

but even then Geelong rivalled Melbourne as a big ship port. At Melbourne the Yarra entrance had a depth of only nine feet; big ships lay in an open anchorage and landed goods by boats on the beach. Horsburgh's Directory for the East India Company, 1836 edition, prefers Western Port to Port Phillip for ships needing temporary shelter — "Wider in the entrance and with wood and water available". In 1966 Western Port became a deepwater port for oil tankers and site of an oil refinery.

Those who doubt Collins' assessment should study the large scale charts of the Bay. The long narrow channel at the entrance is very deep and with strong tidal streams. The ebb tide was almost too strong for slow sailing ships to stem but if the breeze failed while they were in the channel it was too deep for them to anchor. "Top of the tide with a leading wind" means there is no current and the wind is fair for a speedy run through. Ships arriving had no means then of knowing how the tide was until they were too close to the entrance to retreat and beat off a lee shore and merchant ships did not have the time to send boats in ahead of them, even if they had the boats or the extra men required. Safety came first but time was essential for such precautions. Even when through the channel the Bay is a mass of shoals with winding channels for many miles. Even to-day these present hazards to shipping and it is a common experience for large steamers and small alike to heave-to off the entrance of the Bay for a whole day during south-westerly gales because the entrance is unsafe.

King's reply to Collins was based on Robbins' surveys. On November 26th he wrote: "Your observations on Port Phillip have been fully anticipated... totally unfit in every point of view... removing from thence will be most advisable for the interest of His Majesty's service." He had not intended to fix that settlement until he had heard from England⁶⁹.

The reasons for fixing a settlement at the Derwent follow from those for rejecting Port Phillip — a situation for ships to touch at in perfect safety on their way to China or Port Jackson, good soil, ample water and timber. Although not so well situated as Port Dalrymple, sealers and whalers could be protected there and "this was an object of equal consideration".

⁶⁹—*Ibid*, Page 263.

Chapter 7

The Policy of Transportation

DURING and after the revolt of the American colonies there was much critical examination of the policy of transportation and formulation of the principles on which it should be based. One of the most rational of these appeared in 1787 in a Discourse on Banishment by Sir F. M. Eden, as an introduction to Barrington's "History of New Holland". The keynote is that banishment had often been beneficial to the criminal but always injurious to the community. "The kingdom was deprived of a subject and renounced all emoluments of his future existence."

He went on to consider the possibility of "directing the strict employment of felons in each of the dockyards, stannaries, salt-works, mines and public buildings of the kingdom". We must note the order in which these are stated and also that some form of forced labour, even of serfdom, was still known in these activities and that they were expanding with the commercial expansion of the times and needed an augmented workforce. The term "public buildings" then meant defence works. Of employment in docks and fortifications much was made but one contemporary proposal to use convicts in copper mines was made to Pitt as a "more effectual mode of employing" than confinement in the Hulks and less expensive than transportation to New South Wales¹.

Eden thought the "more enormous offenders" might be sent to Algiers for the redemption of Christian slaves — an exchange of idle, unskilled persons for skilled seamen and merchants — while other "enormous offenders" might be compelled to dangerous expeditions or be sent to establish new colonies, factories and settlements on the coast of Africa and on small islands "for the benefit of navigation".

¹—P.R.O., 30-8-133, T. English-Pitt, 21/10/1792.

The selective character of these proposals is clear — the more useful were to be employed at home so that the realm would not be deprived of useful subjects. This is the view expressed by the Act of 1776 which gave the legal basis for the system of transportation to the Hulks within the realm — that one of the inconveniences of transportation to America had been the "depriving the kingdom of many subjects whose labour might be useful to the community"².

With so much evidence both in legislation and in the eighty years' practice of hulking it is amazing that historians have persisted in the simple view that transportation was designed to get rid of convicts or that a dumping ground for criminals was necessary. The common term used in laws — the disposal of convicts — also implies the more effective disposition of resources. Eden's proposal for regarding the more enormous offenders as expendable is not far removed from the rough selection practised in drafting shipments from the Hulks as we shall see later.

It is also worth passing mention that Eden is better known for his "State of the Poor", published in 1797, which shows in detail how the practice of parish authorities towards their poor parallels the practice of the realm towards its convicts. The correlation of poverty and crime, both in fact and in the minds of the ruling classes, is one of the dominant aspects of social history during at least the centuries of transportation. In 1837 the Molesworth Commission described the convicts as "children of improvidence". In 1797 Eden upheld the ideal of the House of Industry of the parish as an asylum for the aged and infirm, a place of useful employment for those who are able to work, and a House of Correction for the idle and profligate³. This work shows how the disposal of paupers resembled that of convicts in so many ways — the use of the contractor method, the occupations linked with local needs, like spinning, making fish nets or picking oakum, the forced labour of the Rounds system and the apprenticeship of pauper children.

The parish could not transport its idle and profligate persons outside its boundaries but in this respect they resembled those European states which had no colonies. These either employed their felons on defence works or in houses of correction but on occasions sold them into bondage in other states. Thus Swiss convicts were sent to Marseilles galleys⁴.

The most sweeping statement on the policy of transportation was made by Mr. Justice Forbes in 1827 in a long letter to Horton giving his opinion of the property right of settlers in the

services of assigned convicts. He wrote: "Transportation was not peculiar to New South Wales. The language of the Act passed in the fourth year of George I is that 'in many of His Majesty's colonies in America there is a great want of servants who, by their labour, might be the means of improving such colonies and making them more useful to the nation.'"

"And it was under the provisions of this very Statute that every convict was sent to this colony until last year. The policy of sending convicts to New South Wales stands recorded upon the rolls of Parliament — *it was and it is* to improve the colony and make it more useful to the British nation."⁵

This most pointed remark is made the basis of an analysis of the relations between Transportation and Assignment which fills twenty-four pages of close print in the Historical Records of Australia. It is made by a man who had to apply the law on the spot and maintain it even against some arbitrary acts of colonial governors but historians have preferred the opinions of self-constituted authorities who professed some zeal for penal reform and urged measures which they would never be called upon to administer. Ten years later Forbes stressed the legal fact of "property in the services of the convict", as the words used in all the acts of Parliament since 4 George I which stated "that one of the objects of transportation was to supply the settlers with servants" and goes on to enact that "the assignee shall have a property in the services of the convict". He maintained that in the first settlement of a country it was necessary to "have recourse to coercive labour to overcome the first difficulties in its settlement" such as building roads and other public works⁶.

This makes transportation the means and not the end. Whatever lip service might have been paid to reform we have also to remember that reform meant the same thing with convicts as with paupers — that they were to be schooled in habits of industry in order to make colonies more useful to the nation, not to save their souls. Historians who deprecate, like O'Brien, that the penal reform objective was pushed aside by the "colonial purposes" should draw from that very fact, without Forbes' specific statement, the conclusion that penal reform was never an object in itself but was intended only in so far as it served the interests of the nation.

This is brought out clearly by the history of the Hulks, something which has never been related to the colonial system of which it was an integral part. It has been assumed that these were mere staging places through which convicts were drafted to the colonies. It will be shown that this aspect was incidental to the

²—16 Geo. III, c.43.

³—Eden: *State of the Poor*, ed. Rogers 1928, Page 287.

⁴—Howard: *State of the Prisons*, Everyman, Page 102.

⁵—H.R.A., Series IV, Vol. 1, Pages 688-711.

⁶—*Ibid.*

consistent purpose which was followed from 1776 to 1857, from before any settlement of Australia was planned to after the ending of transportation to the original colonies. The Act of 1776 gave the power to confine male convicts in hulks for terms of not less than three and more than ten years, in place of transportation. The sentence was to "Hard Labour in the raising of Sand, Soil and Gravel from and cleansing the River Thames or any other service for the benefit of the navigation of the said river".

This act regularised a practice which had begun two years earlier and it is necessary to be clear on two aspects of it. First the act alleged the "inconveniences" attending transportation to colonies "by depriving the Kingdom of subjects whose labour might be useful" when these colonies were only in rebellion and the issue of independence was yet far from clear. As the transportation had been by a private contractor, whose profit came partly from the price his assignees paid for the convicts in the colonies, there is a presumption that he could make a greater profit by supplying a home market for labour. Secondly, the needs of navigation on the Thames were manifold and were becoming acute as commerce increased.

The population of London was then approaching its first million and the development of canals and inland navigations was further augmenting the volume of trade. London River was proving inadequate for this trade. Thousands of ships and lighters, crowding at low tide into the pools of a channel which was losing depth steadily from the refuse of the sewers of a growing city, contributed to produce a situation which was met after 1800 by vast investments in wet docks, warehouses, dredging and lighting channels. The continuous expansion of the needs since that time has made the Port of London Authority (1909) one of the world's largest business undertakings. Then, as now, the wealth of London depended greatly on the strength of tidal streams which contribute to cheap carriage for bulk cargoes in deep draught ships. Before the use of steam power this traffic was more spasmodic and variable than it is to-day. The Baltic timber trade and the Newcastle coal trade both ceased for varying periods in winter. Fleets of colliers and Baltic ships, after holdups due to weather or war risks, often arrived in hundreds at a time. Ships of greater draught were proving more economical in the China trade and the sugar trade and from 1775 the southern whalers in increasing numbers made London their home port. Thus the same expansion which made necessary a staging place in Australia as well as one in South Africa made

employment for convicts within the realm. Moreover the dredging of channels and removing of banks of shingle was complementary to the increasing demand for ballast for outward shipping.

This had peculiar importance for London. It is an inherent condition for the metropolis of a great commercial empire that its outward shipping must commonly sail in ballast: from its terms of trade, its exchange of services for goods, its tribute of interest, profits and taxes. East Indianmen notoriously lacked bulky adequate outward cargoes, as silver was the main exchange for nankeens, calicoes and tea. Governor Phillip complained that the transports of the Third Fleet were ballasted with gravel; he would have preferred limestone but that would have been much more expensive. The sugar and slave trades were sustained by exports of manufactures of small bulk. Therefore the sailing ship era was characterised by the dumping of ballast on colonial foreshores as is graphically told by Sir James Bisset in his memoirs⁸. The road from the port of Adelaide was built largely by this means⁹. Through this need Welsh slate and building stone were exported cheaply to the colonies and Welsh coal was carried to the ends of the earth to serve the demands for steam coal from shipping. Britain's export problems since 1918 have been aggravated by the loss of this coal trade just as earlier the devices for using water ballast made steam colliers cease to carry gravel from the Thames for a shilling a ton¹⁰.

In 1776 the increasing need for ballast came largely from the growing coal import of London. Its magnitude may be gauged by the number of coal lighters in use; in 1796 there were 1,200 of these alone when the total of lighters there was 2,500¹¹.

Outward ballast then was an indispensable commodity and was dredged by manpower or dug at low tide, cleaned and screened for size and stored in lighters for transfer to outward ships after they had dropped down with the tide to the lower reaches. Such heavy, dirty work never did attract free labourers even if enough of them had then existed. Trinity House had a monopoly of the supply but as late 1854 the work had many of the characteristics of slavery. McCulloch says of it: "The men employed in this laborious occupation have for a lengthened period been held in a sort of thralldom by what are called the 'long-shore publicans' who have paid them according to a truck system of the worst kind."¹² Colliers were supplied at cheaper rates.

8—Bisset: *Soil Ho*, Chapter 12.

9—Grey-Stanley, 36/5/45, in 6th Report Land and Emigr. Cts. 1846, Page 47.

10—McCulloch: *Comm. Dict.*, 1854 ? Ballast.

11—Dorby: *Hist. Geogr.*, Chapter XIV.

12—McCulloch: *Commercial Dictionary* 1854 — Ballast.

In 1855 Trinity House undertook the loading at fixed rates to abolish the sweated labour but steam dredging was already going on and it is arguable that in this, as in so many other forms of inhuman toil, the abolition became effective only when crude manpower proved less economical than steam power, as with Nasmyth's steam hammer and steam pile driver.

We have to view the transportation system as a whole; the convicts were persons whose services had been adjudged forfeit to the Crown and like all productive resources, low grade or not, they had alternative uses. The demands of the early governors had to compete with that of the engineers of naval dockyards and arsenals. Howard's "State of the Prisons" mentions work in the warren (which means the forts at Woolwich Warren) and in the ballast lighters. In 1788 at Portsmouth 334 convicts were working on Cumberland Fort. He disagreed with the reported opinion, accepted by the government, that they did more work than day labourers but also stated that most of them in one hulk were from the country (so there was no thought of merely relieving congestion in city gaols), that they received beer allowance when on public works and an allowance of money at the end of their term, so discharge in the realm was a common thing. On the other hand, he thought it unjust and inhuman to send to remote settlements those who did not have life sentences¹³.

Keeping this demand for labour in mind, we find specific evidence of selection of the less desirable elements for passage to the colonies. The report of the Select Committee of 1812 states that this happened when the hulks "were full up to their establishment". Unless this is not merely an empty formula, that is if these words are to be given weight in their naval sense, the hulks were ships in commission and attached to a particular dockyard (naval command), with a definite complement of men like any other ship. At this juncture, when convicted offenders were beginning to accumulate, a vessel was taken up to convey part of them to New South Wales, not to empty the hulks but to draft off certain categories to fill the vessel taken. This implies that from the whole number in hulks plus the new recruits, some were taken, leaving the hulks only slightly if at all below their establishment, that is, with the normal size of workforce adequate for the casual labour needs of the particular dockyards. The selection was made of all lifers under 50 years of age and 14-year men under 50, plus others who were the "most unruly or convicted of the most atrocious crimes". The categories "unruly" and "conviction of atrocious crimes" are of course likely to be coextensive with lifers and 14-year men.

13—Howard: *State of the Prisons*, Everyman, Pages 252-8.

The superintendent of hulks was asked whether reference was had to "probable utility" and replied that it was to crimes only but had already stated that, with the seven-year men, besides going on evidence of conduct from the county magistrate, they considered such conduct as attempting to escape or striking officers. Anyone with naval experience will recognise this policy whenever one ship is called upon to draft ratings to another ship¹⁴.

He also stated that women were selected by age mainly and not over 42 years "with a view to the service of the country generally". Families of seven-year men were not allowed to go but in most cases families of lifers were sent out¹⁵.

From Ireland, where there were no hulks, males and females of good character were "sometimes pardoned on security for good behaviour" and some "of industrious habits" sent to penitentiaries, but capital respites were uniformly transported. A few were permitted to enter army or navy. The most youthful among the women were the first chosen and tea and sugar were allowed to women on passage¹⁶.

In 1813 the report of the committee on laws relating to penitentiary houses¹⁷ gives such detail on work and conditions as to make clear what store was set on the usefulness of the crews of hulks. At Woolwich there was a constant demand for their labour from the Ordnance Department; the convicts were employed to "great advantage" there and also at Portsmouth and its outpost, Langston. The allowances varied — at Woolwich beer to a value of 2d. to 4½d. according to his rating; in Portsmouth this was from 2½d. to 3½d. Those employed at Gosport and at Cumberland Fort got extra biscuit, tobacco and beer. There were no allowances at Sheerness. On discharge they were paid half a guinea with clothing at Woolwich and Sheerness; at Portsmouth and Langston the amount was £1/16/4; artificers got from one to five guineas¹⁸. The importance of the work may be gauged by the fact that the chaplain at Portsmouth "contrives to make his visit at dinner time" to avoid interfering with the public labour. We are not told what the convicts said to that.

The committee was not prepared to recommend that the hulks be discontinued — hulks were cheaper than houses of correction — but that they were removable afforded "a convenience which can be found in no other description of prison of which it is hardly possible to calculate the value." Any brief reference to the geography of the lower Thames and Medway or Portsmouth and

14—H.C.S.C. on Transportation 1812, Page 341.

15—Ibid., Pages 76-8.

16—Ibid., Page 116.

17—Page 35, 1813.

18—Ibid., Pages 141-2.

Spithead shows the merit of this point on the mobility of labour¹⁹. This is amplified by the quoted evidence of the engineer at Sheerness. From the local situation the inconvenience in procuring a sufficient number of labourers made "the labour of the convicts the more valuable". When the wind blew from north or north-west the tide did not fall enough to empty the dock basins. This made it necessary to employ 112 men to pump the docks.

Here is the crucial fact — the hulks were a moveable hard labour establishment which was on tap for emergencies and could not escape work. The value in naval dockyard matters cannot be assessed by mere hours worked, whatever the imputed value. They did work which without them could not be done at all, because the workforce could not be hired in time. A shift of wind might otherwise hold up all other work in the dry docks. To get this aspect in perspective we might recall that at this time factory owners were solving their problems of irregularity and absenteeism by employing pauper apprentices who lived under barracks conditions. The inadequacy of mere wage incentives with free labourers was a universal fact. For the dockyards, while a large navy was maintaining close blockade of Europe, the rush of work occasioned by severe gales, apart from enemy action, demanded the presence at all times of a substantial reserve of unskilled labour for this alone, apart from the continual need for maintenance work and construction of new forts and facilities.

The committee had sent questionnaires to all dockyards and the details are of some interest. At Woolwich convicts had been employed since 1774 — two years before the regulating Act (!) and before the actual revolt in America had begun. There was constant work for as many as the hulk could supply. There were three classes of convicts described as Tuppenny, Thrippenny and Fourpenny-hapenny beer, whose work was equal to that done by hired workers for 1/6, 3/6 and 5/- a day. A special body did work for which hired men could not be procured under 5/- a day.

At Sheerness Dockyard, begun in 1810, the demand for labour fluctuated with the tides. The value of work done was thought equal to two-thirds that of hired labourers but these would cost 3/- a day. There were no special allowances as in other dockyards.

At Portsmouth Dockyard convicts had been employed for 11 years. There was constant employment for as many as could be supplied from the hulks. They were allowed tobacco, small beer and biscuit. Labourers on the same kinds of work averaged 3/2 a day. The quantity of work done was one-third but when allowance was made for shorter hours and no work at all in wet weather the value was about the same.

The Royal Arsenal at Portsmouth had employed convicts for 26 years and though Cumberland Fort was finished there were still 523 employed. Other labourers got 2/4d. a day. Performance was rated about half that of paid labour for the same time, allowing for the convicts' six hour day, working in irons and the incidence of wet weather.

For Woolwich an itemised valuation of the work in hand on a single day was given: a total of 309 did work valued at 2/8d. but 54 boatmen clearing foundations for a new wharf were rated at 5/-, ballast heavers at 3/-, pile drivers at 2/6d., and a few artisans at 3/6d. Some convicts did double duty for a double issue of beer and biscuit.

The report referred to the considerable earnings of some convicts on their own account, where money payments and remissions of sentence had been used as incentives. The Admiralty saw the desirability of this as it led to permanent employment of these in the dockyard after their discharge from their sentences.

This then is the official story of the Hulks in 1813; a system suited only to those "whose age and bodily strength" were equal to laborious occupations, working at the same tasks as, and alongside, hired labourers under conditions in some ways less arduous than theirs, under a regimen which included incentives and compared more than favourably with that in naval vessels at sea. It bears no resemblance to the picture given of the Hulks by the general run of Australian histories, though the system outlasted in time the regular transportation to Australia. It will be shown later that the abolition of transportation to New South Wales was due in large measure to the competing needs of the naval dockyards.

The reports of the Superintendent of the Hulks cover this period and show how the conditions outlined above persisted throughout. In 1814 the total strength was 2038, of which boys numbered 112, and the Portsmouth hulks held 808. The expenses were £70,512 and the work done was valued at £18,653, estimated at the low price fixed thirty years before of 1/6d. for artificers and 1/- for labourers. An impartial estimate put the value at £27,980. In the three years 1812-14 the numbers pardoned were 273, 246 and 25220.

A strict accounting of the value produced is not important; that a value was placed on it at all is significant of the official attitude. The conventional view that the transportation system was designed to rid the realm of criminals must be discarded when we find that each year a part of it was setting hundreds at liberty within the realm.

¹⁹—*Ibid.*, Page 145.

The reports for 1817 began a form of return which persisted to the end. Return of Hulks for 1817 :—Number on board 1st January, 2041 ; Received during year, 2364 ; Transported, 1790 (an increase of 782) ; Died, 45 ; Escaped, 1 ; Discharged or removed, 483 ; Remaining, 2132. The expenses were £84,600 ; earnings, £35,955. In the previous 18 months 129 convicts aged 16 or under had been received of which number 70 had been sent to New South Wales²¹.

In succeeding years such items of importance as these occur : In 1819 pile drying accounted for 26,000 man days valued at 2/- a day and during the year 1000 chapters of Holy Writ, 48 epistles and gospels and 15 homilies had been committed to memory and rehearsed in the chapel.

The hulks were encumbered with persons unfit for the voyage to New South Wales and unfit for any sort of employment. Clearly the pressure of the war was over — in this year *H.M.S. "Bellerophon"* was hulked at Sheerness, but the value of work done was still more than half the value of expenses²².

In 1820 the chapters of Holy Writ memoriter fell to 200 and earnings were only two-fifths of expenses. The number transported had risen to 2758, those discharged in England 448. The chaplain reported some jealousy at Chatham dockyard on the first introduction of convict labourers there²³.

In 1822 the "*Bellerophon*" was made a depot for juvenile offenders who totalled 320 in the next year. The total transported to New South Wales had fallen to 1470 but 468 were discharged in England and a draft of 300 was sent to Bermuda, which marks the beginnings of the naval base there, at a time when the demand there was outrunning the supply²⁴.

In 1824 the imputed earnings were £58,152, against expenses of £70,824. As further evidence of an augmented use of hulk labour, convicts numbering 400 were transferred from the General Penitentiary and the "*Discovery*" (Vancouver's ship) became the hulk for Deptford. The chaplain reported the usual initial prejudice against them but their exemplary conduct and manner of working ended this and "being viewed as men not as convicts they excited the admiration of all". The number transported from the hulks was 1885 ; discharged in England 5425.

The returns after this state separately the earnings and expenses of Bermuda and after 1827 the value of earnings there exceeds the expenses. The proportion of artificers was one in five and only the healthy and able were sent there. In 1825 only 1105

were sent to New South Wales while 400 went to Bermuda and 633 were discharged. In 1826 New South Wales got 1359, Bermuda 700 and 461 were discharged. In 1827 those sent to New South Wales totalled 2245 ; to Bermuda 400. The number discharged was 475 ; the total strength remaining at the end of the year was 4446²⁵.

In the three years, 1828, 1829 and 1830, the totals transported to Australia from the hulks were 2808, 3608 and 3532 ; to Bermuda they were 350, 0 and 110 and discharged 433, 392 and 488. In 1830 there were ten hulks in commission in Britain and four at Bermuda ; the total strengths were 4250 and 1300 respectively. Those at Bermuda were fully employed on the public works and frequently supplied with spirits by free persons on shore. From thence a number of "abandoned and atrocious characters" were returned ; the imputed earnings far exceeded the expenses, allowing for the capital outlay on the hulks themselves. The high death rate in British hulks was ascribed to the number of convicts sent to them who "were utterly unfit for transportation and who died before their sentences could expire"²⁷.

In 1830 a return was made of the expenses per head of convicts in hulks which showed that from 1820 to 1829 it had moved as follows :—In 1820 it was net £18 per head but fell to £10 in 1827 and in 1829 stood at £3.85. In 1828 it had been £6.8 but in that year, because of a reduction in the price paid for free labourers, the estimate for convict work was reduced. However, the Navy Board had prepared a return showing that the value of work done was £60,000 and in consequence the daily rates for estimating convict work were again raised but not to the old rates.

The return showed that the costs of transporting to New South Wales from Britain were :—for men £26/18/- ; for women £34/8/- and from Ireland, for men £25/15/- and women £27/12/- . The lower cost for Irish women was explained by the ships being "more crowded"²⁸.

Another return for that year gave totals for New South Wales of applications for convicts and assignments for three preceding years which appear :—

Year	Applications	Assignments
1826	5220	2105
1827	5042	2393
1828	4243	2761

21—Pp. 1818, No. 15.
22—Pp. 1820, No. 74.
23—Pp. 1821, No. 18.
24—Pp. 1824, No. 20.
25—Pp. 1825, No. 22.

26—Pp. 1826, No. 36 ; 1827, No. 109 ; 1828, No. 38.
27—Pp. 1829, No. 108 ; 1830, No. 51 ; 1831, No. 162.
28—Pp. 1830, No. 600.

Assignments not in the lists of the Land Board were as follows :

1826—420, mostly single servants, including husbands, 65.

1827—361 assigned singly ; including 9 husbands and 1 son.

In 1828 the government employed 452 mechanics and 1466 labourers²⁹. Thus it is quite clear that the strong demand for labour in the dockyard both in Britain and Bermuda had precedence over the demands of settlers in New South Wales and Van Diemens Land. It is beyond question absurd to discuss the transportation situation in the Antipodes without taking any notice of the competing demands of other interests elsewhere.

In the next three years the situation remained about the same with 100 a year being sent to Bermuda. The numbers discharged in Britain probably included those whose time at Bermuda had expired. In 1832 the deaths reached the high of 262, including 110 from cholera. In 1833 directions were received to transport larger numbers and the figure for New South Wales reached 4216 while hulks at Sheerness and Devonport were abolished. It is obvious that neither deterrence nor reform had any part in the decision to transport boys (from the hulks) who were "without relatives and whose friends were not in a condition of life to provide for them"³⁰.

In 1835 a return was made of the convict establishment at Cork for the period 1817-1834 showing that there were two hulks, that in all, 13,388 men and 2,476 women had been embarked for New South Wales (which in this case means only New South Wales for at this time no Irish convict ships were sailed for Van Diemens Land) and that in the 86 ships which had arrived deaths on passage had totalled 116 while in 35 ships no deaths were recorded. Wives and children sent numbered 163 and 345 respectively³¹.

In 1835 the Establishment was gradually being reduced and Dartmoor prison (vacant since the end of the wars) was being prepared for juveniles which would mean the abolition of another hulk. At Bermuda, where the labour "taken at a moderate valuation" far exceeded the expense, the works were approaching completion and the early abolition of one hulk there had been proposed to the Captain Superintendent of the Naval Yard. This left enough for completing the works and for transporting felons "from Canada and the West Indies". The state of the establishment for the year was :—At January 1st, 2,556 ; received 4063 (including 124 from American colonies and the West Indies) ; transported 3841 ; discharged 341 ; to gaol 50 ; died

²⁹—Pp. 1830. No. 585.
30—Pp. 1832. No. 159 ; 1833. No. 21 ; 1834. No. 49.
31—Pp. 1835. No 535.

137 ; escaped 8 ; remaining 2202. Of those received 277 were under 16 ; ages 16-20 963³².

The report for 1836 reveals that some children under 10 years had been received — "much too young to admit of their being sent abroad" — while black convicts from the West Indies numbering 93 had been received for transportation "beyond the seas". At Bermuda the total cost per head was under 1/- a day while the work done was more than equal to free labour. The great bulk had been taught stone quarrying and masonry for which free men were paid 6/- a day ; work in the diving bell, paid at double that rate, was sometimes done by convicts.

This is contemporary with the abolition of negro slavery in the colonies, allegedly on humanitarian grounds. Of the total remaining in hulks in Britain of 1835, there were 4 under 10 years, 110 aged 10-15 and 1190 aged from 15 to 20³³.

In 1837 the total received was 3970 and that transported 3662. In June a minute was sent to Whitehall protesting about the state of health of those sent from the gaoles to the hulks — "wholly unfit to be sent abroad" — and this inconvenience was the greater "as the hulks are used only as temporary places of confinement". This is the first time this appears in any report. Of those received 69 were from colonies and 116 were aged between 10 and 15 years³⁴.

As the hulks were naval establishments they were run on naval lines. The routine at Bermuda is so described :—

5.30 a.m.—All hands called, mustered, proceed to breakfast, wash decks.

6.45 a.m.—Hammocks stowed. Proceed to dockyard in 10 divisions.

12 noon—Return on board, muster, dinner.

1.20 p.m.—Labour resumed.

5.45 p.m.—Return on board.

6.30 p.m.—School.

7.30 p.m.—Prayers.

On Saturday evenings, wash before going below. On Sundays, clean ship ; 9 a.m. divisions.

At Gosport the work for Admiralty included loading and unloading muddpunts and ships in the dockyard ; repairing breakwaters. For the Engineers they worked on fortifications, excavating and chipping stone ; for the Ordnance Department there was scraping, cleaning and painting guns and shot ; loading stores and removing gun carriages.

³²—Pp. 1836. No. 51.
33—Pp. 1837. No. 72.
34—Pp. 1838. No. 170.

At Chatham the work was in shifting timber from mill and sawpits ; assisting shipwrights to set up frames ; cleaning and painting cables, painting ships, cleaning docks, shifting iron ballast, unloading colliers. For the Ordnance there was the never-ending scraping of guns and shot.

It was obvious that all this dirty, tedious work was not attractive to free wage labourers at the rates then being paid but was too various to be mechanised as making blocks had been long before.

During the year, 1714 had been sent to New South Wales ; 1490 to Van Diemens Land and 157 to Bermuda. Parkhurst prison for juveniles received 49 and 321 were discharged in Britain³⁵.

In 1840 the hulks in Britain showed a value of earnings exceeding the expenses but this arose from raising the imputed rates. No reason was given. The new rates showed three classes at 2/6d., 2/- and 1/6d. instead of two at 2/- and 1/6d. as had previously ruled. At Bermuda where all work was rated at 2/- the earnings imputed usually far exceeded the expenses — the number of sick and ineffective was small. During the year a requisition was made from there for an increase in the workforce and as many there had nearly completed their terms a transfer of 300 had been made (the final return shows 400). Of the 2187 sent to Australia 200 were boys under 16. Scurvy broke out in some hulks in this year³⁶.

The report on 1841 states that at Bermuda there was full employment for 1000 convicts for another seven years and refers to "directions received for sending 1000 convicts to Gibraltar to repair the fortification". Concerning sickness on board the hulk "*Warrior*" at Woolwich it was revealed that the lowest deck was occupied by those of longest term and worst conduct ; good conduct might result in promotion to the middle deck in three months and the upper deck in twelve "where if he once arrives there is strong expectation he will not leave the country". Thus working one's passage to release at home depended on work done, not on previous crimes. Transports to Van Diemens Land numbered 2374, including 180 boys under 16 ; 262 were discharged. Of 3625 convicts received, three were under ten years, 213 aged 10-15³⁷.

Transportation to Bermuda increased in 1842. At the year's end the numbers in all hulks were :—England 3614, Bermuda 1120, Gibraltar 200. Transports to Van Diemens Land totalled

35—Pp. 1839. No. 67.
36—Pp. 1841. No. 100.
37—Pp. 1842. No. 122.

3615 and 501 were discharged. The value of work done was stated to be over £6,000 greater than expenses³⁸.

The excess of earnings in the next year was given at £10,000 though the rates had been slightly reduced for no stated reason. The improvement in the financial aspect was said to be due to the removal of large numbers of boys. Transports to Bermuda were 330 and to Gibraltar 100 ; to Van Diemens Land 2320³⁹.

The practice of making up transports from the hulks was replaced in 1844 by direct shipment from gaols — only those unfit for transportation were sent to the hulks. It is not likely that this applied to Bermuda where only fit and able people were wanted. The number received there was 150 and that discharged thence 145, leaving 1167 on strength⁴⁰.

In 1845 a general overhaul of the system of employing convict labour began. The most important evidence on this is the report of Commissioners on Harbours of Refuge. The revolution in the use of steam power at sea was accelerating ; the navy had already made trial of the comparative efficiency of the new screw propeller against the paddle wheel but without this change it is clear that the change in ship propulsion was forcing a revision in tactics and of the disposition of forces for defence. Hitherto the possibility of invasion was ruled by the gods of the West Wind ; now periods of calm were most dangerous and steam vessels could use these with impunity. In 1845 the Commissioners stressed the new dangers from steam ships and "the imperative necessity of supplying by artificial means the want of harbours throughout the narrow part of the Channel". For these purposes they chose the following in this order, and gave estimates of cost of works needed there :—Dover, cost £2,500,000 ; Portland, £500,000 ; Seaford, £1,250,000 and Harwich, £50,000. The importance of these in all wars since needs no further mention. Only Portland was taken in hand at once with convicts and it was obvious that hulks could not be used there. The convicts built first the prison quarters. Then the long task of breakwater building began but other hulks were not abolished completely for another twelve years.

For 1845 the report on Gibraltar stated that the civil labourers there (Spaniards) were paid 2/8d. a day and artificers up to 3/9d. Their performance was rated at that of two convicts but these were paid 2d. a day only (this excludes rations)⁴¹.

In 1846 60 convicts were sent to Gibraltar and 300 to Bermuda while 630 in all were discharged. The number in custody in

38—Pp. 1843. No. 113.
39—Pp. 1844. No. 90.
40—Pp. 1845. No. 277.
41—Pp. 1846. No. 10.

Britain stood at 1314, very little larger than that of Bermuda alone. A special report was made by the Superintendent on the hulks at Woolwich, following an attack on it in the "Times". It stated the wage there was 2d. a day⁴².

The sweeping changes in the public works of these years still did not alter the basic principle of the convict labour system. The economic changes of the boom years, in railways, sea transport and manufacturing, not to mention the upheaval due to the Irish famine, showed their political effects in the Corn Law repeal and the changes in such pillars of the system as the Sugar Duties, the Timber Duties and, a little later, the Navigation Acts themselves. So with the hulks system. It survived the attacks but alterations were made. Capper, who had been superintendent for thirty-two years, was dismissed. A report by his successor on the hulks at Woolwich reveals a primitive sanitation and diet deficiencies which had given 82 cases of scurvy in one hulk there and 174 in the other. There had been speculation in the matter of convict pay — Capper's practice had been to pay £3 a head on discharge regardless of earnings — "an amount much too large for them to be entrusted with at so dangerous and trying a time". Payment by instalments was suggested under control of the minister of their parish. Some convicts from Bermuda had been discharged with nearly £20. How many contemporary employers (and even some to-day) shudder at workers being entrusted with their just earnings? Capper had employed boats' crews to take salt water to Lambeth for his bath.

Nevertheless, the value of their labour had "been generally underrated". The utility of having a body of men who may be ready upon any sudden public emergency is stated — something which had been true throughout. Examples given were the extinguishing of dockyard fires especially in stocks of coal and in coaling ships being sent with urgent supplies of food to relieve distress in Ireland. Their conduct had been so praiseworthy that the Home Secretary "had been pleased to recommend and obtain His Majesty's pardon for those who assisted in putting out the fire". The gang work cited included coaling ships, excavating, moving timber and cleaning shot. None of this has any reference to expiation of offences against the law; the overriding necessity was that of the needs of the state.

The most blatantly commercial view was given by Lord Stanley. In 1844 he castigated Sir Eardley Wilmot, in terms appropriate for a defaulting debtor, for asking that the full cost of convict labour in Van Diemens Land be borne by the British Treasury. He wrote: "The practice of regarding convict labour as a commodity not fluctuating in value like all other vendible

things but capable of being estimated once for all at a fixed and low price is reprehensible. If the free inhabitants cannot purchase the labour we have to sell at a price which it is worth our while to accept it remains for us to consider whether some other advantageous employment for it cannot be found." This is the language of the slave market.

The time for plain speaking had come and the pious language of moral regeneration and punishment for crime was no longer appropriate⁴³.

Thus it is arguable that transportation to New South Wales had ceased partly because of agitation in the colony but mainly because of the need to press on with naval and military installations in Britain and Bermuda and Gibraltar. By 1845 the urgent need for advance bases for steam ships on the Channel coast had more to do with the new policy of making all convicts serve their hard labour sentence in Britain than did the alleged failure of the transportation system in Van Diemens Land.

At least the government found in Britain ample scope for advantageous employment for convicts and continued this long after transportation to the old Australian colonies had ceased and also on the very works begun about the time of Lord Stanley's candid comment. The change from the law of 1719, made to serve the need for labour in the colonies, came in 1853 when an Act was passed which caused a reduction in the number sentenced to transportation from an average of about 3200, for the previous five years, to an average of 3154. Besides altering the categories subject to transportation the Act substituted for 7 years' transportation a sentence of penal servitude for 4 years and other sentences in proportion. In the ten years preceding the Act the number sentenced annually to transportation averaged 2626 while those sentenced to imprisonment from 1 to 2 years averaged 47345. An earlier report on Portland prison stated that for the ten preceding years the 7-10 year transport sentences varied from 3271 to 2353. For the same period imprisonment sentences average as follows:—From 2 to 3 years, 11; from 1 to 2, 446; from 6 months to 1 year, 2130. It said: "The sentences passed in different courts for similar offences are various and unequal. In practice there is scarcely any intermediate sentence between a moderate period of imprisonment and transportation for from 7 to 10 years."⁴⁴ It was stated in evidence to a Committee of the Commons that from 1850 to 1855 3500 convicts had been sent to West Australia at a cost of £40,000; that a large proportion had been selected for good behaviour and industry.

⁴³—Bell & Morell: *Colonial Documents*, Page 288; Pp. 1845, No. XXXVIII.

⁴⁴—Report on Discipline of Convict Prisons, 1857, Page 92.
⁴⁵—*Ibid.*, Page 11.

The witness said: "If, for the sake of argument, it be admitted that it was really an object to get rid of 20 out of 100 of these... the expense has been £570 per head." For the rest it might have been better "in the present state of the labour market" to release them at home⁴⁷.

Earlier the same report gave estimates of a "steady provision of work" which would not require alteration for many years:— Undergoing separate punishment, 1900; Portland, 1500; Chatham, 1150; Portsmouth, 1050; Gibraltar, 800; Bermuda, 600 (with 600 additional reserved); Parkhurst, 600 (boys); Dartmoor, 77; "*Stirling Castle*" hulk, 400 (invalids); and West Australia, 300 — Total 9000⁴⁸. Thus a needy colony got less than 3% and this partly for a breakwater; the rest of the reliable and able were earmarked for defence works and naval bases. The "more advantageous employment" had been in mind even before Lord Stanley so candidly expressed it.

The formation of a convict establishment at Portland was decided on even before transportation to New South Wales had ceased (1840) with a view to "systematic application of convict labour to national works" and as the best means of training men in habits of industry which would fit them on discharge for earning an honest livelihood either at home or abroad⁴⁹. The objects were still punishment and reformation but the nature of national needs had changed.

The Parallel of Freetown, Sierra Leone

IN 1787 a British trading settlement was formed in the Sierra Leone River, near the present site of Freetown. It is, on that coast, the only large, natural harbour. It had been for two centuries the chief port of the slave traders. It became after 1850 the great collecting centre for West African produce — all cargo steamers shipped there a band of Kroo boys as boatmen for the open roadsteads of the Guinea coast and paid them off at Freetown when homeward bound. The temporary convenience fixed over the stern for them was known as a "West Coast Ensign".

In world wars it was the great convoy port; deep, commodious and defensible from seaward. The Lion Mountains over 2000 feet high mark its location from far out at sea and thus gave a landfall to slavers, traders and naval vessels. In 1942 from the Hill Station one could count from 100 to 200 ships at anchor in neat lines; the tramps and ore freighters, tankers and passenger ships moved in or out by the deep channel; troop convoys for Suez put in for water; those for Singapore sailed just in time for their troops to be captured by the Japanese; the "*Prince of Wales*" and "*Repulse*" called on their way to their foredoomed end. It was a bastion of seapower in those days of the Battle of the Atlantic.

In 1786 some English philanthropists, mindful of the problem of the Black Poor — negroes, living on charity, who had served in the British forces — conceived a plan for making a settlement there to provide for them, open a legitimate commerce in African produce and carry on a "spirited cultivation" of sugar, cotton and coffee, using local African workers on a wage basis. The site was recommended by Smeathman, a Swedish scientist who, with others, had been studying the commercial possibilities of Africa. (One of these was Anders Sparrman who shipped with Cook from Capetown.) In all the proposals and reports of the syndicate

47—Report on Convict Prison Discipline, 1857. Page 100.

48—Ibid, Page 94.

49—Ibid, Page 79.

Opposite inside back cover—

Convicts screening ballast — the gravel dredged from the river was sold to colliers returning empty to Newcastle for coal cargoes.

Inside back cover—

Hulk "York" at Portsmouth. Convicts returning from work in the dockyard. A 74-gun ship of the line; two extra decks have been added to make a floating hostel for a convict labour force.

Outside back cover—

H.M.S. "Victory" in dry dock. A creation of timber and hemp. Note anchor cable arms of the anchor are iron. Very little iron was used in construction; stock and pine masts and spars, 100 to 200 tons of hemp and about 30,000 square feet of canvas. Cost — £100,000.

