CHAPTER 6

The featering legacies of lagdom ¹

That giant-building, that high-bounding wall,
Those bare-worn walks, that lofty thund'ring hall!
· That large loud clock, which tolls each dreaded hour,
Those gates and locks and all those signs of power;
  It is a prison with a milder name,
Which few inhabit without dread or shame.²

No air, no space; an understerilized prison; darkness, disease, and smells.³

[Badly constructed, ill-arranged, ill-warmed, and ill-ventilated. The rooms are crowded with inmates; and the air, particularly in the sleeping apartments, is very noxious, and to casual visitors, almost insufferable. . . Good health is incompatible with such arrangements.]⁴

With the cessation of transportation, and the withdrawal of the imperial government, colonial Tasmanian society underwent structural change. In order to retain power and control, the newly emerging colonial elite demanded an ordered, disciplined, self-motivated labour force.⁵ To achieve this, labour needed to be reformed from a system based on fettered coercion to one consisting of free independent workers. The price of greater degrees of freedom that many individuals, especially emancipists, experienced came at a cost. Society demanded higher levels of individual self-control. Institutions were a means to make workers more amenable to the new social and economic circumstances, and to empower the elites with the capacity to both control and modify labour. They were also useful agents in facilitating the retention of social power by elites. Power was preserved through a social

¹ Expression used to describe charitable institutions in the late 1890s by The Clipper, 29.10.1898, p. 2 c. 3.
³ A. Huxley, Brave New World (St Albans, 1977), p. 40.
order maintained through a shared morality. The discipline of the institution imposed this dominant ideology upon deviant social groups. The charitable institutions were, as Erving Goffman has expressed it, 'forcing houses for changing persons'. These institutions were the centrepiece of the nineteenth-century welfare system and throughout the Atlantic world they acquired an odious reputation.

Institutions were an apparatus to indoctrinate their inmates with the new values of free capital. They were instruments which, by their carceral nature, increased the capacity to control and modify inmate behaviour and make certain a reforming agenda. Charitable establishments were part of a wider institutional network which sought deferential relationships from the labouring classes and the manufacture of compliant workers. They were penal in nature because they coerced inmates to labour against their will while denying them their liberty. Not only were they structured to impose order but they also sought to internalise social obedience through the establishment of a routine of labour. They espoused an edict of work or be forever incarcerated. One of their roles was to act as a deterrent to others of the fate that befell those who failed in bringing order, and thus self-sufficiency, to their lives. Institutions were the threat 'ever present' of the consequence of not conforming to the exigencies of capitalism. Their object was to deter not only the inmate, but others through the veiled exposure of the hardships and privation of institutional life. Martin Wiener has adopted this very interpretation in relation to Victorian era Poor Law in Britain, stressing the institution's educative role in helping to mould popular

---

6 It is, however, worth bearing in mind, as Charles Van Onselen has pointed out that 'All social systems — including highly repressive ones — manifest features of accommodation as well as those of coercion.' (C. Van Onselen, 'The social and economic underpinning of paternalism and violence on the maize farms of the south-western Transvaal, 1900-1950', Journal of Historical Sociology 5, no. 2 (June, 1992), p. 127.)


8 For a Marxist analysis of the links between the development of capitalist economies and changing forms of social control which saw the emergence of a 'penal' philosophy and carceral institutions as the pre-eminent agency in framing new labour relations see D. Melossi and M. Pavarini, The Prison and the Factory: The Origins of the Penitentiary System (London, 1981).
behaviour. He argued that '[t]he workhouse pauper, like the prison inmate, was seen as providing an instructive social lesson'. In support of this contention he cited the 1875 organiser of the Poor Law Guardians' national conference as expressing the view that 'in paying the penalty of their misfortunes or faults' institutionalised paupers were serving 'the useful purpose of warning the young and careless of the need of making provision against the possibilities of ill-health and the certainties of old age.'

The treatment of inmates was initially deliberately harsh in order to internalise self-discipline and self-help on their bodies and minds, and to infuse in the wider community a broader social agenda. Robert Storch has referred to this as a moral sanitising of working class character, in which the middle class sought 'the administration of a cultural lobotomy and the implanting of a new morally superior lobe'. In this, however, the state also sought to better its techniques of disciplining not so much the body but the 'soul' and as such the development of charitable institutions, when compared to earlier forms of control, were part of a new scheme of refined agencies for punishing and educating deviants. Michel Foucault has described this use of the institution as being part of a process in which the aim was always:

not to punish less, but to punish better; to punish with an attenuated severity perhaps, but in order to punish with more universality and necessity: to insert the power to punish more deeply into the social body.

---

10 Ibid., p. 153.
12 Institutions were, however, only one component of an array of media brought to the task of ordering, disciplining and controlling the new society through example. Another medium used was literature. For example, in *Our Mutual Friend* (London, 1970), Charles Dickens perpetuates, to a wide readership, middle class dread of social failure as a result of accepting charity. In this narrative, the aged are desperate to avoid engagement with charity and its consequential stigmatism, and loss of respect and self-esteem.
They were what Meranze has called 'laboratories of virtue', places which sought to inculcate the habits of labour, self-control and submission to authority.\textsuperscript{15} Meranze concisely expressed the function of institutions and their position in society:

\begin{quote}
Whether the target was poverty, criminality, delinquency, prostitution, or idleness, reformers and officials believed that social problems could best be contained through the transformation of individual character, that individual character could best be transformed through careful supervision of individual regimen, and that the supervision of individual regimen could best take place within an environment where time and space were carefully regulated.\textsuperscript{16}
\end{quote}

Institutional regimentation and routine was used as a means to instil internal structure and order within inmates. Order was the dominant precept of nineteenth-century middle class society and it permeated their worldview. Imposing order was therefore their preferred mechanism for addressing social turmoil. Inasmuch as lunatic asylums were institutions for curing disordered minds, invalid depots were institutions for reforming the morally disordered body and soul. Discipline and regimentation were the control apparatus for instilling order on aged and broken bodies. Thomas Dekker's observation on the treatment of Bridewell prisoners, in the seventeenth-century: 'As iron on the Anvil they are laid, not to take blows alone, but to be made and fashioned, to some more charitable use', was just as pertinent to nineteenth-century invalids.\textsuperscript{17} Foucault has argued, in \textit{Discipline and Punish}, that discipline was a technique for:

\begin{quote}
governing groups and individuals that combines the careful division and control of time and space, rigorous surveillance, the accumulation of written records and the production of knowledge about its subjects, and that operates through the systematic retraining of the body.\textsuperscript{18}
\end{quote}

\textsuperscript{*position, see M. Katz, 'Origins of the institutional state' Marxist Perspectives (Winter, 1978), pp. 6-22.}
\textsuperscript{16} ibid.
\textsuperscript{18} Meranze, \textit{Laboratories of Virtue}, p. 7.
Increasingly, society came to use its institutions, both built and legal, as a means to encourage the ‘development of what could be called bourgeois character in the population’.\textsuperscript{19} The institutionalisation of the aged poor needs to be considered within this context. At this time, debates were taking place throughout the whole of society over the question of poor relief. Throughout the entire nineteenth-century ‘Atlantic World’, of which Tasmania was a constituent, albeit a small and distant one, there was a penchant towards solving social problems through the provision of state institutions. These were designed as a means to both control and reform. They were to be environments in which an inmate’s behaviour could be ordered and moral virtues imposed.\textsuperscript{20} Consequently the institution became the general solution to the perceived ills within society and the nineteenth-century’s principal response to pauper management. The provision of charitable institutions, to relieve Tasmania’s invalids, therefore followed a well established tradition. Colonial Tasmania had no parish based scheme of poor relief, nor a parish based poor tax system. These were further contributing factors leading to the development of a government funded institutional system to address issues of poverty, especially amongst the elderly emancipist population.

Tasmania’s invalid depots were initially an integral component of the convict system. They were characterised by similar draconian regulations which demanded obedience, order and compliance; and were marked by strict discipline, regimentation and punishment. These tools, along with other measures, particularly confinement, coerced labour and surveillance, were

\textsuperscript{19} Wiener, Reconstructing the Criminal, p. 67. Wiener also discusses the preparedness of society to increasingly use criminal law against behaviour perceived as being either immoral or disorderly. This was the changing face of society which the pauper invalid encountered from the 1850s onwards. To make matters worse for the invalid this was also a period in which chronic moral disorder came to be associated with chronic physical disorder; thus the linking of invalidism with criminality which was reinforced in the Tasmanian setting by the convict legacy of so many invalids.

\textsuperscript{20} See M. Foucault, Madness and Civilisation: A History of Insanity in the Age of Reason (New York, 1988) for an expression of this argument, especially pp. 241-78. In this, Foucault argues (p. 257) that the asylum (and here can be read institution) was ‘a religious domain without religion, a domain of pure morality, of ethical uniformity’ which represented ‘the
used to control the lives of pauper invalids. Control was the approach by which the state and institutional administrators sought to order and discipline the lives of invalids. It was also a means to reform the behaviour of those members of society who were neither disciplined nor compliant, as well as those who from age, infirmity or social prejudice (such as that directed towards pauper emancipists) were excluded from selling their labour. In 1864, J. F. Stephen succinctly expressed the British middle class position when he stated, 'Men ought to command their passions; and if they fail to do so, they ought to suffer for it.' Invalids were to be transformed into what Thomas Laqueur has called 'objects of administration'. This development reflected a change in the mentalité of the middle class in which character came to assume greater importance than actions. A new consensus developed in terms of the nature and meaning of deviance and purposes of punishment. Crime and poverty became metaphors for disorder and ill-discipline and, as these behaviours were seen as predominantly associated with the lower orders, the middle class and elite engaged upon a program of mass social reform of that sector of society. The focus of their attention was increasingly brought to bear upon the character of perceived deviants and less upon their actions. As Martin Wiener has expressed it, deviancy came to be seen essentially 'as the expression of a fundamental character defect stemming from a refusal or inability to deny wayward impulses or to make proper calculations of long-running self-interest.'

Control was the agent driving resistance and manipulation of the charitable system. Control and resistance were involved in a complex interplay which resulted in some unanticipated outcomes which led to greater awareness of the unique differential characteristics of invalids. This was an integral part of the process which was to see invalids segregated from the general pauper population. In this chapter the mechanisms of control which the state brought

great continuity of social morality.' It was a domain in which the values of family, work and their attendant middle class virtues could be brought to bear and made to dominate.

22 T. Laqueur, 'Bodies, death and pauper funerals' *Representations* 1 (February 1983).
to bear upon inmates in charitable institutions are discussed. Issues related to resistance are attended to in subsequent chapters. This chapter looks at the institutional environment, the conditions which inmates were subject to, and how institutions increasingly implemented a regime of coerced labour, strict discipline, confinement, surveillance, regimentation and punishment as a means to control the lives of pauper invalids.

The general institutional environment

An indication of day-to-day institutional life can be gained from a review of purchases made in relation to the redevelopment of the Cornwall Hospital in the latter half of 1860. At this time modifications were made to increase space for the reception of invalids, such as the conversion of Superintendent’s quarters into invalid wards. Inmates slept on mattresses packed, on hospital grounds, with horse hair and supported by iron bedsteads. Night time ablutions were performed upon nightstools, or else pewter chamber pots were used. A number of tin cans were also acquired, probably to be used as day (and night) time urine receptacles by male patients unable to access the privies. The patients ate from tin plates and had the use of a knife, fork and spoon; and, if Superintendent John Miller had been able to obtain them, they would have been dressed in blue flannel coats and trousers identical to the patients at the HGH.

Iron basins were available for washing, at approximately one per six inmates, as were wooden benches to sit upon during the day. Not that the invalids were to pass their time in idle leisure. Buckets, brooms and brushes were obtained for them to keep their ward clean and the intended purchase of iron candlesticks and iron snuffers shows that the new wards were illuminated at night by candlelight.

In the new charitable institutions of the 1860s the bodies of the inmates were at the mercy of environmental factors such as lice, water shortages, stench

24 AOT: CSD 1/84/72, Miller to Sherwin, 17.9.1859 and AOT: CSD 1/84/72, List of articles required for new wards at Cornwall Hospital, 13.8.1859.
25 AOT: CSD 1/84/72, Miller to Colonial Secretary, 14.10.1859.
26 AOT: CSD 1/84/72, List of articles required for new wards at Cornwall Hospital, 13.8.1859.
and confinement. Despite taking every precaution at preventing their introduction, the new LGH had by the end of 1865 become infested with lice. Dry conditions during summer regularly resulted in an inadequate provision of water to the hospital, and the upper storey in particular was often without supply. This situation, coupled with the poor condition and lack of maintenance of some of the water closets, meant that smells emanated from them, at times pervading the entire ground floor of the building. Miller described the odour as sometimes being:

so offensive and powerful as to render the atmosphere of the lower portion of the building more calculated to engender disease than to aid in curing it.

Not only was there an internal stench caused by a faulty sewage system and poorly functioning water closets but also an exterior one caused by the uncovered state of the hospital’s putrid cesspool. This ‘intolerable nuisance’ which permeated the surrounding neighbourhood was addressed following complaints by the Launceston Council. The remedying of internal odours, however, had to await the outcome of the usual bickering between the hospital authorities, the government and the Public Works Department.

While those patients maintained downstairs had to endure putrid smells, the invalids who were kept upstairs experienced a far harsher regime of unrelenting confinement. The inmates accommodated in the upper storey of the LGH were perceived as being the worst possible cases of invalidism. Those capable of climbing the hospital’s staircases were deemed sufficiently healthy to survive a journey to one of the southern depots and were thus transported south. As a result almost all of those housed in the upper storey

\[\text{\footnotesize 27 AOT: CSD 4/60/13, Miller to Colonial Secretary, 5.12.1865.}\]
\[\text{\footnotesize 28 AOT: CSD 4/60/13, Miller to Babington, 6.11.1865.}\]
\[\text{\footnotesize 29 AOT: CSD 4/60/13, Miller to Solly, 1.4.1867.}\]
\[\text{\footnotesize 30 AOT: CSD 4/60/13, Miller to Colonial Secretary, 27.3.1867.}\]
\[\text{\footnotesize 31 AOT: CSD 4/60/13, Miller to Colonial Secretary, 17.5.1867 and AOT: CSD 4/60/13, Henry to Miller, 17.5.1867.}\]
\[\text{\footnotesize 32 AOT: CSD 4/60/13, Solly to Miller, 30.3.1867, and appended notes.}\]
\[\text{\footnotesize 33 AOT: CSD 25/13/901, Director of Public Works to Colonial Secretary, 3.1.1866 (should read 1867).}\]
were bedridden. While a few of the more able-bodied were employed within the institution as warders or gardeners, those incapable of negotiating the stairs were condemned to end their days in the space of the upper storey of the LGH.

Life inside charitable institutions was depressingly boring. An 1895 account of a visit to the NTCI exemplifies this point. In a very ‘whiggish’ portrayal of institutional life a reporter of The Tasmanian News elucidated several aspects of this establishment. Of the dayroom he reported:

On wet and stormy days, when it is impossible for the men to work on the farm, etc., they pass the time away in the day room. Seats are ranged along the sides, and at each end in the centre are two stoves to keep the men warm. When we entered two men were playing dominoes to while away the time, while another was blackening his boots, apparently taking more than passing care on his personal appearance. Others were chatting away perfectly contented with their lot, and happiness and comfort of the inmates seemed to be made a first charge on the duty of the officers.

Entertainments to ‘while away the time’, such as dominos, and spending excessive time completing simple exercises, such as polishing one’s boots, were essential mechanisms for invalids with limited activity options to keep at bay the monotony of institutional life.

The implementation of tight fiscal regimes was partly responsible for the lack of vitality within institutions. John Withrington, the Superintendent of the Brickfields, for example, was an administrator whose pursuit of economic efficiency left little for the wellbeing of inmates, and led to a frugal institutional environment. He unrelentingly pursued cost reduction, in order to court the favour of his superiors, at the expense of the invalids who he deprived of fundamental necessities. He took immense pride in the fact that he had cut costs in 1860 by £269.7.0, and by a further £48.9.8 in the first three

---

34 ibid.
35 The Tasmanian News, 18.11.1895, p. 2 c. 6-8. This article presents a lengthy report on various aspects of the NTCI’s management in the mid 1890s.
months of 1861. This was achieved by reducing staff salaries and increasing their duties; cutting rations to both staff and inmates; and reducing the use of firewood for heating, oil for lamps, and soap for washing. Yet according to Withrington the comfort of the inmates was cared for in every respect. In reality, the only real comfort Withrington appears to have been interested in was his own. In 1861, having succeeded in gaining the endorsement of the Board, he actively sought an increase of £50 per year to his own salary, based upon the savings he had wrung from the system and increased responsibilities. The government was not persuaded and Withrington's claim for further remuneration was unsuccessful. Table 6.1 vividly demonstrates how adept Withrington was at applying the economic hatchet to expenditure at the Brickfields. Throughout the 1860s he lowered the average cost per inmate per annum every year, almost halving the amount during this decade. Indeed, it was not until the mid 1870s that there was any increase in this figure and, even then, it is questionable as to whether this was a real cost increase or merely a reflection of inflation in Tasmania's depressed economy. Withrington was the only superintendent of the Brickfields and throughout the entire period that this establishment was functioning he had the full confidence and support of his Board of Management. In their annual report for 1863 they stated that:

We cannot conclude this Report without bearing testimony to the zeal and ability with which the Superintendent continues to discharge his very onerous duties, and the exertions he makes to reduce the expenditure, and at the same time to promote the efficiency of the Institution.

---

36 AOT: CSD 1/142/5143, Withrington to MacDonell, 3.1.1861 and AOT: CSD 1/142/5143, Withrington to MacDonell, 4.4.1861. The initial reduction in the cost of maintaining invalids at the Brickfields was staggering. Under imperial administration this had been an average £27 per inmate per annum. By the close of 1862 Withrington had reduced it to a mere £188.0. (TLCP, 9, 1863, Paper 6, p. 4.)


38 AOT: CSD 1/142/5143, Withrington to MacDonell, 3.1.1861.

39 AOT: CSD 1/142/5143, Brickfields Committee Minutes, 4.4.1861 and TLCP, 9, 1863, Paper 6, p. 4. At a subsequent Board meeting held on 19 April 1861, after the Board had received a negative response to their recommendation that Withrington receive an increase in salary, there was a lengthy discussion on the subject (duly reported in The Mercury, 20.4.1861, p. 2 c. 3-5) in which the Board agreed to continue to pursue the matter with the government.

40 TLCP, 10, 1864, Paper 24, p. 3.
In conducting the affairs of the establishment Withrington exercised nothing but the 'strictest economy'. It is as if he approached the management of the depot with a religious fervour, 'never having been absent a single day'.

**TABLE 6.1:** Gross, net and average costs at the Brickfields Invalid Depot, 1861-82.

<table>
<thead>
<tr>
<th>YEAR</th>
<th>TOTAL EXPENDITURE</th>
<th>Average Cost/Head/Annnum</th>
<th>Av. Net Cost/Head/day</th>
</tr>
</thead>
<tbody>
<tr>
<td>1861</td>
<td>2973.8.11</td>
<td>&lt;20.00</td>
<td>18.80</td>
</tr>
<tr>
<td>1862</td>
<td>3774.6.11</td>
<td>17.59</td>
<td>17.34</td>
</tr>
<tr>
<td>1864</td>
<td>3941.8.0</td>
<td>18.46</td>
<td>&lt;0.93/4</td>
</tr>
<tr>
<td>1865</td>
<td>3759.11.33/4</td>
<td>14.18.31/4</td>
<td>&lt;0.93/4</td>
</tr>
<tr>
<td>1866</td>
<td>4064.9.2</td>
<td>14.13.0</td>
<td>&lt;0.93/4</td>
</tr>
<tr>
<td>1867</td>
<td>3312.13.31/4</td>
<td>13.15.41/4</td>
<td>0.9+</td>
</tr>
<tr>
<td>1868</td>
<td>3274.3.51/2</td>
<td>12.0.0</td>
<td>0.73/4</td>
</tr>
<tr>
<td>1869</td>
<td>3072.17.31/2</td>
<td>12.0.0</td>
<td>0.73/4</td>
</tr>
<tr>
<td>1870</td>
<td>2732.17.81/4</td>
<td>12.0.0</td>
<td>0.73/4</td>
</tr>
<tr>
<td>1871</td>
<td>2752.4.83/4</td>
<td>11.14.31/2</td>
<td>0.73/4</td>
</tr>
<tr>
<td>1872</td>
<td>2810.11.31/4</td>
<td>11.3.61/2</td>
<td>&lt;0.71/2</td>
</tr>
<tr>
<td>1873</td>
<td>3044.11.11</td>
<td>12.1.71/4</td>
<td>0.8</td>
</tr>
<tr>
<td>1874</td>
<td>3314.13.33/4</td>
<td>13.7.71/2</td>
<td>0.83/4</td>
</tr>
<tr>
<td>1875</td>
<td>3468.6.2</td>
<td>13.5.0</td>
<td>0.83/4</td>
</tr>
<tr>
<td>1876</td>
<td>3575.14.1</td>
<td>13.9.10</td>
<td>13.8.4</td>
</tr>
<tr>
<td>1877</td>
<td>3527.3.8</td>
<td>13.7.1</td>
<td>13.5.7</td>
</tr>
<tr>
<td>1878</td>
<td>3954.12.6</td>
<td>14.14.63/4</td>
<td>14.12.6</td>
</tr>
<tr>
<td>1879</td>
<td>2897.4.8</td>
<td>12.16.11/2</td>
<td>0.83/4</td>
</tr>
<tr>
<td>1880</td>
<td>1588.12.81/2</td>
<td>11.11.103/4</td>
<td>11.10.4</td>
</tr>
<tr>
<td>1881</td>
<td>1400.5.11</td>
<td>11.13.61/4</td>
<td>0.83/4</td>
</tr>
<tr>
<td>1882</td>
<td>1053.15.7</td>
<td>11.16.10</td>
<td>11.16.10</td>
</tr>
</tbody>
</table>

---

41 TLCP, 11, 1865, Paper 9, p. 3.  
42 ibid.
The buildings

The built space which confined invalids tended to be woefully inadequate, ill-suited and poorly maintained. For example, the initial buildings used to accommodate invalids at the Brickfields were all old and badly dilapidated. Some were in such a state of disrepair that invalid labour was recommended to be used in their demolition.* In 1850, when they were used as the female hiring depot by the Convict Department, the then Comptroller General, had described them as being old, very defective and ‘ill adapted for the purposes of discipline’. Very few improvements had been implemented in the intervening decade. In 1860, water pipes to the establishment had not been laid and the Office of Public Works could not guarantee a supply. Water for the institution was instead obtained from a hand-drawn well.&

Charitable institutions tended to be converted convict establishments and often underwent several reuses. The Cascades, for example, witnessed a marked degree of re-utilisation of its extensive buildings over a period of many years. The conversion of the old female factory into a pauper invalid depot involved considerable expense and significant modifications to the establishment’s built space. Nevertheless, this was by far the path of least expense for the government. The construction of a new invalid facility would have cost the state a far greater amount than that expended on the conversion. Indeed, as Brown, Scripps and Hudspeth have pointed out, the 1860s hailed the start of a long period of minimal expenditure on institutional buildings. The official record documents maintenance and extensions being made to extant institutional buildings (but generally only after a prolonged campaign by administrators) but no new institutional structures were erected until the mid 1890s. Instead, existing government buildings, exclusively the

---

* AOT: CSD 1/156/5061, Turnley to Colonial Secretary, 23.3.1860.


AOT: CSD 1/156/5061, Director Public Works to Colonial Secretary, 26.6.1860.

AOT: CSD 1/156/5061, Minutes Board of Management HGH, 19.10.1860.

remnants of the imperial convict system, were converted and reconverted to a multitude of new institutional functions. In addition to its reuse as an invalid depot, the Cascades was also utilised by the government as a boys' training school and reformatory, a hospital for the insane, a contagious diseases (or lock) hospital, and a lying-in hospital. Parts of it were also leased to private philanthropic groups who established a home of mercy and a prison gate home for discharged prisoners. This continual use of the buildings at the Cascades, and at other institutional sites, such as the complex at New Town, represents the embodiment of the response of successive colonial Tasmanian governments to the perceived social ills of their times: old age, poverty, infirmity, madness, juvenile delinquency, illegitimate pregnancy and venereal disease. All were addressed by the same approach, incarceration in institutional space. This was very much a conservative response which had evolved out of the state's experience with the management of convicts. In the rules, regulations and acts of parliament governing these individual institutions it is possible to discern a strong undercurrent of penal rationalism. They also reflected a desire, on the part of the state, to remove 'undesirable, disruptive or untidy elements from public gaze.'49 This was a process which had commenced with the Enlightenment, in which there were determined efforts by the elite to both control and order social space. Meranze expounds an increasingly privatised notion of moral space and the links this had to the expanding importance of the bourgeois home. He argues that 'valorisation of the ordered home carried with it fears about the nature of public space'.50 This led to increasing moves to control and order lower class access and use of this space. Likewise, Shayne Breen argues, in relation to emancipists in northern Tasmania, that fears of public disorder led to 'criminalizing the working class occupation of public places.'51

49 For an account of institutional reuse of the Cascades Female Factory, see Brown, Poverty is Not a Crime, pp. 98-100. For a detailed history of this institution's built spaces see Scripps and Hudspeth, 'The Female Factory Historic Site', p. 24. An excellent understanding of its early convict period history can be found in T. Rayner, Historical Survey of the Female Factory Historic Site, Cascades (Hobart, 1981).
50 Scripps and Hudspeth, 'The Female Factory Historic Site', p. 1.
51 Meranze, Laboratories of Virtue, p. 241.
Admission procedures
Institutional order was impressed upon an inmate from the moment they arrived. Upon entry to an establishment an invalid had to yield to inspection, classification, 'decontamination' and confiscation of personal property. Foucault has argued that this 'examination' was an integral component in establishing authority over an inmate and commenced the process of normalising behaviour. Part of the induction was the classification of the inmate by the medical officer. This was a procedure which served not just as a health check but also as a ritual of initiation designed to subject the body of the pauper to the routine of the institution. Foucault has argued that this 'normalising gaze':

establishes over individuals a visibility through which one differentiates them and judges them. That is why, in all the mechanisms of discipline, the examination is highly ritualized. In it are combined the ceremony of power and the form of the experiment, the deployment of force and the establishment of truth. At the heart of the procedures of discipline, it manifests the subjection of those who are perceived as objects and the objectification of those who are subject.

Likewise, Goffman has described admission as a process of mortification, of loss, in which the new arrival is programmed, shaped and coded into 'an object that can be fed into the administrative machinery of the establishment, to be worked on smoothly by routine operations.' The thorough

52 Maxwell-Stewart and Duffield have considered this 'official gaze' in relation to convicts transported to Van Diemen's land. They discuss the 'induction inspection' in terms of the need to acquire descriptive knowledge in case of future absconding, the need to assess convict labour skills, but also the psychological imperative to amass power over the subject. They argued that: 'In order to re-embold the prisoner within a deferential landscape it was necessary to strip away her/his agency. Once paraded, degradingly near-naked, under the omnipotent-seeming official eye, prisoners starkly experienced themselves as humiliated subjects of disciplinary knowledge.' Having experienced this humiliating degradation upon arrival as convicts, emancipists were to experience a repeat dose upon admission to a charitable institution. (H. Maxwell-Stewart and I. Duffield, 'Skin deep devotions: religious tattoos and convict transportation to Australia' in J. Caplin (ed.), Written on the Body: The Tattoo in European and American History (London, 2000), p. 120.)

53 Foucault, Discipline and Punish, pp. 184-5.
examination by a medical officer was also used to assess work capacity.55 During incarceration, inmates would be brought from time to time before the medical officer for re-examination. Those judged able to earn a living or unwilling to perform allotted tasks were either not admitted or else discharged. The government was not going to maintain malingers. However, the reality was that very few inmates were ‘capable of performing any work beyond that of Messmen, and weeding and keeping the yards clean.’56

Upon admittance to a depot, invalids were stripped of all their personal possessions including their clothes.57 At the NTCI, despite having no regulatory power to do so, Withrington used to search newcomers upon admission.58 As part of the dehumanising penalisation of inmates, it was standard practice that they were deprived of their own clothing when first entering the depot.59 They had to yield to being washed and to donning the institutional livery, often ex-prison garb. In this manner they lost their external individuality and were interfused into the penal population and carceral landscape. The issuing of government clothing was part of the performance of domination over the inmate’s body in that it went some way towards stripping inmates of their individuality and stamped upon them the mark of the institution. Goffman has referred to this process as ‘a leaving off and a taking on, with the mid point marked by physical nakedness.’60 He has pointed out that the dispossession of property relates to the link between belongings and the image of self, in that individuals invest self-feelings in their possessions. By breaking this connection the institution effectively

55 AOT: CSD 10/41/815, Regulations for the Inmates of the Pauper and Invalid Depot for Males, Port Arthur, Rule 31.
56 TLCP, 15, 1869, Paper 5, p. 3.
57 AOT: CSD 10/41/815, Regulations for the Inmates of the Pauper and Invalid Depot for Males, Port Arthur, Rule 32.
58 TPP, 6, 1885, Paper 154, p. 32.
60 Goffman, Asylum, p. 27.
weakens the ego, making it more malleable to institutional manipulation. Having stripped the newcomer, the institution has to make at least some reparations. These replacements, however, invariably were impersonal and standardised issue, and always remained the property of the institution. The opportunity for the inmate to imbue them with self was denied and their regular recall for cleansing effectively washed away any individual identification. 61

The dispossession of self was further compounded by other controlling mechanisms such as the economic imprisonment of the inmate through financial disempowerment upon admittance. Rule 66 of the NTCI regulations, for example, authorised the superintendent to hold 'all money and articles of value surrendered by or found in the possession' of persons being admitted.62 As a further means of controlling inmates the regulations forbade invalids the right to perform labour for their own benefit. This was also the case at the Port Arthur Invalid Depot where inmates were not permitted to perform any work for their own benefit without the sanction of the Commandant.63 Instead, they were allotted labour tasks, although they were recompensed between 2s.6d. and £1.5.0 per month for some duties they performed64. This measure denied them their independence and impeded their return to the world outside the institution. They were effectively locked into what Foucault has termed the 'the great carceral continuum'.65

The admittance process can therefore be interpreted as a stripping away of a person's power. They had their clothes removed, their possessions and money confiscated, their hair cut and bodies scrubbed.66 Effectively, initiation

61 For a discussion on this see Goffman, Asylum, pp. 24-30.
62 The Hobart Gazette, 19.8.1885, Regulations for the NTCI, p. 1194 c. 1, rule 66.
63 AOT: CSD 10/41/815, Regulations for the Inmates of the Pauper and Invalid Depot for Males, Port Arthur, Rule 50.
64 AOT: CSD 10/41/264, Return of paupers employed, with rate of pay, Port Arthur, 31.7.1876.
65 Foucault, Discipline and Punish, p. 303. For further discussion of 'The carceral' see pp. 293-308.
66 Convicts, even those granted a ticket-of-leave, had their hair cropped short to mark them out as transported felons. (C. Pybus and H. Maxwell-Stewart, American Citizens, British Slaves, p. 152.) Joy Damousi has explored the use of headshaving as a means of
was very much a de-individualising experience aimed at giving the authorities additional psychological and economic control over inmates. While the invalids may not have perceived this in such terms they certainly resented it. It is one of a few areas that Withrington admitted to having received both complaints and resistance.

The cold
Many aged invalids found institutions to be intensely cold environments and they complained about this, especially in relation to their dormitories. The 1880 winter, for example, had according to Withrington been 'very severe'. In response to this coals had been supplied to all the wards at the NTCI except four large dormitories because there were no fireplaces in them. In these wards an extra blanket had been issued. It is highly questionable as to whether a single extra blanket would have been sufficient to ward off the cold of a severe winter for elderly persons already suffering ailments of old age. There is, however, evidence that public institutions did not have sufficient blankets to be able to offer more than this minimalist additional assistance to help invalid inmates fight the chill of winter. A year earlier when Robert Andrew Mather, representing the HBS, had requested of the government any available cast off blankets from public institutions for dehumanising and punishing female convicts in the female factories. See J. Damousi, 

For this reason invalids would have had to hide any monies they had. Not only from fear of theft from fellow inmates but also from official confiscation. Evidence to this effect was given during an 1885 inquiry. (TPP, 6: 1885, Paper 154, p. 19.) Often when an inmate died a sum of money was found secreted either on their person or amongst their meagre possessions. For example, a sum of £3.5.91/2 was found on Patrick Crighton when he died at the Cascades Invalid Depot on 11 September 1877. (AOT: AA 492/1.) Such sums of money were paid into the general revenue of the Colonial Treasury. For a specific example see AOT: CSD 25/19/1678, Superintendent Cascades Invalid Depot to Colonial Secretary, 11.2.1868, regarding the payment of six shillings found in the possessions of Thomas Worthington, a pauper inmate, who died on 3 February 1868.

TPP, 6, 1885, Paper 154, p. 19.

For example, see AOT, CSD 13/57/922, Complaint of Francis Freyerman, 9.6.1881.

AOT: CSD 13/57/922, Withrington to Chief Secretary, 9.6.1881.
distribution among the aged destitute poor, Moore had responded that there were none that could be spared.\(^7\)

**Ventilation**

In March 1861, some of the female colonial invalids, temporarily accommodated at the Cascades Female Factory, were removed to the new Female Infirmary attached to the HGH.\(^7\) These women may have felt some relief at being transferred, from what was a wretched female gaol totally unsuited to the needs of the aged and infirm, to an institution purpose modified for their management and control. Yet it is clear that despite the length of time spent renovating the former Comptroller General’s offices there were still many defects with the spaces. For example, the so-called ‘long ward’ had roofing problems such that it admitted both dust and wind, a concern given the approach of autumn.\(^7\) The need for heating is indicated by requests for the installation of a charcoal stove by the Board in April 1861, arranged such that the carbonic acid gas generated would be carried off.\(^7\) An almost prophetic request given a tragic incident which was about to transpire at the Cascades Female Factory involving such a stove.

In March 1861, 27 colonial invalids, along with two nurses — Eliza Holliday and Annie Reid — were transferred from the HGH to the Cascades in order to relieve the overcrowding in the female hospital. They were housed in a number of rooms at the Cascades which were part of that establishment’s imperial female invalid depot, attached to the house of correction. Six of the colonial invalids temporarily transferred to the Cascades were confined within a small interior room which had no means of being ventilated and no fireplace. They were Mary McDonald, Mary Ann McGuinness, Ann Walker,

---

\(^7\) AOT: CSD 13/36/453, Moore to Mather, 9.7.1881.
\(^7\) AOT: CSD 1/155/5061 (vol. 1), Turnley to Colonial Secretary, 20.3.1861. It is most probable that there were about 30 women in this group, as a report to the Legislative Council refers to arrangements for this number of invalid women being temporarily accommodated at the Cascades Female Factory, in order to relieve overcrowding at the HGH, ‘until arrangements could be provided for them at the Hospital.’ (TLCP, 6, 1861, Paper 10, p. 5.)
\(^7\) AOT: CSD 1/155/5061, Minutes Board of Management HGH, 19.4.1861.
\(^7\) *ibid.*
Ruth Richmond, Mary Reilly and Catherine Dowd. On the afternoon of Saturday, 14 June 1861, these women were surprisingly happy. A portable coal burning ship's stove had been given them and it was warming their cold, damp and gloomy quarters. These women, while not making any official complaint about the nature of their accommodation, believing nothing would come of it, had been overheard by staff regularly complaining amongst themselves about the dank conditions of their ward. They were thus pleased at the relief the stove provided. While it was supposed to be removed at night, this did not occur and, tragically, all but Dowd (who was seriously incapacitated for some time) died as a result of poisoning from inhaling carbonic acid gases.75

**Bathing**

Institutional administrators and visitors regularly remarked upon the dirty appearance of inmates and the resistance encountered in getting them to bathe. Precisely how inmates were to keep themselves clean is a bit of a mystery given that some institutions, such as the Brickfields, were not connected to any mains water supply.76 In practice, this non-connection would have limited the availability of water and have rendered the establishment effectively without water closets and regular bathing facilities. Whilst some men may not have complained about this predicament, it must have had an impact upon both personal and institutional hygiene.

Given that the majority of inmates were emancipists, it is unclear as to how their convict background would have influenced their personal hygiene habits. The official record is full of innuendo on this subject, much of it in the negative in regard to the inmates, and stresses the enforcing of habits of cleanliness upon such men. However, there is often a gulf between the written word and what actually transpired. What is known is that virtually all male emancipists would have had some experience of the Hobart Town Prisoners' Barracks. According to a report drafted by its superintendent, it

75 THAP, 5, 1860, Paper 46 and The Mercury, 28.7.1860, p. 3 c. 4-6.
was not until the latter half of 1852, as a result of instructions issued by the Comptroller General, that the prisoners received a warm bath, and this only every second Saturday afternoon.\textsuperscript{7} It was quite likely that the opportunity and incentive to develop regular bathing and other habits of personal hygiene were effectively denied to many of those men who in their later life found themselves incarcerated in charitable institutions. It is, therefore, not unreasonable to suppose that there were male invalids who found no reason to complain at the restricted bathing facilities of the Brickfields.

This was not, however, the situation with all inmates. To some extent the comments of administrators and visitors expose a lack of appreciation of the constraints placed upon inmates. At the NTCI, for example, in the early 1880s there was a substantial water shortage problem during the summer months. Withrington reported, in 1881, that he was often compelled to suspend for days all bathing as a means to conserve the reservoir.\textsuperscript{7} In the case of the LID, the evidence given to the 1888 Royal Commission by Lavington Thompson, the Visiting Medical Officer to that institution, pointed to a shortage of hot water as being the reason male inmates resisted bathing.\textsuperscript{7} Alfred Jones, the LID Superintendent, in his evidence to the Commission, also stated that the hot water supply was deficient. But he also informed the Commissioners of another major constraint affecting the men's capacity to bathe. The institution had but one bath for some 120 men. The situation for the female invalids in the Launceston Gaol was little better. Celia Paul, Matron of the Launceston Gaol, described their bathing facilities as being 'deficient'.\textsuperscript{6} From the

\textsuperscript{7} AOT: CSD 4/14/122, Minutes Board of Management HGH, 26.9.1862.
\textsuperscript{7} TLCP, 30, 1881, Paper 9, p. 3.
\textsuperscript{7} TPP, 15, 1888, Paper 50, p. 64. In 1885, this same problem at the NTCI was to some extent nullified by the construction of a new bath-house containing 'four baths with a heating apparatus ... and a plentiful supply of hot and cold water'. (TPP, 8, 1886, Paper 9, p. 3.) This development allowed bathing to be more frequent, less of an ordeal for the inmates, and improved personal hygiene levels throughout the institution.
\textsuperscript{6} TPP, 15, 1888, Paper 50, p. 57. It was an issue which must have been addressed in the immediate aftermath of the Commission as it was reported in the annual report for 1888 that bathing facilities had been increased and that there was a plentiful supply of hot water. (TPP, 15, 1888-9, Paper 152, p. 4.)
\textsuperscript{6} TPP, 15, 1888, Paper 50, p. 59.
evidence she gave to the Commissioners it would appear that female invalids were housed on two floors and that the upper did not have a bath. This lack of adequate bathing facilities upstairs resulted in some of the women being unable to clean themselves because ‘[s]ometimes the invalids [were] physically incapable to walk up or down stairs.’ As a result of this evidence the Commissioners recommended that the LID should be furnished with ‘more facilities for bathing and a better supply of hot water.’ When this was achieved, it appears that the majority of the inmates were glad to take advantage of the new bathing facilities.

Force was not used to bathe inmates at the NTCI, but those refusing to take a bath on admission were not admitted. Normally inmates washed every morning, received a shave usually twice a week, and received a bath once a fortnight. According to Simon Murphy, the Head Warder at the NTCI, they bathed in lots of 12, with a fresh change of water for each inmate, and it took a fortnight to bath all the inmates. He stated before the Royal Commission that if they had more baths then the inmates could be washed more frequently and Frederick Seager, the Assistant Superintendent and Storekeeper at the NTCI, also stated that this would result in an improvement to the personal hygiene standards of the men. Overall, the bathing situation at the NTCI came under much more severe criticism than that at Launceston and tended to support inmate concerns about uncleanliness. The Commissioners commented that:

> From the personal appearance of the men, we are of the opinion that sufficient care is not taken to enforce habits of cleanliness both in regard to their persons and their clothes.

Seager attempted to fob the Commissioners off by stating that the dirty appearance of the clothes worn by the inmates was a result of their naturally...
dirty habits. However, he was contradicted by evidence given by Murphy who, when asked whether the men as a rule kept themselves clean, responded in the affirmative. The Commissioners were not fooled by Seager’s statement and the institution’s officers were rebuked and directed to pay greater attention to the cleanliness of the inmates. The Commissioners found the bathing facilities at New Town to be insufficient, primitive and disgusting. In their report they described them thus:

The bathing accommodation is insufficient in the hospital wards, and generally is capable of very considerable improvement. One washing-trough that we inspected is certainly of a most primitive nature, and calculated to spread disease when we consider that it is used by all classes of the inmates. It consists of a wooden trough, divided by partitions, and erected round three sides of a room; the water enters from a tap at one end, and passes from one division to the other through holes left at the bottom of the partitions until it escapes at the opposite end. Thus, if an inmate who washes in the upper level of the trough should happen to suffer from any infectious disease there is a danger of the infection being spread amongst those using the trough at the lower level. In any case the plan is very disgusting, and separate washing-places, wholly disconnected with one another, should be introduced.

Medical treatment
Medical treatment for invalids was often found to be substantially wanting. While physical classification between medical patients and invalids was eventually established by placing them in separate institutions, they were often bound through administrative and management arrangements. For example, the Brickfields was governed by the HGH which was therefore in a position to ration what it felt were the medical requirements of the depot. In the early 1860s, George Tumley, the Resident House Surgeon of the HGH, advised the Colonial Secretary on various aspects of Brickfields management, including the most economical means of providing its inmates with medical attention. He favoured servicing the Brickfields with a medical officer from the HGH on an as and when needed basis. In practice this meant that many of the chronic medical problems which tormented the aged invalids, such as

88 ibid., p. 40.
89 ibid., p. 37.
90 ibid., p. xxvii.
91 ibid., p. xxii.
92 AOT: CSD 1/155/5061, Turnley to Colonial Secretary, 20.12.1859.
ulcers and rheumatic pain, went under-treated. Medical visitations addressed acute emergencies, rather than the reality of daily misery caused by neglect of chronic medical conditions.

Accommodation, especially that in the hospital wards of invalid depots was often negligent and 'very defective.' As a consequence of this and a failure to provide adequate medical attention, especially to inmates confined to their beds, secondary complications, such as bedsores, could develop. Philip T. Smith, a strong voice in the reformist camp, viewed this situation and the general medical treatment of inmates, particularly at the Cascades, as being unacceptable. He stated that medical treatment was at best unsatisfactory and careless, and at worst inhumane. He called for an inquiry and exemplified the need for such with the case of a male inmate named George Greenwood, who had allegedly contracted bedsores as a result of the hard straw mattresses used at the Cascades and neglectful nursing practices. Evidence given at the resulting inquiry revealed aspects of living conditions not available from other sources. From the statement given by the Head Nurse, John Ellis, it is possible to ascertain that the majority of patients were provided with straw mattresses but that in some cases patients were given mattresses filled with hair. These latter mattresses, being more expensive, meant that they were changed less frequently than their straw counterparts. Bedridden patients were likely to soil their beds and, at a time in which there were no mattress protectors, such soiling was likely to result in a stench.

Other aspects dealing with the treatment of invalids in the hospital ward presented in the statements given by Ellis, Robert Large (the Head Wardsman) and A. Seager (the Dispenser) are questionable. All stressed constant attendance, immediate responses to the expressed wishes of invalids.

---

94 AOT: CSD 7/59/1436, Smith to Chapman, 17.11.1873.
95 AOT: CSD 7/59/1436, Ellis to Atkins, 21.11.1873.
and the frequency with which dressings were changed.* However, the striking similarity of all three statements suggests a degree of collusion. Further, other evidence indicates that no matter how diligent the staff might have been, the scope of the task at hand meant that such dutiful care was all but impossible. For example, in a private transcript in which the Head Wardsman requested a pay increase, Large revealed that he was responsible for an average of 160 male invalids and that he worked a 12 hour day from 6 am until 6 pm.97 Given these circumstances, it is difficult to imagine that the standard of care proclaimed at the inquiry could have been implemented in practice.

**Imposing middle class behaviour**
Charitable institutions were intolerant of invalid culture.* They were an agent in a wider program of social change in which the middle class and elite sought to impose ethics of self-discipline and self-reliance. The impelling force behind this was a conviction that moral duty, that ingredient in the social cement which confirmed the position of the elite and which had previously arisen largely out of stable and specific social relations, was breaking down as society gave way to a network of mobile, individualistic strangers.96 Institutions were, therefore, utilised to impose, through a variety of media, middle class virtues as a means to reinforce and strengthen traditional power relationships.

If institutional walls were decorated with anything then it was likely to be cards upon which scriptural quotations were printed. Such cards were

---

* AOT: CSD 7/27/245, Large to Atkins, 22.2.1873.
96 As most invalids were emancipist we are here referring to an emancipist culture, or rather a subculture amongst ex-convicts. Pauper emancipists exhibited a distinct network of behaviour, beliefs and attitudes which were discrete from those displayed by the wider Tasmanian society. Key characteristics were an itinerant lifestyle, seasonality of movement, employment as agricultural labourers or domestic servants, a love of alcohol and frequent bouts of binge drinking, a fondness for gambling, involvement in petty crime, disdain for authority and regulations, and a capacity to manipulate systems of control to their advantage.
observed hanging from the walls of the HGH. Their purpose had been to "sooth the weary spirits of the patients, who have ample time to test the sweetness or otherwise of 'zealous contemplation'."\textsuperscript{99} Smoking was not permitted within the wards. Gambling and profane language were also subject to sanction. Likewise, middle class impressions of intemperance amongst the lower social strata meant that alcohol was 'strictly forbidden'.\textsuperscript{100} Any inmate who infringed this rule by introducing spiritous or fermented liquors was likely to be subjected to immediate discharge. Reading material was also censored by the superintendents who confiscated any newspapers or books they considered to 'have a mischievous or immoral tendency'.\textsuperscript{101} An attempt was made to eliminate practically all pleasurable aspects of emancipist culture. There is evidence that the institutional authorities had some success in this regard, making institutional life excessively monotonous and dreary for the inmates. This can be observed in a portrayal of inmate recreation as published in \textit{The Mercury} which stated that:

\begin{quote}
The poor old fellows have very little to amuse them... Very often one old fellow, surrounded by a crowd of two or three dozen, will commence to read a newspaper, not in the way we of the outside world skim it over at breakfast time, but commencing at the first column of advertisements, and reading steadily through the advertising and news columns to the end.\textsuperscript{102}
\end{quote}

Inmates had middle class behaviours imposed upon them in a myriad of ways. Petty behaviours were enforced on a daily basis through a disciplinary code, as exemplified by rule 78 of the 1885 NTCI regulations. This rule stated:

\begin{quote}
Quiet and orderly conduct must be observed in the mess-rooms, yards, and dormitories; and Inmates will not commence their meals before Grace has been said, during which they must stand up. They are not to wear their hats or caps in the mess-rooms or dormitories without the permission of the Superintendent.\textsuperscript{103}
\end{quote}

\textsuperscript{99} See Wiener, \textit{Reconstructing the Criminal}, p. 70.
\textsuperscript{100} \textit{The Mercury}, 12.6.1874, p. 2 c. 6.
\textsuperscript{103} \textit{The Mercury}, 1.1.1873, p. 3 c. 2-3.
\textsuperscript{104} \textit{The Hobart Gazette}, 19.8.1885, Regulations for the NTCI, p. 1194 c. 2, rule 78.
Life inside a charitable institution was a physical existence but that is all it was.

**Rules and regulations**

The power to control invalids in charitable institutions was embedded in rules and regulations. Inmates were to strictly obey all the institutional regulations and all orders received from the superintendent. There is an uncanny likeness between rules for nineteenth-century penal institutions and those framed for invalid depots. For example, there is a striking resemblance between the 1868 rules and regulations for the newly established LID and those issued in 1843 for prisoners in the first stage of convict probation. The similarity is not only in language, tone and arrangement but also in tenor. Like the earlier penal rules, the LID regulations emphasised discipline, order, cleanliness, the centralisation of power and authority, and the regimentation of activity and movement through space. Little had changed since emancipist invalids had arrived as convicts and spent their initial sentence almost certainly as third class probationers engaged in gang labour.

Dunning and Maxwell-Stewart have documented the use of identical normalising techniques in relation to convict gang labour in northern Tasmania. Regimented labour was used, in an extension of admission procedures, 'in a system designed to strip convicts of their identity'. They argue that the bodies of ganged men were 'regulated by disciplinary knowledge, [and that] the individual convict was reduced to a number in a

---


107 Based upon invalid occupational skills (see Appendix One) it is argued that third class convicts were more likely to have ended their days in invalid depots than convicts who had possessed skills in greater demand and thus were rewarded with a higher standing in the probationary scale.

surveillance register.' As for probation stations, invalid depot regulations were justified as a means to maintain order within the institution and to control the invalids entrusted to its care. Such penal-like regulations indicate that institutional authorities believed that invalids needed control. No doubt this reflected the disparity between the world the invalids wished to create for themselves and that which the administration was prepared to allow them.

Institutional authorities needed rules and regulations to control inmate populations and to order the daily operations of the establishments. They maintained the daily routine of such places and greatly extended the carceral powers of the state over the invalid. Poverty, specifically amongst the aged and chronically ill male emancipist community was harshly dealt with. This was borne out by the repressive nature of the new regulations. New Regulations for the Inmates of the Pauper and Invalid Depot for Males, Port Arthur were approved by the Governor-in-Council on 18 September 1876. These new rules and regulations were in keeping with those approved for other state charitable institutions in 1874. Under rule 29 invalids admitted to the Port Arthur depot were detained, without entitlement to claim a discharge, for arbitrary periods determined by the Administrator of Charitable Grants. Effectively habeas corpus was suspended for male invalids sent to this penal station. At the Brickfields, men were detained but only for a set period, generally three months, not some undefined term as was the case with Port Arthur. Once admitted into the Port Arthur depot the authorities could detain an individual indefinitely if the medical officer deemed them unfit. Rule 30 made it a prerequisite that an inmate had to pass a medical prior to

---

109 ibid.
110 AOT: CSD 1/84/72, Sherwin to Henty, 17.5.1860.
111 AOT: CSD 10/41/815, 18.9.1876.
112 New regulations were also approved for the Brickfields Pauper Establishment for Males, the New Town Charitable Institution for Indigent Females, the Cascades Invalid Depot for Males, and the Launceston Male Invalid Depot. A copy of the exact regulations for each establishment can be found respectively in The Hobart Town Gazette of 25.8.1874, pp. 879-81; 18.8.1874, pp. 874-5; 25.8.1874, pp. 882-4; and, 18.8.1874, pp. 870-2.
113 AOT: CSD 10/34/554, Withrington to Colonial Secretary, 24.12.1875. Female invalids at the NTCI were also admitted under a detention order for a period of usually three months during which time they could not demand their discharge. (TLCP, 23, 1876, Paper 9, p. 4.)
even being considered eligible for a return passage to Hobart.114 This was a radical departure from the 1850s and 1860s when invalids were given virtually an open door policy to the Port Arthur depot and return trips to Hobart Town.

Routine
Inmates were subjected to a systematic patterning of their daily existence. Strict routine and regimentation were the key techniques for maintaining institutional discipline and order. The lives of inmates were regulated by the sound of a bell. That chime which had so marked the soundscape of many of these men's lives whilst they were prisoners of the Crown, was again in their later years to be the sound which ordered their days. Just like Pavlov's dog, the bell informed them when they had to rise, when they had to eat, when they had to labour, when they had to muster and when they had to remain silent. The bell controlled, ordered and regulated their movement not only through space but also through time.115 For example, at the LID the day commenced, in summer, with the ringing of the bell at 6.30 am (7.30 am in winter).116 After rising the men were given half-an-hour to dress, make their beds and carry out their ablutions before they had to leave their sleeping apartments for the washhouse. If it were a Wednesday or a Saturday they would have received a clean shirt and a shave. After being ordered to the washhouse they would have had a slight wait in summer before the bell rang at 8.00 am to indicate the commencement of breakfast. It was always served at 8.00 am, summer and winter, as was dinner at 1.00 pm. However, tea was served half-an-hour later in summer, at 5.30 pm, than in winter. The final bell for the day, known as the 'Silence Bell', was rung at 9.00 pm in summer and 8.00 pm in winter and signalled the locking up of the institution and the

---

114 AOT: CSD 10/41/815, Regulations for the Inmates of the Pauper and Invalid Depot for Males, Port Arthur.


commencement of silence, that much beloved middle class virtue that supposedly confirmed order and discipline.¹⁷

**Labour**

The 'discipline of work' was strictly enforced in charitable institutions and was implemented as a means by which inmates contributed to the performance of the charitable system by reducing operating costs. It was thus a mechanism for installing the principle of self-maintenance and it also functioned as an instrument for preventing that most grave of middle class sins — idleness; the habit of doing nothing or avoiding labour. There was, therefore, an educative and moral facet, as well as economic aspect, in the use of labour within pauper establishments.

At all invalid depots, inmates had to labour as directed by the superintendent unless they were exempted by the medical officer. However, the very reasons which saw invalids admitted into depots in the first instance imposed a limitation upon their capacity to work. By the early 1870s, they were described as being considerably aged, broken down in health and constitution, and suffering from chronic complaints. At the Cascades, it was the responsibility of William Benson, the then Medical Officer, to classify paupers, upon admittance, according to the nature of work they could perform. Benson found that few were able to labour, even at light work.¹¹⁸ While female invalids were generally engaged in needle work (repairing clothing from other institutions, such as the Queen’s Asylum for Children, or making their own clothing) and washing, only a portion of the male inmates were capable of labour. In 1868, out of a daily average of 145 men only 45 to 50 were estimated as being able to work. These men were engaged in cultivating land adjoining the establishment, stone-breaking and broom-making. Ringrose Austin Atkins, Superintendent of the Cascades, observed that amongst those inmates incapable of heavy labour, there were many of

¹¹⁷ AOT: CSD 10/41/815, Regulations for the Inmates of the Pauper and Invalid Depot for Males, Port Arthur, Rule 46.
both sexes who were capable of tasks such as picking horse-hair, oakum, coir and the like, if it could have been procured, but that they were 'totally incapacitated from any [other form of] work." It would appear that the suggestion that inmates pick oakum was taken up. It is recorded as one of the activities performed by male invalids in both 1869 and 1873. In addition male invalids were also engaged in carpentry, shoemaking and coopering.

The repairing and manufacture of boots and shoes, as well as horticultural activities were to have a considered effect upon the financial operations of the establishment. As can be seen in Table 6.2, there developed very early in the administration of the Cascades, a marked differential between its gross and net operating costs. This was primarily related to credits given to the institution in recompense for the labour of inmates, predominantly in relation to profit from cobbler activities and the production of vegetables. In 1869, for example, the establishment raised 144,301 lbs of vegetables worth £267.11.8 and made a net profit of £71.12.7 from cobblering. Subsequent annual reports show that these activities resulted in a substantial reduction in the net expenditure needed to run the pauper component of the Cascades establishment. A return made in 1872 provides a snapshot of pauper employment at the Cascades. In July of this year there were 155 male and 128 female paupers accommodated in this institution. Amongst the male inmates, one was employed as a rough carpenter; two as shoemakers; one as a painter; one as a tinsmith; one as a tailor; one as a barber; one as a cooper; two as cooks; one as a gatekeeper; 21 as mess-room cleaners, wardmen, and yardmen; four as cleaners of day-room, bath-room, wash-house, and closets; ten as oakum pickers; 29 as agricultural labourers; and 80 were described as incapable of work. Amongst the female inmates nine were employed as

119 TLCP, 15, 1869, Paper 17, p. 3.
120 The Mercury, 1.1.1873, p. 3 c. 2-3. In Britain, picking oakum had a long history as an acceptable and suitable form of labour for both prisoners and paupers. This background no doubt influenced administrators in selecting it as appropriate labour for Tasmanian invalids.
121 TLCP, 16, 1870, Paper 6, p. 3.
122 TLCP, 1870, Paper 6, pp. 5-6.
nurses, five as cleaners, and 15 as needle women. There were 99 females designated as being incapable of work.123

The grounds on which an exemption from labour was issued by the medical officer remain unclear. No criteria were set for assessing the labour capabilities of individuals, and, given the rudimentary knowledge that the medical profession possessed of geriatric care, decisions regarding the capacity of aged inmates to perform specific tasks could have been extremely arbitrary. Those inmates deemed to be able-bodied but refusing to perform labour were punished by being placed on a reduced diet.

TABLE 6.2: Total expenditure and cost per inmate (male and female combined) for the Cascades Invalid Depot, 1867-79.

<table>
<thead>
<tr>
<th>YEAR</th>
<th>TOTAL EXPENDITURE</th>
<th>Average Cost/Head/Annunm</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>1867</td>
<td>2676.9.13/4</td>
<td>19.6.6</td>
<td>TLCP, 14, 1868, Paper 1, p. 103.</td>
</tr>
<tr>
<td>1868</td>
<td>3631.14.0</td>
<td>14.3.9</td>
<td>TLCP, 15, 1869, Paper 9, p. 113.</td>
</tr>
<tr>
<td>1869</td>
<td>4220.5.4</td>
<td>14.17.0.1/2</td>
<td>TLCP, 16, 1870, Paper 1, p. 111.</td>
</tr>
<tr>
<td>1870</td>
<td>3586.6.6</td>
<td>11.9.7</td>
<td>TLCP, 17, 1871, Paper 1, p. 116.</td>
</tr>
<tr>
<td>1871</td>
<td>3762.0.6</td>
<td>10.18.9</td>
<td>TLCP, 18, 1872, Paper 2, p. 110.</td>
</tr>
<tr>
<td>1872</td>
<td>3798.17.10</td>
<td>9.18.73/4</td>
<td>TLCP, 19, 1873, Paper 10, p. 4.</td>
</tr>
<tr>
<td>1873</td>
<td>4155.12.10</td>
<td>11.2.5</td>
<td>TLCP, 20, 1874, Paper 1, p. 118.</td>
</tr>
<tr>
<td>1874*</td>
<td>3481.13.5</td>
<td>13.15.5/4</td>
<td>TLCP, 21, 1875, Paper 2, p. 120.</td>
</tr>
<tr>
<td>1875</td>
<td>3734.9.1</td>
<td>12.7.33/4</td>
<td>TLCP, 23, 1876, Paper 1, p. 137.</td>
</tr>
<tr>
<td>1876</td>
<td>3965.6.9</td>
<td>14.10.13/4</td>
<td>TLCP, 24, 1877, Paper 10.</td>
</tr>
<tr>
<td>1877</td>
<td>4851.7.9</td>
<td>16.15.71/2</td>
<td>TLCP, 25, 1878-9, Paper 9.</td>
</tr>
<tr>
<td></td>
<td>14.17.5</td>
<td></td>
<td>TLCP, 25, 1878-9, Paper 1, p. 151.</td>
</tr>
<tr>
<td>1878</td>
<td>4679.16.7</td>
<td>14.16.61/2</td>
<td>TLCP, 28, 1879-80, Paper 8, p. 5.</td>
</tr>
<tr>
<td>1879*</td>
<td>2115.1.11</td>
<td>13.0.71/2</td>
<td>TLCP, 29, 1880, Paper 1, p. 139.</td>
</tr>
</tbody>
</table>

* A male only institution from mid 1874.  
* Establishment for paupers closed 30.6.1879.

Invalids at the Brickfields were likewise required to perform labour for the benefit of the institution. This was directed towards a number of goals, one of which was the growing of vegetables for use by the depot. In 1860, a small area was under cultivation but it was hoped to significantly enlarge this during 1861. In keeping with a poor law mentalité, the stipulation of inmate labour was meant to act as a deterrent to abuse by the idle and dissolute. The willingness of invalid inmates to work influenced their treatment at the Brickfields. As well, tobacco was used as an inducement to entice inmates to perform labour. For example, in October 1862, a memorandum was forwarded to all invalid stations to the effect that the weekly tobacco allowance should be cut from 13/4 oz to 1 oz. However, inmates could be issued the larger amount at the discretion of the establishment’s superintendent. As many inmates were addicted to nicotine it was highly effective as both carrot and stick.

During the same period in which the ‘tobacco memorandum’ was issued, invalids at the Brickfields were assigned tasks which supposedly related to those occupations that they had been employed in during their lives. Labour was divided into three categories: ground maintenance/gardening, domestic service and mechanical works. Those in the first category were generally employed in gardening activities such as hoeing and weeding, and their labour saw much of the Brickfields ground brought into cultivation. Indeed, they converted much of the brick-earth which surrounded the building, some three to four acres, into decorative and productive gardens. The land at the front of the Brickfields was laid out in ornamental gardens, and vegetable beds on the east side yielded produce for use by the institution. Labour was directed at converting the grounds surrounding the depot from their inferior condition into productive cultivation soon after the institution was

124 AOT: CSD 1/142/5143, Withrington to MacDonell, 3.1.1861.
126 It is important to realise that institutions did not solely rely on coercive means to control and modify inmate behaviour. It was not just ‘stick’, ‘carrots’ in the form of rewards were an aspect of this process, just as shaming was also a tactic.
127 AOT: CSD 4/14/122, Macdowell to HGH Board of Management, 28.4.1862.
established. By early 1862 its Board was able to report that a considerable saving was being made to expenditure through the utilisation of vegetables produced by the invalids.\footnote{TLCP, 7, 1862, Paper 6, p. 6.}

**TABLE 6.3:** Average ages of inmates at the Brickfields Invalid Depot, 1861-1882.

<table>
<thead>
<tr>
<th>YEAR</th>
<th>Average Age at Death</th>
<th>Average Age of inmates present 31 December</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>1861</td>
<td>64</td>
<td>68</td>
<td>TLCP, 7, 1862, Paper 6, p. 6.</td>
</tr>
<tr>
<td>1862</td>
<td>73</td>
<td>69</td>
<td>TLCP, 9, 1863, Paper 9, p. 5.</td>
</tr>
<tr>
<td>1863</td>
<td>76</td>
<td>69y 2m</td>
<td>TLCP, 10, 1864, Paper 24, p. 3.</td>
</tr>
<tr>
<td>1864</td>
<td>69</td>
<td>66</td>
<td>TLCP, 11, 1865, Paper 9, p. 3.</td>
</tr>
<tr>
<td>1865</td>
<td>71y 9m</td>
<td>66</td>
<td>TLCP, 12, 1866-7, Paper 3, p. 3.</td>
</tr>
<tr>
<td>1866</td>
<td>70</td>
<td>68</td>
<td>TLCP, 13, 1867, Paper 4, p. 3.</td>
</tr>
<tr>
<td>1867</td>
<td>75+</td>
<td>68</td>
<td>TLCP, 14, 1868, Paper 4, p. 3.</td>
</tr>
<tr>
<td>1868</td>
<td>69y 6m</td>
<td>69</td>
<td>TLCP, 15, 1869, Paper 4, p. 3.</td>
</tr>
<tr>
<td>1869</td>
<td>74+</td>
<td>70</td>
<td>TLCP, 16, 1870, Paper 4, p. 3.</td>
</tr>
<tr>
<td>1870</td>
<td>76+</td>
<td>69</td>
<td>TLCP, 17, 1871, Paper 4, p. 3.</td>
</tr>
<tr>
<td>1871</td>
<td>70y 8m</td>
<td>70</td>
<td>TLCP, 18, 1872, Paper 7, p. 3.</td>
</tr>
<tr>
<td>1872</td>
<td>73</td>
<td>70</td>
<td>TLCP, 19, 1873, Paper 7, p. 3.</td>
</tr>
<tr>
<td>1873</td>
<td>74</td>
<td>70</td>
<td>TLCP, 20, 1874, Paper 6, p. 3.</td>
</tr>
<tr>
<td>1874</td>
<td>69y 6m</td>
<td>69y 6m</td>
<td>TLCP, 21, 1875, Paper 7, p. 3.</td>
</tr>
<tr>
<td>1875</td>
<td>70y 3m</td>
<td>70y 3m</td>
<td>TLCP, 22, 1876, Paper 7, p. 3.</td>
</tr>
<tr>
<td>1876</td>
<td>72y 4m</td>
<td>68</td>
<td>TLCP, 23, 1877, Paper 6, p. 3.</td>
</tr>
<tr>
<td>1877</td>
<td>73y 6m</td>
<td>70y 6m</td>
<td>TLCP, 24, 1878-9, Paper 8, pp. 3-4.</td>
</tr>
<tr>
<td>1878</td>
<td>73y 6m</td>
<td>71</td>
<td>TLCP, 25, 1879-80, Paper 7, pp. 3-4.</td>
</tr>
<tr>
<td>1879</td>
<td>73y 6m</td>
<td>72y 6m</td>
<td>TLCP, 26, 1880, Paper 8, p. 3.</td>
</tr>
<tr>
<td>1880</td>
<td>75y 6m</td>
<td>69y 7m</td>
<td>TLCP, 27, 1881, Paper 9, p. 5.</td>
</tr>
<tr>
<td>1881</td>
<td>73y 7m</td>
<td>71</td>
<td>TLCP, 28, 1882, Paper 8, p. 5.</td>
</tr>
<tr>
<td>1882</td>
<td>71</td>
<td></td>
<td>TLCP, 29, 1883, Paper 10, p. 5.</td>
</tr>
</tbody>
</table>
At no time between 1861 and 1882 did the average age of the inmates of the Brickfields drop below 66 years (see Table 6.3). It is a testament to the industry of these men that they were able to convert such heavy barren ground into gardens capable of significantly supplementing the institution's vegetable requirements.\textsuperscript{128} The transformation of brick-earth to ornamental

\textit{At no time between 1861 and 1882 did the average age of the inmates of the Brickfields drop below 66 years (see Table 6.3). It is a testament to the industry of these men that they were able to convert such heavy barren ground into gardens capable of significantly supplementing the institution's vegetable requirements.\textsuperscript{128} The transformation of brick-earth to ornamental}

\begin{table}[h]
\centering
\begin{tabular}{|c|c|c|}
\hline
YEAR & Amount & Value & Reference \\
\hline
1864 & 25,176 & & TLCP, 12, 1866, Paper 3, p. 3. \\
1865 & 29,623 & & TLCP, 12, 1866, Paper 3, p. 3. \\
1866 & 30,215 & 90 & TLCP, 13, 1867, Paper 4, p. 3. \\
1867 & 34,704 & & TLCP, 14, 1868, Paper 4, p. 3. \\
1868 & 34,385 & & TLCP, 15, 1869, Paper 4, p. 3. \\
1869 & 30,808 & & TLCP, 16, 1870, Paper 4, p. 3. \\
1870 & 35,847 & & TLCP, 17, 1871, Paper 4, p. 3. \\
1871 & 31,421 & & TLCP, 18, 1872, Paper 7, p. 3. \\
1872 & 36,199 & & TLCP, 19, 1873, Paper 7, p. 3. \\
1873 & 44,574 & & TLCP, 20, 1874, Paper 6, p. 3. \\
1874 & Equivalent in value to 25,875 lbs of potatoes & & TLCP, 23, 1877, Paper 7, p. 3. \\
1875 & Equivalent in value to 32,495 lbs of potatoes & & TLCP, 24, 1877, Paper 6, p. 3. \\
1876 & Equivalent in value to 27,744 lbs of potatoes & & TLCP, 26, 1878-9, Paper 8, p. 4. \\
1877 & Equivalent in value to 16 tons of potatoes & & TLCP, 28, 1879-80, Paper 7, p. 3. \\
1878 & Equivalent in value to 12 tons of potatoes & & TLCP, 29, 1880, Paper 8, p. 3. \\
1879 & & & \\
1880 & & & \\
1881 & 68511/4 & & TLCP, 32, 1882, Paper 8, p. 5. \\
1882 & 94931/2 & & TLCP, 34, 1883, Paper 10. \\
\hline
\end{tabular}
\caption{Amount and value of vegetables produced by inmate labour at the Brickfields Invalid Depot, 1864-1882.}
\end{table}

\textsuperscript{128} Although producing a substantive crop, it is unlikely that the grounds ever yielded sufficient vegetables for all the institution's requirements. (\textit{THAP}, 10, 1863, Paper 82, p. 21.) The scale of the vegetable harvest for the Brickfields can be seen in Table 6.4. This table indicates that Withrington extracted a considerable amount of labour from his charges. What makes these production figures even more impressive is that they were the result of the labour of less than 15 percent of the inmates. We know this because Withrington told an 1863 Joint Committee Enquiry into Prison Labour that he was
and productive gardens must have encompassed an enormous amount of what can only be described as hard labour for the young and fit, let alone aged and infirm men.

The use of invalid labour at the Brickfields effected many improvements despite the state of health of those executing it. However, it would be misleading to overemphasise the capacity of inmates to perform effective labour. The Brickfields Board recognised this and stressed it in their communications with the government. The reality of the situation was that only a small number of invalids were capable of performing any sort of labour. In April 1862, for example, there were 220 invalid inmates and of these only about 30 were capable of carrying out labour and, 26 of these were working inside the institution at this time. The rest were described as being old (the average age being 68), debilitated, feeble cripples afflicted with chronic ailments or diseases, or, if they were younger, subject to fits or 'stricken with blindness or some other great physical infirmity.' Those able to perform labour were only able to work at a level considerably below that of a fit and healthy man. Despite this, they were productive and this was something the Board wished to encourage. They believed that all who could labour, as determined by the medical officer, should do so, but they also held that a system which indiscriminately obliged invalids to work would fail. At this time at least the carrot was still preferred to the stick through the use of some minor financial incentives as rewards for performing labour.

While there may have only been about 30 invalids available for physically demanding work in the early 1860s, a decade later a considerable number of additional men were classified as capable of such labour. Commencing sometime in 1870, and continuing throughout the 1870s, invalids from the

---

employing about 30 invalids, out of a total inmate population of 224, as gardeners and as wardsmen. (THAP, 10, 1863, Paper 82, p. 21.)

129 AOT: CSD 4/14/122, Macdowell to HGH Board of Management, 28.4.1862; and, AOT: CSD 4/14/122, Minutes HGH Board of Management, 26.8.1862.

130 For example, in 1861 there were four invalids that were employed on full wages (a total of £36) and rations as servants, with the rest being permitted a small sum monthly. (TLCP, 9, 1863, Paper 9, p. 5.)
Brickfields were employed in construction, maintenance and repairs of surrounding roads. For example, in 1872 an average of 40 men per day were employed on road works and, by the end of that year, they had formed 674 yards of road. From a return dated 9 July 1872, we have a more refined picture of the manner in which invalids were engaged in labour at the Brickfields. On this day there were 251 inmates accommodated at the Brickfields. Of this number 86 (or 34 percent) were employed as follows: wardsmen (12), messmen (20), road-making (21), stone-breaking (6), quarrying (5), gardeners (8), washermen (3), barber (1), writer (1), servants (1), painters (1), assistant cook (1), cleaning closets and yards (2), office and lodge (2), reading room and Catholic chapel (2). The remaining 165 men were classified as being not fit for work.

Invalid inmates employed as wardsmen aided the running of pauper establishments and at the same time reduced operating costs. The LID's annual reports, for example, make clear that the employment of the more able-bodied inmates as wardsmen, for a remuneration of 4d. per day, was the norm. In 1871, five inmates were paid this amount working as wardsmen and another, who performed the function of gatekeeper, also received this amount. The employment of invalids as attendants or wardsmen dated back to at least 1845. In that year, instructions for the management of convict hospitals were issued to both medical and invalid establishments. Rule 47 stated that invalids were to be employed wherever possible as attendants in order to minimise the costs associated with running these institutions. Thus, economics played a pivotal role in the engagement of invalids in the care of their fellow inmates. Questions were, however, asked as to their suitability and capacity to properly attend to these duties. But the employment of inmates, at the Brickfields and similar institutions, also permitted the operating of an incentive and reward scheme through which the superintendent could exercise his authority. In many ways there are parallels

132 TLCP, 19, 1873, Paper 7, p. 3.
133 THAP, 24, 1872, Paper 15, p. 19.
134 TLCP, 17, 1871, Paper 47, p. 48, paragraph 60.
to the manner in which discipline, authority and order were maintained within convict labour situations. In relation to the management of labour at the Wellington Valley convict station, in NSW, David Roberts has described the delegation of work, with its hierarchy of responsibilities and associated internal mechanisms for promotion and demotion, as an incentive-based strategy. Just as the commandant’s power was indirectly exercised through convict overseers at Wellington Valley, so it was through invalid wardsmen in charitable institutions.

The capacity of inmates to labour at hop-picking was somewhat at odds with the admission requirement that they be incapable of earning a living through their own labour. Indeed, there was considerable contradiction within the evidence submitted at the 1888 Royal Commission as to the work capacity of inmates. When Murphy was questioned about the capacity of the men at the NTCI to cultivate more land for the growing of vegetables for the institution, he responded that this was not possible as they were ‘all too old.’ Murphy also stated that even an inducement of extra tobacco would be unlikely to increase productivity as such already existed for men performing extra duties. John O’Boyle, the Administrator of Charitable Grants, believed that the NTCI inmates were as well employed as they could be, and that, as regards to the LID, Superintendent Jones was ‘not a man to keep people idle if they [could] work.’ Likewise, in Launceston, Robert Venus, the Resident Overseer at the LID, described the men as ‘very old and feeble’ and Jones was unable to grow enough vegetables for the institution because, by this time, the men were physically incapable of labour and unable to do the garden.

138 TPP, 15, 1888, Paper 50, p. 37. The incapacity of invalids to perform labour was not restricted to male inmates. As early as 1876, Sandford Scott, the Superintendent of the New Town Pauper Establishment for Indigent Females, had stated of his charges ‘that not a few of them are worse than helpless’. (TLCP, 24, 1877, Paper 8, p. 4.)
139 TPP, 6, 1885, Paper 154, p. 18.
work." As Seager put it, labour was being utilised to the fullest extent but it was hampered by the fact that the 'inmates [were] very frail, and becoming more incapacitated for work every year.' This limited the capacity for Seager to find employment for the approximately 100 male inmates capable of limited work. At least two were employed as barbers and others performed kitchen duties. However, while stating that the cooking performed by inmates was done reasonably well, he believed that the time had come to employ a healthy man to undertake the task. The Commission's report indicates that the population of the depots was aging, becoming more infirm and less capable of labour. Increasingly, the charitable institutions were becoming old age homes for the poor and were less able to rely upon inmate labour for their operation. As a result operational costs rose, a trend accelerated by increasing pressures to employ able-bodied and specialised staff.

This was a situation that Withrington and the HBS found difficult to accept. Certainly the Reverend Simmons, Chairman of the Executive Committee of the HBS, believed that inmates were capable of performing more labour within institutions. This is reflective of the retention of an earlier mentalité which had viewed poverty as resultant of idle, immoral and indolent behaviour. Simmons believed that inmates should do everything they possibly could to help themselves and that '[a]s it is now, everything is done for them.' This comment reflected a middle class abhorrence of idleness. Indeed, Simmons wrote in the 1884 annual report of the Society, that it was its conviction that 'the bread of idleness is not good for any person'.

---

140 TPP, 15, 1888, Paper 50, pp. 58 and 60.
141 ibid., p. 38.
142 ibid.
143 As early as 1880, Everybody's Almanac described the LID as a public institution for the reception of old and infirm men. Everybody's Almanac: Official and General Guide to the Colony, and Tourist Guide (Hobart, 1880), p. 67.
144 See S. Garton, Out of Luck: Poor Australians and Social Welfare (Sydney, 1990), pp. 10-12.
146 For example, Stephen Garton has argued that 'if for philanthropists selective charity and moral reform were the means to overcome the evil of idleness which caused poverty.' (Garton, Out of Luck, p. 62.)
147 TPP, 1, 1885, Paper 12, p. 3.
middle class value was clearly articulated by Withrington in response to questions about how washing was carried out at the NTCI. After explaining that the inmates, both male and female, did their own washing Withrington responded to a suggestion that the introduction of machinery for washing would be an improvement by stating that:

No, we do not require machinery; the more labour we can give the inmates the better, and they would be idle unless they had the washing to do.\(^{148}\)

Not only did Withrington desire the inmates to work but he was not afraid to use coercive means to ensure it. Inmates who refused his directive to work were inevitably brought before the Police Magistrate for punishment.\(^{149}\) Work and discipline were common to the gambit of institutions set aside for the poor. The institution permitted the isolation of the individual from corrupting influences and trained them to be self-reliant workers. Garton has argued that institutions were 'designed to be factories for the production of good citizens and workers.'\(^{150}\) Through such places it was hoped to stem the tide of idleness which the philanthropic community saw abounding amongst the colonial poor.

Throughout its operation the charitable institutional system engaged inmates in coerced labour as a means to control, discipline and reform. As the inmate population aged and became increasingly infirm, the capacity of the system to enforce labour was compromised. The compulsion to labour became self-defeating and institutional administrators increasingly had to look for alternative means to carry out their daily operations through the engagement of able-bodied workers. This saw the operating costs of institutions rise. Thus, the controlling agency of inmate labour was effectively removed from the institutional repertoire at the same time as operational costs were rising. Outdoor relief, with its connotations of deserving, became more and more attractive.

\(^{148}\) TPP, 15, 1888, Paper 50, p. 34.
\(^{149}\) ibid., p. 35.
\(^{150}\) Garton, Out of Luck, p. 61.
Discipline

Discipline was strictly enforced in charitable institutions. Considerable power was invested with the superintendent and his officers to ensure they had the regulatory authority to control their charges. The discipline of the regime was enforced through the use of strict penal control measures and the dispensing of indulgences. The superintendents had immediate control of all staff and inmates, and were directed to 'preserve strict discipline'. This they were able to achieve through a number of measures related to the power that the regulations bestowed upon them. Insubordination and misconduct were offences punishable with expulsion from an institution. From the very beginnings of institutionalised management of invalids in Tasmania the threat, and implementation, of discharge was a discretionary power used by administrators as a tool in regulating the behaviour of their charges. For many inmates, life outside the institution represented a far worse alternative to life within, and thus the unveiled threat of discharge was probably highly effective in inducing compliant behaviour. Intimidation is likely to have been more effective than prosecution, although this was an option in the superintendent's arsenal. It could be used against an inmate for theft or destruction of government property. In practice it meant imprisonment and, in Launceston, it meant that the inmate literally crossed the road and entered the gaol, effectively a transfer from one 'penal' establishment to another.

The maintenance of the 'utmost discipline' was important to the Brickfields Board as it sought to exert its authority over inmates and control their lives. As a disciplinary tool it found expulsion for misconduct 'the best remedy for maintaining proper discipline.' On the evening of Thursday, 24 April 1862,

---

152 Likewise, in southern institutions inmates found guilty of theft of government property were gaolcd. For example, on 12 December 1878, Jeffrey Burke, an inmate of the Cascades Invalid Depot, was sentenced to three months hard labour for stealing government clothes. (AOT: AA 492/1, Cascades Invalid Depot Head Warder's report book, 11.7.1877 to 9.7.1879.)
153 TLCP, 11, 1864, Paper 9, p. 3 and TLCP, 14, 1868, Paper 4, p. 3.
154 TLCP, 10, 1864, Paper 24, p. 3.
for example, a violent confrontation took place in the yard between Richard Francis, an emancipist invalid, and another inmate John Macpherson, a boy of sub-normal intellect. This interaction, which resulted in Francis assaulting Macpherson, apparently followed a verbal exchange between the pair. There is an inference that it might also have resulted from frustration at not being able to isolate the boy for the purpose of sex. According to the Day Watchman, John Wilson, Francis was a troublemaker who constantly used profane language and regularly quarrelled with other invalids. He had also apparently threatened violence towards those invalids who had witnessed the assault. When brought before Withrington, Francis continued to exhibit a violent and insubordinate character. In order to maintain discipline he was forcibly evicted from the institution. As Withrington had no legal power to confine or punish an inmate, eviction was one of the few effective ways of maintaining discipline.\textsuperscript{155} This incident reveals that there were among the inmate population men of 'bad temper or vicious habits' who must have impacted upon the sense of personal security and well-being of the others.\textsuperscript{156} Intra-invalid coercion through bullying and actual acts of violence is not surprising; it formed a feature of the social landscape within invalid depots and within institutional space in general.\textsuperscript{157}

Francis was one of five invalids expelled from the Brickfields in 1862 for bad conduct. There were also two cases that year which required the involvement of the police.\textsuperscript{158} Given that the institution had a daily average of 205 inmates, seven cases of misconduct suggest a high degree of internal order and

\textsuperscript{155} AOT: CSD 4/14/122, Report of Board of Management Brickfields Invalid Depot, 26.4.1862.

\textsuperscript{156} This case also evidences the fact that classification of inmates still had a considerable way to go in terms of institutional specialisation. Even by the standards of the day the inappropriateness of John Macpherson in the midst of an all adult male establishment was recognised. It was a disaster waiting to happen and only invited the potential of homosexual rape. It demonstrates that the populations of public institutions were not homogeneous.

\textsuperscript{157} See AOT: CSD 4/14/122, Report Board of Management Brickfields Invalid Depot, 26.4.1862. Peter MacFie and Nigel Hargraves have explored this theme as part of their research into life at the Point Puer penal station. See 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. They state in relation to the boy prisoners incarcerated at Point Puer that: 'As is common in all-male institutions, fighting was endemic.' (p. 140.)
discipline, as well as compliant behaviour on the part of the invalids. The annual reports for the institution all refer to a high level of good conduct and order by inmates. It would seem that overt compliance was part of the invalid survival strategy once inside the walls of an institution. Given that this was the case, it is somewhat surprising that in 1867 two of the institution’s officers were appointed as ‘special constables for the purpose of [maintaining] good order and discipline in the Depot’ despite there being ‘few cases of misconduct during the year.’

As time went by, those administering invalid depots found it necessary to employ various punishments to counter breaches in discipline. In mid 1868, the government approved a proposal by Alfred Kennerley, who at this time was a Member of the Legislative Council and Chairman of the Board of Management of the HGH, to appoint the day watchmen and the messenger of the Brickfields as constables for the establishment. The government further recommended changes to the institution’s regulations such that they incorporated punishments ‘to check both idleness and insubordination’. Deprivation of tobacco, reduction in rations, isolation at meal times and the performance of additional duties were all measures suggested for use as punishments against inmates who did not conform to the rules and regulations of the institution. In order to ensure that no inmate could plead ignorance, the rules were to be read to them upon admission and they were to countersign them in the presence of a witness to signify their undertaking to abide by them.

Disciplinary measures became increasingly stringent. At the Port Arthur depot in the mid 1870s minor infringements were punished through the withholding of the tobacco ration. However, failure to comply with instructions given by the superintendent, or refusal to clean the depot or

---

158 TLCP, 9, 1863, Paper 9, p. 5.
159 TLCP, 15, 1869, Paper 4, p. 3.
160 AOT: CSD 4/74/122, Dry to Kennerley, 9.6.1868.
161 ibid.
162 ibid.
perform such labour as directed, was liable to be met in the first instance with a short period of detention in the establishment’s cells. Further acts of resistance or disobedience resulted in increasingly harsh punishment. Disobedient inmates were dealt with under the Public Charities Act, 1873 (37 Victoria No. 15). Rule 33 specifically stated that Sections 9 and 10 of this Act were to be enforced when dealing with problematic inmates. These regulations provided the superintendent with an increasingly severe scale of punishment to be meted out to errant invalids. Commencing with punishments of up to 48 hours close confinement, the inmate who continued to offend could face seven days solitary confinement, followed by up to one month’s imprisonment (with or without hard labour). Unruly inmates could find themselves imprisoned with three months hard labour.

Violence
Lack of discipline by wardsmen and, in particular, violence and ill-treatment by them, was a significant issue of concern amongst invalid inmates. The lack of institutional discipline which some inmates complained of was reflective of a poorly controlled delegation of power. This was a significant issue amongst the inmate population as it exposed them to coercion backed by the menace and practice of potentially life threatening violence. This meant that at least some elderly people ended their days living in a world of fear and intimidation. That such was the case is to some extent supported by the comments Withrington made in defence of New Town. He stated that where cases of ill-treatment had been uncovered, the perpetrators of such violence were punished, in some instances with imprisonment. Nevertheless, the evidence for violence being committed by staff against inmates or violent acts taking place between inmates is limited.

The regulations set down for the minions of the Cascades give an insight into what the authorities perceived to be problems with the system of inmate

153 37 Victoria No. 15.
154 For example, see AOT: CSD 13/57/922, Complaint of Francis Freyerman, 9.6.1881.
155 AOT: CSD 13/57/922, Withrington to Chief Secretary, 9.6.1881.
management. These were issues that were rarely officially documented, however, these rules give us a means to gauge what some of them encompassed. The regulations instructed the Overseer (note the continuance of convict system jargon) to ensure that the Head Wardsman and his (invalid) assistants 'refrain from using any harsh or irritating language', that they not 'strike or ill use any inmate', and that they 'are kind and attentive to those inmates who are unable from infirmity to attend to themselves'. The fact that such rules were drafted indicates that inmates had suffered ill-treatment, and most probably intimidation and violence, from those given the day-to-day charge of caring for them. While the above discussion is related to the male division at the Cascades, other charitable institutions had virtually identical regulations.

Kay Daniels has discussed intra-inmate violence in relation to female convicts. She notes the tensions which contemporary observers recorded between inmates imprisoned at the Cascades Female Factory. Tensions which were heightened due to close confinement were apparently endemic and spilled over into threats against one another and staff. She argues that intimidation and violence between inmates was not unusual but 'reflected the realities not only of life within the walls but of the hierarchy which existed among the inmates'.

There is evidence to suggest that violence between inmates and between inmates and staff was a feature of the invalid depot. The Head Warder for the Cascades Invalid Depot recorded several such instances in the late 1870s. For example, Thomas O'Finnigan and Christopher Hogan were reported for fighting in no. 1 ward on 27 August 1877. Three months later, on 16 November 1877, an inmate was reported and discharged for assaulting another by knocking him to the ground and then jumping on him. Michael Hickey was reported, on 12 December 1877, for the assault of George Burns. Hickey apparently struck Burns on the head with a batten. William Lloyd and Henry Wilson were reported for fighting in no. 2 ward on

---

156 AOT: CSD 4/103/1254, Rules and Regulations of the Cascades Male and Female Invalid Depot.
17 August 1878. Inmates not only assaulted one another but also attacked staff. On 13 October 1877, William Hurt was accused of assaulting the wardsman, James Grimes, by striking him over the head with a stick. Some inmates were violent characters, such as James Duffy, who even when admitted to the Cascades, on 3 October 1878, was described as 'very drunk and Violent.' He was charged and tried for assaulting Samuel Poulson with a stick on 28 November 1878. Two weeks later, on 12 December 1878, he assaulted the institution's gatekeeper. This difficult inmate absconded from the establishment on 3 May 1879, probably to the relief of both staff and fellow inmates.

**Homosexuality**

While never mentioned in the context of female invalids for the period under consideration, there are nebulous references to homosexual activity amongst male inmates. For example, rule 61 of NTCI regulations required the Night Watchman to report 'any irregularities' to the superintendent. Based upon contemporary reports from the New Norfolk Hospital for the Insane, it can be assumed that male inmates indulged in 'unnatural vice' and that physical coercion and male rape took place. In evidence presented to an inquiry into homosexuality at New Norfolk, sparked by a report in *The Tasmanian News* of 6 January 1885 which drew attention to 'the prevalence of crime of a most serious character among the male patients in the Hospital for the Insane', Martin Beaufort Tolmaque gave graphic accounts of homosexuality between the male inmates. The commentary of Tolmaque, an ex-patient of the asylum, is plausible and while Macfarlane, the Medical Superintendent of New Norfolk, did not accept it as truthful, there was sufficient testimony in common to believe that Tolmaque's evidence was reflective of events which actually transpired. Further, there is no reason to believe that New Town differed in any way from the picture presented of homosexuality at New

---

166 AOT: AA 492/1.
170 AOT: CSD 13/81/1662, Dobbs to President Commissioners of the New Norfolk Hospital for the Insane, 7.1.1885.
171 AOT: CSD 13/81/1662, Evidence presented at Inquiry by Martin Beaufort Tolmaque.
Norfolk. Tolmaque stated that he had 'seen men at night in the wards naked, sitting by the side of the beds, behaving indecently by touching each others person.\textsuperscript{172} He gave an account of one William Long who employed violence against other inmates to procure sexual favours. He also gave compelling evidence of a series of instances he witnessed in which a number of patients, including one named Shaw, were forced by Long to commit 'indecent offences . . . if not the capital crime . . . every night for a period of at least two months'.\textsuperscript{173} These were forced acts resulting from the exercise of, or threat of, violence. Tolmaque stated that:

Long employed violence towards Shaw and other patients, pulling them out of bed and knocking them about the head and body with broom handles and heavy boots.\textsuperscript{174}

He also described how he had been indecently assaulted himself, on three occasions, by a Warder named Vogel. In regard to the first such incident he stated:

I was in my bed and had been directed to have mercurial ointment rubbed on the pubes as I was suffering from crabs and the warder Vogel brought the ointment to rub in[,] In doing so he rubbed his thigh against me and I felt his person pressing against me & he continued to move it against me[,] I desired him to cease & said I could rub the ointment in myself. He persisted in rubbing the ointment in after I spoke to him in a very rough manner.\textsuperscript{175}

From the evidence that Macfarlane gave to the inquiry, it is clear that Tolmaque had repetitively made allegations of sexual misconduct in the wards but that Macfarlane had preferred to turn a blind eye to them. It was only following the disclosure of such unnatural crime in \textit{The Tasmanian News} that Macfarlane, and indeed the government, were forced to confront this issue. The inference is that such practices almost certainly took place in other institutions but, as at New Norfolk, it is improbable that any such complaints would have been reported to the Colonial Secretary or acted upon internally, until the issue was expressed in the press.

\textsuperscript{172} ibid.
\textsuperscript{173} ibid.
\textsuperscript{174} ibid.
\textsuperscript{175} ibid.
Control
An 1858 Joint Committee on Charitable Institutions noted that there were a variety of approaches applied to pauper management in the Australasian colonies involving the degree of control and influence exerted between public and private agencies. In Melbourne and Sydney, the manner in which the government relieved distress was to supplement, not supersede, volunteer benevolent organisations. In Tasmania, the government assumed liability for the whole of the pauper class. The committee held that the rationale behind the government assuming responsibility for invalids was that with the advent of ‘responsible’ government there had been a loss of control over convicts and emancipists. They postulated that the imperial regime had exercised constant supervision and control over such individuals but that under the colonial administration these persons had become dispersed and detached from such supervision and control. By institutionalising invalids, the government hoped to regain the upper hand in monitoring and controlling their lives. Charitable institutions were in effect control agencies, what Andrew Scull has referred to as ‘mechanism[s] for controlling the uncontrollable’.

The establishment of charitable institutions in Tasmania was also in keeping with a trend throughout the Atlantic world, which Stanley Cohen has referred to as ‘increasing [the] involvement of the state in the business of deviancy control’ as a facet of maintaining social order.

Power, control and discipline were maintained by the superintendent and his senior staff through a number of measures. Primarily, charitable institutions exercised their authority through the power to control inmate movement,

---

178 ibid.
179 TLCP, 2, 1858, Paper 37, p. 3.
especially in terms of their access to the outside world. Commencing in the late 1860s, inmates were only allowed out on a pass one day a month during the summer (between 9.00 am and 7.00 pm) and only on very special occasions during the winter (between 9.00 am and 5.00 pm). Discretionary control of this 'indulgence' handed considerable power to the superintendent and the capacity to influence inmate behaviour whilst they were out on a pass. For to return to a depot intoxicated or uproarious could have resulted in either the inmate being handed over to the police or else future leave passes being withheld. As inmates were not permitted to leave the institution in government clothing, the supply of suitable attire for a pass also offered the superintendent a further avenue for exercising power over his charges. By the issue of passes, the superintendent further exerted his control over the lives of inmates, as the issuing or revoking of leave passes could have been used as an incentive to compliant conduct and as a punishment for aberrant behaviour. To have left the institution without permission was to be denied re-entry. The inclusion of this regulation was clearly aimed at controlling the freedom of individual movement. Also, it demonstrated a desire by the authorities to control what they, and the community, perceived as a problem, the errant pauper invalid outside the bounds of the institution. Underlying this perception was a belief that the only fit location for the pauper was institutional space, not public space.

Prior to the establishment of the LID, the options available to a great number of northern emancipist invalids for relief were limited. Many had been incarcerated in the House of Correction as disorderly persons, having no place of abode or means of support. Some had also been sent south and spent time in the Brickfields and Cascades depots. Therefore, as well as having endured the convict system, many invalids also had experienced both the colonial penal and charitable institutional system. They were thus hardened to systems which sought to deprive them of their liberty and subject them to an austere penal-like regime. Given that most invalids sent to a depot had

179 TLCP, 17, 1871, Paper 47, p. 48, paragraph 63.
180 TLCP, 17, 1871, Paper 47, p. 48, paragraphs 80-1.
spent time incarcerated within the convict system, they doubtlessly would have developed a loathing for the constraints that such a system placed upon individual freedom and choice. From this there would have developed an inmate culture in which resistance would have held a place alongside conformity. This is reflected in the regulations governing the issuing of day passes, and especially the clause which saw passes only issued in winter in exceptional circumstances. Inmate ranks were usually swelled in winter by the return of those who could still eke out an existence during the warmer summer months. These men were potentially more capable and more likely to display individual will and resist the impositions of the institution and thus tighter control was enforced during their season of occupancy.

Invalids had their movement through space controlled by their confinement to charitable institutions. Under rule 62 of the NTGI regulations, for example, newly admitted inmates were incarcerated for set periods of time in which they were not permitted to claim a discharge. The exact length of this 'imprisonment' was determined by the Administrator of Charitable Grants. This rule enabled the institution to exercise supreme control over the liberty of the individual and it effectively meant physical imprisonment within the institution. The penal character of invalid depots was crowned by having their buildings and grounds completely enclosed by a wall. Such a barrier demarcated the boundaries of controlled space without which the impression of order would have been destroyed. The entrance gate was guarded by a gatekeeper, who was under instructions to not allow any servant or inmate to leave without an order from the superintendent. Nor was he to admit any person or persons without the superintendent's permission. Yet another

---

181 This is a subject that Michel de Certeau discusses in The Practice of Everyday Life (Berkeley, 1988), and James Scott takes up in Domination and the Arts of Resistance: Hidden Transcripts (New Haven, 1990). Scott in particular argues that resistance is a dynamic process in which 'most subordinates conform and obey not because they have internalised the norms of the dominant, but because a structure of surveillance, reward, and punishment makes it prudent for them to comply' (p. 193). He takes the position that antagonism between the dominant and subordinates 'is held in check by relations of discipline and punishment' (p. 193).

means by which he was able to preserve his control and authority over the institution. The gatekeeper was also to search packages, ostensively to stop the introduction of contraband and the pilfering of government property. Finally, the gatekeeper was to see that no discharged pauper gained re-entry to the institution.

The capacity for an inmate to complain or rebel against the conditions of his incarceration were intentionally minimised. All inmate criticisms and other communication with governing boards or the Colonial Secretary had to be made through the superintendent. It was the superintendent’s responsibility to take down complaints and comment upon their merits before forwarding them. This gave him considerable power to make recommendations and censor the flow of information to his superiors. Given this control and the fact that the making of any complaint deemed to be frivolous or groundless was punishable through deprivation of tobacco it is not surprising that no inmate complaints have been found which follow this procedure.\[153\]

One of the few pleasures permitted men of this class was tobacco. By controlling the supply of tobacco, depot officials added a physiological agent to their arsenal of mechanisms for controlling inmate behaviour. Far more potent were the regulations which thwarted inmates from leaving the institution.\[154\] For example, should an inmate deemed medically unfit to support himself, and unable to produce proof that a ‘responsible person’ would support him, demand his discharge from the Port Arthur depot then he faced imprisonment.\[155\] If a discharge was granted, he would not be eligible

\[153\] AOT: CSD 10/41/815, Regulations for the Inmates of the Pauper and Invalid Depot for Males, Port Arthur, Rule 48.

\[154\] As part of the initiatives taken to combat inmates entering and leaving depots at will stricter regulations were formed confining invalids to depots. Their detention was to be strictly enforced. Once admitted to a depot, inmates had to remain three months unless they were discharged by the medical officer as fit for light work, or were taken out by an employer of labour who undertook responsibility for their care. (TLCP, 26, 1878-9, Paper 16, p. 4.)

\[155\] AOT: CSD 10/41/815, Regulations for the Inmates of the Pauper and Invalid Depot for Males, Port Arthur, Rule 53.
for admittance into any invalid depot for a period of one month upon leaving Port Arthur and would therefore be subjected to the Vagrancy Act.156

Mechanisms of control and discipline, such as those discussed above, directed charitable institutions at those elements of society least able to defend themselves and with little voice before the law. Thus, they held a position of authority in the relationship between the state and its ‘deviant’ members. They were ultimately doomed because they failed to address the causes of social misery and disorder. Instead, they were reactionary institutions which punished and attempted to disguise the consequences of social inequality, as opposed to tackling its root causes, as a growing reform minority advocated from the mid 1870s onwards.

156 ibid.