

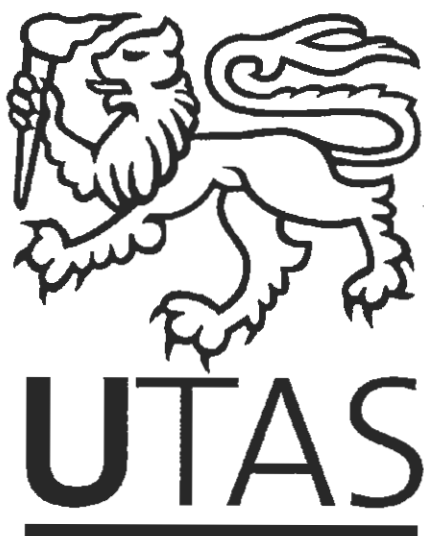
**A PAUPER ESTABLISHMENT IS NOT A JAIL:
OLD CRAWLERS IN TASMANIA 1856-1895**

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This thesis, to the best of my knowledge, contains no material previously published or written by another author except where due reference is made in the text.

John Hargrave.



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PREFACE

The history of the convict system in Van Diemen's Land records that transportation officially ceased in 1853. The event was marked by celebration, by a name change of the colony to Tasmania and with a spirit of optimism about the future.

The demographic legacy of the convict period has been well documented and the intellectual aftermath analysed. In addition to the intellectual rejection of its past and despite initial optimism about the future the next forty years were marked by the continuation of a de facto convict system in which former prisoners were subjected to treatment akin to that which they would have received under an Imperial government in Van Diemen's Land.

The "old crawlers" were a reminder of the past and the reaction of Tasmanian governments was to reassert the responses of the convict era. This, in itself, led to some limited conflict in society as these responses clashed with the nascent liberalism of the 1880s.

However, even at this time, the issues of an inappropriate and outdated system of social supports was not cause for great concern amongst the new liberals.

The reaction in the 1870s and 1880s was led by old style anti-transportationists, advancing humanitarian arguments and objecting to the continuation of a convict system. This response did not succeed in significantly altering the nature of the support system. Change did not occur until after the demise of the majority of the ex-convicts and their wardens in the 1890s. There was, therefore, at the end of the nineteenth Century a well established system of assistance for aged paupers which was based on social control, institutional care and the legacy of convictism.

Research into this area was made more difficult by the incomplete nature of the records of both the benevolent organisations and the Administrator of Charitable Grants. This may be explained by an entry in the Minute book of the Hobart Benevolent Society for 20 November 1879. It is noted that "some papers have been purloined from the Depot that were never intended to be made public." As a consequence of this the Hobart Benevolent Society resolved to destroy all records of invalids more than two years old. The adoption of a similar standard by other agencies could explain the gaps in existing records. These gaps, however, are not so great that they detract significantly from the understanding of the situation of aged paupers in late nineteenth Century Tasmania.

I wish to record my thanks to the librarians of the Archives Office of Tasmania and of the Tasmanian Parliamentary Library and to the staff of the Hobart Benvolent Society for their assistance in accessing the records of that organisation. Within the last mentioned organisation the current Secretary, Mrs Donna Knox, was particularly helpful. I would also like to thank members of the staff of the History Department at the University of Tasmania for their guidance in my first foray foray into Tasmanian history. Finally, I am indebted to my wife for her tolerance and understanding during the preparation of this work.

SOCIAL BACKGROUNDS: AGED INVALIDS IN TASMANIA, 1856

After an initial period of self-indulgent expansionism, immediately following the transition to self government, the Tasmanian administration settled to a realisation of the State's circumstances. In the late 1850s the State's economy entered a depression which was to continue until the 1880s. The revenue of the government dropped from an annual rate of approximately three hundred thousand pounds prior to the achievement of self government to less than two hundred and fifty thousand pounds in 1856 and remained at this level until the 1870s. State expenditure was reduced correspondingly, but not before a substantial debt had been established.¹ Similarly, the level of economic activity was reduced with total annual imports dropping from one and a half million pounds in 1855 to approximately half that amount a decade later.² It was not until 1872 that there was any improvement in the level of economic activity and even at this stage its

1. Nockels, J., Tasmanian Politics and Factions in the 1870s, B.A. Thesis, University of Tasmania, 1976, pp. 24-25.

2. Robson, L.L., A History of Tasmania, Volume II, Oxford University Press, Melbourne, 1991, p.49. See also Townsley, W.A., "Tasmania, The Great Economic Depression, 1858-1872", Tasmanian Historical Research Association Papers and Proceedings, Volume 4 Number 2, 1955, pp. 45-46.

impact was fickle. This economic circumstance significantly affected the delivery of welfare services in the first half century of self government.

The difficult economic condition of the State was further damaged by the apportionment of responsibilities between the Imperial and Colonial governments and the attendant transfer of costs to the Tasmanian administration. The debate over the degree to which the two levels of government should meet the costs of convicts and ex-convicts dated back to the late 1840s. The colonial administration argued that it should not accept the responsibility for convicts transported at an advanced age with little prospect of being able, at the expiration of their sentences, to procure employment and to support themselves.³ Similarly, the colony argued, it would not be reasonable for them to accept the costs of men who were labouring under some disease or infirmity when expatriated or men who were injured or incapacitated as convicts.⁴ The reasons for this position became clear in the subsequent years with an accelerated process of conditional pardons together with the increased transportation of aged and disabled prisoners.⁵ Whilst

3.Legislative Council Papers and Proceedings, Volume 4, 1859, Number 13, p. 3.

4.Ibid.

5.Legislative Council, Papers and Proceedings, Volume 5, 1860, Number 31, p. 3.

many of these people were nearing the end of their working life at their time of transportation they were not considered incompetent for labour and were prime candidates for transportation.⁶

The final settlement left the Imperial government only with responsibility for those convicts who were above sixty years of age at their time of arrival in the colony and those with chronic conditions.⁷ Moreover, the edict to this effect both reminded the Colonial administration of the great economic benefit which they had derived from the convict system and exhorted the government to minimise imperial expenditure and thus assist London with the costs it had to bear in other colonies.

The subservience of the State's interests to those of the Empire, expounded in "Terms upon which Convicts and Paupers have been made chargeable respectively upon Imperial and Colonial Funds" was not well received in Tasmania. In response to economic circumstance, the economic burden of ex-convicts and to widespread destitution a joint committee of the Legislative Council and the House of Assembly was established under the chairmanship of F.M. Innes. This committee resolved that

6. Legislative council, Papers and Proceedings, volume 4, 1859, Number 13, p. 4.

7. This is, of course, in addition to those men and women who were already under sentence. See Legislative Council, Volume 5, 1860, Number 31, p.3.

Tasmania had been unfairly treated and the Imperial government, despite "every fair argument having been exhausted"⁸ had not sought to relieve the burden which had been unfairly placed upon the State. So great was concern about the issue that the committee recommended that parliament should provide funding;

"to be expended in conveying to England all those persons, whether expiree paupers or others, whose maintenance is at present unfairly made a charge in the colony."⁹

No such resolution was passed by Parliament and the financial ramifications of the convict system were begrudgingly accepted. That the notion of repatriation was contemplated, however, is an indication of the degree of anxiety felt over the social issues and of the extent of the depression.

One impact of the depression which engulfed Tasmania was to further exacerbate the demographic anomalies of the State. A process of depopulation, linked to the opportunities in other colonies began in the 1850s and continued until the 1870s. As a consequence of this, the number of adult males in the State reduced by twenty

8.Ibid. pp. 2-4.

9.Legislative Council, Papers and Proceedings, Volume 4, 1859, Number 15, pp. 2-4.

five percent between 1850 and 1860.¹⁰ In conjunction with this overall trend there were population shifts away from the south of the State in favour of the more rapid economic developments in the north west and the farming districts of the north. The remaining population was skewed with an unusual preponderance of children and old men. Not only were their economic ramifications of this situation, the demographic anomalies served to increase the visibility of the old crawlers.

The other significant effect of the depression was widespread destitution, especially felt by the most vulnerable in society and in particular by ex-convicts. The first report of the Hobart Benevolent Society noted that they had observed "great distress and misery amongst... the labouring classes of the Town"¹¹ and refers to a group of older men as

"those unfortunates who homeless and penniless are nightly wandering about, sleeping either in the streets or creeping for shelter into some unoccupied building."¹²

The problems of destitution and unemployment were considered so great that the Hobart Benevolent Society wrote to the Colonial Secretary seeking assistance to

10.Robson, op. cit. p. 37.

11.Hobart Benevolent Society, Minute Book, 1860-1872, p. 46.

12.Ibid.

establish a short term refuge for aged paupers in addition to the existing invalid depot.¹³

The extent of destitution was similarly recognised in the contemporary press. The Mercury, in 1859, referred to the same condition of homelessness and to the near starvation of many of the unemployed living in their own homes. A consequence of this situation was that begging was an unwanted characteristic of the Hobart streets.¹⁴

Likewise, other observers reflected on a degree of squalor which was disturbing; one commentator noting that in Harrington Street there were alleyways "piled thick with disreputable shanties" and that "some of the quarters were equal to the worst in the west End of London."¹⁵

The incidence of Poverty in Hobart was seen to be closely linked to the convict population. All the above observers attributed responsibility for their condition to the individual and in each case that individual was characterised as a convict. For instance, The Mercury continued its analysis by stating that

13. Legislative Council Papers and Proceedings, Volume 5, 1860, Number 47, p. 3.

14. Brown, J., Poverty is not a Crime, Tasmanian Historical Research Association, Hobart, 1972, pp. 76-77.

15. The Critic, 23 March 1923, p.6.

"the poverty of which they complained was a result of their own vice, of their own misconduct and of their want of desire to work, in short of their want of social honesty"¹⁶

The Hobart Benevolent Society was more explicit in forming a link with a particular class in society. The philanthropic gentlemen of the Benevolent Society noted that the demands on it were greatest in areas which were principally inhabited by the convict population.¹⁷

To this economic system and social circumstance must be added the legacy of a welfare system¹⁸ designed for a penal settlement. The origins of this system can be traced to Governor Arthur's administration twenty five years earlier. The major welfare services established in Tasmania at the middle of the nineteenth century had

16.Brown, op.cit. p.70.

17.Hobart Benevolent Society, op. cit. p. 9. Whilst blaming the victim was a usual practice a slightly more tolerant attitude was adopted in The Mercury (5 November 1858, p.3.). In this edition the editor noted that blame should not be solely attributed to the victim. Some responsibility lay with the convict system "where self respect and character were destroyed by their treatment at the penal settlement at Port Arthur."

18.Within this paper the terms welfare and social welfare are used in a more limited fashion than the notions of community well-being espoused by some economic historians.

Welfare is used as a description of the assistance provided to individuals or families who were not able to avail themselves of generally available community assets. The "beneficiaries" of this assistance included the most vulnerable in society; the chronically ill, the aged, the disabled and destitute women and children.

their origins in Van Diemen's Land in the late 1820s and early 1830s. The Female Factory and Invalid Depot at Cascades was established in 1827, the King's Orphan School, later the site of the New Town Invalid Depot, was founded in 1828, the New Norfolk Invalid Depot was opened in 1831 and the Asylum in 1833. All continued to be major outlets for the provision of welfare services through the end of Imperial government and into the last quarter of the century. Some continued well beyond this date. Within this environment, provision for aged care had by the 1850s become almost exclusively a government concern. The only exceptions to this standard were small alms houses at Longford and New Town.

Arthur's policy of institutional development, at the expense of other social services, left the colony with an underdeveloped system of outdoor relief.¹⁹ In contrast to the other States, where Benevolent Societies were provided with government assistance, there was historically little, if any, similar assistance from a Tasmanian administration or from public subscription. The government's lack of interest in this area was a reflection of a desire to maintain strict controls over potential dissident elements in society. The public's apathy, reflected in both attitudes towards convicts and in the frontier nature of the society, with its brash

19. Brown, op.cit., p. 12.

desire to demonstrate success and wealth, indicated its support for the need to control dissidents. A corollary of the frontier mentality was the emphasis placed on the view that individuals should make provision for their own times of need and that except in instances of natural disaster there should be no need for assistance. The strength of this opinion was greater in Tasmania than in other parts of the Empire.

As a result of these factors the options which faced all people, until the significant government sponsorship of charitable grants in the 1870s and 1880s were to fend for themselves or to commit themselves to incarceration in a government institution. The latter option was the only option provided by the State in 1856.

The attitudes towards invalids in 1856 were a facet of deeply held views in Tasmanian society. At one level, the welfare system was a component of a social system which sought to maintain established interests. In particular it was a reaction to the convict heritage. The incidence of destitution could be seen as a manifestation of the stain which threatened to cripple society both through the cost of institutional care and through its impact on the spirit of the population.²⁰

20. see Dilke, C., Greater Britain, McMillan, London, 1870, pp. 358-359. and Hughes, R., The Fatal Shore, Pan Books, London, 1988, pp 589-593.

Similarly, the memory of the conflict around the anti-transportation movement and the apprehension about political democracy based on emancipist interests were reminders to the conservative aristocracy of the need to maintain a social order based around themselves. It was in this conservative context that the debate over property interests and further limiting the franchise gained some importance.²¹

Moreover, the welfare system in 1856 was based on the philosophic belief that individuals, be they convict or free, could make provision for themselves by initiative, diligence and sober habits.²² Benevolence in this scenario was limited to families affected by disastrous acts of God, such as floods, rather than being targetted at people who had failed to make provision for their old age. For the state or philanthropic individuals to make provision for invalid paupers would be to encourage improvidence and be a disincentive to old people making provision for themselves. In short, it would encourage pauperism.

These views, which were commonly held throughout the

21.Reynolds, H., Men of Substance and Deservedly Good Repute: The Tasmanian Gentry 1856-1875, Australian Journal of Politics and History, Volume 14, Number 53, 1969, pp. 61-64 and 67.

22.Wapping History Group, Down Wapping, Blubber Head Press, Hobart, 1988, p. 86.

Empire, were reinforced in an environment where a frontier mentality dominated, where the poor laws of home had been misconstrued as a rejection of outdoor relief and where taxation had been rejected as a moral evil and linked with the transportation of convicts. Not only was the notion of taxation to allow the state to provide for the destitute rejected for reasons of liberal economic policy it was rejected as it was a reminder of the convict past and of transportation.

Within this environment aged paupers were a reflection of that past and the attitudes which were held towards convicts were transferred to destitute old people.²³ Tasmania was a colony with large numbers of worn out old convicts and no finance with which to deal with the problem. Moreover, it was a problem which the State sought to deny. The response was to invoke the models of the past and treat the destitute as convicts.

23. Breen, S., Outdoor Poor Relief in Launceston, 1860-1880, Tasmanian Historical Research Association Papers and Proceedings, volume 38, Number 2, 1991, p.30.

RESPONSES I

Respectable or Not

The initial and consistent response by the government to aged paupers was the creation and expansion of invalid depots. This response was based on the beliefs that the problem was a temporary aberration, that to encourage any other, more benevolent, type of assistance would be to encourage pauperism and that ex-convict paupers were a burden unfairly placed on Tasmania. This last facet, in particular, led to the underlying principle of all aged care throughout the latter part of the nineteenth century, that the cost of maintaining paupers was to be minimised. The other beliefs, however, also contributed to this financial restriction on provision of services.

The antipathy to pauperism was most clearly stated in the Royal Commission into Charitable Institutions of 1871. In their findings the Commissioners noted that they would;

"deprecate as pernicious any attempt to make institutions designed for the relief of pauperism more attractive than the home which the honest, self-denying workman can hope to secure for himself in old age by the observance of habits of temperance and

economy."¹

In keeping with the concepts of social control within this philosophical position the institutionalisation of aged paupers was the same response used to control dissent in the penal colony. It was, thus, a response consistent with past experience in the delivery of welfare services. It was also a answer which most politicians and administrators understood, a response to an ex-convict class by the provision of a welfare service based on penal principles. Moreover, the extensive use of invalid depots, supported by a very limited program of outdoor relief, reduced the visibility of the State's dark past. The response was, therefore, also consistent with the attitude of denial of the convict legacy which was a characteristic of late nineteenth century Tasmania.

Ex-convict paupers and invalids were, at the time of self government, most usually incarcerated at Impression Bay. In 1856 there were already 268 invalid men held on the Tasman Peninsula. Of these fifty seven percent were chargeable to the colony. The Imperial government's financial responsibility, other than for prisoners, was limited to fewer than 150 men.² Additionally a large

1.Legislative Council Papers and Proceedings, Volume 17 1871, Number 47, p. xxiii

2.Legislative Council Papers and Proceedings, Volume 1, 1856, Number 12, p.3.

number of old and incurable patients remained in hospitals in both Hobart and Launceston. The financial burden of provision of support in this environment led the government to concentrate on medical treatment at the Hobart Hospital and the creation of separate facilities for aged invalids.³ A separate pauper institution could be run on a more austere basis than a hospital. The first component of this was the enhancement of the Brickfields in North Hobart as a depot for male paupers. By 1861 the Brickfields depot, comprising two wards each housing eighty men, was fully operational. In that year, there were, on any given day, about 150 inmates.

Institutional provision was a later development in the north of the State, with the Launceston depot not becoming operational until 1868.⁴ Prior to this time there was some reliance on limited outdoor relief, the Cornwall Hospital and the Launceston House of Correction. Both the administrators of outdoor relief and the hospital board objected to this situation. Prior to the opening of an invalid depot many of the destitute were

3. The removal of invalids from hospitals had financial benefits. In 1861 the cost of maintaining an invalid in the General Hospital was 37 pounds per annum and at the Cornwall Hospital just under fifty three pounds per annum. The per capita cost at the Brickfields Depot was twenty two pounds per year. House of Assembly Papers and Proceedings, Volume 7, 1861, Number 127, p. 4.

4. CSD 4/102/1226.

also returned to Port Arthur in a move which reflected the status of ageing invalids in Tasmanian society.⁵ Further expansion in the provision of institutional care occurred in 1869 with realignment of the Cascade Factory as a depot for both male and female invalids. The female invalids were transferred to New Town in 1874 and followed by the men from Cascades five years later. The concentration of the Hobart facilities was completed in 1882 with the closure of the Brickfields and the consolidation of all invalid ex-convicts in Hobart, apart from those few receiving outdoor relief, at the former orphans school. This process also involved the transfer of invalids from the north of the State including residents from the Launceston Invalid Depot.

In addition to the facilities established by the Colonial administration call was also made from time to time on the Imperial depot at Impression Bay. This move again reflected the link, both physical and intellectual, between the convict system and the pauper establishments. During the influenza epidemics of 1860 thirty old crawlers were sent back to Impression Bay to allow the facilities in Hobart to be used for victims of the epidemic.⁶ Similarly, during a typhoid outbreak in 1876 a hundred invalids were again sent back to the Tasman

5.Breen, op. cit. p. 23.

6.Brown, op. cit., p. 93.

Peninsula. This allowed overcrowding at the hospital to be relieved and sufferers of epidemics to be treated in Hobart. In both instances there was no administrative resistance to a move which linked the treatment of invalid paupers to the treatment of convicts.

The response to aged invalids was also based on the perception that they represented a short term problem. It was both hoped and anticipated that the problem would soon disappear. This attitude is clear in the Royal Commission into Charitable Institutions of 1871 and is reinforced in the further Royal Commission into Charitable Institutions of 1888. The latter Commission noted that;

"the majority of the inmates of this institution [New Town] consist of the remnants of a rapidly decreasing class of persons sent to the colony in bygone days, and then often treated in such a manner as to unfit them, when given their freedom, to provide for their declining years, and so throw them on the charity of the colony. This class is year by year becoming smaller and at no distant date will become extinct."⁷

The notion that the class of ex-convict paupers would soon cease to exist was widely held. Likewise, some modern analyses have held that by the late 1870s the

7. House of Assembly Papers and Proceedings, 1889, Volume 15, Number 50, p. xxi.

group were of insignificant proportions, decimated by the scarlet fever and influenza epidemics of 1875 and 1877.⁸ Similarly, romantic notions of a small group of men sitting in the sun in St. John's Avenue outside the New Town depot perpetuate the idea of a group which by 1880 had become insignificant.⁹ These modern views on the demise of the ex-convict class are not supported by a consideration of resident numbers.

The perception of administrators of the temporary nature of the problem governed the nature of the response. As there was an expectation that the need for institutional services would cease to exist there was a reluctance to expand provision to meet demand. Consequently some depots, and particularly the Launceston Invalid depot, were frequently overcrowded. The assumption that the phenomenon of ex-convict aged invalids was a short term problem also led to a lack of any long term planning of services. It was expected that at any moment Tasmania would return to a more "normal" demography.

The assumptions about the duration of the problem and later analyses that the issue was largely resolved in the 1870s were incorrect. The total number of invalids in

8.Bolger, P., Hobart Town, ANU Press, Canberra, 1980, p.135.

9.Ibid. p. 136

depots and gaols grew from 400 in the 1860s to about 600 in 1880.¹⁰ Ten years later those figures had not substantially altered. There remained 580 residents in depots in 1890. Returns at this time, similarly, show that more than ninety percent of the residents of the institutions were ex-convicts with the remainder made up of younger people with physical disabilities and a small group described as "natives". The dramatic decrease in institutional provision for ex-convicts does not occur until the mid 1890s. The total number of people in all institutions dropped below 500 for the first time in 1896 and to about 300 by the turn of the century.¹¹ This decline continued over the next decade.

It is also noteworthy that the number of former convicts as a proportion of the institutional population also changed considerably over the same period. From a position in 1890 of catering almost exclusively for ex-convicts the population of the invalid depots was transformed. By 1900 just over half of the population of the depots had never been convicts and the long awaited

10. Legislative Council Papers and Proceedings Volume 10, 1864, Numbers 24 and 25 and Parliament of Tasmania Papers and Proceedings volume 23, 1891, number 24.

11. Parliament of Tasmania Papers and Proceedings, Volume 53, 1905, Number 41.

demise of the convict class was beginning.¹² Nonetheless, the convict population in the institutions continued to be a major component of the institutions for some time. In 1905, the last year in which returns identified convicts, there were still one hundred and eighty six former convicts at New Town.

Further defining features of the residents of the invalid depots were their marital status and lack of substantial personal relationships and contacts. These factors themselves were characteristics of a social class founded on a convict society. The heritage of an isolated and predominantly male population in Tasmania, together with probable assignment to a remote area left little potential for ex-convicts to either establish or re-establish families. That isolation was exacerbated by the lack of a broader community based on a parish. The absence of a developed parish system meant that a safety net available to individuals in Victorian Britain was not available in Tasmania. The only recourse was to a state based welfare system, which for ex-convicts meant the return to an institution reflecting the values of the

12. Parliament of Tasmania Papers and Proceedings, Volume 45, 1901, Number 9, p. 3. This analysis appears to conflict with that offered by Robson, op. cit. p. 40. In his description of ex-convicts he lists those still chargeable to Imperial Funds (a total of about forty people in 1895) as the remnants of the convict system. There were many more ex-convicts who were not chargeable to London.

penal system. Similarly, the limited economic opportunities available in the State after 1830 served as a barrier to any emancipist aspirations of becoming part of respectable society.¹³ The social structures in Tasmania were frozen in the 1830s with ex-convicts fixed in a subservient role with no potential of developing either self-sufficiency or any capacity to establish familial support systems which would provide for their support. A result of this, and the legacy of the anti-transportation movement, was a society deeply divided between respectable free settlers and the more recent emancipist.

Frequently the administrators of the invalid depots noted that very few of the inmates had any visitors other than those individuals whose duty it was to officially visit.¹⁴ In considering the reasons for this the official visitors, themselves largely representative of the philanthropic organisations, noted that "very few of the men have any relatives in the colony."¹⁵ This was seen as a result of them having never married or having not re-established contact with their family upon being

13.Reynolds, op.cit. pp. 62-63.

14.Legislative Council Papers and Proceedings, Volume 17, 1871, Number 47, p.87.

15.Ibid. p. 67.

granted a conditional pardon. They, thus, had no-one to fall back on in times of crisis.

The situation for "respectable" people in society was vastly different as they had far greater access to outdoor relief. Moreover, they were supported in resisting incarceration in the pauper depots by administrators at all levels. The Administrator of Charitable Grants in his annual report for 1881 commented on the disinclination of aged people to enter the depots. Whilst partially attributing this to the penal discipline of the institutions he considered the main factor to be;

"the necessity they would be under of mixing and associating indiscriminately with the other inmates, and when the antecedents, character and habits of a very large number of men and women generally found therein are borne in mind, it is,... hardly to be wondered at that people have led honest and industrious lives should, when overtaken by adversity shrink from such uncongenial companionship."¹⁶

Whilst this reluctance to be admitted to depots is acceptable when expounded by free settlers it was not acceptable for emancipists to resist admission on the basis of the nature of the service or the uncongenial companionship.

16. Legislative Council Papers and Proceedings, Volume 32, 1882, Number 9, p. 4.

The view that depots were suitable places only for ex-convicts was similarly expressed by both politicians looking at the purpose of charitable institutions and by the administrators of the institutions. The Report of the Royal Commission into Charitable Institutions of 1888 noted as appropriate the abhorrence of "the better class of people" to "going into the Depot". The reason for this was the "characters they have to associate with whilst in the Depot."¹⁷ Within the evidence of the Administrator of the New Town Depot, John Withrington, to the same Royal Commission, this view is again expressed. In response to a question about medical classification he noted "we keep the few respectable men separate from the others."¹⁸ The Administrators opinion showed his view of how the depots should be conducted and reflected his background as a guard in the penal system.

The attitude that the depots were a repository for ex-convicts where they could be kept away from respectable society was even more clearly stated at the Royal Commission in 1871. On this occasion the Royal Commissioners concluded their analysis by quoting from a

17. House of Assembly Papers and Proceedings, Volume 15, 1889, Number 50, p. 9.

18. Ibid. p. 34.

contemporary analysis of pauperism.¹⁹ This treatise concluded that philosophically there is a pauper class "the taint of which runs in the blood and which defies training".²⁰ The object of administrators, in the view of the Royal Commissioners, should be to keep this class separate from respectable society. It is a view which was quite compatible with those expressed by the anti-transportation movement and with which Tasmanian administrators were comfortable.

Only on rare occasions were people without a convict background admitted to invalid depots. In these cases there was often support from their friends in society for them to be discharged. One illustration of this is in the case of James Bent, a former resident of Deloraine who had been convicted of stealing and having no means of support was admitted to the Launceston Invalid Depot. Following representations from his friends he was discharged to the Cornwall Hospital where a room was kept specifically for him. In determining that he should not remain in a depot the Chief Secretary, P.O Fysh, noted that he;

"sympathised with an old gentleman who has in his

19.The Royal Commissioners cite extensively from Daniel Grant, *Home Politics or the Growth of Trade Considered in Relation to Labour, Pauperism and Emigration*.

20.Legislative Council Papers and Proceedings, Volume 17, 1872, Number 47, p. xxxviii.

former years been accustomed to very different surroundings being compelled to pass his few remaining years in the social atmosphere of a Government Invalid Depot"²¹

Given that invalid depots were not considered an appropriate location for free settlers a dilemma existed as to where they should be located. The lack of support for this group was recognised by the Hobart Benevolent Society in 1873. In its Annual Report for that year the Society noted its "serious difficulty in dealing with aged persons reduced to indigence, of a class superior to the average recipient of relief"²² and continued to recommend the establishment of two or three alms houses. In addition to catering for paupers who were "respectable" it was envisaged that these facilities could cater for aged couples and be an alternative to the limited outdoor relief. The Hobart Benevolent Society continued to lobby for the establishment of alms houses and following the closure of the Brickfields Depot sought use of that facility as a home for destitute aged couples. The Chief Secretary, P.O. Fysh, supported the proposal but would "not sanction the reopening of the Brickfields" because of the "inadequacies" of the

21.CSD 16/10/27.

22.Legislative Council Papers and Proceedings, Volume 20, 1874, Number 12, p. 3.

building.²³ These inadequacies were apparently not significant when the building was used for ex-convicts. Despite the interest to establish benevolent services for the aged poor there were no developments in Hobart before the end of the nineteenth century. The failure to translate ideas into facilities may be attributable to the well developed state sector in Hobart both through outdoor relief and at New Town.

The concentration of convicts in the south of the State may also have been a significant factor. In contrast, there was activity in the north of the State with the opening of alms houses at Launceston and Longford in 1879. Notably these houses limited access to exclude people who had a convict past.²⁴

The alternative to admission to an invalid depot for destitute aged people was to be supported in the community. This support was often provided by family and friends and supplemented in deserving cases by philanthropic activity, the latter assistance usually provided by a Benevolent Society or the Administrator of Charitable Grants. However, in all cases the focus of the benevolent organisations was not on destitute aged people with a convict past.

23.CSD 16/24/262.

24.Brown, op. cit. p. 91.

As noted earlier, the philanthropic organisations considered that destitution was a consequence of the victims behaviour and, thus, limited their assistance to deserving cases. Foremost amongst these were children, a group who could not easily be held responsible for their predicament.²⁵ At the other end of the spectrum ex-convict men and women were rarely the recipients of largess.²⁶ Of the total number of cases dealt with by the Hobart Benevolent Society between 1881 and 1892 less than five percent were destitute aged people.²⁷ The Launceston Benevolent Society records a similar proportion of cases where assistance was provided to the same client group.²⁸ In contrast, the the assistance provided by the Administrator of Charitable Grants appears more liberal. In his return of people receiving assistance in 1870 approximately thirty percent were aged invalids.²⁹ This higher proportion may be attributable to the rural areas serviced by the Administrator of Charitable Grants, the

25. See in particular Breen, op. cit. pp. 31-34.

26. Alexander, A., The Public role of Women in Tasmania, PhD Thesis, University of Tasmania, 1989, p. 206.

27. Of the 1227 separate entries in the Case Book of the Hobart Benevolent Society only 56 related to aged people.

28. 40 out of 785 Cases. See also Breen op. cit. p.29.

29. Legislative Council Papers and Proceedings, Volume 17, Number 47. This paper notes 480 recipients of charitable grants. 145 are aged people.

higher proportion of married people in these areas and the lack of access to the invalid depot. Not only was there a high number of unmarried emancipists but these individuals also tended to migrate to the urban areas and to Hobart in particular.

Outdoor relief was most frequently provided amongst aged people to married aged invalids, a qualification which served to limit the number of emancipist recipients. In many of the cases documented in the record books of the Launceston and Hobart Benevolent Societies, and the descriptions given by the Administrator of Charitable Grants, note is made of the respectability of the couple in question and of how they have endeavoured to support themselves. For instance, the Launceston Benevolent Society refer to the case of William Simmonds and his wife. It is recorded that "they are very old and infirm but they have been good characters for sobriety and endeavouring to obtain a living."³⁰ Similarly, the Hobart Benevolent Society agree to support John White and his wife on the grounds that they are of sober habit and had attempted to support themselves.³¹

30. Launceston Benevolent Society, Reports of Cases of Applications for Outdoor Assistance, p. 153.

31. Hobart Benevolent Society, Case Book 1872-1887, April 1884.

Whilst marriage was important factor in gaining outdoor assistance it did not provide an immediate basis for qualification. The administrators of charity referred couples to the invalid depots where they were not considered suitable to remain at large. In the case of Charles Bullock, "an ex-convict", and his wife, note is made that the wife is known to drink and that she inadequately cares for her husband.³² In this case the wife and husband were referred to separate depots. Likewise, in Launceston when a couple were found to be "in a wretched state" and "quite unfit for anywhere but the depot" they were referred for admission.³³

The separation of couples, either by death or hospitalisation, similarly caused a review of the provision of outdoor assistance. The Launceston Benevolent Society provided extensive assistance to William Wheeler and his wife between 1867 and 1871. Throughout this period almost daily visits are made to the couple and the church also assisted by "paying a woman to see to them. Whilst married it was considered "an act of cruelty to send them to invalid establishments." Yet, within a week of the death of Mrs Wheeler the Launceston Benevolent Society discontinued

32.Ibid., April 1890.

33.Launceston Benvolent Society, op. cit. p.126.

assistance to the "ex-convict".³⁴ A similar period was allowed before institutionalisation in the cases of other recipients of benevolence following the death or hospitalisation of their partner.³⁵

In contrast to these cases, there were instances where the death of a spouse was not a trigger to institutionalisation. In these cases the surviving partner either had responsibility for dependent children or was not considered to be suitable for the depot. The register of charitable grants records a number of individuals as deserving cases and lists them either as respectable or makes note of their profession. For example, Martha Hall is recorded as an "89 year old former shop keeper" and "very respectable".³⁶ Likewise, Mary Anne Darley is deserving; in her case as a consequence of her late husband's profession. He was formerly the schoolmaster at Glenorchy and Bridgewater.³⁷

A further factor which heightened the prospect of receipt of outdoor relief was the support of family or friends.

34.Ibid., pp 5,68,91,94,103,105 and 134.

35.See Ibid. p.183 and 148.

36.Legislative Council Papers and Proceedings, Volume 17, 1871, Number 47, p.39.

37.Ibid., p.29.

The records of the Benevolent Societies include cases of destitute old people who have been saved the humiliation of admission to a depot by the support provided by their children. Such cases included Catherine Leo, who lived with her daughter and was principally provided for by her daughter. The Hobart Benevolent Society assistance supplemented this family support in times of hardship.³⁸ A similar case is that of William Sutton whose "five sons gave two shillings and sixpence a week each for his support." The Benevolent Society's role in this case was limited to monitoring his welfare.³⁹ Reference also exists in a few cases to philanthropic individuals paying for rent and food for their friends. Again, in these cases the Benevolent Societies did little but monitor the welfare of the individual. In all of the above cases it was more likely that support would be provided to individuals who have established families or well developed social networks. Both factors mitigated against emancipists and notably the cases listed above do not include any ex-convicts.

It was possible for old and destitute single men and women to receive outdoor assistance, but not as likely as receipt of assistance if they were married. The returns of the Administrator of Charitable Grants record a number

38.Hobart Benevolent Society, Case Book, op. cit., May 1888.

39.Ibid., July 1890.

of single people in receipt of assistance, most of whom are residents of rural municipalities. There were, however, a number of cases of individuals relieved in Hobart and Launceston. Such cases were the like of Thomas Webster. The report on Mr Webster which recommended him for outdoor relief noted that;

"he was a very respectable old man but had been unfortunate in business. Being a Free Mason the Society had assisted him as much as they could"⁴⁰

The opposite of this case is found in the frequent reference to single emancipists who were either provided with a weeks relief whilst awaiting entry to an invalid depot or who were denied assistance and referred immediately to the depot. These people did not possess a respectability which facilitated their support by philanthropic societies.

40.Ibid., July 1878.

RESPONSES II

A Convict System

That institutions for aged paupers, in Tasmania, in the latter half of the nineteenth century were homes for ex-convicts is again reflected in their method of operation. Within these facilities there was a preoccupation with limiting expenditure whilst maintaining minimal service quality. The objective was to provide institutional accommodation which deterred pauperism and imposition. The Annual Reports of the depots until about 1890 are, in the main part, limited to financial statements and to discussions on discipline. The greatest achievement of the administrators and of the boards were that they made no great call on the public purse. In some years, prior to 1890, issues of quality of service are mentioned, but only in response to specific criticisms.

The Annual Reports always referred to the average per capita cost and noted the boards' regret in years in years when their had been an increase and taking pride in any reduction in expenditure.¹ Consistent with this

1. Legislative Council Papers and Proceedings, Volume 13, 1867, Number 4, p.3.

there was frequent note of the depots becoming increasingly self sufficient by farming their own vegetables.

The concern over expenditure was not limited to the Boards. Limiting the costs of institutions was a principal concern of both governments and administrators. A major task of the Royal Commissions into Charitable Grants of 1871 and 1888 was to address the increasing, and in their view unfair, financial burden. The first report noted that it rejected any notion of upgrading institutions and that the existing austerity was to be commended. It concluded its analysis by noting that the incidence of pauperism in Tasmania was high in comparison to other colonies. The Commissioners, however, questioned;

"whether this goes beyond what might be anticipated from the antecedent social conditions of this Colony, and from the more recent date of those conditions and their greater numerical proportion ... is a debatable question which we abstain from discussing."²

There was a belief that the incidence of pauperism was a temporary phenomenon which should be treated with austerity. Similarly, the 1888 Report, whilst reflecting on the high per capita cost of charitable administration

2. Legislative Council Papers and Proceedings, Volume 17, 1871, Number 47, p. 38.

in Tasmania viewed this as a temporary aberration. Both reviews considered that the institutions were being run with appropriate austerity as homes suitable for ex-convicts. The government attitude of management justified by cost is again stated in the Royal Commission on Accounts of 1863. This committees' findings predated the implementation of some of the stringency measures. They expressed concern at the "sleek and vigorous appearance of some of the inmates" and noted with concern that the cost of maintenance of an individual was still twenty pounds per year. For reference, they cited the example of Ireland where a workhouse pauper could be supported for twelve pounds.³

The administration's preoccupation with austerity was most dramatically reflected in the claim of the John Withrington, the Superintendent of Brickfields and New Town Depot between 1862 and 1889 for a retiring allowance. His claim is justified on the quality of his administration by "saving the Colony a considerable sum of money by reducing the cost per head for maintenance." Throughout the records there is only one reference to his seeking additional funds for the maintenance of paupers. Notably, this request, made in 1880, and based on the additional numbers in the newly consolidated New Town

3. Brown, op. cit. p17.

Depot, was rejected.⁴ Withrington's frugality was exceeded by that of the Tasmanian government. The Colonial Secretary held that numbers could be reduced by increased austerity together with rigorous screening for individuals imposing on the system.⁵ In Withrington's claim for a retiring allowance no reference is made to any facet of his contribution to the general welfare of the colony, apart from the amount of money he has saved in running invalid depots.

The difficult financial situation of the colonial government and the stringencies which were central to the management of the invalid depots were not helped by any relaxation on the part of the Imperial government. A small number of ex-convicts residing in the depots made application for Imperial Assistance as Chelsea Pensioners. These claims were always rejected, most usually on the basis of a small discrepancy between the information provided by the applicant and that held in the official records.⁶ Rather than encouraging such claims the Imperial government sought to limit its liability forever by arbitrarily removing all questions

4.CSD 16/33/578.

5.CSD 10/71/1765.

6.In particular see CSD 10/12/79 regarding a list of individuals with such claims and CSD 10/24/368 regarding John Wise and Luke Sillick.

of responsibility. This was achieved by the issue of an edict in 1877 to the effect that there should be no repatriation of paupers or lunatics from the colonies and that the cost of their maintenance was to be met from colonial coffers. In compliant deference the Premier, P.O. Fysh, agreed that this would be a "desirable policy" and would "avoid costly mistakes, trouble and expense."⁷

The prevailing attitudes that the services being provided should be of minimal quality, both as a deterrent to pauperism and as a suitable response to emancipist needs, and that the costs should be kept as low as possible, were also reflected in the delivery of services. It was similarly fundamental that the institutions operated in a manner which reflected the convict background of their residents. Within this context discipline was of paramount importance in the invalid depots. Harsh discipline was both philosophically consistent with convict and pauper management and a precondition for cost reduction.

The early operation of these facilities was by resistance to regulation and by the efforts of the administrators to establish their authority. The annual reports of all facilities together with the evidence given by the warders and the superintendents to various investigations

7.CSD 10/54/1227.

showed a propensity amongst the inmates to leave the depots, avail themselves of alcohol and return intoxicated. For instance, the Annual Report of the Brickfields Depot for 1864 notes "invalids soliciting passes to go out... and neglecting to return, or returning in a state of intoxication and being refused admittance."⁸ These issues are commented on in each of the Annual reports for the Brickfields up to 1868 and in the first three reports of the Launceston Invalid Depot.⁹ Notably this issue is not again raised in annual reports and, in comparison with the report of 1871, is of comparative insignificance in the Royal Commission of 1888. The reduced importance of intoxication and unauthorised absences as issues can be seen as a result of greater acceptance of disciplinary measures in the depots and of the achievement of operations which were able to function at minimal cost. The increasing frailty of the old crawlers would also have contributed to the reduced resistance to the imposed discipline.

It should not, however, be assumed that a high level of compliance with the regulations of the depots was ever achieved. The notebook of the Head Warder of the Cascade Invalid Depot in the late 1870s reports a succession of

8. Legislative Council Papers and Proceedings, Volume 11, 1865, Number 24, pp. 3.

9. Legislative Council Papers and Proceedings, Volume 16, 1870, Number 3, p. 3.

instances where individuals had either absconded from the facility and returned drunk or had attempted to bring alcohol into the depot.¹⁰ These reports are interspersed with other offences such as assaults on other inmates.¹¹

The responses to both unauthorised absences and to intoxication were swift. Offenders were either removed from the depot or, for lesser offences, were readmitted but with many of their privileges withdrawn. A potential consequence of the first action, removal or refusal of admission, was potential starvation in an environment which provided no social support. The most common punishment, and that used for minor offences, was the withdrawal of the tobacco ration. This punishment was used widely for breaches of discipline such as inadequate grooming or for failure to perform basic duties such as cleaning chambers or packing up blankets neatly. It was not particularly effective. Instances of disregard for this form of punishment, similar to those expressed by Joshua Groves are not infrequent. In a note about the Cascade Depot the Head Warder noted;

"When serving out Tobacco at dinner time Joshua Groves asked me if his Tobacco was stopped. I told him it

10. Cascade Invalid Depot, Head Warder's Notebook, passim.

11. In the absence of other documentation it is difficult to conclude to what extent the experience of the Cascade Depot can be applied to other facilities. The Cascade Depot was itself used as a place of punishment for offenders from other depots.

was. He then took up an earthen ware chamber at his bedside and smashed [it] on the floor and told me to bring him before Mr Tarleton. This is the second chamber he has broke and threatens to breake something everytime his tobacco is stopped in fact this man places all regulations and dissipline at defiance"¹² Offenders such as Joshua Graves, and individuals accused of other significant offences such as unfounded complaint or drunkenness were sent to trial and could be subsequently imprisoned.

The strict discipline of invalid depots was complemented by routines and activities that were more in keeping with a prison than a home for aged or sick people. Rather than some idyllic life where "old men sat fondling their plug of tobacco comfortable... as they watched from the tree shade the sun upon the tower of St. John's Church"¹³ life in all the depots was harsh, regimented and characterised by boredom. Inmates rose at six in the summer and an hour later in winter. Washing was conducted in silence and all the residents dressed in the colonial grey tweed uniform of the pauper. Breakfast was at eight with all capable residents starting work an hour later. The individuals who had been certified by a doctor as unable to work were permitted to stay in bed.

12.Cascade Invalid Depot, op. cit., 21 May 1878.

13.Bolger, op. cit., p. 136.

Work was interrupted by a lunch break at noon but resumed at two and continued until half past four. Tea was at five with a muster at seven. The intervening period was taken up by compulsory religious observance. In winter the inmates were confined to their quarters in silence following the muster. In summer the silence bell did not ring until nine o'clock. This routine continued for six days a week.¹⁴ On Sundays the residents of the Launceston Invalid Depot and the Cascades Depot were allowed a degree of freedom to move around their institutions. Those at the Brickfields, however, were confined within a square formed by the buildings and were not permitted access to their quarters. The practice of restricting these residents to a small area was implemented to overcome the need for supervisory staff on a day of no work and to consequently reduce the cost of running the facility.¹⁵ The practice of leaving the men at Brickfields in this yard in all seasons continued from 1870 until altered by the Colonial Secretary in the last week of 1875. As a result of this intervention the residents were allowed in the grounds of the depot for two hours in the middle of the day and two hours in the evening. At all other times they remained restricted to the central square.¹⁶

14.CSD 4/103/1254.

15.CSD 7/29/324.

16.CSD 10/35/387.

Within this monotonous routine there was also a boring regularity about all parts of the day. The food provided to residents varied little from day to day or month to month with the exception of the occasional reduction in the quality of the bread provided. There was, similarly, between 1860 and the late 1880s a small reduction in the total amount of food provided. The daily rations allowed for men in the 1880s included a pound of bread, twelve ounces of meat (reduced from one pound) to be principally used for soup and twelve ounces of vegetables. This was supplemented with tea barley and sugar. Women were additionally provided with an ounce of butter and a sixth of a pint of milk per day. This food was used in the preparation of three meals. Breakfast and tea consisted of bread and black tea. Dinner was always one pint of soup, three quarters of a pound of potatoes and bread.¹⁷

The lack of variety in the food provided caused Governor Lefroy to comment in 1880 that he would "wish to see an endeavour made to vary the ample dietary provided, which appears at present to be the same at years end to years end."¹⁸ The response of the Superintendent of the the New Town Depot was predictable. In a curt response to the Colonial Secretary, which focused on the economic

17.CSD 13/43//643.

18.CSD 13/13/146.

imperative of management of the invalid depot he noted that "any alteration in the present diet could not be effected without additional expense."¹⁹ He supported his case with a note from the medical officer, Dr Turnley, which commented that "these men thrive on this diet" It was a diet suitable for ex-convicts.

The greatest source of variety in the lives of the residents of the depots, apart from the fortnightly baths, came as a result of the work in which many were engaged. Whilst men and women who were able to earn a living were denied admission to the depots this did not preclude their labour once interned. Those people not confined to bed as a result of their invalidity were expected to work. Work conducted by the invalids was both a part of the discipline of the management of the emancipists and as a means of minimising costs. In principle the administrators would have liked to employ all invalids for these reasons and to mitigate against the twin threats of pauperism and imposition. Frailty did not make this possible.

The number of men able to work reduced with the increasing frailty of the old crawlers to a level well below one hundred percent. Yet, by 1888, a quarter of the male residents of the New Town depot were still

19. Ibid.

capable as working as warders, on roads, farming or in work gangs.²⁰ The women invalids were seen as less frail and more able to work and a higher percentage were involved in some employment.²¹ The farms at all the institutions were significant reasons for the depot's financial viability and were worked exclusively by residents of the invalid depots.

In addition to working in the depots, many of the invalids were engaged in external employment from time to time. These individuals either returned to the depots when no longer able, as a result of the general economic conditions and their inability to secure continuing employment, to support themselves or were on short term release from the depots.²² In the latter instance gangs of invalids were released into the care of trusted individuals to work as labourers in a scheme reminiscent of the convict assignment system. A major beneficiary of this arrangement was the hop industry with "many of the paupers released annually"²³ to go hop picking. As with farm work or working on the roads no wages were paid for

20. House of Assembly Papers and Proceedings, volume 15, 1889, Number 50, p.37.

21. Ibid., p. 31.

22. CSD 13/43/633.

23. House of Assembly Papers and Proceedings, Volume 15, 1889, Number 50, p. 33.

this labour but extra rations and tobacco were provided.

An additional task undertaken by the paupers at the Brickfields Depot was working at the Cornelian Bay Cemetery. From 1875 to 1890 grave digging and tending to the cemetery were performed by a gang of twenty of the more capable invalids.²⁴ Again rations were provided to these men but no payments were made apart from the transfer of funds from the Cemetery Trust to the Invalid Depot. These payments helped to reduce the overall operating costs of the Brickfields and the per capita costs of invalid depots. The funds thus helped to achieve the depots' economic imperative.

Most of the staffing of the depots was provided by invalids. The use of aged paupers for this task was again an essential means of reducing the costs of operating depots. Attendants were the more active of the inmates provided with a modest wage to look after fellow inmates. There was no other qualification required.

A consequence of the exploitation of invalids as attendants was the failure to provide the supports which ageing and destitute people needed, a deficiency which became greater with the increasing frailty of the residents. Even John Withrington was aware of this dilemma. However, from his perspective a problem only

24.CSD 16/14/57 and CSD 10/4/63.

existed in that it caused a potential increase in operating costs. He noted, in 1883, that the people recently admitted are "totally unfit from age and their own infirmities to fill the positions of attendants."²⁵ Quality of life was not a major issue for superintendent of a home for ex-convicts. The most significant issues were financial management and the avoidance of imposition and pauperism. Instead of providing any help to ageing emancipists the support which was provided was that suitable for ex-convicts. At the same time he stressed that there were no suitable attendants he propounded the view that "attendants who were inmates themselves provide an appropriate service to that class of people."²⁶

One focus of the debate over the nature of assistance provided to old crawlers centred around the question of whether trained nurses should be provided. The old guard of convict administrators were resolutely opposed to the idea. They argued that even for terminal cases the employment of nurses would not work. As well as adding to the costs of a depot "the very dirty habits [of the inmates] are such that as would not induce men or women to attend to them."²⁷ The first consideration is for the

25.Parliament of Tasmania Papers and Proceedings, Volume 2, 1884, Number 9, p.3.

26.Ibid. p.4.

27.Parliament of Tasmania Papers and Proceedings, Volume 15, 1888, Number 50, p.34.

sensitivities of the employees rather than for the needs of the residents. Even in the opposite view, again put to the 1888 Royal Commission into Charitable Grants, the argument for the employment of nurses is conditional on the nurses being of "mature age and married."²⁸ The argument put forward by Dr Barnard, the new medical officer for the New Town Charitable Institution, was a simple humanitarian claim that a critical component of good care for aged people is good nursing. He further believed that "people of the class of resident in the depots should receive as much comfort as if they were men of more refined habits."²⁹ His argument was not accepted by the Commissioners who came down firmly in favour of the status quo and in so doing were glowing in their praise of Mr Withrington. Nurses would cause an increase in costs and "would not for this class of men be justified."³⁰ The first nurses were, thus, not employed in either the male or female depot at New Town until after the retirement of Mr Withrington, in 1890, and with

28.Ibid., p. 32.

29.Ibid. The humanitarian need for some form of professional care for the residents of the depots was further reflected in the behaviour of the attendants. The records of all the invalid depots include lists of attendants dismissed for drunkenness or for physical abuse of other residents. See, for instance, CSD 10/27/428 and CSD 7/50/1013 and Cascade Invalid Depot, op. cit. 25 November 1878.

30.Parliament of Tasmania Papers and Proceedings, Volume 15, Number 50, p. 21.

him the convict system.

A result of the focus on financial restraint and on the avoidance of pauperism was that conditions in the depots were deplorable, even by the standards of the late nineteenth century. The number of residents was not closely monitored and on frequent occasions the daily muster showed that there were more residents than beds.³¹ This overcrowding was sometimes a consequence of epidemics but was also a regular occurrence in winter. in 1876 Dr Turnley reported that at Cascades there were "upwards of seventy men lying on the floors of rooms ill adapted for sleeping" and that at Brickfields the beds are "packed much too closely together."³² A similar view was expressed by Dr Crowther in respect to the Brickfields Depot. He noted in respect of one invalid that his bed was against that of another man and that he "complained of the heat and stench at night from the numbers the ward contained and the nature of their maladies."³³ Dr Crowther continued his argument against the quality of the establishments, and particularly the Cascade Depot in the Mercury of the same year, 1871, with

31.Ibid., p. 37.

32.Legislative Council Papers and Proceedings, volume 24, 1877, Number 12, p. 17.

33.Legislative Council Papers and Proceedings, Volume 17, 1871, Number 47, p. 94.

no result.

Humanitarian concerns about the care of elderly people were also put forward by the Hobart Benevolent Society. In putting the Benevolent Society's argument to the 1871 Royal Commission Dr Hall noted that the accommodation at all facilities was insufficient. His view was that;

"for bed ridden old men... to have only straw beds and pillows and those who can sit up no easy reclining chairs, etc. is a condition I am sure any feeling person who knows the uneasiness of confinement to bed for a few days only ... can easily appreciate and deplore. There is not a hair mattress, a water bed or pillow in the establishment for the comfort of any sufferer."³⁴

Dr Hall was particularly scathing on the Cascades Depot describing it as a "gloomy old prison" and criticising its penal associations.³⁵

The conditions were made worse by inadequate sanitation. Running water was not connected to Brickfields until 1872

34.Ibid., pp 83-84. Dr Hall subsequently withdrew his criticism of the Brickfields in a letter to the Colonial Secretary. (CSD 7/38/602) It is interesting to note that Dr Hall and Mr Withrington were the two most active members of period and attendance at Board Meetings frequently was limited to these two gentlemen with one or two others coming from time to time.

35.Ibid., p.84.

and lavatories were not installed in any of the depot until 1878. Prior to that time toileting in both the male and female depots was by use of a tub at the end of each ward. The use of these tubs as night toilets continued into the 1890s.³⁶

Other facets of the sanitation of invalid depots also concerned contemporary medical men such as Doctors Hall and Crowther. Particularly they were worried by the lack of ventilation in the buildings, a major issue in public health in the late nineteenth century, and the admission of paupers infested with vermin. In a bid to overcome the dangers of outbreaks of disease compulsory bathing of all residents on admission became a standard practice in the mid 1870s. Nonetheless, there are subsequently many references to outbreaks of disease in the depots and it is dubious if a cold bath on admission would be a sufficient treatment to prevent the spread of vermin throughout a depot.

Despite conditions which many medical men considered inadequate the response to these inadequacies was again predictable. The various official reports comment both on "the ease with which the pauper submits to his

36.CSD 13/57/922.

condition and lives a life of contentment"³⁷ and to the need to avoid making the institutions more attractive than the home of a labourer. The response continued by noting that they would not have chosen the site of the Cascade depot, but it was satisfactory for the time being for the class of men and women who used it. Similarly, the reservations expressed by witnesses about the accommodation at Brickfields was dismissed in the grounds that any better quality of accommodation would encourage pauperism. The Royal Commissioners of 1871 were satisfied that "every comfort and convenience which could be reasonably expected in an Asylum adapted to the class for which it has been provided."³⁸ A similar response was made in 1888 when the Royal Commissioners noted in respect of all institutions that "the class of people are, as far as circumstances admit, provided with all the necessary comforts."³⁹

Within the strictly controlled near penal system of the invalid depots discipline was reinforced by as strict set of rules and regulations. These near identical sets of rules for each of the depot did not change markedly from

37.Legislative Council Papers and Proceedings, Volume 17, 1871, Number 47, p. xxxviii.

38.Ibid., p. xxvi.

39.House of Assembly Papers and Proceedings, Volume 15, 1888, Number 50, p. xx.

their development in the 1860s until after the retirement of the convict administrators and the demise of the emancipists in the 1890s. The rules firstly established the subservience of the ex-convict by removing from them their individuality and by governing their behaviour. This position was reinforced by a series of rules which gave the administrators the power to punish. Until the 1890s the rules and regulations for management of the various invalid depots included no reference to what the invalids could expect to receive from the state. The focus was on the superintendent "maintaining strict discipline and preventing any misconduct on the part of any inmate."⁴⁰

The various rules prescribed that individuals once admitted would be deprived of their own clothing, which if dirty would be destroyed, would undertake such duties as ordered by the officers in charge and would submit to the timetable of the depot. Significantly, given the belief of the administrators that the reason for destitution was most frequently drunkenness, prominence was given in the rules to the prohibition of "spirits and other fermented liquors."⁴¹ There was a similar ban on gambling and the use of profane language.

40.CSD 4/102/1226.

41.Ibid.

The rules of the various depot provided the superintendents and other staff with considerable powers to punish. For minor offences, such as failure to keep ones person clean or, for men, not keeping ones hair short invalids were deprived of their tobacco. Similarly, the offence of making a complaint which the superintendent viewed as frivolous was initially punishable by deprivation of tobacco.⁴² More serious offences, such as disobeying the superintendent, destruction of property or attempted escape were punishable by either close confinement in the depot or by being sent to gaol for one month. Repeat offences left inmates liable to gaol for up to three months with hard labour. All punishments were at the discretion of the superintendent, although gaol sentences of more than one month had to be endorsed by a Justice of the Peace.⁴³

The penal nature of the invalid depots was again emphasised in the controls placed on the provision of information to residents. The Rules stipulate that newspapers and books may be received by any resident but only on the basis that they had been approved by the superintendent. Any document or article which was considered to have "immoral or mischievous tendencies"

42.CSD 10/41/815.

43.CSD 13/43/623.

would not be allowed into a depot.⁴⁴ In keeping with the the separation of emancipists from the rest of society the mail sent out and received by residents of the depot was also inspected by the superintendents to ensure that "no pernicious material is communicated."⁴⁵ Importantly both of these measures can be seen as guarding against a democratic threat to the Tasmanian elite from emancipist interests. Old crawlers, even when so frail that they could not eke out an existence outside a depot, were seen as a threat.

The dominant position of the administrators and the subordinate, prisoner like, status of the inmates was also reflected in the administration's response to criticism from the residents or their advocates. None of the complaints received had the substance of the complaint addressed. The usual response, throughout the period, was to question the integrity of the complainant and/or their advocate and to provide a contrary testimonial. For instance, when Patrick Gallagher complained to Governor Weld in 1879 about ill treatment at New Town his claim was rejected on the basis that he was "troublesome" and had "frequently been punished for disobedience and is a most disrespectful fellow." Despite no investigation of the substance of the claim

44.CSD 10/41/815.

45.CSD 10/40/743.

the Colonial Secretary's final response was to punish the "old imperial" for "false and misleading allegations."⁴⁶ Similarly, a claim of abuse made by Thomas Finescure was dismissed by Mr Withrington on the grounds that he was a "troublesome ...[and] dangerous man endeavouring to cause dissatisfaction amongst the invalids." This analysis is made despite the superintendent having only months earlier used a testimonial from Finescure in response to another complaint. Finescure was subsequently transferred from the Brickfields to the harsher environment of the Cascade Depot.⁴⁷

The only variation on this theme that complainants were troublemakers was to question the competence of the person bringing the complaint. An illustration of this response is seen in the reply to Reverend Shoobridge's complaint on behalf of an inmate. The reply does not deal with the substance of the complaint, that bedding and clothing were vermin infested. The response forwarded by Adye Douglas to reverend Shoobridge merely questions what "kind of man would have put on" vermin infested clothes⁴⁸ but goes no further to address the issue.

46.CSD 10/75/1893.

47.CSD 10/40/743.

48.CSD 13/86/1871.

The response to complaints was another facet of the convict system response to the old crawlers incarcerated in invalid depots. The right to complain was not taken seriously by anyone in the administration, even in the early days of Tasmanian liberalism. The residents had few, if any, rights, were provided with a minimal service and were expected to be kept hidden away.

The response of politicians and administrators to those few aged ex-convicts who were able to access outdoor relief was equally harsh. A perhaps less severe application applied to respectable people. As with institutional provision the response was governed by the dominant philosophies of resisting pauperism, of provision of minimal assistance and, in the case of emancipists, of encouraging admission to depots. For the elite in Tasmanian society former convicts were best placed where they were out of sight and not likely to harass respectable citizens as they passed along the street.⁴⁹ All of these objectives were important in the establishment of benevolent societies in Hobart and Launceston and were reflected in their operation in the late nineteenth century.

The benevolent societies believed that the ex-convict invalids were doubly flawed. Not only was there a

49.Brown., op.cit., p. 76.

deficiency, often associated with intoxication, in their character which was the immediate cause of their destitution but they also remained stigmatised by the legacy of the convict system. In that destitution and convictism were both seen as the result of character weaknesses the boundary between the groups, convicts and the destitute, became blurred. Except in the exceptional case of a "deserving" ex-convict the two characteristics became a single entity and destitute aged people were identified as members of the convict class.

In dealing with this group the philanthropic organisations took an insolently superior attitude to the provision of assistance and expected recipients of assistance to adopt appropriately moral behaviour. Cohabitation, drunkenness or having previously been incarcerated in an invalid depot were frequent reasons for the refusal of assistance. All of these prerequisites for assistance were aimed at creating a compliant group which in the case of destitute old people would accept the inevitability of their return to a convict depot.

Outdoor relief, when provided was conditional. A basic condition was that relief was expected to be short term, a factor which precluded many aged invalids and forced them into the institutional system. In return for short

term assistance recipients were expected to submit to regular inspection, to work if requested and to adopt a thankful and humble demeanour.

The records of the administration of the benevolent societies show that these principles and objectives of administration of philanthropy were strictly enforced. In Launceston the majority of aged recipients of outdoor relief were only provided with assistance until they could be placed in the invalid depot. If the individual concerned had been previously invalided assistance was withheld or if they subsequently refused admission to a depot aid was withdrawn. Similarly, in the south of the State, the Hobart Benevolent Society held that benevolence should only be provided to the "really necessitous."⁵⁰ This view was clarified three years after the founding of the organisation in the committee's ruling that they would;

"refuse to give relief to any person leaving any depot... on the principle that a proper home has been provided for them and they have no right to seek charity from the public."⁵¹

To have refused entry or to have left a depot was behaviour not acceptable to the benevolent societies. It

50. Hobart Benevolent Society, Minute Book 1860-1872, 30 November 1864.

51. Ibid., p. 209.

was not in keeping with its objective of forcing ex-convicts back into a penal system and the principle of helping only the worthy. To have declined admission to a depot and to have sought outdoor relief was a form of imposition, a behaviour closely linked with the creation of pauperism and one of the great taboos of mid-Victorian social administration.

In applying these principles there was little or no room for humanitarianism. Claims were rejected regardless of the consequence for individuals. For instance, the Launceston Benevolent Society declined to provide any relief to Thomas Cook despite repeated pleas in 1869 and 1870. The Society held that Mr Cook should be in a depot and thus refused to help him despite their view that without assistance he appeared "unlikely to be long with his fellow creatures"⁵²

A further, and perhaps greater, offence against the elites represented in the benevolent societies, and one which rendered the applicant similarly ineligible, was failure to observe the expected standards of behaviour. This failure was usually manifest in either drunkenness or failure to adopt a suitably subservient gratefulness for the assistance provided. Ignoring any consideration of prevailing economic conditions and attributing failure

52. Launceston Benevolent Society, op. cit., pp. 2, 34 and 68.

to make provision for old age to individual deficiencies resulted in the benevolent societies, and elites, believing there was a correlation between the use of alcohol and unworthiness. Any hint of an association with one of Tasmania's many hotels again made aged invalids not suitable to be assisted. It was sufficient for the Hobart Benevolent Society to note regarding William Booth, and other old crawlers, that he was "reported to be given to drink" as a reason for insisting that he be admitted to a depot. Likewise the Society declined to assist a married couple on the basis that "they are known to spend money on drink." This accusation led to the couple being sent to separate depots.⁵³

A similar intransigence was applied to individuals who did not show gratitude for the small assistance provided. The visitor of the Launceston Benevolent Society declined assistance to Henry Smith principally on the basis of his impudence. Smith subsequently declined admission to a depot and was left "living in a filthy condition and suffering from leprosy."⁵⁴ Likewise, Donald Brodie and his wife were refused assistance in Hobart on the grounds that he was "very abusive to the Committee and demanded

53.Hobart Benevolent Society, Case Book, 1872-1887, October 1881.

54.Launceston Benevolent Society, op.cit., p. 39.

relief."⁵⁵ In contrast, note is made on frequent occasions of individuals who were very thankful for the help provided. In cases where suitable deference was demonstrated assistance was not jeopardised. These individual old people more closely fitted the characterisation of the Chairman of the Hobart Benevolent Society that "those really worthy of relief did not ask for it but had to be sought out."⁵⁶

The responses to emancipists which were characteristic of the benevolent societies were also apparent in the provision of government outdoor relief. The limited records of the Administrator of Charitable Grants in respect of old people show that assistance was not readily provided and that ex-convicts were again encouraged back into the convict like system of depots. Moreover, in return for relief individuals were expected to adopt a moral standard which reflected the beliefs of an elite in mid Victorian society. These standards involved the individual accepting responsibility for their predicament and waiving any rights they had in return for assistance.

Responses to ageing and invalid emancipists, both in

55.Hobart Benevolent Society, Case Book, 1872-1887, November 1884.

56.Wapping History Group, op. cit., p. 60.

institutions and whilst living in the community adopted the same principles. In keeping with the denial of the convict heritage the former convicts were provided with few alternatives to submission to a system of penal institutions. Once incarcerated their few remaining rights were removed and little, if any, care was provided to meet their needs.

This response was consistent with the attitude towards ex-convicts who were not aged and destitute as most clearly shown in the Masters and Servants Act of 1856. With both aged former convicts and younger emancipists a traditional relationship with members of the elite continued through the latter part of the nineteenth century. At least until the repeal of the Masters and Servants Act the relationship continued to be based on the convict system. The society was founded on a large labouring class whose subservience was made absolute by its dependence on the squire and the fear of imprisonment. The convict system, thus, left Tasmania with a legacy of a rigid class based society with little or no capacity for social mobility.

The feudal benevolence available to the labouring class, however, did not extend to the old crawlers. As a part of a labour market, which was already characterised by a surfeit of workers they could no longer make any useful

contribution, the old crawlers were little more than an embarrassing reminder of an era most Tasmanians would have preferred to forget. As an expendable commodity they were hidden away wherever possible.

Consistent with this theme, and in keeping with the response to the Masters and Servants Act there was little challenge within the elite to the view that ex-convicts should form a subordinate class. Even when the early liberal debate over the Masters and Servants Act was taking place there was little question of the status of old crawlers. That debate did not begin until after the retirement of the former convict system managers of the the invalid depots and their counterparts in the benevolent societies and until after the demise of most of the ex-convicts.

REACTIONS

Whilst it was not common practice for members of the elite in Tasmania's divided society to question the provision for aged invalids there was, nonetheless, a reaction to their situation and treatment. The reaction was shown both in the rejection by impoverished emancipists of the placid subordination expected both by administrators of outdoor relief and invalid depots and in complaints made against the administration of the depots. Complaints were made both by inmates and by others acting in their interests. Especially noteworthy amongst the advocates for the ex-convict residents of the depots was Philip Smith, a wealthy grazier who took up their cause and who supported the invalids on the basis of Christian humanitarianism. In advocating on behalf of the former convicts he offered a case similar to that which he had used as a leading figure in the anti-transportation movement.

The complaints made by the inmates of the various depots are most remarkable in that they had little chance of success and, given the intolerance of the administrators to any criticism, could lead to the loss of privileges. In particular, it was common for individuals who made

complaints to be transferred from the comparative openness of the Brickfields to the Cascade Depot.¹ The latter facility was noted for both its lower standard of accommodation and for the more strict adherence to penal discipline. The complaints, thus, were desperate attempts to modify the system of administration.

In their most refined form the complaints from the inmates of the invalid depots were a criticism of the principles of austerity and subservience under which the welfare system operated. They were, moreover, a rejection of the rigid class structure of Tasmania in the 1870s and 1880s. The best example of this rejection is found in the James Lester Burke's 1879 letter to the local parliamentarian J.M. Dooley in which he identified the administrators of the depots and members of the Hobart Benevolent Society as representatives of an old guard. He noted that Mr Withrington, by choice, "assumes the white choker and proceeds at once to join the benevolent committee, Dr Hall &c, offers his good and charitable suggestions and the business of the day is concluded."² A similar view is expressed about Mr Witt and the Hobart Benevolent Society. Whilst the Benevolent Society justified its rigorous policy of relief on a

1.Legislative Council Papers and Proceedings, Volume 17, 1871, Number 47, p. 87.

2.CSD 10/69/1651.

Christian belief in the avoidance of pauperism and imposition James Burke did not accept that role. He also depicted Mr Witt as "one who wears the white choker" and in respect of the Hobart Benevolent Society asked that "the Lord have mercy upon us and save us from that terrible supervision."³

Burke continued his criticism by questioning the motives of the Superintendent of the Brickfields Depot, John Withrington, and stated that his interest in the "comfort of the miserable mortals is nothing more nor less than a mythe." The object of Mr Withrington was, in this analysis, to ensure that good order was maintained at minimal cost without any humanitarian consideration and particularly without concern for the individuality or dignity of the residents. The analysis of the superintendent concludes that "he is a low bred vagabond who never evinces the slightest shadow of humanity" To redress these attitudes and in the "hope and impression that a new and glorious era appears to be on the horizon" Burke called on the politicians, Balfe, Reiby, Dooley and Crowther to "take the helm and clean out the Aegean stable."⁴ In so doing he was calling for a new order and an end to convict like administration of services for aged invalids.

3.Ibid.

4.Ibid.

This letter of complaint was written within three months of Burke's initial admission to an invalid depot and shows that he still believed that he could influence the system and held that there was some will to change the method of managing the invalid depots. That it was dismissed by the authorities and he subsequently withdrew his complaint, two days after his rations were reduced, is an indication of his naivety in following this method in attempting to change the administration of invalid depots.

At another, and more basic level, Burke's plea was for decent food, clean clothing and treatment with respect. In this regard it was consistent with the other four recorded complaints⁵ made by residents of the invalid depots prior to 1890. All of these complaints made reference to the inadequacy of the food, particularly as provided to sick inmates, the poor condition of the clothing and bedding and to the improper licence given to wardsmen. In addition related issues such as the coldness of the dormitories and the poor state of repair of the buildings and the fittings were also raised.

5. A small number of other complaints (less than six) are listed in the registers of correspondence held by the Archives Office of Tasmania. The documents, however, are not filed.

One aspect of the complaints from other residents which is not emphasised in Burke's plea is the inadequate medical and personal care provided to the inmates. In all cases this issue arose not as a result of any treatment which the complainants had personally received but as a consequence of their observation of the abuse of other residents. Finscure's complaint to the Colonial Secretary is, in part, about the treatment of a dying invalid called Turner who, prior to his death, was denied food for nine days. The other aspect of this complaint is about denial of access to the medical officer.⁶ Similarly, Joshua Greaves' complaint is about the lack of care and medical attention given to a William Blackham. Greaves alleged that as a result of this lack of treatment Blackham died. Notably both of these complaints were about life in the Cascade Invalid Depot.⁷ The complaint made by Patrick Gallagher in his letter to Governor Weld also reflected concern over the medical treatment provided to the old emancipists.⁸ As with the complaint made by Greaves this letter asserts that a resident was left without food and was denied medical attention. In this case the alleged abuse occurred at the Brickfields Depot.

6.CSD 10/40/743.

7.CSD 10/63/1647.

8.CSD 10/75/1893.

The other extant complaint made by a resident is by Francis Fayerman and is more detailed than the others received.⁹ Rather than providing a broad generalisation about inhuman treatment of poor old invalids Fayerman provides a specific list of abuses. In addition to the standard complaints about food clothing and bedding he records that the "men are often threatened by the wardsmen," that "men in bed are not visited by a dispenser" and "are not supplied with meals." He is also critical about the "overcrowding of the facility" [Brickfields] and of the "general disorder." All of these aspects of life in a depot are considered by the complainant to be symptoms of a lack of respect for the residents of the depot.

Given that there are few complaints it is difficult to ascertain to what extent they are representative of the attitudes of aged invalids in the pauper depots. In contrast to the complaints it could be noted that many complaints were, in part, replied to by the provision of testimonials from other inmates. For instance, the statements of two other residents were included to show that proper medical attention was provided to William Blackham.¹⁰ Whether there was any coercion used in obtaining these alternate opinions cannot be ascertained

9.CSD 13/57/922

10.CSD 10/63/1647

but given the influence which staff had over the inmates there is a basis for suspicion. Similarly, it is noteworthy that in 1876 a petition was drawn up, supposedly by one hundred and sixteen residents of the Brickfields Depot, expressing confidence in Mr Withrington and the depot and stating that he had "fulfilled his duties to the entire satisfaction of the petitioners and we request his retention."¹¹ As all the names on this petition are in the hand of the depot's writer and given that Mr Withrington was under some pressure for misleading the Colonial Secretary at this time some reservations must be expressed as to the significance of this document as a reflection of the support of aged paupers for the depot system.

The views of residents towards institutional care, as expressed in the above four complaints were reinforced by their advocates, albeit with little greater success in changing the system than the residents. One group of advocates comprised doctors and clergymen who were concerned at the living conditions and the lack of adequate facilities in which to provide medical care. In one instance, Reverend Shoobridge stated that in his experience of the Brickfields and New Town Depots he had frequently seen vermin on the bedding and clothing of the

11.CSD 10/37/688

inmates.¹² In his view the residents deserved to be kept in conditions which were at least vermin free. Reverend Shoobridge sought no greater reform.

Medical practitioners expressed similar views. In particular doctors Crowther, Turnley and Hall were all concerned about the physical characteristics of the Cascades Depot, about the incapacity of all depots to make provision for residents who were ill and about the "lack of appliances to relieve the tortures" which accompanied illness.¹³ In part, the rejection of the Cascade Depot on the basis of its "penal associations" may be construed as a rejection of a system of institutional care which looked back to the convict era. Against this must be balanced the view that Dr Hall did not consider the Brickfields to be an inappropriate place for aged invalids and endorsed Dr Turnley's opinion that the care at the Brickfields should be held up as an example of excellence.¹⁴ Dr Hall did consider that on humanitarian grounds some additional comfort could be provided but did not question the existence of the depots. As a former convict doctor and leader of the

12.CSD 13/86/1871

13.Legislative Council Papers and Proceedings, Volume 17, 1871, Number 47, pp. 83-84, 88 and 94.

14.Ibid., pp. 84 and 88.

Hobart Benevolent Society he accepted the depot's discipline as a necessary restriction placed on old emancipists.

His arguments did, however, raise the question of the appropriateness of invalid depots in the popular press. The Mercury in its editorial of 3 June 1871 considered Dr Hall's depiction of the Cascades Depot to describe a "repulsive" situation and claimed that "no petty economy should be concerned in rectifying the situation." The editor's conclusion was that the old men and women were in need of shelter rather than punishment.¹⁵ There is no evidence that the cause of reform of the invalid depots was advanced any further by The Mercury.

Dr Crowther, like his medical colleagues, was worried that there was inadequate ventilation at the Brickfields Depot but had no concerns about the depot itself. As with the other doctors he advocated on behalf of the residents only in so far as their condition contradicted his medical principles. He did not seek to make any change in the overall nature of services and supported the concept of austere institutions in which ex-convicts could be kept until they died.

A further group of advocates did so for significantly

15. The Mercury, 3 June 1871, p. 4.

different reasons. These people, principally Philip Smith and S Smith Travers were motivated by arguments which had their origins in the anti-transportationist movement. Philip Smith had, as a member of the elite of the 1840s, argued against the slave labour nature of convict assignment. In a rare display of humanitarian concern for convicts he commented that;

"it is pitiable to observe the wretched state of some of the men in regard to slops and still more as to shoes and boots.... Many of the men have not a boot or shoe and they protect their feet the best way they can by a wrapped cloth."¹⁶

He continued this attitude in his pursuit of social reform and in particular after 1860 in seeking a better deal for old crawlers. Smith's diary contains draft of his letters to the Colonial Secretary in which he raises issues ranging from the quality of the bread, the meat supplied to the "wretched", the lack of ventilation, the poor treatment of the sick and in particular the question of Sunday confinement in the yard.¹⁷ Over this last issue he and John Withrington clashed consistently throughout 1874 and 1875 and the revision of the former arrangements to allow residents more liberty can be attributed to Smith's advocacy.

16.Brand, I., The Convict Probation System, Blubber Head Press, Hobart, 1990, p. 52.

17.Smith, P.J., A Short Account of his Life, passim.

Similar views to those of Philip Smith were also enunciated by S. Smith Travers in his capacity of official visitor to the Brickfields and Cascade depots. On behalf of the residents of the former institution Travers also took up the issue of Sunday confinement and like Philip Smith pursued the issue with a personal attack on the superintendent.¹⁸ The other major complaint made by Travers was over the quality of the bread.¹⁹ In the debate over this issue the question of the austerity of the administration versus "the welfare of old men" was raised.

Philip Smith saw himself as an advocate for the residents of all the male invalid depots and not a "meddler who seeks to cause a disturbance" This characterisation of Smith, as a person seeking to upset the equilibrium of the invalid depots was one frequently used by the administration in defence of their management.²⁰ He noted that he took on the the issues presented to him by residents and that he did not interfere, merely listened to the men's complaints. This view, that he was an

18.CSD 7/29/324.

19.CSD 7/38/602.

20.See in particular CSD 10/34/554, Withrington to the Colonial Secretary, 8 November 1875.

advocate who expressed the views of the residents, is supported by the issues he raised.²¹ These particular concerns, quality of food, medical treatment and unnecessarily rigorous discipline, are the same issues raised by the few inmates who complained.

Smith, however, pursued a broader social agenda in seeking to reform the operation of the depots. In contrast with the government and administration Smith questioned the authoritarian discipline of the pauper establishments, the lack of recognition of the right to complain or communicate with people outside the facilities and the austerity with which they were conducted.²² He described the Brickfields, the facility which was the least penal in nature as an establishment which was "despotically and almost irresponsibly conducted" and "where wretched men live in despair."²³ It was his view that the depots should not be based on austerity and authority but on a concern for the well-being of the residents. In a letter to the Colonial Secretary of November 1875 he notes "a pauper establishment is not a jail and should be conducted as to challenge public scrutiny and prevent and even invite

21.Smith, op. cit.

22.CSD 10/40/781.

23.CSD 10/34/554.

complaint from the paupers themselves."²⁴ In this opinion there are similarities with the views expressed by James Lester Burke in seeking the overall reform of the depots. Smith and Burke both rejected the reversion to a convict system as a method of support for aged invalids.

The lack of acceptance of the depot system by aged invalids was also reflected in the frequent instances of individuals refusing admission. The records of the Hobart and Launceston Benevolent Societies abound with cases of old crawlers who have been assessed as appropriate for invalid depots but who refuse to go. In few cases is there any elaboration on the reasons for rejection of government benevolence. However, the description of William Wheeler given by the Launceston Benevolent Society provides an indication of the reservations which were held. It was noted about William Wheeler that he "declines to go, giving for a reason that he had enough of the government years ago."²⁵ Given their convict heritage the aged invalids valued highly their freedom and were not easily convinced to sacrifice this for the austere security and loss of individual rights which accompanied admission to a depot.

24. Ibid.

25. Launceston Benevolent Society, op. cit. p. 134.

The suggestion that invalid depots were rejected by all but the most desperate is also supported by the numbers either escaping from or leaving the depots. The Annual Report of the Brickfields Depot for 1878 noted that aged paupers often left and sought assistance from the benevolent societies.²⁶ When this assistance was refused these individuals sustained themselves for as long as possible before applying for readmission. Most frequently applications for readmission were made in winter as it became more difficult to eke an existence out of begging and as the lack of shelter became critical. Occupancy rates for the various depot show full utilisation during the months of May to September. In comparison February and March figures reveal a much lower rate of utilisation. Many invalids attempted to find casual work in the summer, in particular hop picking, only returning to the depot as a last recourse when absolutely destitute.

In the same year that the board of the Brickfields Depot noted the transience of their clients the Hobart Benevolent Society Annual Report noted the:

"old people from 60 to 80 years of age are continually leaving our Depots to infest the streets or to wander through the country begging their way from place to

26. Legislative Council Papers and Proceedings, Volume 28, 1879, Number 7, p. 3.

place or they come to the Benevolent Society with some plausible tale."²⁷

There was thus a reluctance on the part of aged invalids to submit, yet again, to a convict system and accept the subordination and denial of their existence which the welfare system attempted to establish. Only in desperation were they forced into the depots.

The depots, however, were very much a place of last resort and many who left did so with little possibility of being able to support themselves. One such case was that of John Biffen who, at eighty two years of age, discharged himself from the Launceston Invalid Depot.

The casebook of the Launceston Benevolent Society notes that he steadfastly declined to consider readmission and that "he doesn't have the least chance of being able to maintain himself."²⁸ If the view of the Benevolent Society visitor is correct this man had chosen to starve rather than accept imprisonment in the invalid depot.²⁹

27.Legislative Council Papers and Proceedings, Volume 28, 1879, Number 15, p. 3.

28.Launceston Benevolent Society, op. cit., p. 183.

29.The records of the Hobart Benevolent Society and the Launceston Benevolent Society record many similar cases. See for instance the L.B.S. casebook pp. 174 and 155 for the cases of John Smith and James Osborne and the H.B.S. casebook for March 1872 and June 1869 for the cases of John Sellers and John Sweeney.

The ramifications of refusal to be institutionalised were considerable. Rejection of admission to a depot led to ineligibility for outdoor relief, on the basis that appropriate assistance had been offered and any claim for other assistance was a case of imposition. The only option left to aged paupers was to resort to begging. There was a considerable number of people who rejected the depots and who subsequently "had a subsistence for many years by begging."³⁰ The individuals who chose this course were viewed with some incredulity by philanthropists. In the case of Benjamin Hughes they noted that "he is travelling and begging from one end of the island and has been so for years... [he] has been invalided but prefers a life of vagrancy."³¹ Again the notion the nature of the depots was anything other than appropriate was not recognised.

In addition to the rejection of aged invalids by the benevolent societies there are also instances of individual old crawlers rejecting outdoor relief on the basis that acceptance demanded submission to the rules of conduct of the administrators and a loss of freedom. One facet of this rejection of acceptable behaviour was the resort to begging. For any aged person to establish a reputation as a common beggar characterised them as

30. Launceston Benvolent Society, op.cit., pp. 54 and 155

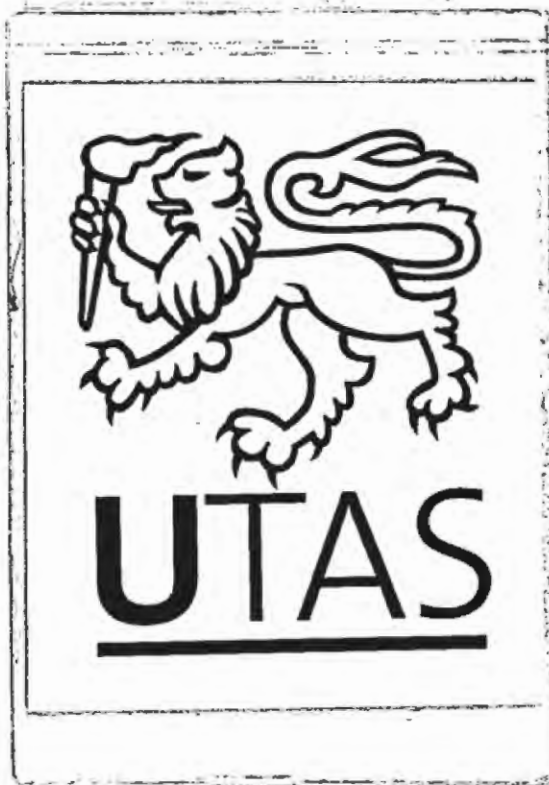
31. Ibid., p. 193.

unworthy of relief. To resort to begging was, in many instances, to reject the small amount of outdoor relief which was available. Similarly, many aged people effectively declined outdoor relief by refusing to accept the narrow moral confines associated with acceptance or to work in prescribed activities. Most commonly this involved refusal to accept total abstinence from alcohol as a prerequisite for assistance or declining to work in the woodyards. The records of the Launceston Benevolent Society illustrate the latter attitude in the behaviour of Donald Brodie. It was noted that Mr Brodie, "aged seventy three,... refused to work in the woodyard and was very abusive to the Committee" Instead he preferred to "go begging and scheming throughout the country"³² The value placed on liberty by the emancipists was beyond the comprehension of the philanthropists who ran the benevolent societies. The members of the elite had no comprehension of the notion that old men and women would not gratefully submit to a near penal system or to the moral straightjacket of outdoor relief.

Despite the significant numbers who in desperation were forced to use the welfare system there is significant evidence of rejection of this system by most old crawlers. The welfare system was based on austerity subservience and a terrible supervision. All of these

32.Ibid. p.264.

facets were rejected not only on the grounds that the assistance was inadequate but, more significantly, that it reflected the convict system. Most preferred to seek subsistence from begging rather than submit to the philanthropists or the government. In so doing they formed an underclass,³³ outside the welfare system, until either imprisoned for vagrancy or forced into the depots in their final days.



33.Breen, op. cit. p. 40.

SOME CHANGE WITHIN A CONTINUING PATTERN

Throughout the period 1855 to 1890 the government and administration maintained a consistent method of treatment of aged emancipists in need of assistance. As noted, this treatment was based on the denial of the existence of the former convicts, of avoidance of pauperism and of subjection of those in need to the moral and philosophical standards of the elite. It was, moreover, a system which was made more harsh by the impact of the economic status of the colony. The State's financial position resulted in both a freezing of the conservative social structure and necessitated austerity in administration. The administrators of both outdoor and institutional relief, themselves a group who had changed little in the thirty five years since self government, applied these principles of welfare provision, of denial and subjugation, uniformly in meeting the agendas of austerity and control.

By the 1890s, with the somewhat premature expectation of the demise of the last of the ex-convicts, there was, however, an indication of some change. In an editorial article in July 1891 the Church News raised the case of an old man who was forced against his will to enter the

Launceston Invalid Depot.¹ The editor considered that this man, despite his convict background, should not have been subjected to "the cruelty and discipline of the institution." The intent of the editor was not to have an isolated incident investigated but to effect "some fundamental change in the institutions themselves" and to ensure "better treatment of our aged and homeless poor."²

The view that there was a need for more humane treatment of aged invalids was not limited to one editorial. In a move inconsistent with its former practise the Launceston Benevolent Society, in the same year, similarly called for an upgrading of welfare provision. The Annual Report supported the notion that there should "be adequate provision for the maintenance of aged people." The Launceston Benevolent Society, however, qualified its support for enhanced services by adding that this level of service should be limited to those people "not being of the criminal class."³ There was, thus, with the change in attitude a consistency in the rejection of providing anything other than minimal assistance to

1.CSD 16/46/1358.

2.Letter from the Editor to the Chief Secretary, 14 July 1891. Ibid.

3.Parliament of Tasmania, Papers and Proceedings, 1891, Number 17, p.3.

ex-convicts.

The changes in attitude were also reflected in the administration of the invalid depots. Following the retirement of the convict administrators John Withrington, from the New Town Depot in September 1889, and Alfred Jones, from the Launceston Depot in 1890, there was both an increased concern for the residents of the facilities and a greater receptiveness to complaints.

The shift in focus from the need to curtail expenses and support a rigid social structure to a position of interest in the welfare of residents is initially evident in the nature of the Annual Reports. Rather than specifying the per capita cost of "convict" maintenance the reports from 1890 provide details of the origins and needs of the men and women in the depots. For instance, in his report for 1895 Withrington's successor, George Richardson, refers with concern to the fact that half the residents could neither read nor write and encouraged the introduction of a literacy program into the New Town Depot.⁴ Likewise, reports throughout the period 1890 to 1905 from both the remaining facilities make reference to the health status of the residents.

4. Parliament of Tasmania, Papers and Proceedings, 1896, Volume 35, Number 19, p.3.

This shift in emphasis is similarly evident in the official correspondence. No longer was correspondence between the Chief Secretary and the facilities limited to questions of accounting. Instead there is debate over the need for nursing staff and other qualified attendants, previously rejected outright, and on the impact of reduced bed numbers on the quality of life for those remaining.⁵

The greater concern for residents and recognition of their humanity was also evident in a new openness to criticism. Unlike his predecessors the new Superintendent at the Launceston Depot , Mr Quodling, was willing to both investigate the merits of complaints and to consider the appropriate action needed to enhance the quality of life for the residents. He accepted that there were deficiencies in the quality and variety of the food and that hygiene was not satisfactory.⁶ In the same manner a complaint in the Mercury that head lice were of epidemic proportions at the New Town Depot was not rejected. In response note was instead made that "they have always existed in the institutions" and an undertaking given to be more watchful over the cleanliness of the residents and their possessions.⁷

5.CSD 16/13/57.

6.CSD 16/10/27.

7.CSD 16/13/57.

This response at least accepted the validity of public scrutiny of the depots.

The attitudes of the administration were, in some part, reflected in change. Amongst the first actions undertaken by the new guard at New Town was to connect gas lighting to the institution in a bid to make the surroundings less gloomy.⁸ This enhancement was supported by the repainting of the whole facility in brighter colours, the issue of warmer clothes and attempts to improve the diet of the old invalids. From 1891 male invalids for the first time were issued with milk and butter. Similarly, the old tinware plates and mugs, which had been in use since the opening of the Brickfields, were replaced by crockery utensils.⁹ Mr Withrington had previously argued that the replacement of the plates and mugs was not necessary as they were still serviceable and their replacement would be an unnecessary expense. His preoccupation with austerity was not shared by his successor.

The conditions at the New Town Depot were further enhanced by the introduction of basket work, the

8.CSD 16/10/27.

9.See CSD 13/57/922 and CSD 16/24/262.

establishment of a garden for women,¹⁰ and most significantly by the replacement of a number of the increasingly decrepit inmates with four paid wardsmen.¹¹ At the same time consideration began to be seriously given to the employment of nurses. This change, however, did not occur for female paupers at New Town until 1895 and for males until after the turn of the century. At Launceston the introduction of nurses for female invalids occurred slightly earlier, in 1887, following the intervention of a liberal influence in the Attorney General, Andrew Inglis Clark.¹² In general, however, the view that custodial care rather than medical assistance was appropriate for aged invalids continued to predominate for some time.

As with the administrations of institutions there are indications of increased concern for the welfare of individuals rather than the maintenance of social order on the part of the benevolent societies. As noted earlier there was in the early 1890s an expression of the view that for invalids not of the criminal class there was a need for appropriate facilities. There is, however, only a slight indication in the individual case

10. House of Assembly Papers and Proceedings, Volume 44, Number 9, 1901, p.3.

11. House of Assembly Papers, Volume 24, Number 28, 1892, p.3.

12. CSD 16/10/27.

records of a change in focus. Concerns about imposition and the emphasis on sending single aged people of convict heritage to institutions continue to be characteristics of philanthropic organisations.

There were parallels in the administration of the Hobart Benevolent Society with the changes in staff of the depots in the early 1890s. John Withrington had earlier severed his association with the society following a series of disagreements with the Board. Whilst these arguments were ostensibly about issues such as the recording of attendance at meetings they were a reflection of the increasing isolation of the old convict administrators from the the thinking of philanthropists of the late 1880s. The old guard of Hall, Mather, Kennerley and Withrington had been replaced by the more liberal Hamilton, Simmonds and Parker.¹³ In another change and consistent with this development, at the same time that John Withrington was leaving the New Town Depot, the Benevolent Society were dispensing with the services of their chief officer, Mr Witt. Like the superintendent of the New Town Depot Mr Witt was a legacy of a period in welfare administration linked to the convict system.

There were, however, limitations to the extent of change.

13.Hobart Benevolent Society, Minute Book, 1872-1887, p.212.

Whilst some facets of life in the institutions improved much remained as it was previously. Mr Quodling acceptance of the validity of some of the criticism about the Launceston Invalid Depot did not result in any enhancements. Receptiveness to criticism did not indicate the ability to be able to address the issues raised. Despite criticisms that the Launceston Invalid depot "reeks with dirt and vermin" approaches by the Superintendent for funds for necessary maintenance were rejected.¹⁴ The enhancement of this facility was not a government priority.

Likewise, the developments at the New Town Depot were not achieved without considerable debate. The requests for funds for additional wardsmen, for fuel and for food were initially not supported by the Chief Secretary, William Moore.¹⁵ The argument put forward by the Chief Secretary was that the depots needed to continue to be managed in an austere manner. The Superintendent's plea was rejected on the same basis and he was asked to have greater consideration for cost in the management of the facility.¹⁶

The extent to which there was anything but cosmetic

14.CSD 16/10/27.

15.CSD 16/13/57.

16.CSD 16/10/27.

change at New Town, aimed at satisfying the consciences of the new liberals in government, is questionable. For fifteen years after 1890 the primary method of classification, other than on the basis of gender, was between emancipists and those who had either arrived free to the colony or were born in it. It was still a facility where aged and decrepit former convicts could disappear from the view of society.

Moreover the very existence of facilities developed to provide custodial care for aged invalids ensured that they continued to be used. Their manner of operation varied little. By the end of the nineteenth century a welfare system had been established for aged invalids, without social connections, which involved subordination to penal discipline and loss of rights and individual identity. Thus, at a time when outdoor relief for children and other deserving cases was increasingly being accepted aged invalids, a powerless group, continued to be subjected to a system based on a philosophical and economic response to convictism. Facilities continued to provide a minimal service and to be premised on the need for austerity and the need to maintain social control.

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