and the wider community the means to circumvent the administrative control which would have otherwise operated. Superintendents were not able to manage institutions as their own fiefdoms, free from external surveillance. Independent visitors ensured that at least some system of checks could be imposed upon superintendents, and it was this that the latter resented and unsuccessfully challenged. Men like Hall and Smith, and women like Maxwell, reacted out of undeniable concern for the plight of the institutionalised. The fact that they could so distinctly see what was wrong with the management of the aged poor (and more importantly why it was wrong), and how this could be improved, nullifies any argument that government bureaucrats and administrators were only treating invalids by the norms of the day. There were men and women who recognised the ills

120 See TPP, 16, 1889, Paper 136.
111 AOT: CSD 13/17/188, Ladies Visiting Committee to Moore.
112 AOT: CSD 13/17/188, Moore to Maxwell, 27.6.1882.
with institutions and were willing to advocate progressive reforms; reforms which led to administrative change.

123 For example see Atkins reaction to Marion Smith's complaint regarding the meat issue to Cascades invalids. (AOT: CSD 7/59/1436, Note, Atkins to Colonial Secretary, 31.10.1873, appended to AOT: CSD 7/59/1436, Smith to Atkins, 29.10.1873.)