

**Oatlands Gaol Historical Study  
&  
Archaeological Survey**

**SOUTHERN  
MIDLANDS  
COUNCIL**



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## Synopsis

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Settled by Europeans during the mid 1820s, the Oatlands district was foreseen to eventually become the central capital of Van Diemen's Land. The Military Precinct of the district was established on the western shore of Lake Dulverton and the Royal Staff Corps set to work establishing infrastructure. By 1828 the town of Oatlands had several government buildings, including a small timber gaol. By the mid 1830s, this building had decayed to a point where it was no longer effective for the reception of criminals and a new, larger gaol of freestone was commissioned. Opened in late 1836, this was to be the most substantial gaol in the interior of the colony, with a holding capacity of almost 300 inmates and was the only regional gaol in the colony where executions were commonplace. This structure was central to the Military Precinct, therefore the hub of establishment of the region. The life of the Oatlands Gaol was plagued with difficulties. From design inefficiencies and frequent escapes, to corruption and disagreement by the administrators, the remains of this site exudes a multi-faceted history of colonial life.

Whilst only operating as a colonial gaol for 26 years, the buildings continued to be used as a municipal gaol for over 60 years, before being largely demolished in 1937. The only obvious remains of the complex are portions of the perimeter wall and the largely extant, highly dominating Gaoler's residence. Following demolition, the remnants of the site were filled to house the municipal in-ground swimming pool – the primary purpose of the site for the last half a century. Even in the face of the wholesale demolition of the site, it remains the second-most extant structure of its kind in Tasmania, having escaped complete destruction like many of its contemporaries.

The archaeological potential of the site is extremely significant. There is almost a metre of fill covering the entire main gaol yard, and the foundations of buildings and complex drainage system are likely to remain intact beneath this fill. These foundations and drains are known to be at least 1.8 metres deep, giving a total of almost three metres depth of cultural material sealed beneath the ground surrounding the pool. The Gaoler's residence itself provides a rare commodity for the establishment of interpretative material on the site and this report makes a series of recommendations as to the future directions of archaeology and interpretation on the site of the Oatlands Gaol.

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# **PART I – Oatlands Gaol Historical Study**

## **1 – Introduction/Rationale/ Limitations of Study**

Opened in 1837 after a three year planning and construction process, the Oatlands Gaol was the major rural house of correction in Van Diemen's Land. Holding up to 76 prisoners at any one time, both male and female, it was the largest gaol outside Hobart Town and Launceston and the only rural convict institution in the colony which undertook executions. Its life as a colonial gaol was, however, short-lived, being decommissioned in 1863 to become a municipal gaol – the largely diminished purpose for which it served until the mid 1930s. Having fallen to neglect through disuse, much of the complex was demolished in the late 1930s and in the early 1950s the remainder of the yard was filled to house an in-ground swimming pool – the purpose for which the complex is still used. The most obviously extant part of the complex is the former Gaoler's Residence and the lower portion of the once massive perimeter wall. The remains of the complex under the fill of the pool complex are of an unknown quantity and are the focus of Part II of this study.

This historical study of the Oatlands Gaol was commissioned by the Southern Midlands Council in November 2003. Council has long expressed a desire to implement a multi-disciplinary study on the conservation of the gaol complex as a basis for future management plans, this being the first stage of that process.

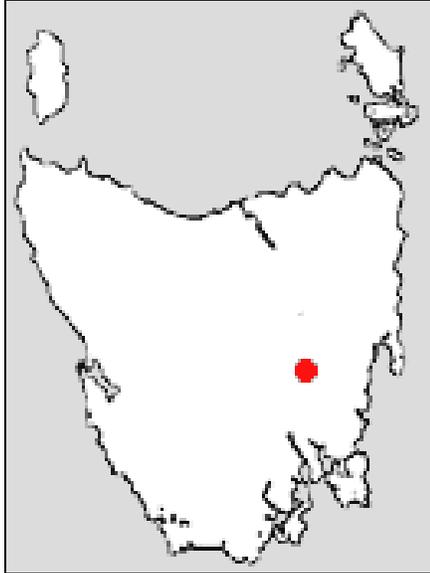
The aim of Part I of this study is to complement and support the archaeological survey which forms Part II of this work. For this reason, this is not an exhaustive study of all

historical aspects of the gaol – to undertake such is beyond the scope and resources of the current project. This study does not attempt to document the history of the complex in a social, ideological, political or sociological sense and does not aim to greatly detail the history as a function of a larger penal system, nor examine the function of the gaol as a hub in the foundation of the district. Whilst these are important and highly evocative issues which are inextricably sewn into the fabric of the buildings – and certainly warrant further investigation, this study aims to document the history of the physical attributes of the complex, in line with the aim of supporting present and future archaeological analysis of the site.

Part II of this document depicts the primary function of this stage in the project, the archaeological survey, which puts into practice the historical data collected and examined here. In addition to using this document as the basis for archaeological research, it is hoped that the history presented here will stimulate further research and analysis of other aspects of the Oatlands Gaol as a major hub during the formative years of the Tasmanian Midlands.

## 2 – Preconstruction Historical Background

### 2.1 – The Settlement of Oatlands



Figures 2.1 and 2.2 – Tasmania, Australia (left) and the Oatlands district (right). Map derived from [www.theLIST.tas.gov.au](http://www.theLIST.tas.gov.au).

The first documentation of the Oatlands district was on the map of Surveyor James Meehan in 1811, who, under the instruction of Governor Lachlan Macquarie, undertook the first survey between Hobart Town and Port Dalrymple (Launceston). Oatlands itself was named by Governor Macquarie on June 3, 1821;

At ¼ past 12, halted at the great lagoon [now Lake Dulverton] (about six miles from

Knight's in Westmorland Plains), and fixed on the site of a township on the banks of the said lagoon, naming it "Oatlands" (Macquarie 1821:91).

*Bent's Almanac* of 1825 describes Oatlands as an undeveloped site (Bent 1825:53), however, the founding of Oatlands was formalised in 1826, when Governor George Arthur divided the colony into nine Police Districts, and appointed Thomas Anstey as Police Magistrate of the Oatlands district (Ross 1830:13). Arthur deployed the Royal Staff Corps, with 35 skilled tradesmen (von Stieglitz 1960:42) to begin clearing the town site, to erect the government buildings and mark out streets. The first formal survey of the town site was undertaken by Surveyor William Sharland in August 1827 (TLD map M19). In 1829, Widowson (1829:108-10) described the township as;

The original road runs through the township of Oatlands, a few sod huts mark the site of the place. Only a few soldiers are to be seen, and a miserable gang of prisoners working in chains.

In a more optimistic account, Dr. James Ross described the township in 1829;

Several cottages are already erected, also an excellent soldiers' barracks and officers quarters. These were built by the Royal Staff Corps, and a church and gaol are in progress (Ross 1830:29-30).

By 1829, there were several permanent buildings on the town site, and the Royal Staff Corps were recalled to New South Wales, the tradesmen being left under the control of Captain Mackay of the 21<sup>st</sup> Fusiliers (von Stieglitz

1960:43) to further establish the township. Sharland re-surveyed the town in 1832 (TLD map O/20), and the greater optimism in its establishment was evident, as Sharland surveyed 500 acres of allotments, with 50 miles of streets. Sharland reasoned that being half-way between Launceston and Hobart Town, Oatlands would one day be proclaimed the capital (Weeding, 1988:9). The census of December 1835 revealed that Oatlands had a free population of 598 plus 695 convicts (Statistics of Tasmania 1824-35, table 18).

During the 1830's, Oatlands was booming, with seven hotels, stores, two breweries, wind and steam driven flour mills all thriving off the rural economy. Two hundred buildings were erected during this decade, predominately of sandstone (Weeding 1988:9). Oatlands continued to grow past the middle of the nineteenth century, and became one of the primary woolgrowing regions of Tasmania. This prosperity gave Oatlands a great foothold as a primary centre of the colony and the district was proclaimed a rural municipality in 1861, that year seeing Oatlands with a population of 2333 (Stat. Tas. 1866).

Gradually, following the end of the nineteenth century, with a decline in the wool industry, and a regained confidence in the urban economy, the Oatlands district ceased its rapid rise. Whilst it has always remained the centre of the southern midlands, by the late nineteenth century with the advance in the transport systems in the colony, expected need for Oatlands to become Tasmania's central capital had passed.

## 2.2 – The Oatlands Military Precinct

The early significance placed on Oatlands as being the central capital of the colony of Van Diemen's Land is evident in the establishment of the military precinct – the area which

accommodated the early government building. This region is the area traditionally bounded by High, Barrack and Church Streets and the Esplanade - which is now intersected by Campbell, Stutzer, Albert and Mason Streets. The earliest map of the precinct is Sharland's 1832 survey of Oatlands (TLD O/20), which shows the Court-House (1828), Commissariat Store (1827), Guard-House (1828), First Barracks and Officer's Quarters (1827-8). This map also shows the gaol reserve, although it is likely that this has been added to the map at a later time, as the survey was updated on more than one occasion up to 1839 (TLD O/11-12). It is interesting that this map does not indicate the location of the then current gaol and associated buildings (Gaoler's House and Constables hut – see Section 12).

An 1834 sketch map (Figure 3.1) of a portion of the precinct shows the intended location of the new gaol. This plan indicates that it was intended to eventually extend the complex to four times the size of what was originally built, which would have enclosed a massive 8000 square metres. This is further discussed in Section 3.1, but demonstrates the importance of the gaol to the military precinct as a whole.

The next survey of the military precinct was undertaken by Calder (1845, TLD O/14) and shows the development of the precinct from Sharland's map. This shows the conversion of the first Barracks to a Probation Station (labeled *Prisoner's Barracks*), as well as addition of the Gaol (1837), Watch-House (1836), Superintendents and Roads Offices and Second Barracks (c1835) and a dozen ancillary buildings associated with the Barracks precinct and Officer's quarters. This map shows the final general configuration of the gaol and demonstrates its domination of the precinct (see Figure 2.3).

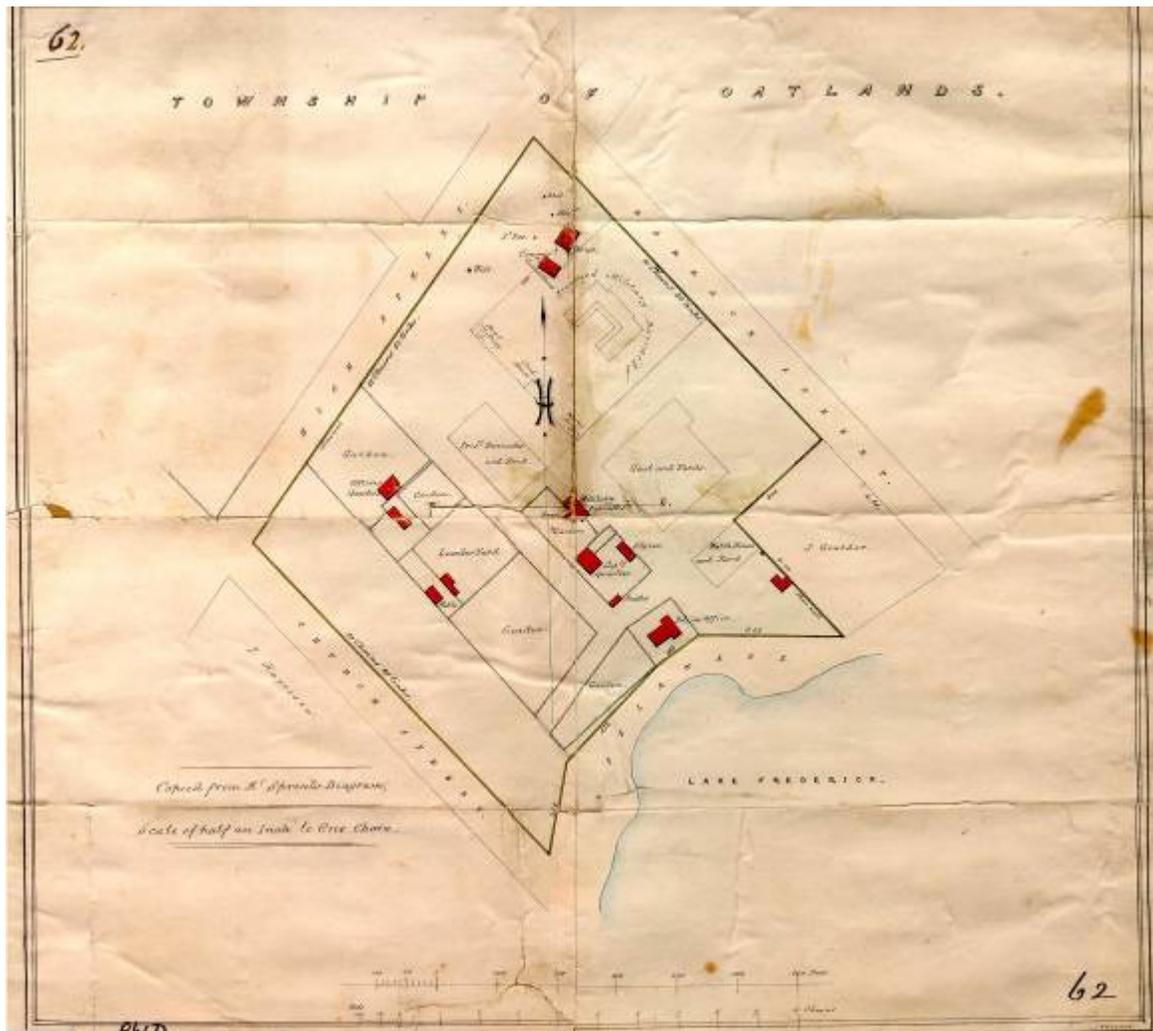


Figure 2.3 – Plan of the Oatlands military precinct c1848 (AOT PWD 266/1531).

An upgrade of the precinct was again planned for 1847, with the addition of new Barracks and associated buildings adjacent to the gaol, facing Barrack Street (Figure 2.3). For an undocumented reason, however, these plans did not eventuate, but again reiterate the perceived importance of Oatlands and the military precinct in regard to the development of the Tasmanian interior.

The disbandment of the official military precinct is demonstrated by Hogan's (1859, TLD O/8) survey. This map shows that the former Barracks/Probation Station had been converted

to a school and indicated the allotments and new streets proposed to be apportioned by subdivision and offered for sale. With the exception of the Gaol, School and Police Reserves, the entire precinct was sold to private individuals – the configuration of which is still evident in current title plans.

While full historical documentation and investigation of this precinct is beyond the scope of this project, the Oatlands Gaol cannot be investigated without some prior knowledge of the precinct in which it stood. Further research on this precinct is encouraged as a means of

conserving and interpreting the site of the birth of the Tasmanian Midlands as an example of a significant colonial outpost.

### 2.3 – The first Oatlands Gaol

The central focus of this study is the Oatlands Gaol, which is recognisable as the two-storey sandstone building in Mason Street, Oatlands. This however was not the original gaol, with another building predating this by ten-years. A memorandum from Lieutenant Governor George Arthur, dated September 1827, announced the erection of the first gaol at Oatlands;

A log-jail, containing four cells for eight men each, will be constructed at Oatlands under the superintendence of Lieutenant Vachell Staff Corps, who will supply the tools from his stores and furnish the carts. A free overseer at a salary not exceeding £25 with 2 carpenters 2 sawyers and eight labourers will be furnished by the Engineer for this work (AOT CSO 1/176/4296:186-7).

A small log hut for the Gaoler was commissioned at the same time, with George Elder appointed as overseer of the works under the supervision of Major Turton (AOT CSO 1/176/4296:194-198).

The location of the original gaol is unclear. The first mention of the site is in the Surveyor's notes accompanying Sharland's 1827 survey of the town site, which states that the site of the proposed gaol was marked in the plan by the letter 'G' (AOT CSO 1/172/4147:102). This plan (TLD M/19) indicates the intended site as being in the region of 82 High Street and that the Military Precinct was intended to be in the area bounded by High, Gay and Dulverton Streets. For some reason during the following year, the location of the Military Precinct was changed to the area defined in Figure 2.3 and the gaol was

certainly not built on the original intended site. The original gaol was eventually built probably within the military precinct as defined in Figure 2.3 and was not on the site of the present building, as both were in consecutive use for a short period. It is unusual that Sharland's plan of 1832 has not noted the gaol, as it shows the location and name of other buildings in the military precinct. None of the 1840s plans of the precinct show the location of the old gaol, however by that time, considering the state of decay of that building (see below) it is imagined that it would have been demolished.

While the location of the original gaol is unknown, there are some detailed descriptions as to the construction of this building. From an 1832 description by Civil Engineer John Lee-Archer, the gaol was a building of log construction, with a shingle roof and saddle-boards. The interior was whitewashed, with a single fireplace and timber floor (AOT CSO 1/176/4296:220). Figure 2.4 is a detailed plan of the original gaol just prior to demolition, showing four principal buildings surrounding a yard enclosed by a 2.1 metre high paling fence.

The Gaolers residence was a crudely built hut of logs lashed together. A sod skillion was attached to the rear and the roof pitch was deemed very unsatisfactory, the whole being very low and damp (AOT CSO 1/176/4296:215-6). In May 1831, Edward Bolger, Gaoler at Oatlands wrote to the Civil Engineer requesting a new Gaolers residence, as the old one was past service. He also requested repairs to the gaol which had not been repaired since a previous escape attempt. (AOT CSO 1/176/4296:199, AOT SC21/1:34 & 89). Bolger's requests apparently fell on deaf ears, and eleven months later the Sherriff's Office demanded action, reporting:

It appears that the Gaol at Oatlands is really in a very dangerous insecure

condition, in as much, that any person from the outside could without any difficulty and in very few minutes liberate all the prisoners confined therein. AOT CSO 1/176/4296:212.

John Lee-Archer traveled to Oatlands in May 1832 to inspect the buildings. He reported that the Gaoler's residence was in a very poor state and barely fit for repair. He recommended contracting repairs to the gaol, which included replacement of several logs and generally securing woodwork and whitewashing (AOT CSO 1/176/4296:210). Lee-Archer recommended that the entire complex (the Gaol, Gaolers House and Constables House) should be enclosed in an eight-foot high fence, with gates between the residences and gaol (AOT CSO 1/176/4296:215-20). Tenders for these repairs were called for by the Commissariat Office on the 21<sup>st</sup> July 1832 (AOT CSO 1/176/4296:221).

In a tender from John McDonnell, he mentions that the Gaol and Gaolers residence could be repaired by temporary measure, but that the principal timbers had rotted to a stage where a good job could not be made (AOT CSO 1/176/4296:223). Oatlands builder George Aitchison tendered for repairs to the other Government buildings, but refused to work on the Gaol, stating:

I cannot tender for repairs to the Gaol it was built in a great hurry six or seven years ago for the reception of the Chain Gang and is nearly tumbling down it is very insecure for the purpose of a gaol (in its present state it is not worth repairing and a new gaol might be erected of free stone at a less expense than what the repair of the present one would cost. (AOT CSO 1/176/4296:225-6).

Only one tender was received as per Lee-Archer's specifications - that of Mr. Foord of Hobart Town, which agreed to carry out the desired full repairs to the Gaol. Lee-Archer refused to accept the tender as it was well above the estimated cost and he refused to acknowledge the opinions that the building was beyond repair (AOT CSO 1/176/4296:227-30).

Some attempt at repairing the Gaol was made in late 1832 (AOT CSO 1/691/15206:47) however in January 1834, Gaoler George Dudfield again requested to the Sherriff's Office that something be done about the state of the Gaol following several attempted escapes. The fence as recommended by Lee-Archer in his report two years earlier was never built (AOT CSO 1/176/4296:244).

In 1833 Thomas Anstey described the gaol as:

The present Oatlands Gaol is composed of logs – It was some years ago, built in a great hurry, under Major Turton's direction, for the immediate reception of the Chain Gang, and is, in all respects, inadequate to the purposes of a Gaol, for the use of even this district alone. The building, last year, in a state of great dilapidation, and the logs so loose as to be removable with ease, by any prisoners disposed to make an effort for his escape.... The logs are constantly decaying and becoming daily more and more loose, and it is wholly unfit for the safe keeping of persons charged with flagitious crimes, unless such persons are secured in heavy irons.

Anstey was concerned about the freedom of communication between prisoners, even prisoners confined in opposite ends of the gaol could communicate and all prisoners could

communicate with those outside the building. The lack of a gaol yard meant that prisoners could not undertake exercise and public complaints were forthcoming with prisoners being flogged in full public view. Anstey was an advocate of solitary confinement, classification and hard labour via the tread-wheel (AOT CSO 1/691/15206:47-8), none of which were safely possible with the old gaol. The notes accompanying the plan depicted in Figure 2.4 emphasises the security problems of the original gaol and indicates that some time after 1834 an enclosing fence was erected.

On February 12<sup>th</sup>, 1834, 65 year old crippled Bushranger, Matthew Renegan escaped from custody for nine days after being allowed outside confinement for exercise. This was obviously an embarrassment to the Government and indeed Gaoler Dudfield, who offered a £5 reward 'from his own resources' for the recapture of Rennigan. This highlighted the inadequacies of the Oatlands gaol, as the Government did not blame Dudfield for the escape, but the lack of infrastructure, in this case an enclosing gaol yard (AOT CSO 1/176/4296:243-52). On April 14<sup>th</sup>, 1834, three prisoners, James Deering, Richard Ryan and Henry Abrahams made their escape

from the Oatlands Gaol. The men were outside the prison washing their shirts. Dudfield offered a reward of £10, for their apprehension, which occurred near Launceston ten days later. Again, their escape was attributed to the insecure nature of the gaol (AOT CSO 1/176/4296:258-64).

In September 1834, John Lee-Archer again inspected the Oatlands Public buildings and recommended that the Gaol, Gaolers House and Constables Huts be 'put in a proper state of repair' and that the rubbish and offensive dirt surrounding them be cleaned (AOT CSO 1/741/16037:193). He again inspected the public buildings in November 1835, but made no reference to the old Gaol, as by this time the new one was progressing (AOT CSO 1/741/16037:194-6).

Following the commissioning of the new gaol in December 1836, from July 1837 the old gaol was hired by the Roads Department for the housing of convicts on the chain gang (AOT CSO 5/17 326, AOT CSO 5/17/326:377-8). This is the last known documentation of this building and it is likely that by this time it was in a considerable state of disrepair. It is unlikely that the building survived for long after 1837.

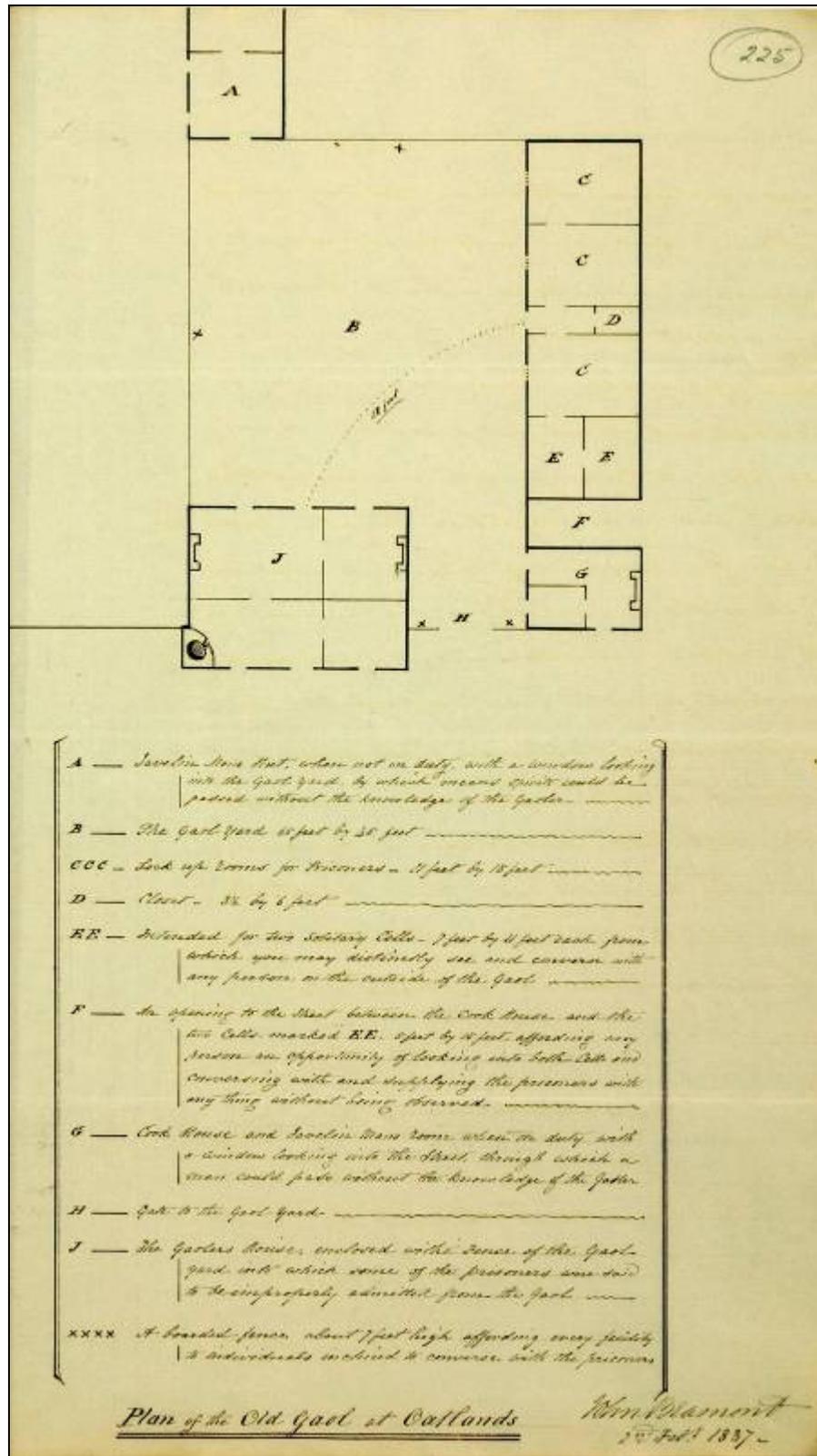


Figure 2.4 – Plan of the original Oatlands Gaol, February 1837 (AOT CSO1/631/14270:225).

### 3 - Planning and Construction of the New Oatlands Gaol

With concerns as to the condition of the original Oatlands gaol, Lieutenant Governor Arthur visited Oatlands in May 1833 to inspect the condition of the building. Arthur expressed his determination for the erection of a new freestone gaol on a chosen site, presumably where the current building stands (AOT CSO 1/691/15206:47). Arthur's desire was supported by Police Magistrate Thomas Anstey:

I believe it is manifest to His Excellency that a strong, and more commodious Gaol at Oatlands is indispensable; and as freestone, equal in quality to the best Portland, is to be found upon the very spot in unlimited quantities, and is quarried with the greatest ease, it would seem to be equally clear that the gaol should be built of that stone..... A large substantial central Jail at Oatlands would obviously be a beneficial measure. – The advantages would be manifold – among the many it would embrace punishment by solitary confinement, the tread wheel etc. etc. (AOT CSO 1/691/15206:49).

It seems that Anstey's belief in the need for solitary confinement as an efficient punishment was one of the main factors behind his push for a new gaol at Oatlands – a form of incarceration which was not possible in the old building (AOT CSO 1/691/15206:43).

By May 18<sup>th</sup>, 1834, a workforce was assembled and ready to commence construction of the new gaol, with 22 masons and mechanics withdrawn from the loan-gang (AOT CSO

1/691/15206:51,59,63). The old Military Barracks were used to house these prisoners while they worked on the new gaol (AOT PWD 266/1576). Delay was experienced however, as the site of the gaol had not yet been decided upon (AOT CSO 1/691/15206:56). On June 18<sup>th</sup>, 1834, John Lee-Archer urgently requested a site plan from the Surveyor General so that work could immediately commence (AOT CSO 1/691/15206:57). Apparently, the Lieutenant Governor was stalling, as he claimed to support a more eligible place for the erection of a new gaol, rather than at Oatlands and refused to give the official go-ahead for construction (AOT CSO 1/691:15206:58). It is unclear as to why Arthur suddenly decided that his chosen site for the gaol may not have been the best option, nor is it clear as to the alternative location. In the meantime, Principal Superintendent of Works, Josiah Spode recommended that the Masons awaiting orders on the erection of the gaol be re-deployed for the laying of the foundations of the Callington Mill (AOT CSO 1/691/15206:60). It was not until June 12<sup>th</sup>, 1834 that Arthur had conceded the idea of a gaol at Oatlands and gave official approval (AOT CSO 1/691/15206:58).

Plans were drawn by Colonial Engineer, John Lee-Archer, in line with requests from Governor Arthur based on an account he had read of the "state of the art" Auburn Prison in New York (AOT CSO 5/97/2165:121-6, see also Brand 1990:14). It seems that right from the beginning, the dynamic between Governor Arthur and his Colonial Engineer, Lee-Archer, was not harmonious, with Section 4.3 demonstrating that constant debate between these two men perhaps resulted in the unsuitability of the finished product.

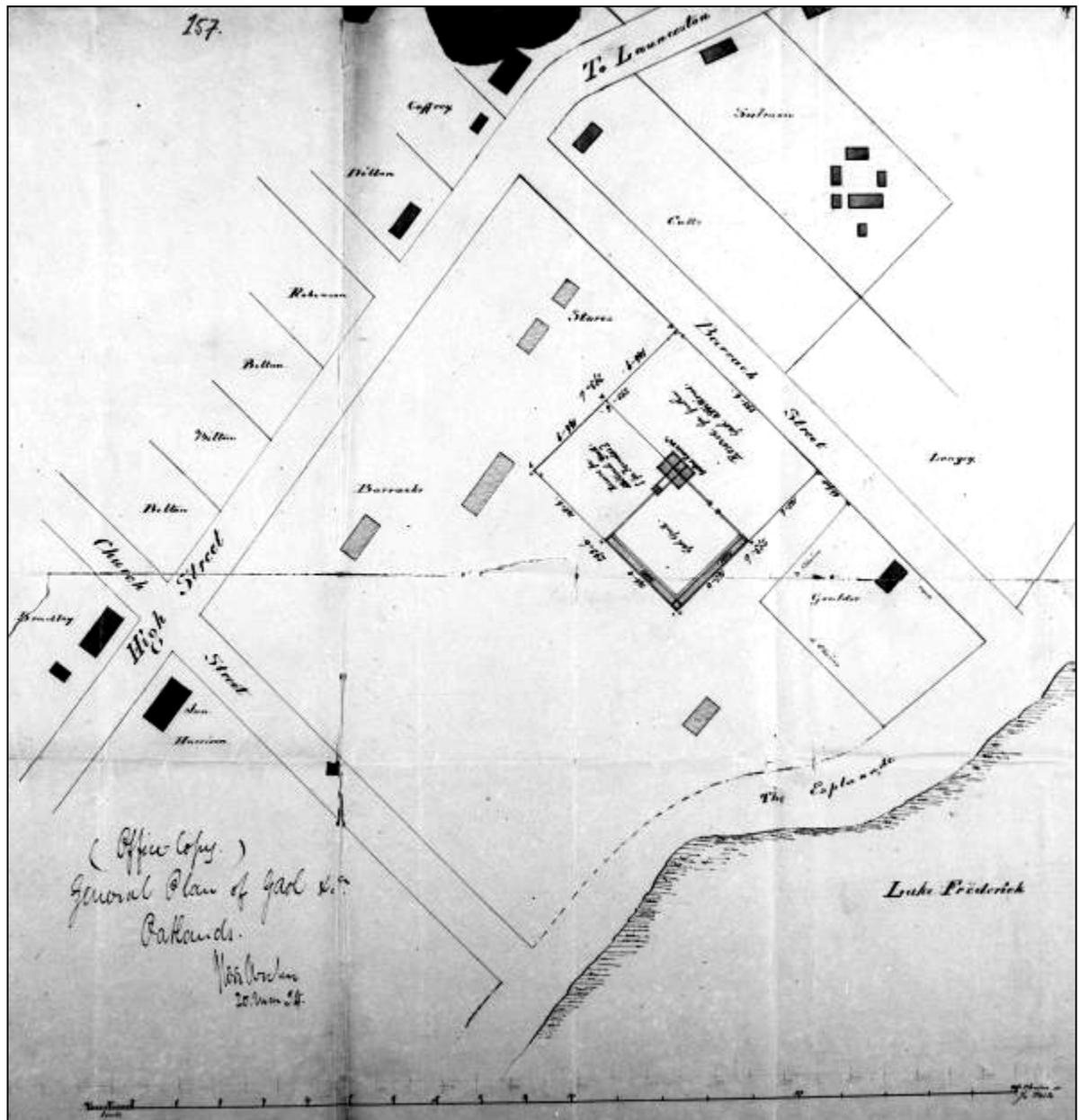


Figure 3.1 – Plan of the Oatlands Military Precinct dated 20/3/1834, showing the location intended for Lee-Archer’s first gaol design (AOT CSO 1/691:15206:157). This plan shows that the complex was intended to eventually be four-times the original size, which is also noted on Lee-Archer’s second plans of April 1835 (Figure 3.3, AOT PWD 266/84, 1546).

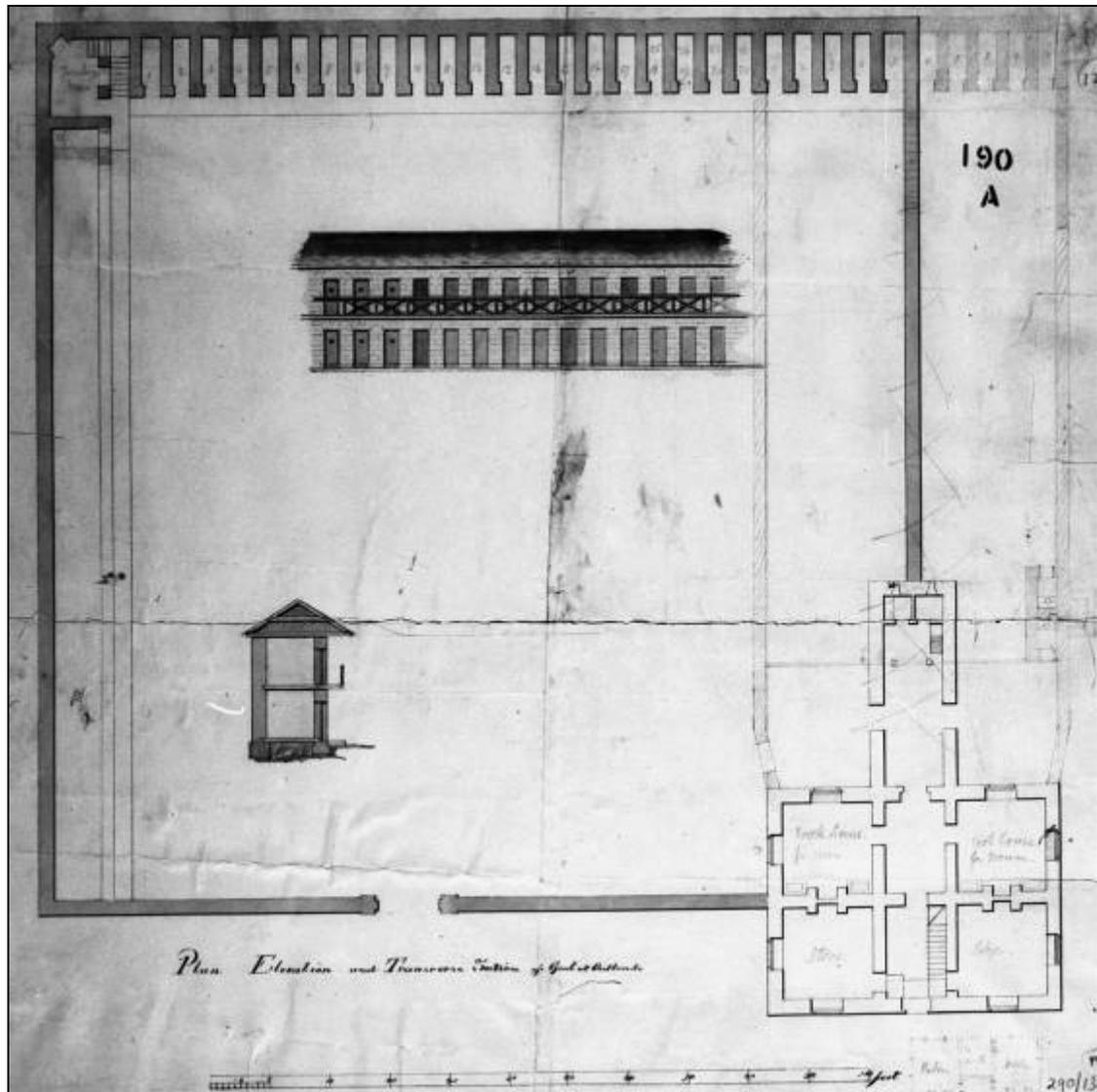


Figure 3.2 – John Lee-Archer's 1834 plans for the Oatlands Gaol (AOT PWD 266/1555).

On the August 11<sup>th</sup>, 1834, R. Hall of the Oatlands Public Works reported to John Lee-Archer, that he was ready to commence the foundations of the new gaol but was delayed by the lack of timber, lime and sawyers (AOT CSO 1/691/15206:71-4). Lee-Archer immediately sent a further five pairs of sawyers to the site and tenders were called for the provision of lime and timber (AOT CSO 1/691/15206:68,74-5). Timber was cut on George Wilson's Blue Hills property (AOT CSO 1/691/15206:100-1). Lime was furnished by Mr. Makersey of Oatlands, which

was deemed inferior by the Commissariat Office. On July 17<sup>th</sup>, 1835, tenders were again called for the provision of lime and a cheaper and better quality alternative was supplied by Samuel Hall of Apsley (AOT CSO 1/691/15206:103, see also Williams 2003:94-7). Lack of stone-carts (AOT CSO 1/691/15206:79-82) and disputes over cartage contractors (AOT CSO 1/691/15206:91, AOT CSO 1/691/15206:107-110) added to the delays in construction of the new gaol.

By mid-February 1835, the foundations were reported to have been proceeding very fast,

with over 2000 loads of stone having been carted to the site. Progress, however, was slowed by lack of stone-cutters and masons (AOT CSO 1/691/15206:87-90). At this time, however, Lee-Archer produced a second plan for the gaol. It is unknown why the original plan was revised, as no records seem to have survived detailing any dissatisfaction of the 1834 plan, although a later account by Lee-Archer indicated that Governor Arthur was responsible for the rearrangement of the building (AOT CSO 5/97/2165:121-6). Plans from April 1835 (AOT PWD 266/84, 1546, 1547 –

Figures 3.3 & 3.4) show that the original single yard had been separated into four separate yards, the room for men-on-route was moved from behind the Gaoler's residence to the north-eastern corner of the complex and the entire yard widened. The most significant change, however, was the addition of the Women's Division and the replacement of the solitary cells in the upper level of the gaol with lock-up rooms, a debtors ward and hospitals for both men and women. The balcony as depicted on the original plan was enclosed with a timber wall to form a gallery.

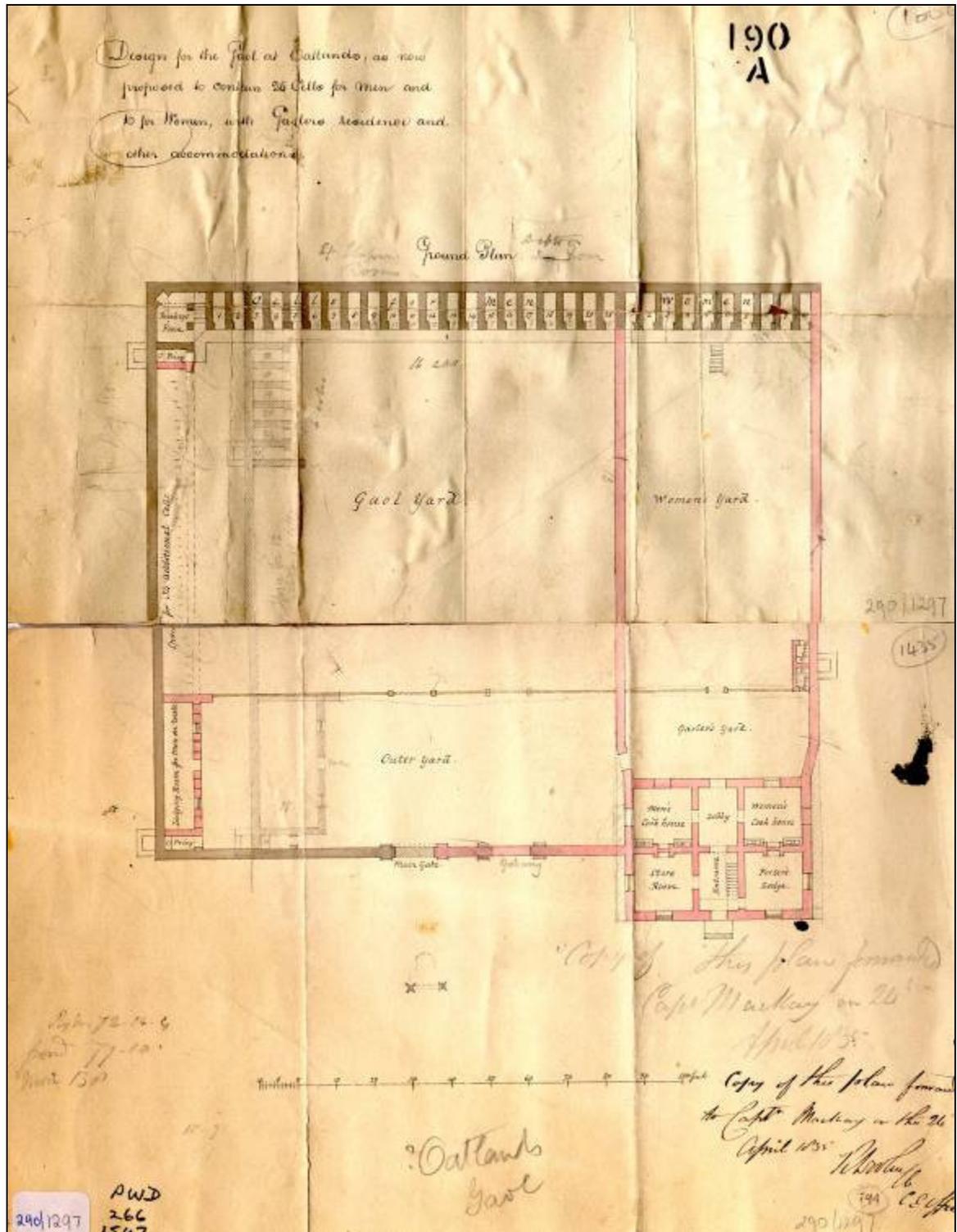


Figure 3.3 – Ground level plan Lee-Archer's second design for the Oatlands Gaol. This plan shows which parts of the gaol had been built (brown ink) by March 1835, and those which had not (pink ink) (AOT PWD 266/1546).

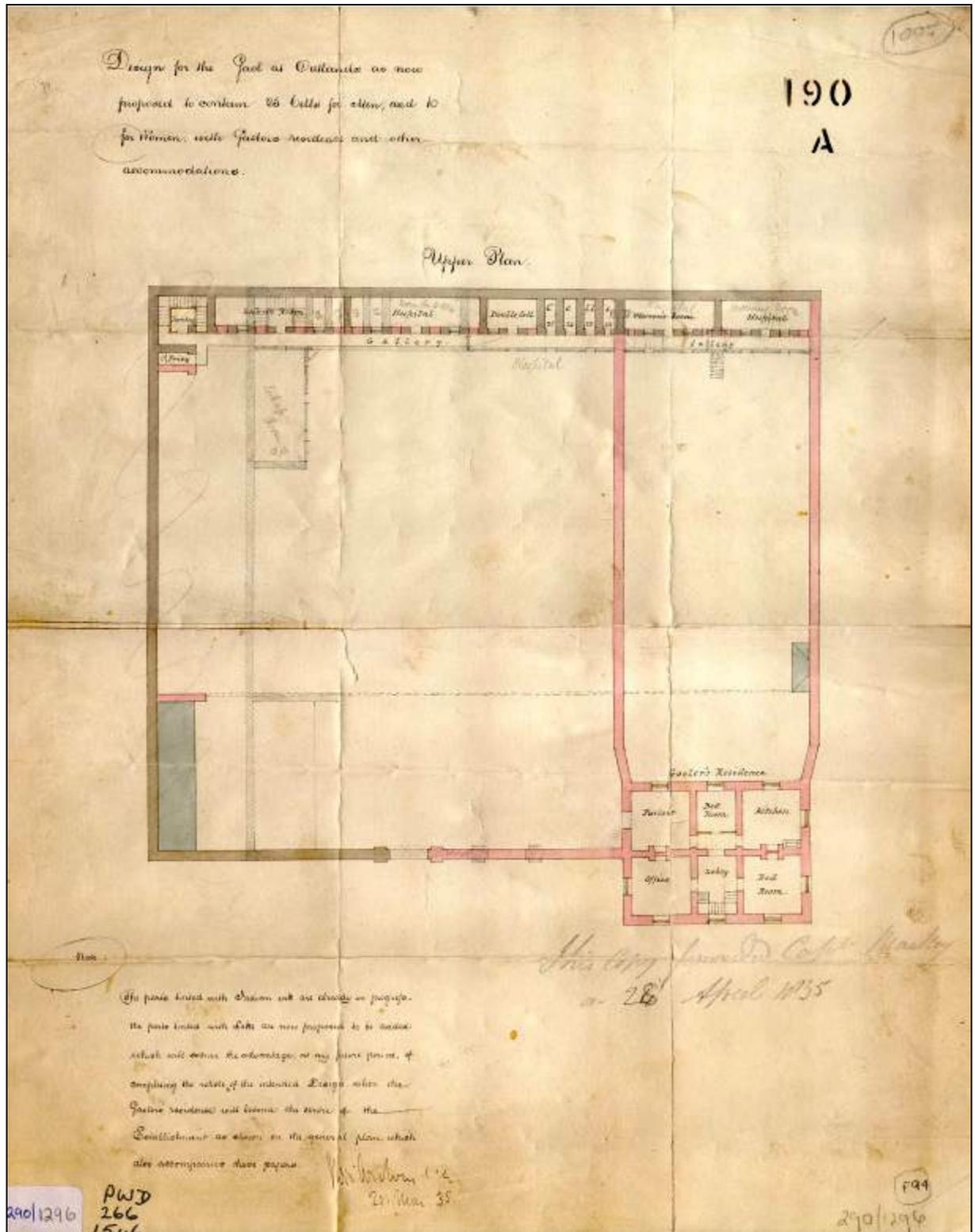


Figure 3.4 – Upper level plan Lee-Archer’s second design for the Oatlands Gaol. This plan shows which parts of the gaol had been built (brown ink) by March 1835, and those which had not (pink ink) (AOT PWD 266/1546).

Questions were raised as to the design of the gaol in April 1835, with a memorandum issued by Governor Arthur expressing his concern that the lock-up room, women's rooms, men-on-route's room and hospital were all too narrow (AOT CSO 1/691/15206:155). Later plans show that these were widened, probably at much inconvenience, as Lee-Archer's plan from March 1835 shows that they were already in progress. Lee-Archer inspected the new gaol in November 1835 and reported the progress:

New Gaol – Excavated foundation for partition walls of the four yards, putting in foundation of Gaoler's House and cross walls of yards in rubble stone work. Building foundations of cells and room for men on route. Erecting room for [ditto] in double faced ashlar. Gaol walls and cells in progress for females.

Quantities of work performed – Foundations of rubble stone 273 perches. Walling of Gaol room for men on route and Gaolers House, ashlar and throughs 418 perches. Rough picked and draught work to the above, 10000 feet. Well in the centre of Gaol Yard sunk 60 feet.

Quarry Road – Made a new road from the main quarry to the new Gaol by which a saving of cartage has accrued to Government of nearly one mile, thereby

enabling one cart to perform as much work as hitherto had employed two.

New Quarry – Opened a new quarry for ashlar approximating still nearer to the works distance about 500 yards (AOT CSO 1/741/16037:196).

With the gaol partially constructed in early 1836, it was decided that a watch-house should be added (AOT CSO 1/691/15206:122). Oatlands Police Magistrate, John Whitefoord, submitted a request to the Lieutenant Governor's Office for an additional building, housing a watch-house, cells and constables apartments to be erected in the north-eastern corner of the gaol yard, where the Javelin Men's Building was planned to be erected (AOT CSO 1/690/15206:125-129).

Although plans were drawn for the conversion of the partially completed Javelin Men's Building (Figure 3.5), the idea of a Watch-House within the gaol complex was abandoned due to a perceived lack of security (AOT 1/691/15206:130-32) and a separate watch-house was built to the east of the gaol (AOT PWD 266/1587). At the same time, it was planned for a new Commissariat Store to be erected on the eastern side of the main gates, attached to, but outside the Gaol walls (Figure 3.6). This plan was also abandoned for an undocumented reason (AOT CSO 1/691/15206:137).

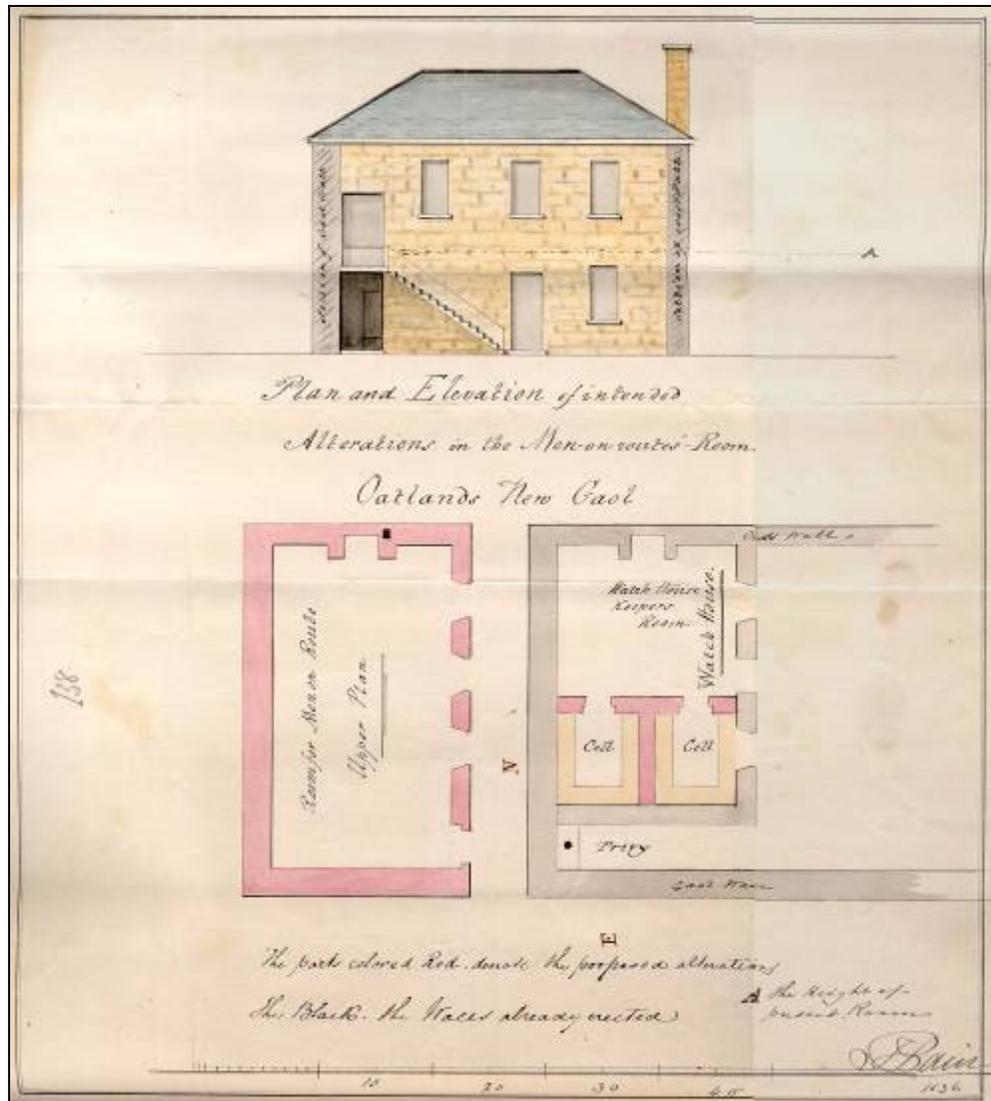


Figure 3.5 – The 1836 plans for conversion of the partially completed Javelin Men’s Building into a Watch-House. The grey walls show what was already built in mid-1836, with the red walls proposed to be added (AOT CSO 1/691/15206:137).

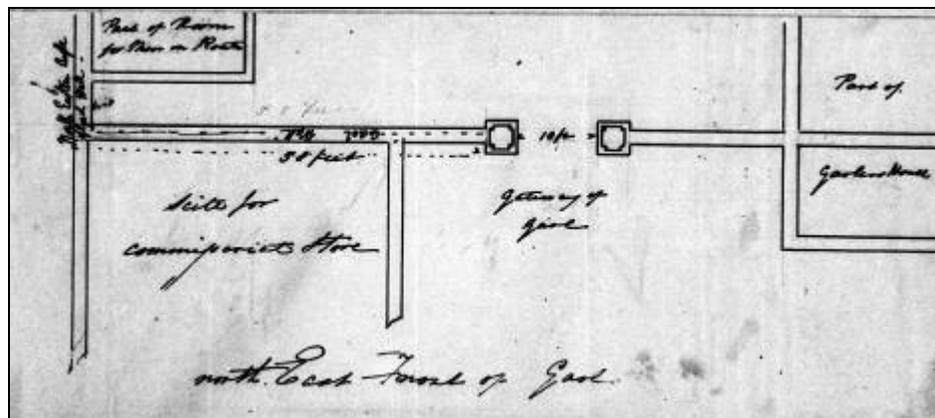


Figure 3.6 – 1836 plans for a Commissariat Store to be erected on the northern wall of the gaol complex (AOT CSO 1/691/15206:137).

On September 5<sup>th</sup>, 1836, Oatlands J.P. John Pedder informed the CSO that the hospital and women's rooms were completed and with the exception of the glazing of the Men's Division and Gaoler's Residence that the buildings were complete (AOT CSO 1/691/15206). On September 9<sup>th</sup>, 1836, the Oatlands Police Magistrate, John Whitefoord, issued a memorandum describing the new facility and that it should be fit for occupation from December 1<sup>st</sup> of that year (AOT CSO 1/691/15206:152). On October 10<sup>th</sup>, 1836, the Colonial Secretary

requested the Police Chief Magistrate to inform Whitefoord that the new building should be ready for occupation on December 20<sup>th</sup> of that year and that the former gaol should be surrendered to a Mr. Murdock by December 25<sup>th</sup>, presumably for the housing of the Road Gang as previously arranged (AOT CSO 1/691/15206:139-40).

No plans were found here which show the design of the gaol at completion, however documentation suggests that only minor changes to Lee-Archer's second plans of mid 1835 were made prior to 1844 (Figure 3.7).

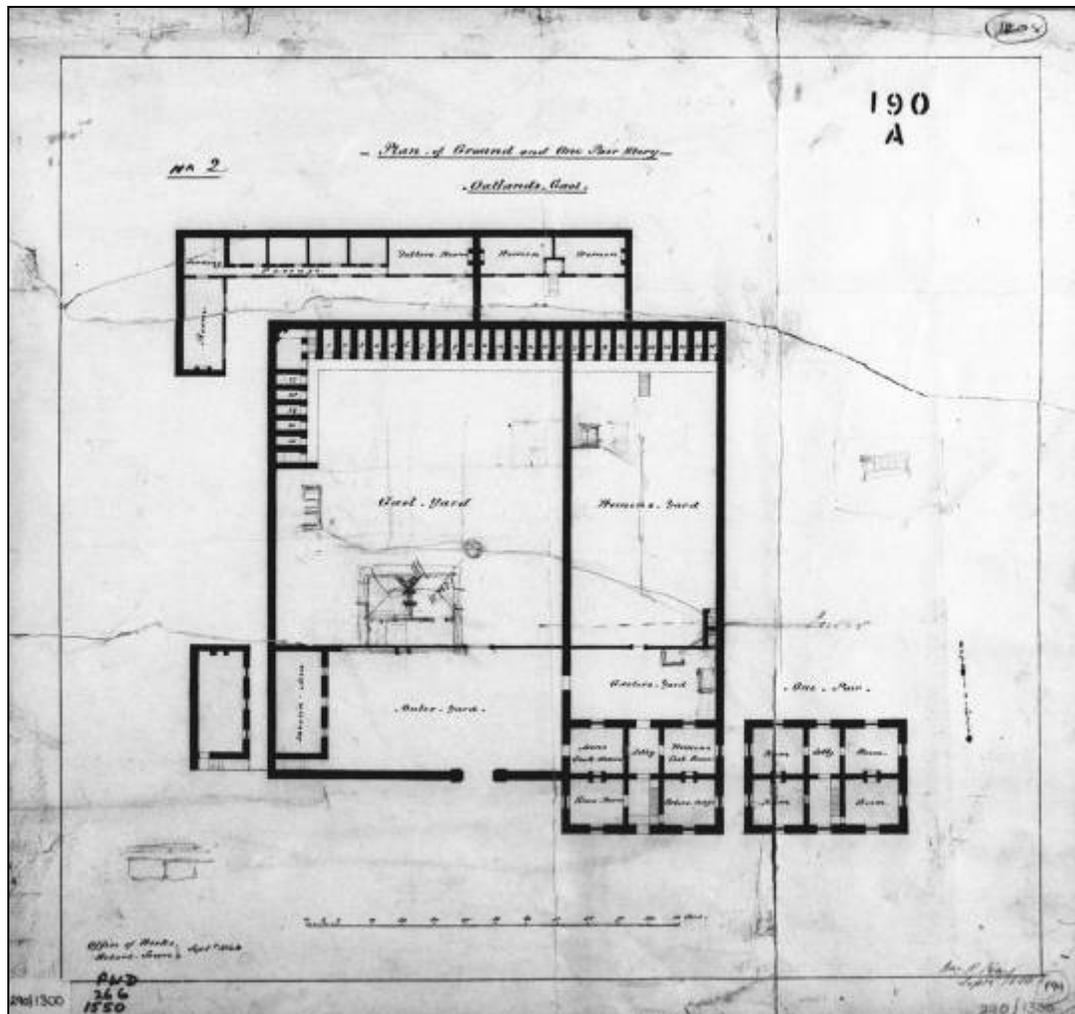


Figure 3.7 – The earliest known plan of the Oatlands Gaol following completion, by William Kay, 1844 (note 1849 alterations have been sketched over the original plan).

## 4. The Troubled Life of the Oatlands Gaol

### 4.1 – Daily Operation and Life in the Gaol

According to the *Report on Gaols 1849*, the records kept at the Oatlands gaol were;

- Memorandum book in which all occurrences were recorded
- Letter book
- Ration book
- Book of prisoners received and discharged showing their sentences and how disposed of.

Although none of these documents appear to have survived the years, a great deal can be learned about how this gaol functioned through other primary sources. In the research for this study, the records of the Police Department, Governor's Office, Sheriff's Office and the Oatlands Lower Courts were consulted, however yielded only scant information about the actual operation of the establishment. The records of the Public Works Department were most useful for Part II of this study, detailing the construction of the gaol and modifications thereafter. Newspaper articles from the time were also useful for documenting the operation of the gaol, however rely on significant searching for the location of this information. This insight into the operation of the gaol relies most heavily on the correspondence both to and from the Colonial Secretary's Office (CSO). The CSO records (Archives Office of Tasmania) are the most accessible, detailed and best indexed records available which detail the operation of the gaol, therefore form the bulk of the primary source material examined here.

As stated in Section 1, this is not intended to be an exhaustive study of the full

history of the Oatlands Gaol – more an introductory overview of the site, as a means of stimulating further research and placing the archaeological interpretation of the site in context. There are numerous avenues of historical examination particularly regarding the day-to-day operation of the gaol which have not been explored here. During archival searches for this project, numerous themes were observed amongst the documentation, including health, religion and personal attributes of the inmates, officials and administrators of the gaol. Appendix C, the *Regulations of HM Gaol Oatlands* (AOT CSO 24/87/1812:217-29) gives an indication of the reported daily routines of the gaol. A copy of these regulations was required to be posted in the yards at all times (AOT CSO 24/87:1812:139). Similarly, Appendix C, extracted from the *Report on Gaols 1849* (AOT CSO 24/87/1812:134-145) gives an account of daily life and routines within the gaol. In contrast, Appendix D gives an example of how official history, such as these regulations, may not have operated according to the text-books and that there is a wide scope of stories to be told about the history of the gaol. It is hoped that this work will stimulate further exploration of these subjects. This Section will therefore concentrate more on selected historical occurrences which have acted to shape the physical form of the gaol, in support of the archaeological analysis explored in Part II of this study.

### 4.2 – Security of the Oatlands Gaol

Section 2.3 described the first Oatlands Gaol as being highly ineffective in its security, the solution being the construction of the new gaol. However, the history of the Oatlands Gaol is plagued with the escape of inmates, with the first reported escape from the new gaol being in its first year of occupation, when John Byron escaped from the

facility in August 1837. He lowered himself from the upper storey with his bedding and scaled down the covered top of the wooden staircase to reach an unfinished portion of wall. Police Magistrate John Whitefoord blamed the escape on the unfinished state of the gaol and its peculiar design (AOT CSO 5/56 1246:188-9)<sup>1</sup>. This was the first mention of the inadequacies of the design of the Oatlands Gaol – a point which is further explored in Section 4.3.

In February 1838 two men escaped from the gaol, which resulted in the additional barring of windows. On the 23<sup>rd</sup> of the same month, George Jackson escaped from the gaol by 'cutting' through his cell door with a knife he had smuggled and knocking of the lock of the main gates (which was only held by two nails). A Javelin Man, Perkins, had neglected to lock the inner gate for the night. Jackson had also removed his handcuffs with an axe and wedge found in the Outer Yard but not his leg-irons. This prompted the installation of ring-bolts into certain cells for the chaining of prisoners likely to escape (AOT CSO 5/97/2165:86, 103-9,124).

In early March 1838, four men, Edward Thomas, John Russell, John Williams and John Richardson, escaped the gaol by removing the boards and battens from the ceilings of their cell, accessing the roofspace and, using their bedding attached to the chimney, lowered themselves down the outside wall of the gaol from the skylight.

Common escapes, particularly early in the life of the gaol, would certainly have been an embarrassment to all involved in the planning and operation of the facility, all involved were quick to try and pass the blame. The Oatlands Gaol had soon proven to be an inefficient facility – much of

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<sup>1</sup> This document refers several times to the gaol being unfinished, where earlier documents relay that the building had been finished six months earlier.

this inefficiency, as already hinted by Whitefoord (AOT CSO 5/56 1246:188-9), was blamed on the design.

#### **4.3 – Design Inefficiencies of the Oatlands Gaol**

With eight prisoners having escaped from the Oatlands Gaol within the first year of occupation, the Oatlands Police Magistrate, John Whitefoord wrote to the Chief Police Magistrate:

I would therefore take the liberty of suggesting that a Board of Inquiry be immediately held to report upon the state of the building generally as a secure place of custody.

The Sheriff, John Beaumont, immediately recommended that a Board of Inquiry be assembled to investigate the unexpected and frequent escapes from the new facility (AOT CSO 5/97/2165:86, 110-8).

A Board of Inquiry was assembled in March 1838 to inspect the state of the Oatlands Gaol and advise on alterations which would make it a more secure place of confinement. This board consisted of the Sheriff, the Visiting Magistrate of Constitution Hill, the Civil Engineer and the Oatlands Police Magistrate. The Board visited the gaol on the April 20<sup>th</sup>, 1838 and recommended:

- A pump to be installed to the well to replace the rope and windlass
- The doors of the main yard and women's yard to be doubly boarded, inside and out. The slide in the doors to the main yard to be removed and all bolts in the door jams be plated in iron.
- All bolts throughout the gaol to be replaced by those of a superior kind.

- Twenty padlocks of the best description to be supplied.
- The whole of the ceilings in the upper rooms of the gaol to be lined with two-inch stringy bark or gum boards and to be securely screwed into the ceiling joists with 3 inch screws.
- The skylight to be repaired and covered with an iron gate bolted into the stonework.
- All chimneys to be fitted with iron grates and iron bars leaded into the stonework.
- The main gate to be fitted with one large cell bolt and padlock.
- The present women's kitchen [*sic* – actually refers to the men's kitchen] to be altered into a Javelin Men's room, the window opposite the fireplace to be removed and a two ½ - inch thick, six-paneled door fitted to an inch and a half jam with narrow architrave to be fitted to the present doorway and passage of the Gaoler's house.
- Two ten-gallon coppers to be provided for the kitchen.
- The ceiling of the men's kitchen to be repaired and whitewashed.
- A sentry box to be provided as well as two more Javelin Men employed.

These works were expected to cost £150 (AOT CSO 5/97/2165:90-8). Tenders were called by Colonial Engineer John Lee-Archer for these additional works (HTG 15/6/1838:433). In reference to these works, Lieutenant Governor Franklin observed:

The necessity for these repairs and alterations, so soon after the completion of the building, involves a reflection upon the Engineer Department, which appears to render explanation, on the part of the Civil

Engineer highly necessary (AOT CSO 5/97/2165:121).

In defense, the Colonial Engineer, John Lee-Archer replied:

I would like to take the opportunity of briefly stating, for the information of His Excellency, that in my opinion the defects of this building are to be attributed to the following circumstances: In the first instance, the design for this gaol was made at the desire of His Late Excellency Colonel Arthur, from a description of the American Prison at Auburn<sup>2</sup>, in a work written by Capn. Baird Hall – the whole was to be composed of small cells of strong masonry, & each cell covered with heavy flag stones – In accordance with this design the cells on the lower story, only, have been completed, an alteration having been suggested by Colonel Arthur in the arrangement of the upper story, it being supported that day-rooms would be absolutely necessary in a gaol of this description, and thus, when the apartments became larger, in the upper story the plan of securing the ceilings with flag stones was necessarily abandoned, and a lined ceiling of gum boards substituted.

Lee-Archer went on to suggest that the escapes through the ceiling were the fault of a lack of watch and the absence of a sentry box in the yard. He implied that the escape of Jackson earlier that year was through negligence on the

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<sup>2</sup> Whilst the original plans of the Oatlands Gaol (Figure 3.2) bears resemblance to sections of the much larger Auburn Prison, the plans were subsequently changed so much that the finished building was significantly different.

part of the Javelin Men leaving the inner gate unlocked and a lack of guarding to allow Jackson to saw through his cell door and gain tools to aid his escape. Lee-Archer also implied that the Ordinance Stores had cut costs by supplying locks of inferior quality for the cells and gates (AOT CSO 5/97/2165:121-6). It seems that perhaps John Lee-Archer's designed was doomed from the start, with questions as to its efficiency raised by Governor Arthur as early as April 1835 when only the foundations had been completed (AOT CSO 1/691/15206:155 – see Section 2.4).

The design of gaol was again criticised in 1841, with the number of solitary cells deemed larger than necessary and the sleeping rooms were too insecure to use. The cells and wards being directly beside an external wall was the major point of concern for security at the facility. It was then recommended that:

- The gaol wall be surrounded by a second fence.
- Accommodation to be provided for Javelin Men in the Outer Yard.
- Step ladder [stairs to upper level?] opposite female solitary cells to be fenced
- Mr. Smie's [presumably the Gaoler] window to be made into a door or French doors and a gang-way to look out in the angle [?]
- Three water closets in the debtors yard – 1 for debtors, 1 for Javelin Men and 1 for main yard. The wall height of water closets to be raised to the same height as surrounding wall.
- Cells to be lined with 2 inch plank.

It was also recommended that the depth of the gaol buildings be doubled, with cells along the eastern wall to be converted into wards. An extension to the southern wall of the complex was

to provide a yard behind the main building equal in size to that in front AOT CSO 5/274:7123:147-53. It seems, however, that these works were never undertaken. P Mason, Sheriff, wrote to the CSO on January 12<sup>th</sup>, 1841:

The building is spacious and surrounded by a strong wall, yet the interior is so inconveniently planned as to make it difficult to alter in so as to render it secure and commodious without a considerable outlay of money. AOT CSO 5/274:7123:162.

Mason recommended:

- Replace worn out fastenings on doors and windows with strong iron bolts.
- Division of long upstairs rooms in male Division each into two or more smaller rooms as a means of separating prisoners.
- To turn the six cells on the left hand side of the men's yard into 3 small rooms to be used as sleeping berths.
- Erect a fence in front of the solitary cells to prevent persons in the yard holding communications with solitary prisoners.
- Divide the two debtors rooms into four smaller rooms and cut off the debtors yard from the Outer Yard and main gate by running a wall across, a wall 40 feet in length.
- Divide one of the two large rooms in the women's Division into two apartments and remove a water closet which stands in the corner of the women's yard into the opposite corner to prevent the possibility of escape provided by it.
- Provide the Gaoler with a better view of the establishment from the upper floor of the Gaoler's residence.

Whilst some of these alterations were eventually undertaken (the debtors wall pre-1855 and removal of female privy 1849) it seems that these recommendations were not accepted immediately.

Security was also criticised at this time (1841) in terms of the level of staffing of the facility. Only four javelin men were appointed to the security of the 45 prisoners in the gaol and prisoners attending the Supreme Court (William Mercer, John Walch, Joseph Cook, John Graham, AOT CSO 5/280 7311:57-9). With three separate yards, none being visible from the other, four men working in shifts could not adequately patrol the area. It was suggested by the Sheriff's Office that a Turnkey, two more Javelin Men and a Military Guard be appointed to the gaol to rectify the security problem. John Whitefoord did not agree that any more security was required at the Gaol (AOT CSO 5/280 7311 59-63), however this advice was apparently taken, as by 1848 the Oatlands Gaol had one Keeper, one Turnkey and six Javelin Men (AOT CSO 24/87/1812:136).

It seems that, owing to the lack of improvements to the complex at that time (as recommended by Mason), that the employment of more personnel was deemed sufficient to correct the inadequacies in the design of the complex. This was again seen in 1857, when three more Javelin men were appointed as fears of insecurity required more than the previous six men – a total of nine Javelin Men to guard the 16 prisoners (AOT CSO 24/261/5855:276-85).

The *Report on Gaols 1849* again criticised the design of the Oatlands Gaol in terms of the security it provided. Although enclosed by a 25 foot high wall, the security was lessened by the placement of buildings and wards against the perimeter wall. This report states that escapes and attempts have been frequent, in one case by prisoners cutting their way through the walls.

(AOT CSO 24/87:1812:137). As early as 1841, Oatlands Gaoler P. Fraser had stated that:

“they [the walls] are strong and high enough.... Although it is not difficult for an expert house-breaker to get through them”. AOT CSO 22/10/406:163-4.

While additions to the gaol such as the Condemned Cells (see Section 5.1) were aimed at more controlled containment and separation of prisoners, fourteen years into the life of the gaol saw continued questions as to the design and efficiency of the gaol and the security it offered. In 1851, J. Burnett, Sheriff, wrote to the CSO:

*My Under Sheriff, who has just returned from Oatlands gives such an alarming account of the insecurity at that place..... some very desperate characters remain in it..... I have repeatedly represented to His Excellency the great insecurity of the Gaol at Oatlands..... (AOT CSO 24/261/5855:275 & 281).*

From the documentary evidence cited in this section, it seems apparent that the Oatlands Gaol was an ineffective tool in the custody of convicts and criminals. It must be remembered, however, that any incidents or escapes would (and indeed, have) left more documentary evidence than the normal day-to-day operations of the complex. Although often inefficient and much criticised, the complex did operate as a colonial gaol for 26 years and as a municipal gaol for a further 70 years – this equates to around one escape incident every twenty years, which may not be such an alarming figure. What is unusual, however, is that these escapes all occurred within eighteen months of the opening of the facility, which does suggest that there

were initial inefficiencies in the design and operation of the gaol.

## 5 – Alterations and Additions to the Gaol

With questions as to the security of the gaol stemming from issues such as cost-cutting and inefficiencies in design, the Oatlands Gaol was subject to constant alterations and additions. As Sections 3 and 4.3 demonstrated, with the debates between Governor Arthur and Colonial Engineer John Lee-Archer, different authorities had often very different opinions as to how the gaol should be operated, how effective systems were and indeed as to the form of the physical layout of the complex.

The previous section has detailed the perceived design inefficiencies of security, resulting in alteration of the complex; however, the major works to the gaol were the result of different requirements for that complex within a changing penal system. Whilst a full examination of the place of the Oatlands Gaol within the colonial penal system is beyond the scope of the current project, factors such as the upgrade of the Oatlands Police Court to a Supreme Court in 1841 and overcrowding of other female establishments within the colony, resulted in the need for a change of the physical layout of the facility. These changes can be seen in the evolution of the original design of the complex (as described in Section 3) and in later alterations as described here and have significant consequences for the archaeology of the site as explored in Part II of this work.

### 5.1 – The need for separation of prisoner classes.

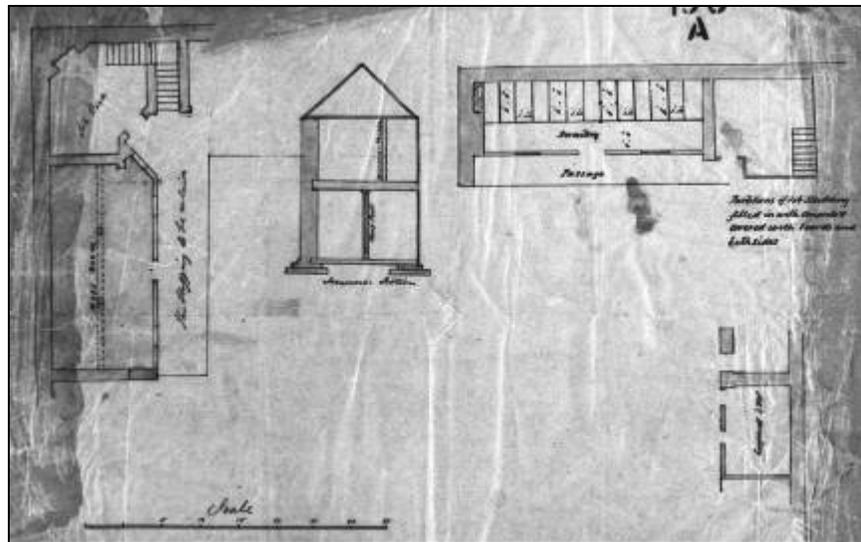
The status of Oatlands as the major judicial site in the interior was upgraded in 1841, when the

Oatlands Police Courthouse was upgraded to a Supreme Courthouse. It was then necessary to make modifications to the gaol for the accommodation of both remanded and sentenced prisoners. The required physical separation of different classes of prisoners was not possible with the established infrastructure of the Oatlands Gaol, which was identified as a major shortfall in its effectiveness (AOT CSO 24/87:1812:137, 146). As can be seen on the plans of the Oatlands Gaol, the large, open-plan men's yard did not lend itself to the separation of classes – a reflection of its original function as a facility for incarceration of only two types of prisoner – sentenced and debtors.

Plans were drawn in 1856 (Figures 5.1 & 5.2) which intended to overhaul the men's Division, combining the solitary cells in the eastern wing into a single mess-room and to convert the Chapel into a dormitory. The introduction of more wards would, to a degree, rectify the problem of separating classes of prisoners – more than the original design of one debtors ward, four smaller wards and 23 solitary cells allowed. These plans indicate that the entire façade of the eastern wing was to be demolished, the stone lower wall to be replaced with boards. These works, however, were never undertaken. At the same time, plans also indicate that walls were constructed to separate the south-western corners of both the Men's<sup>3</sup> (AOT PWD 266/1549) and Women's yards (AOT PWD 266/1552) from the overall yards and another Javelin Men's Yard had been added (AOT PWD 266/1551) - allowing further separation of prisoner classes.

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<sup>3</sup> This section of the Men's yard was commonly referred to as the 'Debtor's Yard'.



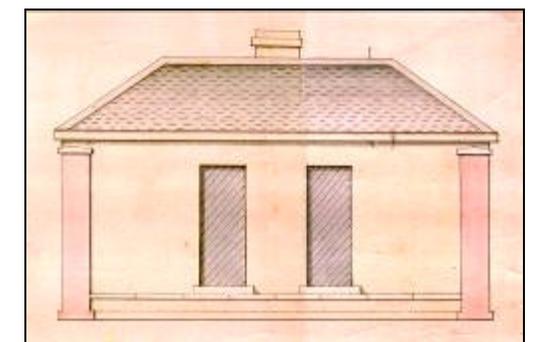
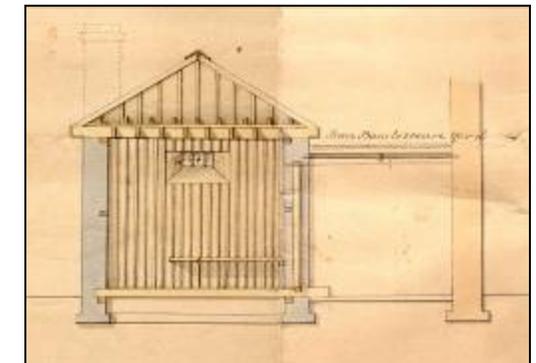
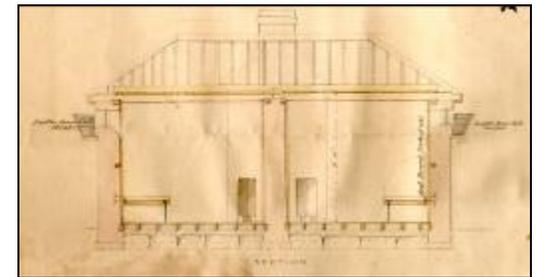
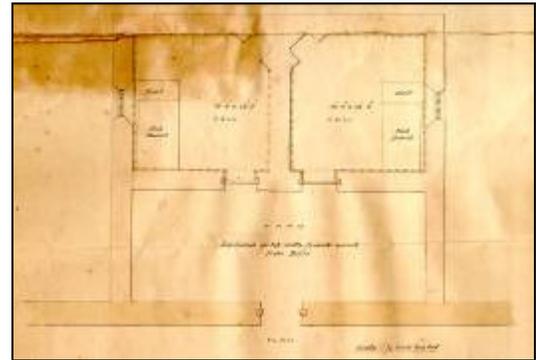
Figures 5.1 & 5.2 – Proposed alterations to H.M. Gaol, Oatlands, plans by W. Kay, Director of Public Works, July 1856 (AOT PWD 266/1556-7).

A major upgrade of the gaol was undertaken in 1849, part of these works included the construction of two condemned cells and a yard, for prisoners awaiting execution – further establishing infrastructure for separation of prisoners within the complex. These, together with the gallows, form perhaps the most enigmatic precinct of the Oatlands Gaol. Being the only rural gaol in the colony where executions were undertaken makes this a very significant historical site, with the remnants of these structures further examined in Part II. The first mention of the Condemned Cells was in 1848:

..... The necessity of at least two or 3 condemned cells being erected in that gaol [Oatlands] without delay... to ensure the safe custody of such unfortunate beings also to render their receiving religious instruction without being more or less exposed to the gaze or annoyance of their fellow prisoners. J. Crouch, Sherriff, 18/4/1848 (AOT CSO 24/48/1649:107).

The Sheriff's department had recognised the need for the Oatlands Gaol to include condemned cells, however were forced to wait until the following year due to the expense of the undertaking. Determined to get the cells constructed as soon as possible, the Sheriff (Crouch) suggested that the inner walls of the gaol be lowered 8-10 feet and that the stone could be re-worked to construct the condemned cells. Crouch suggested that this would have the added advantage of allowing the Gaoler an uninterrupted view of the entire establishment from the upper level of the Gaoler's house (AOT CSO 24/48/1649:122-3). This proposal was rejected by the Colonial Secretary, who, on 13/5/1848, concluded that the works would be budgeted for 1849 (AOT CSO 24/48/1649:124). By June 1849, plans indicate that the

Condemned Cells had been constructed (AOT PWD 266/1551).



Clockwise from top, Figs 5.3, 5.4, 5.5, 5.6 – Plan, sections and elevation of condemned cells constructed at Oatlands Gaol 1849 (AOT PWD 266 1559-61).



Plate 5.1 – The western wall of the Condemned cells c1926. Photograph from the State Library of Victoria Heritage Collections

## 5.2 - Plans for a Female Factory

In addition to the need for the Oatlands Gaol to be constantly upgraded to meet the needs of a changing convict system the use of facility was again questioned in 1841, with the proposal to construct an entire new gaol (hence overcoming design inefficiencies) and convert the facility into a Female Factory.

Overcrowding of the female establishments in Hobart Town and Launceston, resulted in the need for further establish Female Factories in other parts of the colony. The bid to convert part of the Oatlands Gaol into such a facility was opposed by Oatlands Gaoler P. Fraser. Fraser argued that the arrangement of the Oatlands Gaol interior was already very impractical and that the addition of more buildings would only act to make the plan worse. Fraser described the female section as being able to

accommodate 20 women. Fraser suggested that with the addition of more buildings in that Division, it would be capable of holding no more than 50 women, however this would reduce the open space in the yard to a point where it would “destroy the efficiency of the gaol”. Fraser suggested that a new gaol should be constructed at Oatlands, with the current one being refitted as a Female Factory capable of holding 200 women. (AOT CSO 22/10/406:159-65). This suggestion, however, was apparently given little consideration and was not carried through.

The records show no further suggestion of a Female Factory at Oatlands and it can be presumed that the opening of the Ross Female Factory in 1848 replaced any desire to establish such a facility at Oatlands. Many documents do refer to the Female Division of the Oatlands Gaol as a Female Factory (i.e. PWD 266/1552), although it is very unlikely that this was ever an

official title of the Division. The maximum number of women incarcerated at any one time prior to 1848 was six (AOT CSO 24/87:1812:137), certainly less than capacity and less than would be expected in contemporary Tasmanian Female Factories, as described by Casella (2002:28-36).

### 5.3 - Drainage/Sanitation System Upgrades

The earliest instance of major works to the completed gaol was in 1839 (less than two years from opening), which focused particularly on the ineffectiveness of the drainage system. An 1839 report to the Director of Public Works states that the following works were required:

- A drain required around the exterior of the buildings to take away water from the eaves to be conducted to the privies. Constructed in stone.
- A main drain to run from the gaol to connect in with the drain from the prisoners barracks, to cross the road near Mr. Robinsons, length 260 feet. Constructed in stone (AOT CSO 5/185/4480:44-50).

The *Report on Gaols 1849* states that there were privies in the women's yard and that pots were placed in a spare cell in the Men's Division, which were emptied daily into the cesspool of the Women's Division privies and then left to air in the yard. All prisoners were provided with a bucket (without a cover) for night use which was emptied and cleansed each morning (AOT CSO 24/87:1812:137-8). This suggests that from the earliest usage of the complex, there were significant shortcomings in the drainage and sanitation system.

With frequent blockages in the drain running from the Men's Division privies to the cesspit of the female's and Gaoler's privies on the other side of the complex, (AOT CSO

24/74/2320:30-6), plans for the overhaul of the gaol privies were drawn by the Director of Public Works in June 1849 (AOT PWD 266/1448, 1551), which are illustrated and further examined in Section 13.10. The Gaoler of that time, Peter Pegus, received criticism from the Director of Public works for not reporting these blockages sooner, as it was revealed that the problem had been long-running (AOT CSO 24/74/2330:30-64). Under instruction from the Director of Public Works, the 1849 upgrade included demolition of all privies, the filling of at least one old cesspit and new privies and cesspits constructed in each of the Gaoler's, Men's and Women's Yards. The problematic drain running from the old Men's Division privies, across the complex to join the women's privy cesspit, was disused and the new men's privy built with its own cesspit on the eastern side of the complex. A drain was also installed to take overflow from the well into the main drain on the western side of the complex. All of these features are further illustrated in Section 13.10.

It was reported on August 6<sup>th</sup>, 1851 that the drains in the gaol required cleansing and some reconstruction, as in places the stonework covering them had given way. The drains in the receiving (outer) yard (these are not depicted on any known plans), main yard and yard leading to the female factory were lifted and re-laid with a greater fall. Stone was brought to the gaol for prisoners to break into metal for fill in the yard and two hundred loads of gravel were brought in, both for a foundation for the drain, and to face the heightened ground of those yards. Works were undertaken by a Mr. Clayton at a cost of £20 (AOT CSO 24/281/6258:311-6).

With the inefficiency of the drainage and sanitation systems of the complex requiring a full upgrade within the first fifteen years of the life of the gaol, again questions would have been raised

as to the suitability of its original design and construction.

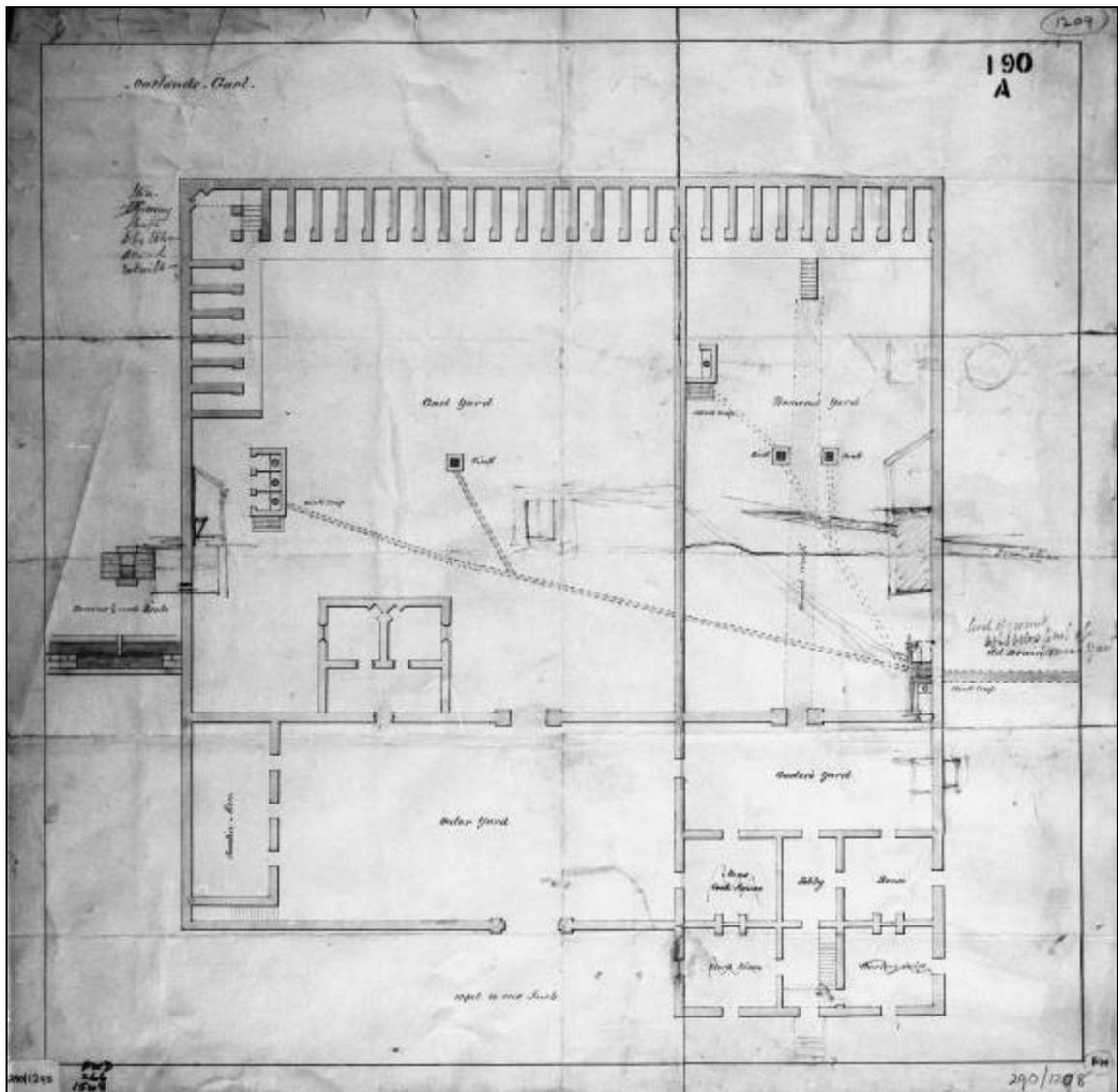


Figure 5.7 – The pre-June 1849 plans of the proposed upgrades to the Oatlands Gaol, showing the addition of the Condemned Cells, the original privy locations and the intended locations for the new privies (AOT PWD 266/1548).

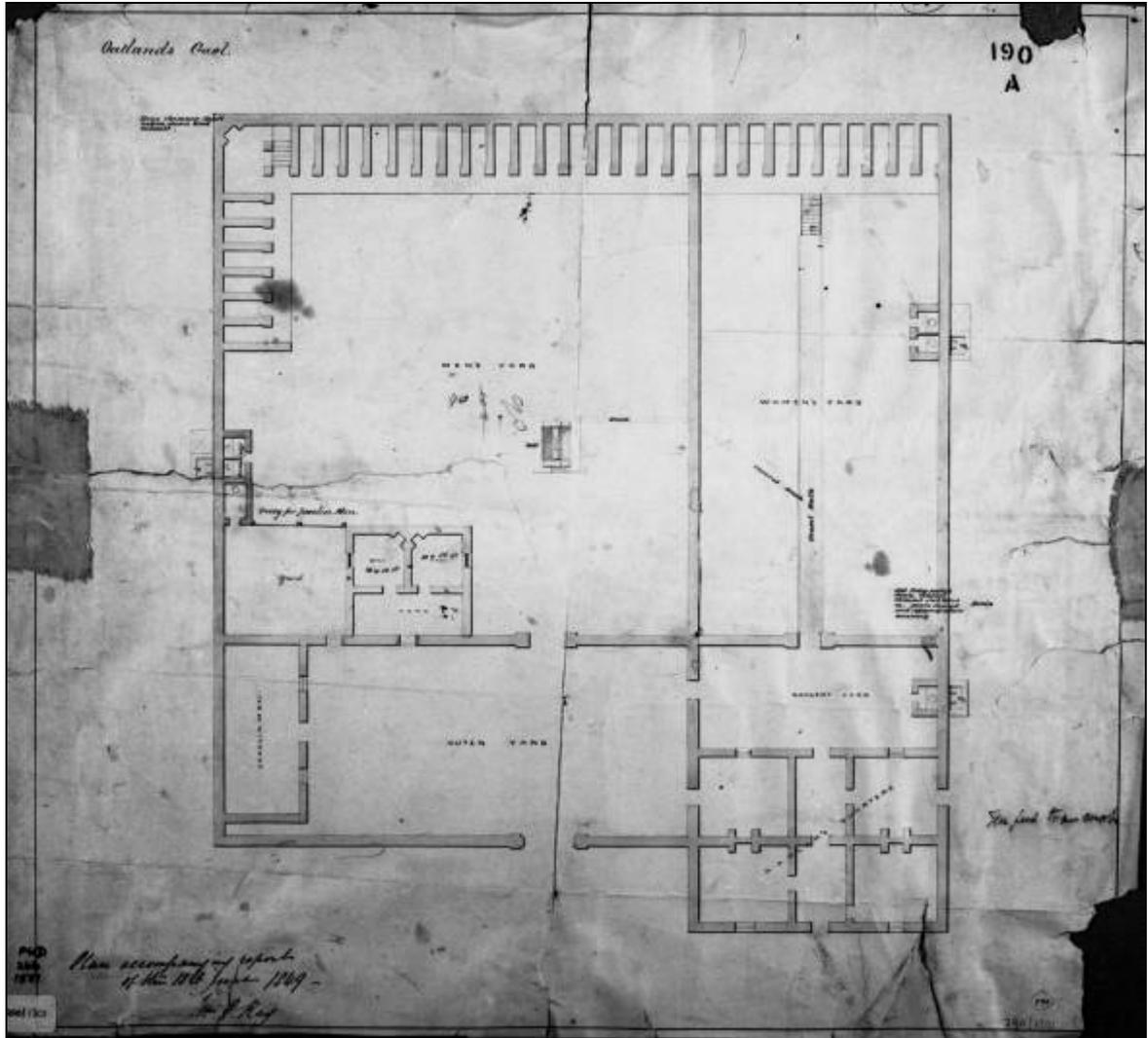


Figure 5.8 - W. Kay's June 1849 plan of the Oatlands Gaol showing the locations of the new privies and drains (AOT PWD 266/1551).

#### 5.4 – The Gallows Yard

Between 1844 and 1860, a total of eighteen men were executed by hanging at the Oatlands Gaol (Rieusset 2004). This makes the site very unique, as it is the only regional gaol (outside Hobart Town and Port Dalrymple/Launceston) where executions occurred on a regular basis<sup>4</sup>. In 1855 the *Private Executions Act* was passed which banned public executions in Tasmanian

gaols (*The Examiner* 11/8/1855). Prior to this, hangings were reported to have occurred 'in front of the gaol gates' (Rieusset 2004), Figure 5.9 describes the atmosphere of a public execution:

<sup>4</sup> There are rare instances of hangings at Macquarie Harbour and Norfolk Island prior to 1830 (Rieusset 2004).

**EXECUTION AT OATLANDS.**—The township this morning presented an unusual scene, owing to the execution of the four criminals left for execution at the late session here. Shortly before eight o'clock the military guard and a posse of constables were assembled in front of the main gate at the gaol, and within a few minutes after eight the Under-Sheriff ascended the platform, followed by the several criminals, Shale, Shea, Sullivan, and M'Grough, who were attended by the Rev. Mr. Dunne on the scaffold; the three former appeared very penitent, and wept bitterly while the executioner was adjusting the rope, &c, but the last named man seemed indifferent to his perilous position, and in a few minutes the fatal bolt was drawn which launched these unhappy beings into eternity. After hanging the usual time their bodies were conveyed to the ground (being part of the Protestant burial ground) for interment. May this township be long without another exhibition of the same kind. I might add that Bishop Willson came from Hobart Town yesterday to visit the unhappy prisoners, and spent the greater part of that day, and was with them early this morning, and remained until they were launched into eternity.—*Correspondent.*  
Oatlands, 9th May, 1848.

Figure 5.9 – Description a public execution at the Oatlands Gaol, from *The Colonial Times*, 12/5/1848.

The first private execution - that of Michael Casey for unlawful wounding, was held at Oatlands on August 5<sup>th</sup>, 1856. This, and two subsequent executions were described as being held 'inside the walls of the Oatlands Gaol' (Rieusset 2004).

No records were found in the course of this project which described the construction of the new gallows<sup>5</sup>, nor did any record describe the gallows which were outside the gaol gates. Section 13.7 further describes the gallows yard and new gallows.

<sup>5</sup> AOT CSO26 shows an index entry referring to repair of the gallows (c1850), however the actual record is missing.

## 6 - Post-Convict-Period use of the Gaol

Although the gaol was able to hold up to 200 prisoners (AOT CSO 22/10/406:159-65), the maximum number of men in the gaol at any one time prior to 1848 was 70, the maximum number of women prior to 1848 was 6 (AOT CSO 24/87:1812:137) – well under the expected capacity of the complex. By 1849 Oatlands was the only remaining fully functional rural (outside Hobart Town and Launceston) gaol in the colony (AOT CSO 24/87 1812:109). By 1857 the number of men in the Oatlands gaol had decreased to only 16 (AOT CSO 24/261/5855:276-85). By 1863, the facility had apparently run the course of its life as a colonial gaol and at the end of that year the operation of the complex was handed over to the Municipality of Oatlands, to be run as a municipal Gaol.

The 1883 *Commission of the state of Penal Discipline in Tasmania*, gives a good description of the function of the Oatlands gaol following the end of the convict era and its downgrade to a municipal gaol. A detailed plan (AOT PWD 266/1564) of the remaining parts of the gaol was drawn by George Shields, Clerk of Works (PWD) at this time (Figure 5.10) which indicates that it was apparently intact from the last known complete plan dating from 1849<sup>6</sup> (AOT PWD 266/1548)

<sup>6</sup> Care should be taken when interpreting this plan, as it seems that Shield's has copied it verbatim from Kay's 1844 plan of the site (AOT PWD 266/1550), roughly adding major post 1844 features which are not necessarily accurate in terms of content and scale.

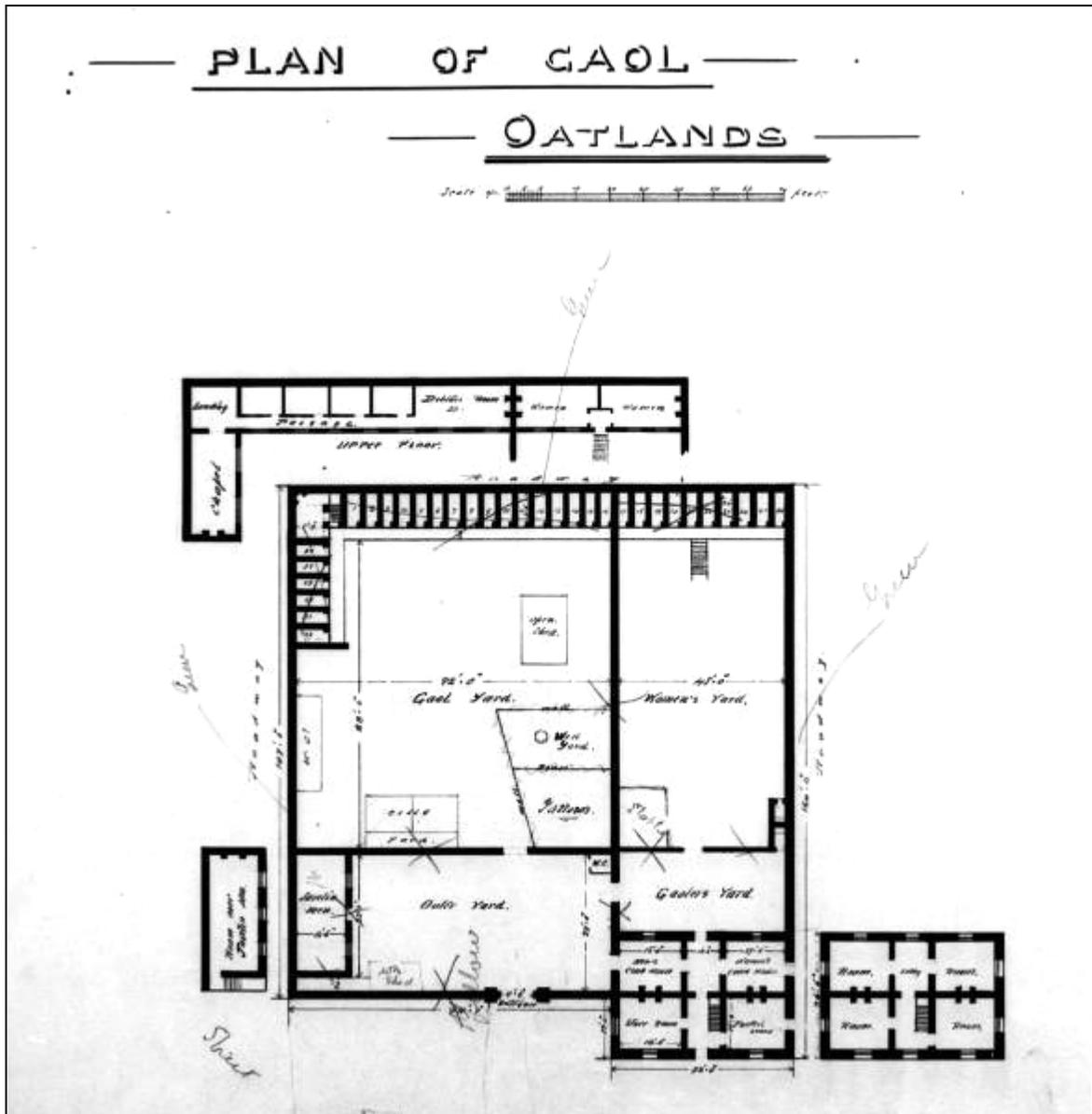
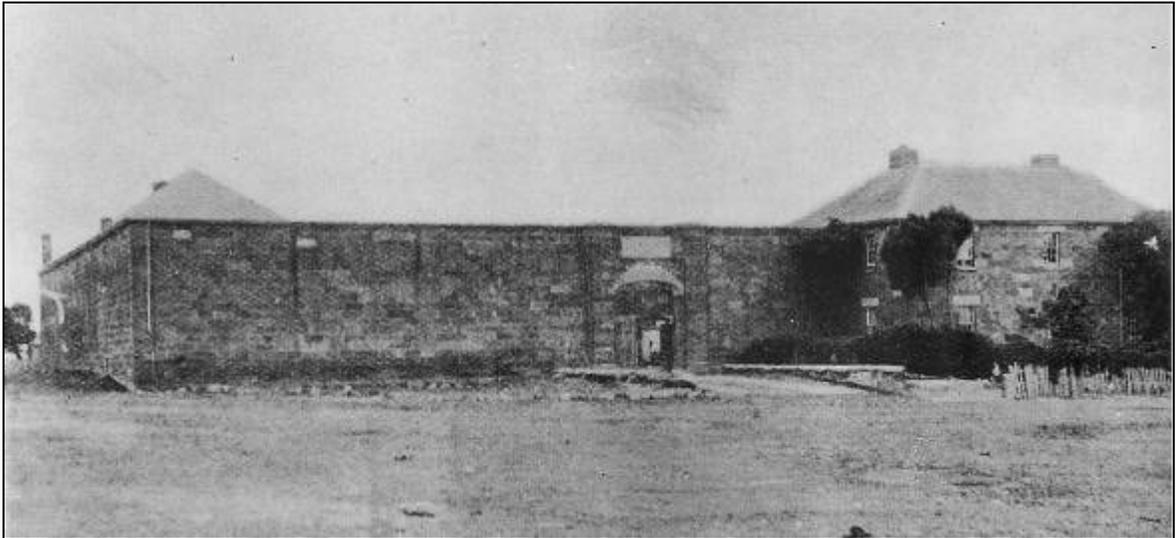
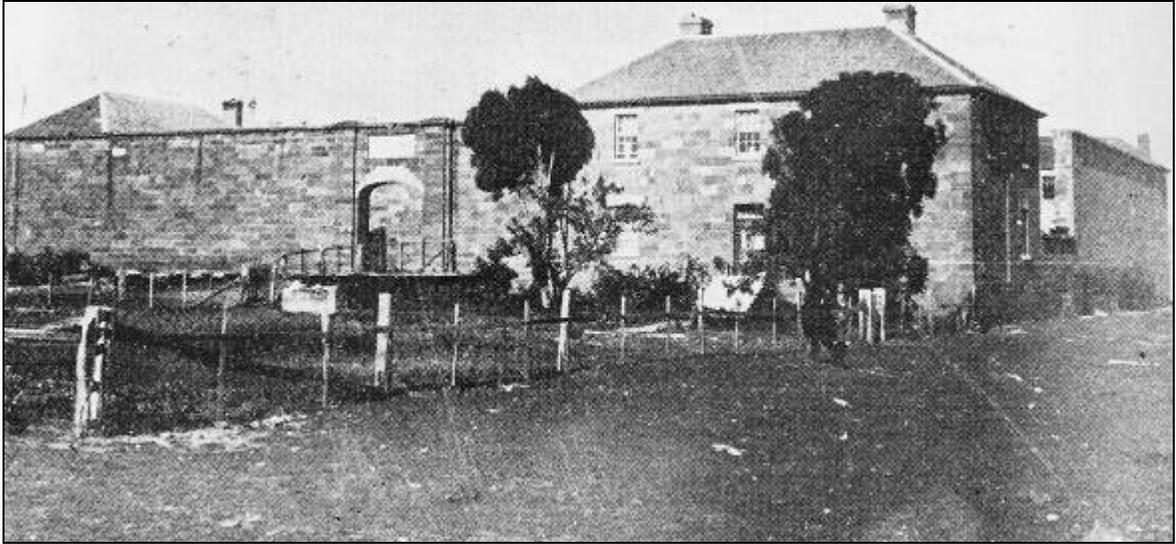


Figure 6.1 – Shield's 1883 plan of the Oatlands Gaol complex (AOT PWD 266/1564)

Shields reported that the buildings at that time were in fair order, but that the roofs would need re-shingling or covering in iron. The buildings were occupied by the Superintendent of the Municipal Police, as well as the Watch-house Keeper and Constables. The 1883 commission

indicated that Oatlands was the only regional gaol in which long-term sentences were still served, provided that the prisoners could be put to labour. All other gaols sent long-term prisoners (generally serving sentences of more than one month) to the Launceston or Hobart Gaols.



Plates 6.1 & 6.2 – The Oatlands Gaol during the municipal gaol period. Top - From *The Weekly Courier*, 20/2/1904:18. Bottom from the *Tasmanian Mail* 23/3/1908:21.

The gaol apparently continued operating as a municipal gaol with little change for the next 50 years. The Gaoler's residence and former Javelin Men's Building was used as accommodation for the local Sergeant and Constables respectively. With the exception of works detailed in Section 5, no evidence has been found to suggest that there were any major alterations or demolition to the complex through this period. Plates 6.3 and 6.4 show that the roof

of the men's Division had been covered in iron between 1901 and 1926, plates 6.1 and 6.2 show that the Gaoler's house also had also gained an iron roof between 1904 and 1934. Photographic evidence dating from 1926 shows that the Men's Division (Plate 6.4) and Condemned cells (Plate 5.1) were still in fair condition, although the deteriorated state of the Men's Division roof suggest that it has by then been disused.



Plate 6.3 – The Men's Division showing solitary cells with the Debtor's ward above, early 1900's. Photograph from the State Library of Tasmania.



Plate 6.4 – The Men's Division, showing solitary cells with chapel above c1926. Photograph from the State Library of Victoria Heritage Collections

The last references cited here which relate to a Gaoler at Oatlands is the appointment of Sergeant Walter Kirkham as Gaoler in February 1932, who replaced Sergeant Herbert Crosswell who was appointed in November 1930 (AOT GD 11). The Gaol return of 1936 indicates that there were 2 prisoners in the Gaol (AOT GD42). The *Mercury* newspaper (23/3/1934) described the use of the gaol during that year, which apparently marked the transition to new police infrastructure within Oatlands. With the construction of two new police lock-ups at Oatlands, this article reported that the use of a portion of the gaol to hold prisoners would be discontinued and also states that generally the buildings and walls were in a good state of repair. At this time the Gaoler's residence was still in use as police quarters, but the former Javelin Men's Building had been abandoned several years earlier. During the 1930's, three new police houses were built in Oatlands, two on the reserve in front of the gaol and one near the Court house in Stutzer Street – all of which are still standing, with one still used by police. This apparently spelled the end of the Oatlands Gaol's use as a penal/correctional facility. Section 7 will describe the fate dealt to the complex within the following four years.

## 7 – Demolition and Post-1930s Usage of the Site

With the gaol decommissioned as a colonial institution at the end of 1863, it seems that the complex was soon deemed far beyond the needs of the municipality. In 1879 the Oatlands Municipal Council applied to the Governor to transfer ownership of the site to the council and demolish the buildings for the purpose of reusing the stone to build the Town Hall on the site – as the Warden summarised in a letter to the Colonial Secretary (3/9/1879):

The gaol and site value was not great and that savings on site and materials for town hall would outweigh this.

The Colonial Secretary responded:

In view of the possible future requirements of this colony as regards to penal discipline, I cannot at present recommend that the request of the Oatlands Municipal Council be completed (AOT CSD 10/54:1235).

The complex apparently had won a reprieve in 1879, nonetheless, the demolition of the Oatlands Gaol was commenced prior to 1901, with the *Weekly Courier* (20/7/1901) reporting that a portion of the gaol had been pulled down by the Government to provide building materials for the State School. From photographic evidence (Plate 7.1) it is likely that this portion was a section of the western wall directly behind the Gaoler's residence and possibly some parts of the inner walls, as Plate 7.3 shows that part of the wall enclosing the Debtor's Yard had been demolished by that time. No evidence was found which suggests that any buildings had been

demolished during the period as a municipal gaol. The Gaoler's Residence, Men's and Women's Divisions, the Condemned cells and Javelin Men's Building were all still standing up to 1927, when the next phase of demolition commenced (AOT MCC24/39). If any buildings were lost during the early twentieth century, it is likely that they were only ancillary buildings, such as privies.

Little historical data on the gaol seems to have survived the first quarter of the twentieth-century, it was not until the mid 1930's that the gaol was thrown into the media spotlight, with plans for its impending demolition. *The Mercury* (6/11/1937:10) ran a brief article showing the demolition of the Male Division and Female Divisions of the gaol (Plate 7.2).

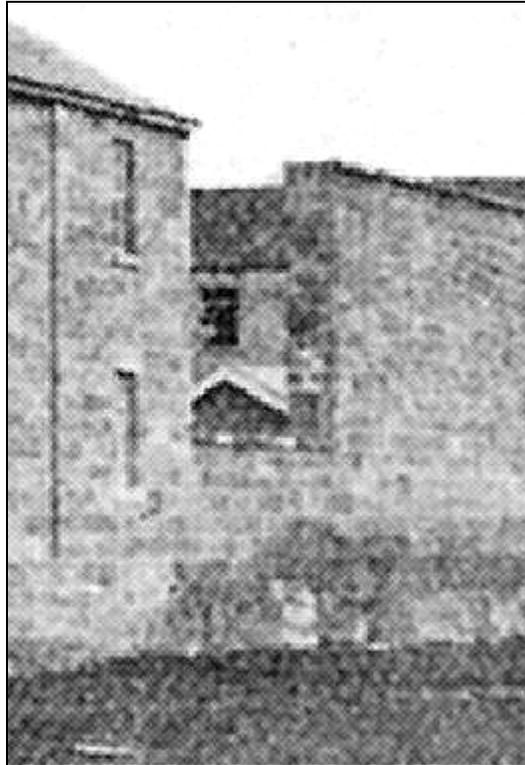


Plate 7.1 – Photograph showing the first stage of demolition on the western wall of the gaol. The Men's Division can be seen in the background, suggesting that some of the inner walls had been removed by this time. The privies in the Gaoler's Yard can also be seen (The *Weekly Courier* 27/4/1907:24).

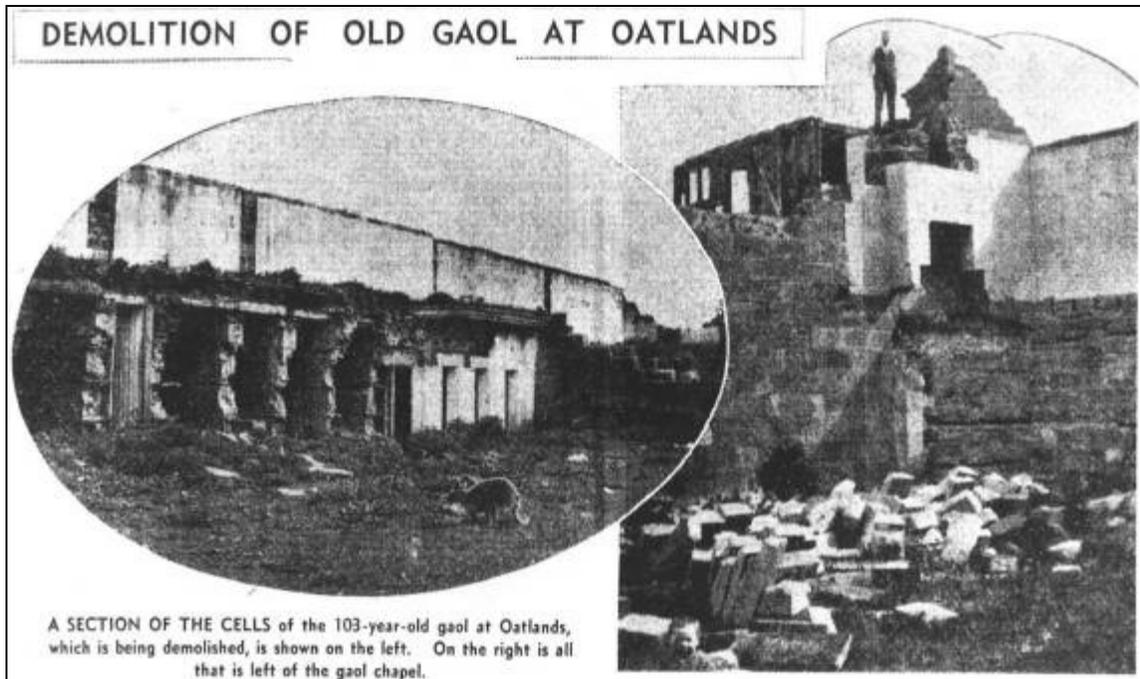


Plate 7.2 – Demolition of the Men’s (left) and Women’s Divisions (right) in November 1938. The caption incorrectly describes the upper level of the women’s Division as the chapel (*The Mercury*, 6/11/1937:10).

The Oatlands Municipal Council had, shortly before, received a letter from the Tasmania Society in regards to the historical value of the Gaol and its potential for tourism. The advice of this letter was heeded and council requested to the Commissioner of Police that the demolition of the gaol cease (*The Examiner*, 5/11/1937:5, AOT MCC 24/39). This request was referred to the Chief Secretary, who agreed to visit Oatlands and discuss concerns about the demolition and inspect the site. This visit apparently did not eventuate (*The Examiner*, 10/11/1937) and the council received notification from the

Commissioner of Police that demolition would continue, as the site had gradually been demolished over several previous years (*The Examiner*, 20/11/1937). The Warden of the Oatlands council again wrote to the Commissioner of Police on December 3<sup>rd</sup>, 1937 requesting that the gaol arch and four remaining cells be preserved (AOT MCC 24/39), whilst the gaol arch was subsequently relocated, it seems that the remaining cells were demolished. The contractor who successfully tendered for the demolition of the gaol and removal of stone was a man named Harry Gain.



Plates 7.3 & 7.4 –Demolition of the Men's Division, late 1937. Photographs courtesy of Graeme Raphael, Oatlands (top) and the Oatlands District Historical Society (bottom).

A plan by G. Hodgson, dated April 1938 (AOT PWD 266/2554, Figure 7.1) illustrates the post demolition remnants of the Oatlands Gaol. This plan notes the height of walls remaining at that time and that the current yard level was 3'1" (approx. 95cm) above bedrock in the south-eastern corner. This plan implies complete destruction of the cells along the eastern wall, the

Javelin Men's Building, most of the Women's Cells and half of the cells along the southern wall of the men's Division. Part II of this project further details the remnants of the gaol at that time. This plan also represents an early document of the usage of the site for most of the twentieth-century, as the Municipal swimming pool.

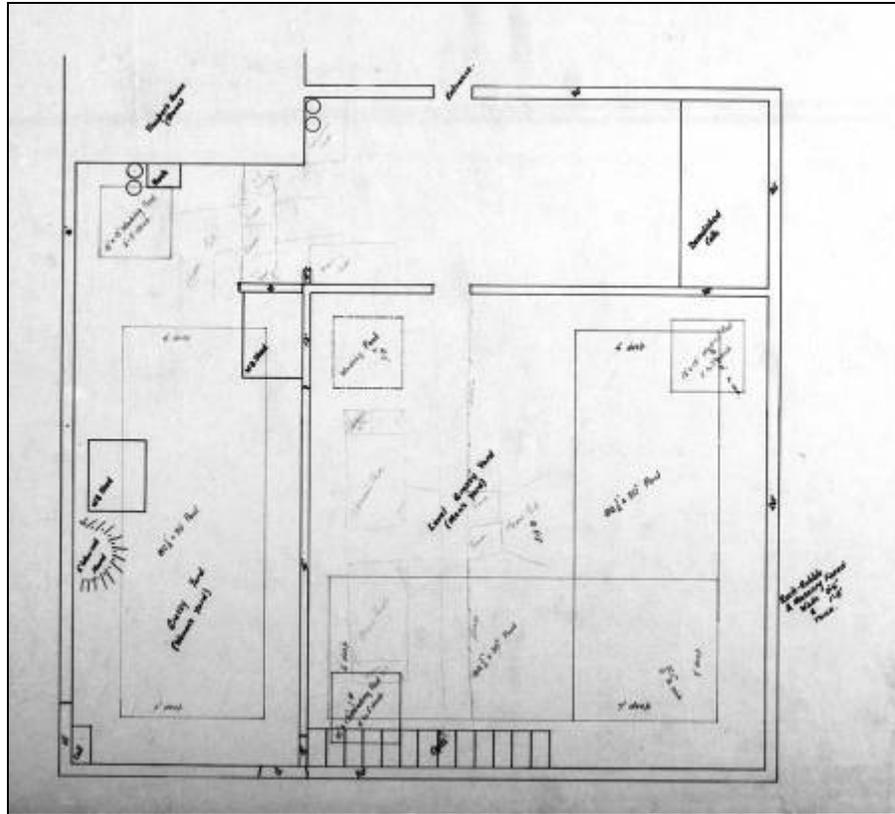


Figure 7.1 – Hodgson’s April 1938 plan of the Oatlands Gaol site, showing proposed locations for the swimming pool and associated buildings (although different to the eventual layout) (AOT PWD 266/1554).

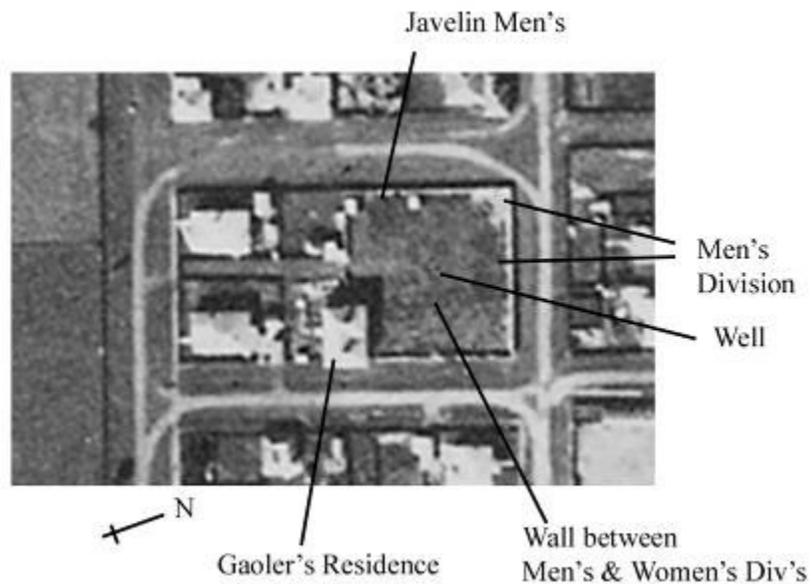


Plate 7.5 – Aerial photograph of the Oatlands Gaol c1946 showing the state of the yard following the 1937 phase of demolition and before the installation of the pool (TLD).

With plans for the swimming pool apparently shelved due to the Second World War and after more demolition of the site, the pool was opened in the early 1950s. By this time, the walls had been demolished to a height of 3 metres on the western side and 1.5 metres on the eastern side – meaning that over half of the outer wall had been lost by that time.

The opening of the swimming pool heralded the next phase of the life of the Oatlands Gaol – the primary purpose for which it is used in 2004. The Gaoler's residence, still being almost wholly extant has served a variety of uses since 1938, including a private residence, WWII soldiers base, an art school and public meeting rooms (Country Women's Association and Rural Youth). The building has served no specific purpose since the early 1980's, with regular maintenance by the Southern Midlands Council preventing its deterioration, the Oatlands Gaoler's residence offers significant potential for a variety of future uses (see Reed 1998).

The gaol yard, being filled to accommodate the pool, has remained relatively undisturbed for over 50 years. This may have acted to preserve archaeological deposits beneath the fill therefore offering a valuable resource for future research into the site. The archaeology of the Oatlands Gaol, particularly the gaol yard is the focus of Part II of the study.

## **PART II – Oatlands Gaol Archaeological Survey 2004**

### **8. Introduction/rationale**

The Oatlands Gaol Archaeological Survey is the primary functioning document in the first stage of the Oatlands Gaol Conservation Project. Being supported by the Oatlands Gaol Historical Study (Part I, this work), the primary aim of the survey is to determine the possibility that there may be remains of the Oatlands Gaol complex buried beneath the Oatlands swimming pool, which now occupies the site.

The Oatlands Gaol is commonly recognisable by the Gaoler's Residence - a two-storey, Georgian sandstone building in Mason Street, Oatlands. Attached to this building is a yard, measuring approximately 45 x 45 metres which is enclosed by a sandstone wall, up to three metres in height, which has been filled to accommodate the municipal in-ground swimming pool.

Commissioned and funded by the Southern Midlands Council, who have a lease over the site from the Tasmanian State Government, this study is the first stage in a proposed series of documents relating to the long-term goal of relocating the pool and conserving and interpreting the remnants of the gaol complex.

### **9. The Archaeology of Tasmanian Colonial Gaols**

Over the last thirty years, a significantly greater understanding of Tasmanian convict heritage has been gained with archaeological works being undertaken on several major convict sites. This has mainly concentrated on the secondary punishment facilities of Port Arthur, Darlington (Maria Island) and Macquarie Harbour. Female establishments have also received much archaeological attention, with female factories at Cascades and Ross being the focus of recent archaeological works. Volumes of work have been produced and published on these significant sites, however the archaeology of the dozens of gaols, watch-houses and probation stations across the state has not been as extensively studied.

Most of the literary work relating to penal infrastructure outside secondary punishment facilities (i.e. watch-houses, probation stations etc.), has revolved around conservation, management and historical studies, rather than archaeological interpretation. As for the study of Tasmanian colonial gaols, Richmond Gaol, being the most extant, has received the most attention. Several studies have been undertaken into the Richmond Gaol, the focus being conservation, directional and historical studies (i.e. Lennox 1983, 1993). The Richmond Gaol has not been the subject of any major archaeological investigation and overall, the archaeology of Tasmanian colonial gaols is a field which has received very little attention.

The Oatlands gaol complex is of great archaeological potential as it is one of the most extant examples of an early Tasmanian gaol. The 1837 Maconochie report into the penal system of Van Diemen's Land listed the gaols of the island as; Hobart Town, Launceston, Richmond, New Norfolk, Oatlands, Campbell

Town, Swansea and Longford. The surviving plans of all of these gaols indicate that, with the exception of Hobart Town and Launceston, the Oatlands gaol was the largest complex (AOT PWD266 plan series, *Report on Gaols 1849, Commission on the State of Penal Discipline in Tasmania 1883*).

In addition to being the largest of the colonial regional gaols, the remains of the Oatlands gaol are amongst the most extant, second only to the almost fully extant Richmond Gaol. Of the urban gaols, the Hobart Gaol was mostly bulldozed during the 1960s to make way for the sprawl of the Hobart CBD and the Launceston Gaol was demolished in the 1920s to make way for the Launceston High School. The Longford Gaol was demolished during the 1930's and the gaols at New Norfolk, Swansea and Campbell Town have long since disappeared.

## 10. History of the Oatlands Gaol

Part II of this study will not separately consider the history of the complex, as it is presented as the companion report to Part I of this volume – the Oatlands Gaol Historical Study. Where immediately relevant to the archaeological survey, selected historical sources will be quoted in support of the archaeological interpretation or potential, however in most cases this Part will refer to specific analyses in Part I.

## 11. Archaeology of the Oatlands Military Precinct

As detailed in Section 2.2, the Oatlands Gaol was the most significant building in the area traditionally known as the Oatlands Military Precinct. Historically known to have comprised of at least 30 buildings, the whole being enclosed by a stone wall or fence, the military precinct was the hub of the settlement of the Oatlands district from the mid 1820s. The first phase of building in the precinct began in 1827, with the erection by the Royal Staff Corps of a soldier's barracks (Feature 3 on Figure 11.1), court-house (25), guard-house (16) and commissariat store (17). A church and gaol, both built of logs, were also constructed at the time, presumably within, or in close proximity to the precinct. Over the next two decades the new gaol, watch-house (22), new barracks, superintendents office and quarters, police office, roads office and officers quarters were constructed, as well as numerous associated outbuildings. Of these buildings, six remain (the court-house, gaol, watch-house, superintendent's office, officer's quarters and commissariat store).

Although the precinct was decommissioned as a solely Government area in 1859 and most of the area subdivided and sold to private individuals, the gaol, court-house and first barracks/probation station areas all remain in public ownership. A detailed study of this precinct is beyond the scope of this project, however would be a useful companion to the study of the Oatlands Gaol and its place in the early history of the region. Apart from Lister's (1982) excavations in the Oatlands Court-house, as well as several brief mentions in Williams (2003), there has been no archaeological work undertaken in this precinct, which offers immense potential for research into the functions of a colonial outpost.

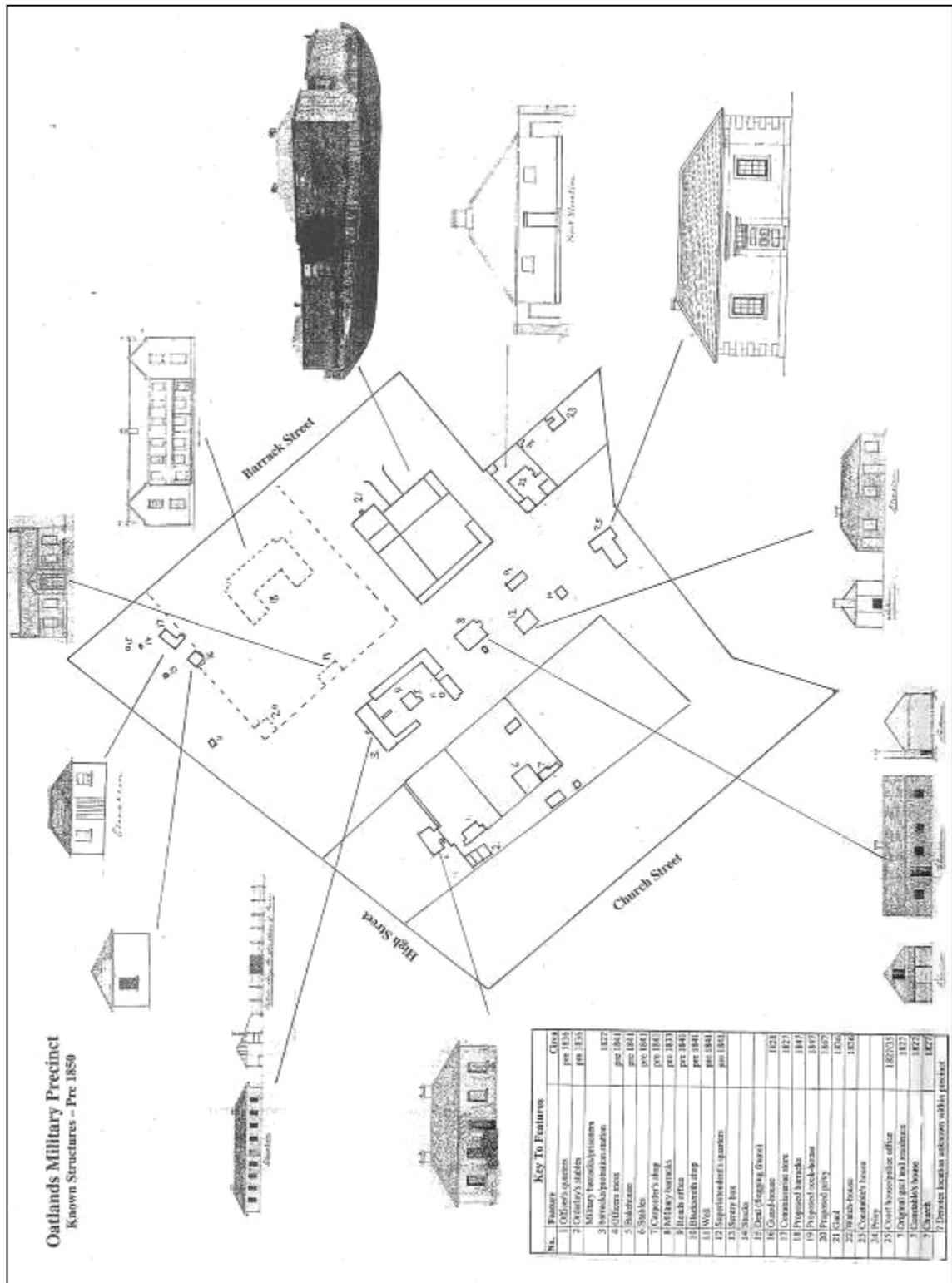


Figure 11.1 – Sketch plan of known pre-1850 structures within the Oatlands military precinct, based on AOT PWD 266 series plans and TLD O series maps (see also Section 2.2).

## 12. Archaeology of the Original Gaol Site

As further described in Section 2.2 of this study, the location of the original gaol is uncertain. It was almost certainly within the military precinct as defined in Figure 11.1 and was not on the site of the present building, as both were in consecutive use for a short period. It is unusual that the site plan of 1834 (Figure 3.1) has not noted the gaol, as it shows the location and name of other buildings in the military precinct. None of the 1840s plans (i.e. Figure 2.3) of the precinct show the location of the old gaol, however by that time it is likely that it would have been demolished. Without any documented evidence of approximate location, archaeological insight into this building is unobtainable.

In 1827, Governor Arthur ordered the construction of this building as a log-jail, containing four cells for eight men each (AOT CSO 1/176/4296:186-7). A small log hut for the Gaoler was commissioned at the same time (AOT CSO 1/176/4296:194-198). An 1832 description by Civil Engineer John Lee-Archer of the gaol, indicates that it was a building of log construction, with a shingle roof and saddle-boards. The interior was whitewashed, with a single fireplace and timber floor. Lee-Archer noted that several of the logs had rotted at the base, suggesting that they were placed vertically (AOT CSO 1/176/4296:220), in the style of a stockade. In 1831, the Gaoler's residence was described as a crudely built hut of logs lashed together. A sod skillion was attached to the rear and the roof pitch was deemed very unsatisfactory, the whole being very low and damp (AOT CSO 1/176/4296:215-6). There is also historical evidence that a Constable's house was included in this complex, which is probably represented by the Javelin Men's building depicted as point A in Figure 12.1. Early reports indicate that the complex was not

enclosed within a perimeter fence (AOT CSO 1/176/4296:215-20), however, Figure 12.1 indicates that the complex was enclosed by a 9-foot high paling fence. The last recorded mention of these buildings is following the opening of the new gaol, they were hired by the Roads Department in July 1837 for the accommodation of the Road Party.

Section 2.3 further describes the ineffectiveness of the original gaol and Gaoler's residence as evidenced by complaints about their dilapidation during the first half of the 1830s and given that the buildings were described as being crudely built of logs and sod, it is likely that they did not survive long past the opening of the new gaol. The early loss of these buildings, together with their crude construction and unknown location, means that their present archaeological potential may be minimal. Although Figure 12.1 indicates three chimneys and a bakers oven within the original gaol complex, which would presumably be of masonry construction, no documentation indicates that the complex was constructed of anything more than logs and sod. Decay of this fragile original fabric would mean that even if their exact locations were known, less information could be yielded than from the later stone and brick buildings in the precinct. Nonetheless, locating these historically significant structures should be a high priority in future historical research and archaeological works in the precinct.

## 13 - Archaeology of the Oatlands Gaol

### 13.1 – The Complex – General Description and Location

As a whole, the Oatlands Gaol complex encloses an area of approximately 2200 square metres, or

just under half an acre. The gaol is bounded by Mason, Albert and Campbell Streets, Oatlands and two c1930 houses have been built on the former gaol reserve on the northern side of the complex which was once bounded by Barrack Street.



Plate 13.1 – The Oatlands Gaol complex from the corner of Barrack and Mason Streets, Oatlands.

The most extant, dominating and recognisable feature of the complex is the sandstone Gaoler's Residence, which is discussed in Section 13.3. Attached to the rear of this building are the remains of the outer wall of the complex. Constructed of picked sandstone blocks, the walls range from 1.5 – 3.0 metres in height, the western side being the highest due to the slope of the ground. Within this yard is the municipal in-ground swimming pool and associated amenities buildings. Access to the pool area is via the site of the original main gates to the gaol and a ramp which has been cut into the walls on the southern side of the complex.

For the purposes of this survey, the Oatlands Gaol complex has been divided into several precincts, based on the original configuration of the site, as depicted in Figure 13.2. Each of these precincts will be examined mostly as a separate entity, with other attributes, such as drainage, privies etc. discussed collectively across the complex.

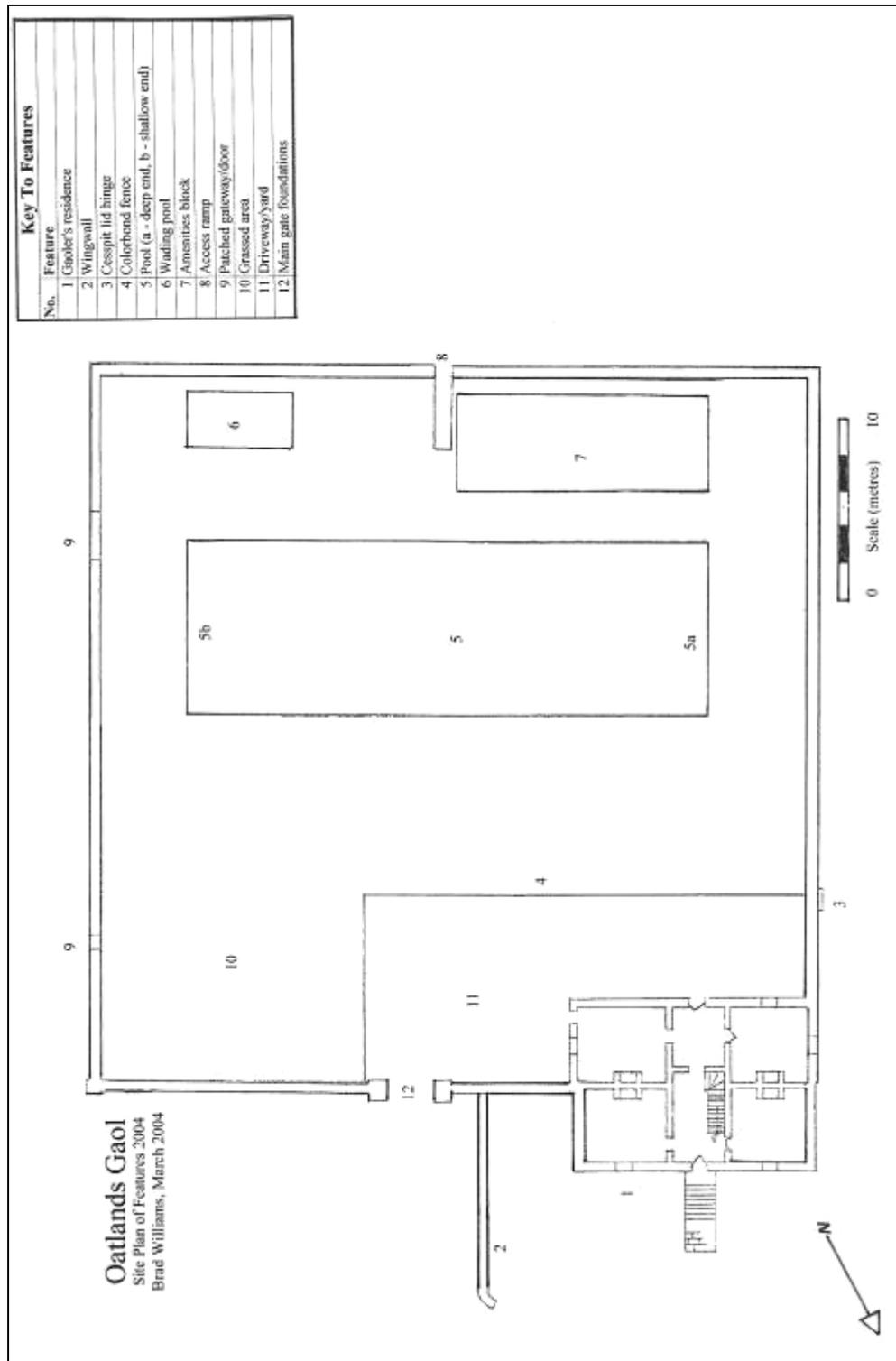


Figure 13.1 – Plan of major features, Oatlands Gaol site (swimming pool), 2004.

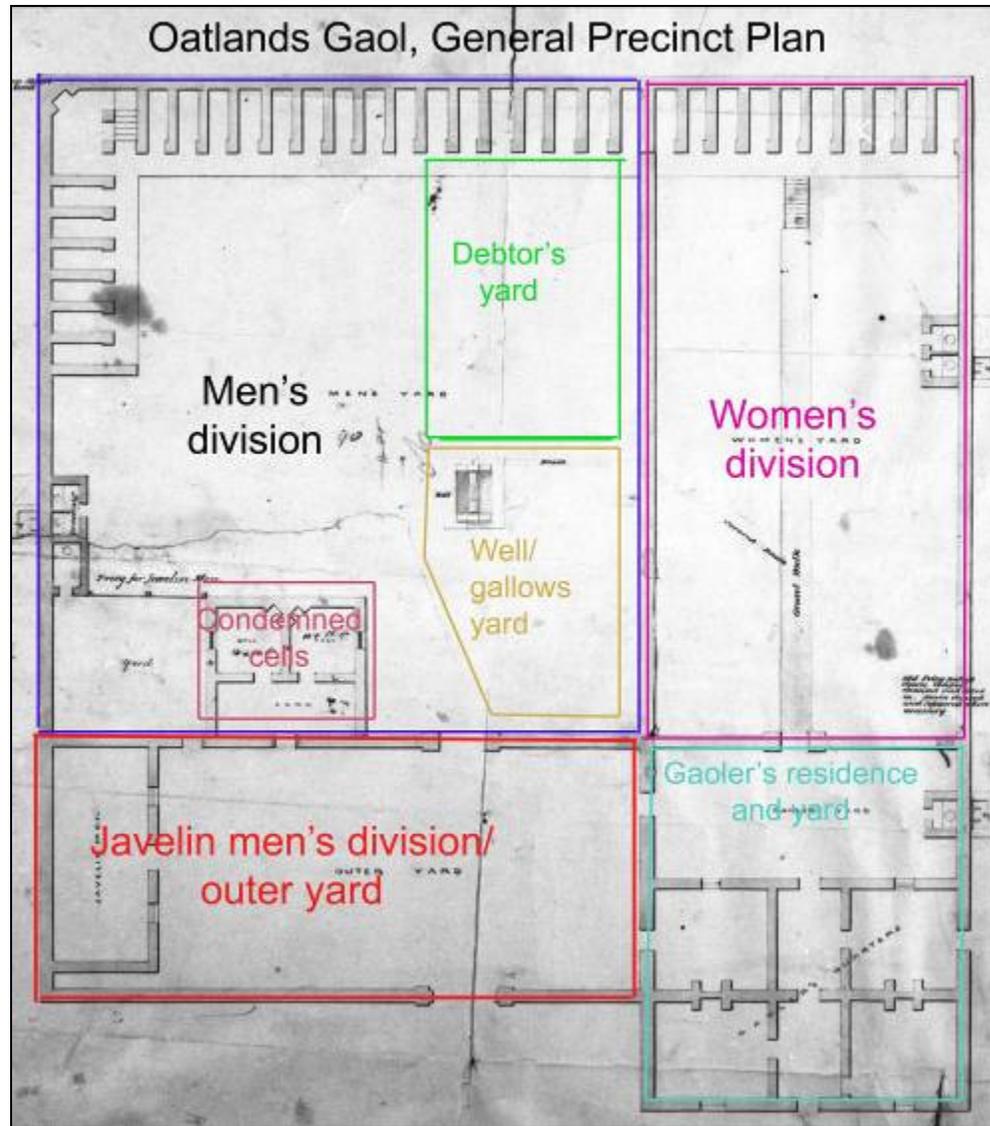


Figure 13.2 – Precincts within the gaol complex as discussed in this survey (adapted from AOT PWD 266/1551).

### 13.2 – The Gaol Walls and Gates

It is fortunate that the exact perimeter of the Oatlands Gaol site is still well defined by the original outer wall. Part I has discussed the circumstances around the construction and partial demolition of these walls – this section will discuss the archaeology of these walls and examine the likely pattern of demolition.

Figure 13.3 demonstrates the layout of major walls during the period 1850-1900, this is the period where the gaol was completed to its

final form and predates any known major demolition. Following the 1937 demolition, Figure 13.4 shows how the major walls had been impacted by this. The Javelin Men's Building and Condemned Cells had been demolished, as had most of the Men's Division and almost all of the women's Division. The well, gallows and debtors yard walls had been demolished, as had most of the walls around the Women's Division and Gaoler's yard. At this time, the Outer Yard and most of the Men's yard were still standing. Figure

13.5 shows the remnants of the major walls known in 2004. As the site has remained largely unchanged since the early 1950's, it can be assumed that the demolition observed between this and Figure 13.4 occurred between 1938 and 1950. All inner yard walls had been demolished

as had more than half of the outer wall and the few cells remaining in the Figure 13.4. This plan assumes that no significant walls remain beneath the current yard fill – a point further discussed throughout this work.

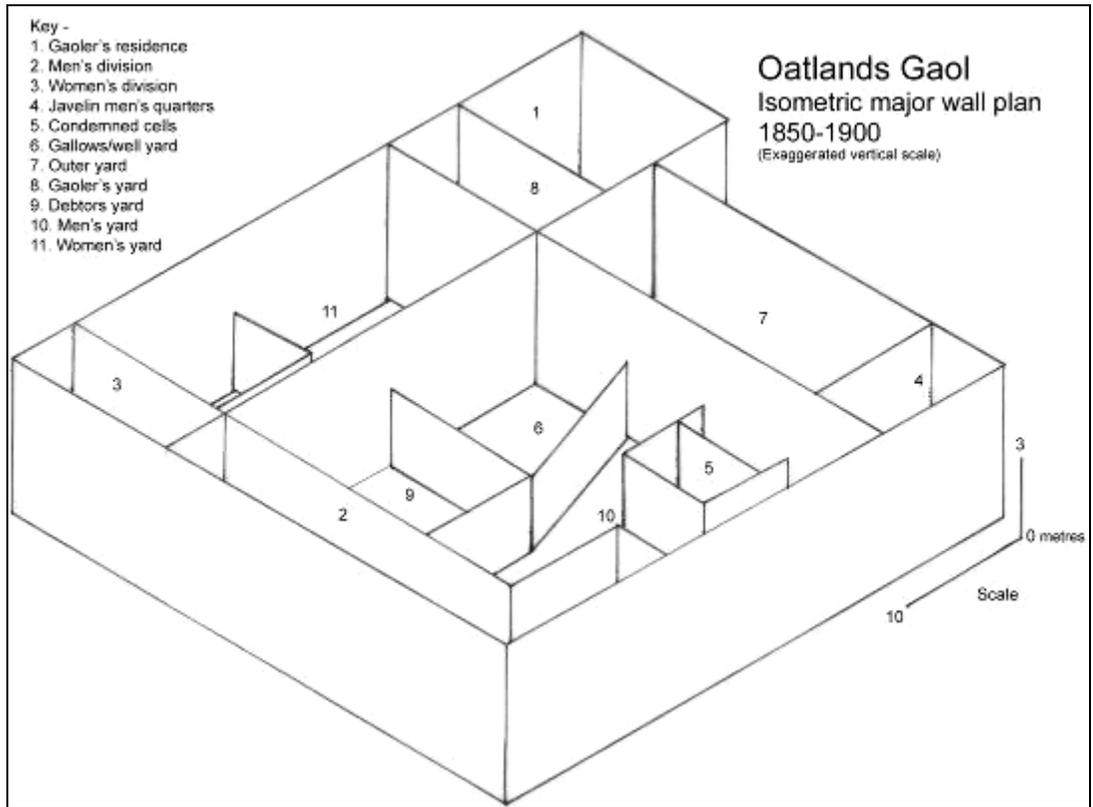


Figure 13.3 – Oatlands Gaol, Isometric Major Wall Plan, 1850-1900.

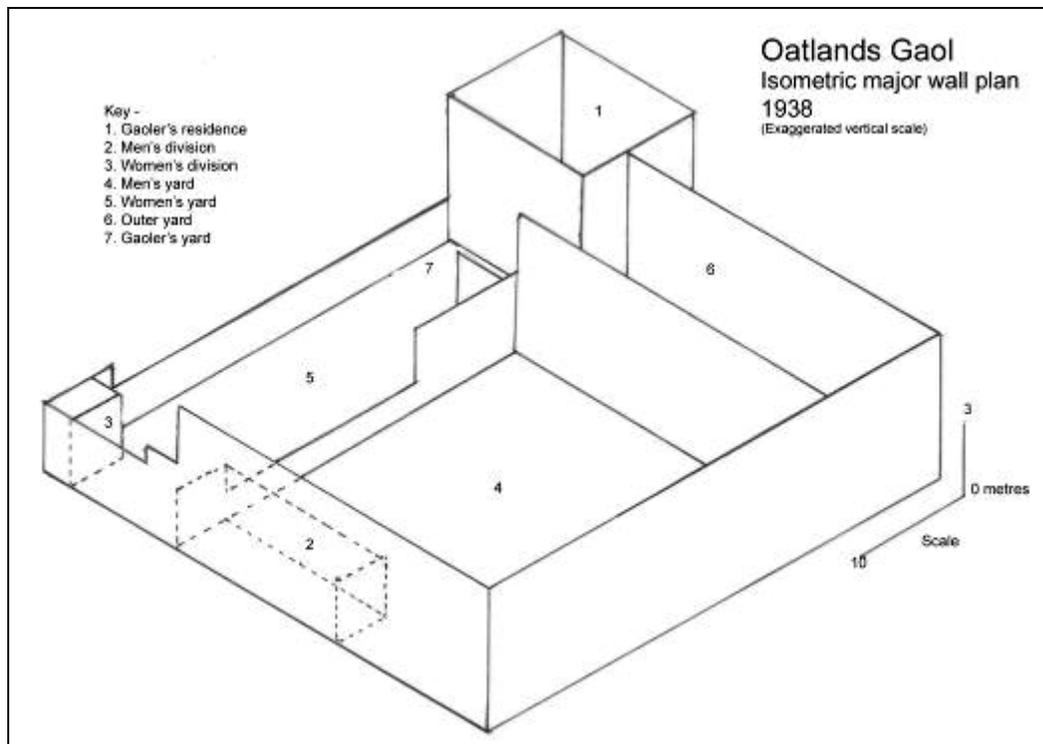


Figure 13.4 – Oatlands Gaol, Isometric Major Wall Plan, 1938.

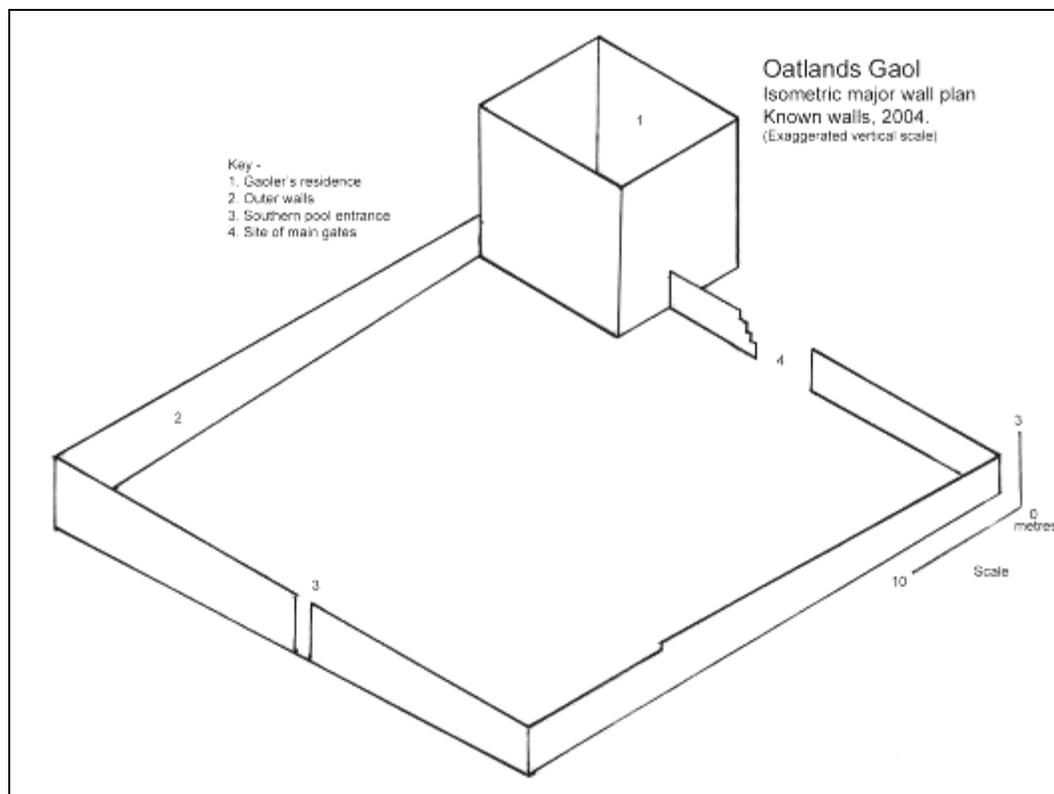


Figure 13.5 – Oatlands Gaol, Isometric Major Wall Plan, 2004.

Certainly one of the most impressionable parts of the Oatlands Gaol was the massive arch which surmounted the heavy, wooden gates which were the only direct entrance to the gaol complex. The approach to the gates was flanked by two low wingwalls, the westernmost of which still remains.

Beside the eastern wingwall was a low earthen platform, with evidence suggesting that this was the original location of the gallows – with 14 public hangings being held on this site (see Section 13.7).



Plate 13.2 – The gaol arch and gates c1910. This photograph clearly shows the approach wingwalls and raised platform (bottom-left) where the gallows may once have stood. Photograph – Allport Library, State Library of Tasmania.

Although removed from the site in 1939, the gaol arch, through which every prisoner passed, still stands in Oatlands, outside the former school at 73 High Street. Although shortened by two stone courses, the arch effectively exudes the domination which must have been felt by the prisoners as they were escorted through the wooden gates. The plaque which was once deeply inscribed with 'A.D. 1834' now reads

This gateway was erected at the Oatlands Gaol in 1834 and re-erected at the Oatlands Area School 1939.

There is the possibility that the plaque was reversed for re-inscription and that the original inscription is now on the inner side of the wall cavity. The arch soffits are neatly carved and

drafted with a fine chisel into finer and lighter coloured sandstone, in contrast to the rest of the structure.

A letter from the warden of the Oatlands Council dated December 1937 requested that the Police Department, then in the process of demolishing the gaol, retain the arch beside the Gaoler's Residence. The police department apparently did not furnish this request and the exact circumstances surrounding the relocation are uncertain. Nonetheless, the relocation of the gaol arch has acted effectively to preserve it and retain it in Oatlands (Plate 13.3). Consultant's reports have recommended moving the arch back to its original location (see Reed 1998), which is desirable in the long-term process of conservation of the gaol. This, however, should only be considered with adequate public

consultation and assessment on the impact of its removal on the streetscape of High Street.

The original foundations of the gaol arch are still evident at the gaol, each approximately a metre square and show iron cramping and housings for the massive hinges which would have been required for swinging the gates (Plate 13.4). There is no sign of hinge attachment on the arch itself, as relocation may have resulted in displacement of the blocks with points of attachment for hinges.



Plate 13.3 – The gaol arch as it stands (2004) in High Street, Oatlands.



Plate 13.4 – Foundation of western main gate pillar showing iron cramping and hinge support.

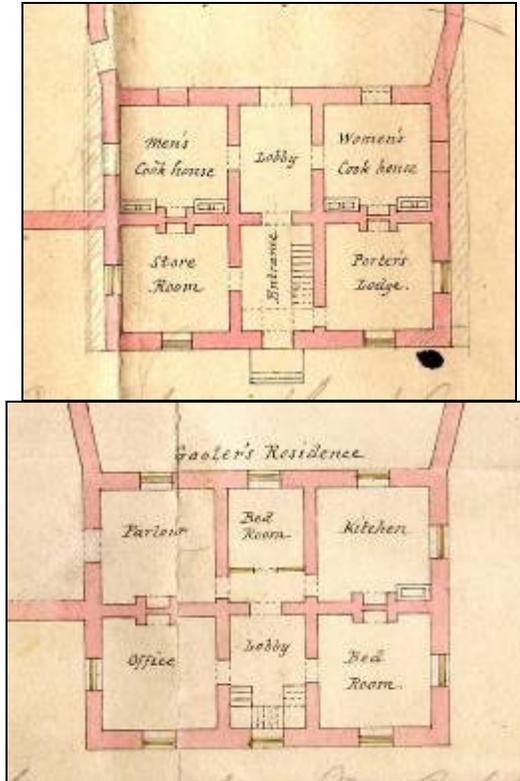
### 13.3 – The Gaoler's residence and yard

Commonly known as 'The Gaol', the Gaoler's Residence is the most extant building associated with the Oatlands Gaol complex. An impressive, two-storey, classically Georgian building, the Gaoler's Residence is largely in original form and condition.



Plate 13.5 – The façade and eastern wall of the Oatlands Gaoler's Residence, taken from the approach to the main gates site.

The history of the usage of the Gaoler's Residence and evolution of the building's form is further explored in Part I of this work. This building was also the subject of a 1986 Conservation Plan (Crawford, Cripps & Wegman 1986), which fully documented the layout, fabric and condition of the structure and a recent study has revisited this plan and identified the need for revision (Williams 2004). The Gaoler's Residence, being the most obvious historical feature of the complex, has therefore received more documentary attention than other elements.



Figures 13.6 & 13.7 – The ground floor (above) and first floor of the Gaoler's residence as shown on Lee-Archer's 1834 June plans (AOT PWD 266/1546-7).

The Gaoler's Residence is a significant archaeological resource, as the original fabric of the building is largely intact. The 1836 flagstone floors are all *in-situ*, albeit mostly covered by modern timber flooring. These flagstones are reportedly supported by a raised platform (up to 1.2 metres high in the north-western corner) of quarry tailings (sandstone waste) (Crawford, Cripps & Wegman 1986:5), which have also been used as fill beneath the front steps (Williams 2003:105). Careful, temporary removal of selected flagstones would allow easy access to this waste for analysis, which would give insight into the quarrying methods and waste recycling of the builders of the complex (for further discussion see Williams 2003, 104-5). Whilst the external woodwork (windows, doors, shingles) of the Gaoler's Residence have been mostly removed or replaced, most of the original internal fittings

(skirtings, architraves and doors) remain. Apart from two walls on the first floor, all internal walls of red-brick remain, as do most of the internal plasters and Baltic pine lining. The building also features the original sandstone mantels and an impressive cantilevered staircase of polished sandstone (covered in a Huon pine casing). Some work has been done on the analysis and supply provenancing of structural elements from this building (sandstone, mortar and plaster – Williams 2003:64, 93, 96-7), however the extant nature of this building represents a significant resource for the further study of construction techniques and architectural principles.

The Gaoler's yard is an easily accessible archaeological resource, as it has not been included within the swimming pool complex. This accessibility, together with the extended use period as a backyard to the building, has meant that the archaeological integrity of this yard has been severely disturbed. This is evidenced by the recent removal of a septic tank in the centre of the yard.

The original plan for the Gaoler's yard is shown in Figure 13.8, demonstrating that the yard was to be much smaller, have access to the outside of the complex and include a building (possibly a watch-house) at the southern end. While this plan for the complex was commenced, it seems that the Gaoler's Yard was never built in this form, as in April 1835 the plan was changed (Figures 3.3 and 3.4), these plans indicate that the Men's and Women's Divisions has been commenced, but not the Gaoler's Residence or yard. This second plan for the gaol complex was penciled over the original plan, also depicted in Figure 13.9, and shows that the yard was extended to be wider than the Gaoler's residence and contained a double privy against the western wall, to service both the Gaoler's Residence and the Women's Division. The plan for the building

on the southern end had been abandoned, with the Javelin Men's Building replacing such. This plan also depicts a thinner, possibly timber wall separating the Gaoler's Yard from the Female Yard.

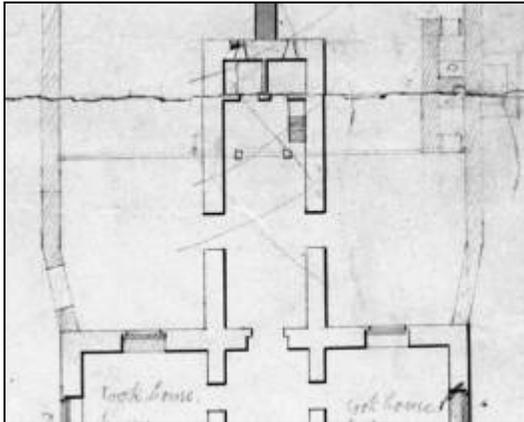


Figure 13.8 – The original 1834 plan for showing the rear of the Gaoler's Residence and the Gaoler's yard. The second variation of design from mid 1835 is penciled over the first design (AOT PWD 266/1555).

The first mention of commencement of the Gaoler's Residence and Yard was not until November 1835, when John Lee-Archer reported that the foundations in rubble stone had been begun (AOT CSO 1/741/16037:196), so it can be assumed that the Gaoler's yard was never built in either of the forms shown in Figure 13.5, as later plans indicate that the yard was the same width as the Gaoler's Residence and the wall dividing it from the Female Division was also of stone, not timber as depicted in Figure 3.3. The privies were apparently built to this design.

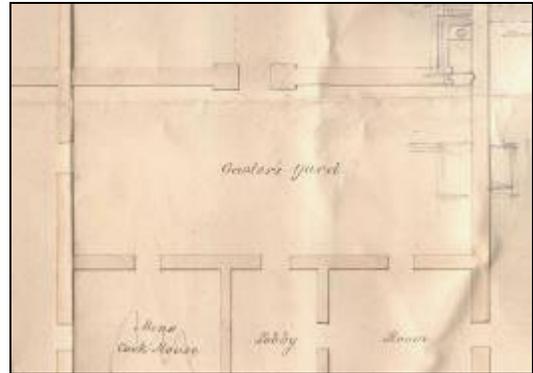


Figure 13.9 – The Gaoler's yard in May 1849, showing the intended location for the new privy and blocking of doorway to old privy scheduled for upgrade during the 1849 sanitation and drainage works to the complex (AOT PWD 266/1548).

Figure 13.6 demonstrates that the Gaoler's Yard was accessible from the Outer Yard, the female yard, as well as the lobby of the Gaoler's Residence. The substantial gateposts leading to the Female Division suggest a heavy gate, probably similar to the main gates. No historical accounts were found which indicate detail of the surface of this yard, it can be assumed that it was covered in either grass or gravel (as documented in the Men's and Women's Divisions), although being a smaller area flagstones may have been a possibility, however, disturbance to this area is likely to have significantly damaged the original surface.

The original 1836 privy, which was situated within the Women's Division but accessed from the Gaoler's Yard, was removed in 1849 and the doorway blocked, with a new privy and cesspit built closer to the Gaoler's residence, within the Gaoler's Yard. This was demolished prior to 1938, when a porch containing a privy on the western end was added to the rear of the Gaoler's Residence, this porch being demolished sometime after 1983.

Survey of the Gaoler's yard in March 2004 revealed no above ground trace of nineteenth century structure. No part of the wall dividing the Gaoler's Yard from the Outer Yard

was evident, with the ground level being close to what would be expected to have been the historic ground level. The site of the wall between the Gaoler's Yard and the Women's Division is now the line of a colourbond and wire fence enclosing the swimming pool, the base of which is approximately 30cm higher than historic ground level, with no remains of the original stone wall evident. A 3 metre high section of the eastern end of this wall was reported to be standing in 1938, used as the northern wall of a weatherboard stable (AOT PWD 266/2554), however it is likely that this was demolished prior to construction of the pool in the early 1950's.

it is likely that these were recycled sandstone from elsewhere in the complex.



Plate 13.8 – Iron plate and hinge-pins of a privy cover on the outside of the western gaol wall approximately 17 metres from the north-western corner of the Gaoler's residence.



Plates 13.6 and 13.7 – Repaired scars on the south-eastern (left) and south-western corners of the Gaoler's residence from removal of the walls enclosing the Gaoler's yard.

No trace of the two earliest privies was evident, with the exception of a cesspit cover hinge on the outside of the Gaol walls. Although slightly north of where it would be expected according to historic plans, this iron plate with two hinge pins (see Plate 13.8) is probably associated with the 1836 privies. Sandstone foundations of the porch formerly attached to the Gaoler's residence are clearly discernable (plate 13.9) and



Plate 13.9 – Foundations of a skillion at the back door of the Gaoler's residence.

The archaeological potential of this part of the complex is significant, as it is immediately accessible without interruption to the swimming pool yard. The remains of the inner walls could be investigated, with a high likelihood that foundations would be found. The scar from removal of the wall between the Gaoler's and Outer Yard can be seen on the south-eastern corner of the Gaoler's residence and the scar from removal of the gaol wall can be seen on the south-western corner of the Gaoler's residence (Plates 13.6 and 13.7). Investigation of the gatepost foundations leading to the women's yard could yield clues as to the type of gates and

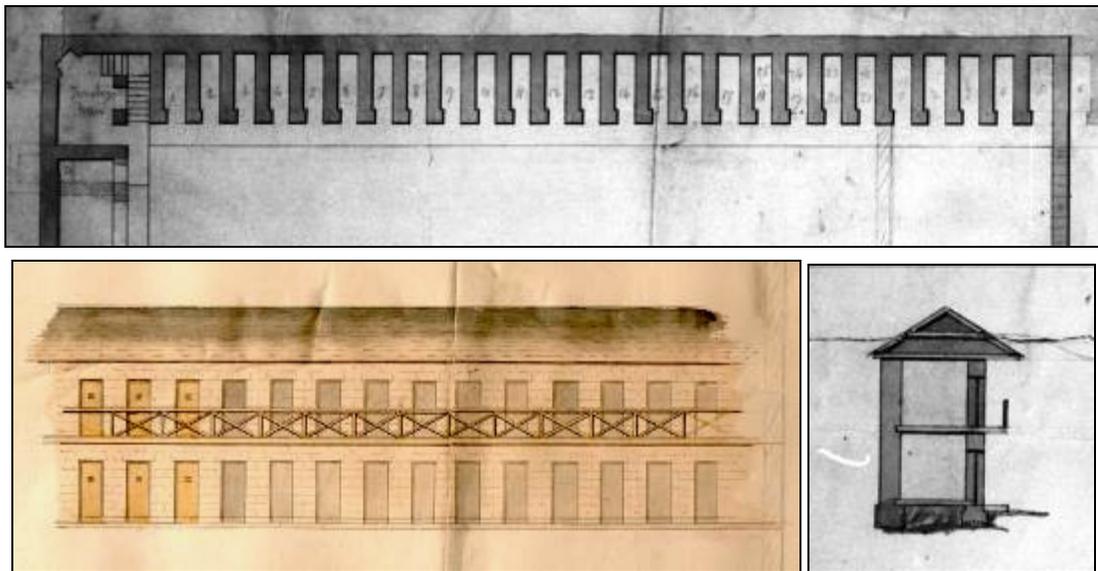
hinges installed as seen on the foundations of the main gates (see Plate 13.4). While the yard itself has been subject to major disturbance, there is the possibility that foundations of the privy and associated drains have survived (further discussed in Section 13.10).

#### 13.4 – The men's Division

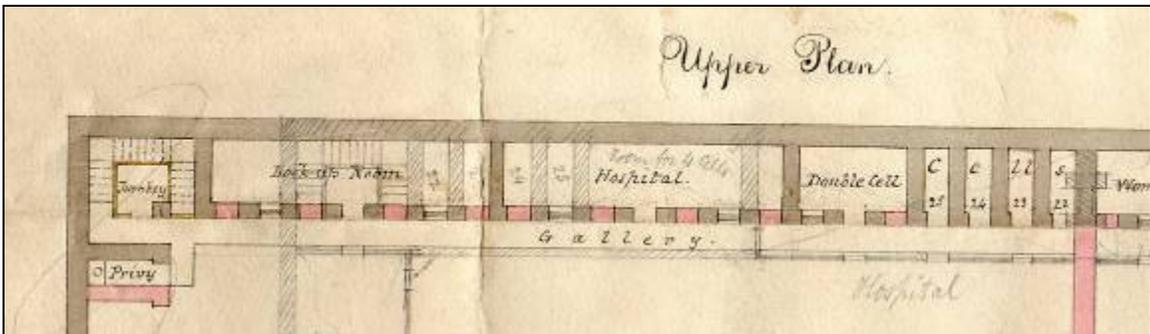
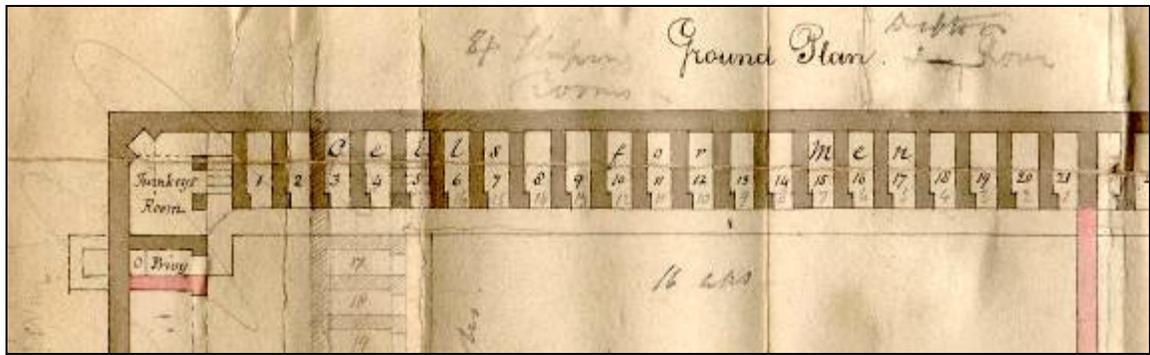
Lee-Archer's first design for the Men's Division shows an elevation of the buildings, indicating that they were two levels of solitary cells, constructed mainly of sandstone, with a balcony and veranda along its length (Figure 13.11). The western wing was not planned, but reserved for future extensions and the cross section of the

building indicates large, flatstone foundations (Figure 13.12). This plan most closely resembles the format of the Auburn Prison on which it was modeled, see further discussion in Section 4.3.

Governor Arthur's dissatisfaction with this design led to its revision in May 1835. The complex was widened by five cells and the westernmost 10 cells designated as the Women's Division. A privy was added to the eastern end of the ground floor (Figure 13.13). The upper level of solitary cells was mostly merged into larger rooms and the proposed balcony was replaced by a walled-in gallery (Figure 13.14). The design of the upper level was again revised, probably in late 1835 as depicted in Figure 13.15.



Figures 13.10, 13.11, and 13.12 – Plan, elevation (north) and section from John Lee-Archer's 1834 plans for the Men's Division at the Oatlands Gaol (AOT PWD 266/1555).



Figures 13.13 and 13.14 – Lee-Archer’s revision of the Ground and upper level plans of the Men’s Division, April 1835 (AOT PWD 266/1547, 1546).

Following these revisions, Governor Arthur was still not satisfied with the design, with a memorandum issued in April 1834 expressing his concern that the lock-up room, women’s rooms, men-on-route’s room and hospital were all too narrow (AOT CSO 1/691/15206:155). Later plans (i.e. AOT PWD 266/1550) show that the entire Men’s Division was widened by 60 centimetres to accommodate Arthur’s request. This was probably at much inconvenience, as Lee-Archer’s plan from March 1835 (AOT PWD 266/1546) shows that the building was already in progress. Evidence of this alteration to the dimensions of the building may be archaeologically determinable, as the foundations would have been extended to accommodate the extra width.

The next known plan of the Men’s Division was drawn by W. Kay, Director of Public Works, in September 1844. This plan shows that the building had been extended with a wing added along the eastern wall of the gaol, housing

a further five cells, with the privy indicated in Figure 13.13 being a sixth cell. It is uncertain whether this wing was an addition (i.e. built after the southern wing) or if Lee-Archer’s design was again changed prior to completion with this wing added. This plan also shows the final arrangement of rooms upstairs, comprising of four large cells, a Debtor’s Room, a Landing and a Chapel. Figure 13.15 shows that the upper wall between the Chapel and turnkey/landing is much thinner (possibly timber) than that shown in Figure 13.14, suggesting that the plan was changed rather than a stone wall built, then demolished to be replaced by timber. Figures 3.3 & 3.4 also show this extension penciled in, suggesting that the plans were changed rather than a later addition. This could be archaeologically tested by examination of the site of the privy and cesspit shown in Figure 13.13 – the presence of which would confirm the addition, the absence would indicate a change of plan prior to construction

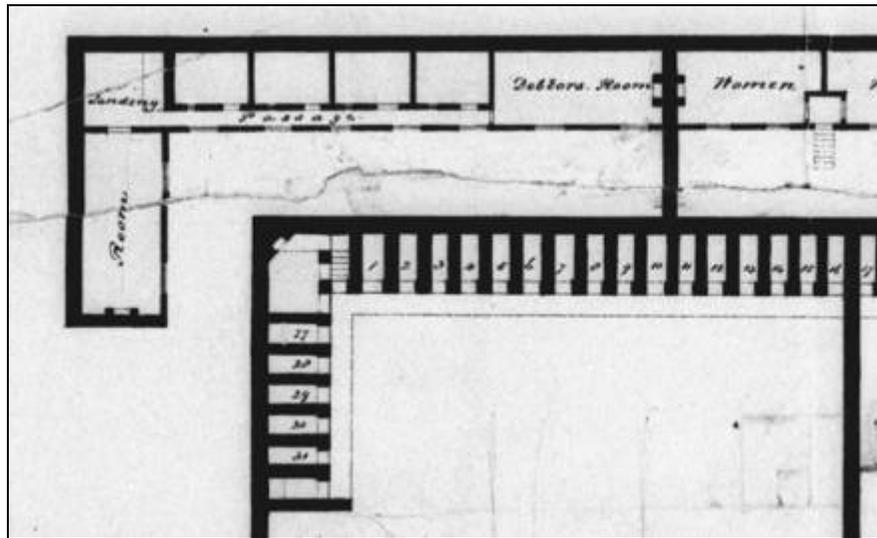


Figure 13.15 – Ground and upper level plan of the Men's Division, 1844 (AOT PWD 266/1550).

It seems that the layout of the Men's Division did not change until its demolition in 1937. Shield's 1883 plan (AOT PWD 266/1563, 1564, Figure 5.10) do not show any differences to the building itself from Kay's plan of 40 years earlier. Although plans were drawn in 1855 for a major renovation of the building (Figures 5.1 & 5.2), these apparently were never commenced. Plate 6.3, dating from the 1890s, shows the south-western end of the Men's Division, the solitary cells with the Debtor's room and gallery above. Plate 6.4, dating from 1926, shows the eastern wing, the solitary cells with chapel above. These photographs collectively depict the entire façade of the Men's Division and that little had apparently changed in the ninety years of its existence.

One of the primary objectives of this study is to investigate the possibility of substantial remains of the gaol structures beneath the fill of the Oatlands swimming pool. The Men's Division building was the most substantial building in the complex and can be interpreted as the true 'gaol'

of the complex. It is known to have been largely intact prior to 1937, however was 'demolished' in late 1937. The extent of demolition is however uncertain. Photographic evidence shows the buildings in the process of destruction during November 1937 (Plates 7.3 & 7.4), however, it is unknown how much more demolition occurred after these photographs were taken. The survey of the remaining wall heights undertaken in April 1938 indicates that the southern and eastern outer walls (the back walls of the Men's Division) were still intact, and that the 13 westernmost cells were still standing (as depicted in Plates 7.3 & 7.4 – see also Figure 13.4). These outer walls range from a height of 1.8 – 2.5 metres in 2004, so more demolition was undertaken before the swimming pool was finally constructed in the early 1950s. This would also have resulted in further demolition of the remaining cells, as indicated in Appendix B, the 2004 ground level of the pool yard would be lower than the upper portion of these cell walls, with a maximum of approximately 60 centimetres of fill currently above the historic ground level – giving absolutely

no chance that any cells have remained intact. Close inspection of Plate 13.10, a 1946 aerial photograph of the site, shows subtle dark patches, approximating the width of the Men's Division building, along the southern wall of the complex – suggesting that there may be significant archaeological remains just beneath the 1946 ground level, which may have escaped the damage caused by the installation of the pool. This photograph also suggests that part of the corner chimney in the Turnkey's room (or foyer) (south-eastern corner of the complex, top-right of Plate 13.10) survived the 1930's demolition.

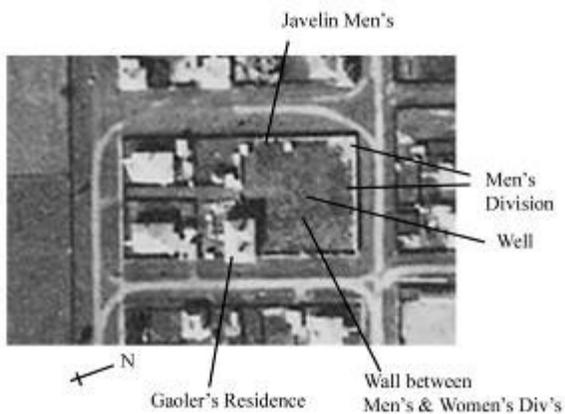


Plate 13.10 – Post-demolition (c1946) aerial view of the complex showing subtle indications that archaeological traces of the Men's Division buildings may remain. For more detail see Plate 7.5 (TLD aerial photo series).

The most extant archaeological evidence which might be found in relation to these buildings would be the lower two courses of walling (maximum) and the foundations and flooring of the cells. The section diagrams of the complex in Appendix B, as adapted from historic specifications, indicates that the foundations of the walls and buildings were up to 1.5 metres below the historic ground level (see Figures 5.1, 5.2, 13.12, 13.34, 13.35), which is over 2 metres below the current internal ground level of the gaol yard. Care must be taken, however, when using these plans to estimate the depth of foundations, as core sampling undertaken within the yard by

the Oatlands Council in 1938 indicated a maximum depth of 90 centimetres to bedrock from the gaol yard (AOT MCC 25/39). It is possible that plans were drawn indicating the standard foundations, which were reduced where bedrock allowed a suitable foundation.

It is unknown what the cell floors were constructed of. The contemporary floors in the Richmond gaol and some remaining cells in the Hobart Gaol, are of timber. The floors of the solitary cells in the Ross Female Factory were compacted earth (Casella 2002:61-2). Correspondence from the architect of the Oatlands Gaol, John Lee-Archer suggests that the cells were intended to be fully enclosed with masonry, suggesting a flagged floor (AOT CSO 5/97/2165:121-6) and it is documented that there was a shortage of timber and sawyers available during the initial building stages of the gaol (AOT CSO 1/691/15206:71-5), so it is possible that the cells had flagged floors, which may have survived the demolition process. Even if the floors were timber, there may be evidence of joist supports which would almost certainly be sandstone and may have survived demolition.

Apart from the various major structures contained therein (wells, gallows, condemned cells etc.), which are discussed separately throughout this section, there is little indication in historic documents as to the content and surface of the Men's Division yard. The best indication is in Plate 13.11, a c1900 photograph of the buildings which indicate a grassed yard with a flagged terrace immediately in front of the building, which is also evident in Plates 6.3 and 6.4. It is however possible that the yard was flagged or graveled, with the disuse of the complex prior to these photographs allowing growth to obscure the actual surface.



Plate 13.11 – The Men's Division and yard immediately in front (c1900). Reproduced with permission of Peter Fielding, Oatlands.

The archaeological integrity of the Men's Division has been severely threatened by the construction of the swimming pool. The overlay of the pool yard presented in Appendix A shows that approximately  $\frac{3}{4}$  of the pool is contained within

the Men's Division. Appendix B shows that the bottom of the shallow (eastern) end of the pool is just below historic ground level, while the point where the pool intersects the wall between the Men's and Women's Division is just over 1 metre below historic ground level. This means that most of the Men's Division and Debtor's Yards have been excavated to accommodate the pool. Fortunately, however, the pool has been positioned in an area where it is least likely to have encroached upon any remains of buildings. The eastern wall of the pool is constructed against what would have been the western wall of the pre-1849 Men's Division privies. The northern wall of the pool is very close to the area of the wall dividing the Well/Gallows Yard from the Debtor's Yard. While it is known that these walls were demolished prior to the pool being built, it is possible that excavations for the pool has used the foundations as reinforcement of the outside of the pool, meaning that they may be intact, immediately adjacent to the current pool walls.



Plate 13.12 – A 2004 south-east facing view of the Men’s Division showing a similar aspect to that portrayed in Plate 6.4.

### 13.5 – The Women’s Division

Section 13.4 discussed the planning, construction, evolution and demolition of the Men’s Division of the Oatlands Gaol, this section will follow the same format in examining the archaeological potential of the area which once housed the Women’s Division. Attached to the western wing of the Men’s Division, separated by a 6 metre high stone wall, there is much less visual documentation of the Women’s Division. No photographs or sketches of the building were cited during this study, although with the exception of the external stairs in front of the building, it is imagined that the building would be of similar appearance to the Men’s Division.

Lee-Archer’s original plans for the complex do not include cells for women – the site which eventually housed the women’s Division

was an extension of the Men’s Division shown in Figure 3.2. The Women’s Division first appeared on the second plan of April 1835 (Figures 3.3 & 3.4) as a ground floor consisting of 10 separate cells with a first floor consisting of a hospital and ward accessed by stairs which extended outwards into the yard. The construction and layout of the Women’s Division was similar to that of the Men’s Division – a notable addition being a fireplace in each room on the first floor – a luxury apparently only allowed to Debtors in the Men’s Division. No historical evidence has been found to suggest that there were any changes in the layout of the Women’s Division throughout the life of the building.

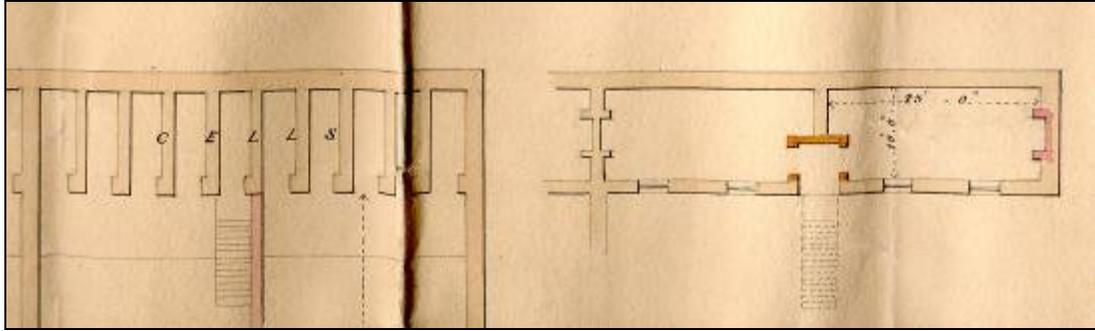


Figure 13.16 – Floor plans of the ground (left) and first floor in the Women's Division, 1855 (AOT PWD 266/1549).

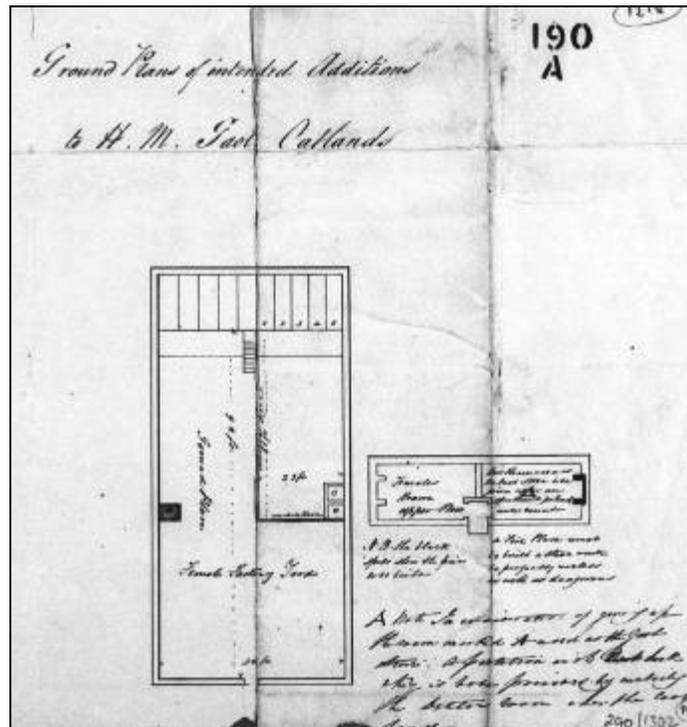


Figure 13.17 – Plan of the Women's Division c1855 showing the addition of a separate yard in the south-western corner (AOT PWD 266/1552).

The similarities in design, usage period and demolition of the Women's Division would suggest that the archaeology of such yields similar potential to that of the Men's Division discussed in Section 13.4. The 1938 plan following demolition (Figures 7.1 & 13.4) indicates that the outer wall around this area had been demolished to a greater degree than that surrounding the Men's Division and that there was one cell remaining in the south-western corner. Again, there must have been more

demolition following 1938, as the current ground level compared to historic ground level is similar to that previously described in the Men's Division, leaving no chance of significant remains of cell walls. Plate 13.13 does not suggest that any obvious above-ground remains of the Women's Division survived the 1930's demolition, although a subtle dark-line may indicate remnants of the wall separating the Women's and Men's Divisions. Again, the Women's Division building has significant archaeological potential for the

lower parts of cells walls, flooring and foundations.

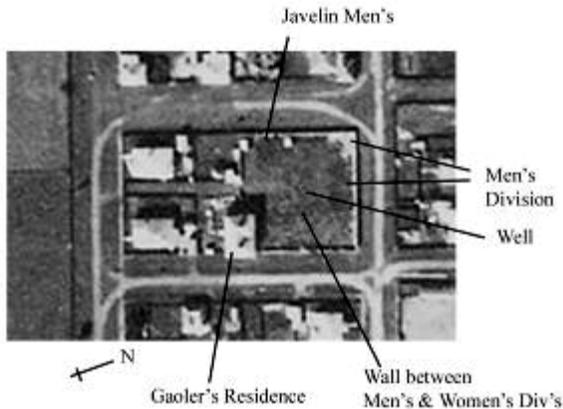


Plate 13.13 – Post-demolition (c1946) aerial view of the complex showing the site of the Women's Division in the lower right-hand corner. For more detail see Plate 7.5 (TLD aerial photo series).

Little is known about the Women's Division yard except that two pieces of historical information suggest that it was a grassed yard with a central gravel path. A memorandum from the late 1840s states that the female yard was overgrown with weeds – implying a grassed surface (AOT CSO 24/87:1812:147). Kay's 1849 plans of drainage in the complex show a gravel path running through the Women's Division yard, from the gate to the Gaoler's yard to the steps of the main building (AOT PWD 266/1548, 1551). As also evident in the Men's Division, it is likely that the Women's Division had a flagged terrace immediately in front of the building.

Whilst the Men's Division yard contained a range of other amenities (well, gallows, shed and condemned cells, the layout (hence the archaeology) of the women's yard was much less complicated. Section 13.10 describes the privies, sinks and drains known to have been present in the yard at some time, which would most likely leave the most significant archaeological trace in that yard. Plans from c1855 (AOT PWD

266/1552 – Figure 13.17) show a wall intended to be added which would enclose the area from the west of the upper level Division stairs to the 1849 privy block. It is noted on these plans that this fence was to be wooden, however contemporary plans (AOT PWD 266/1549) show that it was a three-metre high stone wall. Shield's 1883 plan of the yard (AOT PWD 266/1564, Figure 5.10) shows stables in the north-eastern corner of the women's yard. These were most likely of timber construction, however utilised the walls of the men's yard and Gaoler's yard to enclose two sides and would be more likely to date from the municipal gaol period. The 1938 (AOT PWD 266/1554, Figure 7.1) plan of the site indicates a weatherboard shed on the western side of the yard, just north of the 1849 privy building - the purpose of which is unknown. No photographs of the women's Division are known to exist, with the exception of a photograph taken during demolition in November 1937 (Plate 8.2) which shows the remnants of the eastern upstairs ward and fireplace.

The Women's Division is the area of the complex which is likely to have been subject to the most destruction by construction of the pool. While only approximately  $\frac{1}{4}$  of the pool is contained within this precinct, this is the deepest end, meaning that the bottom of the western end of the pool is approximately 1.5 metres below historic ground level in the yard. Again, the western edge of the pool is very close to the area of the dividing wall within the women's yard, meaning that the foundations of that wall may have survived as part of the pool structure. The pool would almost certainly have obliterated the two sinks and privies in the eastern half of the yard, which will be further discussed in Section 13.10.



Plate 13.14 – A 2004 south facing view of the Women's Division, taken from the upper level of the Gaoler's residence.

### 13.6 – The Javelin Men's Building and Outer Yard.

The building known as the Javelin Men's (or Men-On-Route) was situated in the north-eastern corner of the complex and was a two-storey sandstone building comprising of one large room on each floor. The original design for the gaol did not include this building – Section 13.3 has

described the building intended for the southern end of the Gaoler's yard which would have served a similar purpose to the Javelin Men's Building. The second plan for the complex show that the Javelin Men's Building was intended to be built as a single-storey room with an attached privy (Figure 13.18).

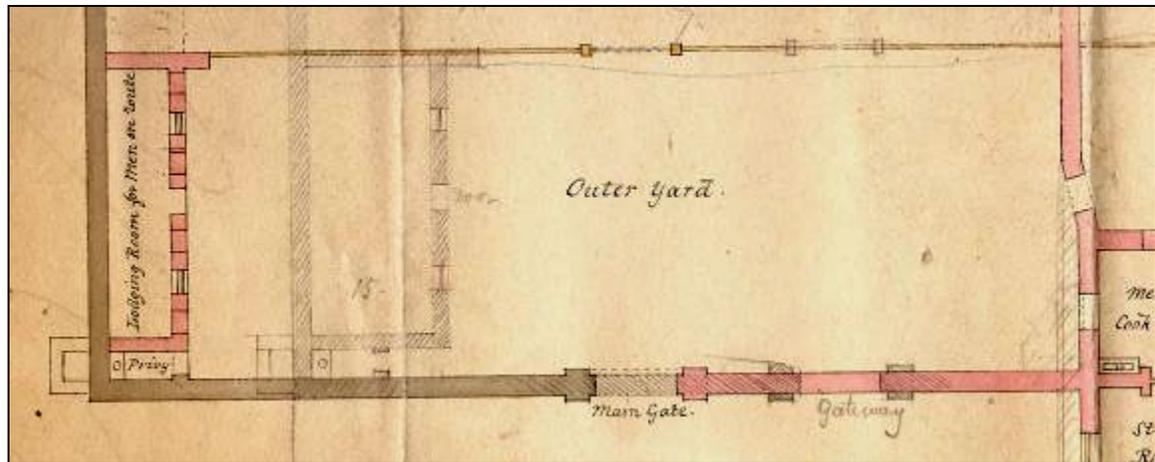


Figure 13.18 – The Javelin Men's Building and Outer Yard from Lee-Archer's April 1835 plan (AOT PWD 266/1546).

With the stonework of the Javelin Men's Building completed by May 1836, it was decided that a watch-house should be added to the complex (AOT CSO 1/691/15206:122). Plans were drawn for conversion of the incomplete Javelin Men's

Building to a watch-house with two cells and Keeper's Quarters on the lower floor and the Javelin Men's quarters on the upper (Figure 13.19).

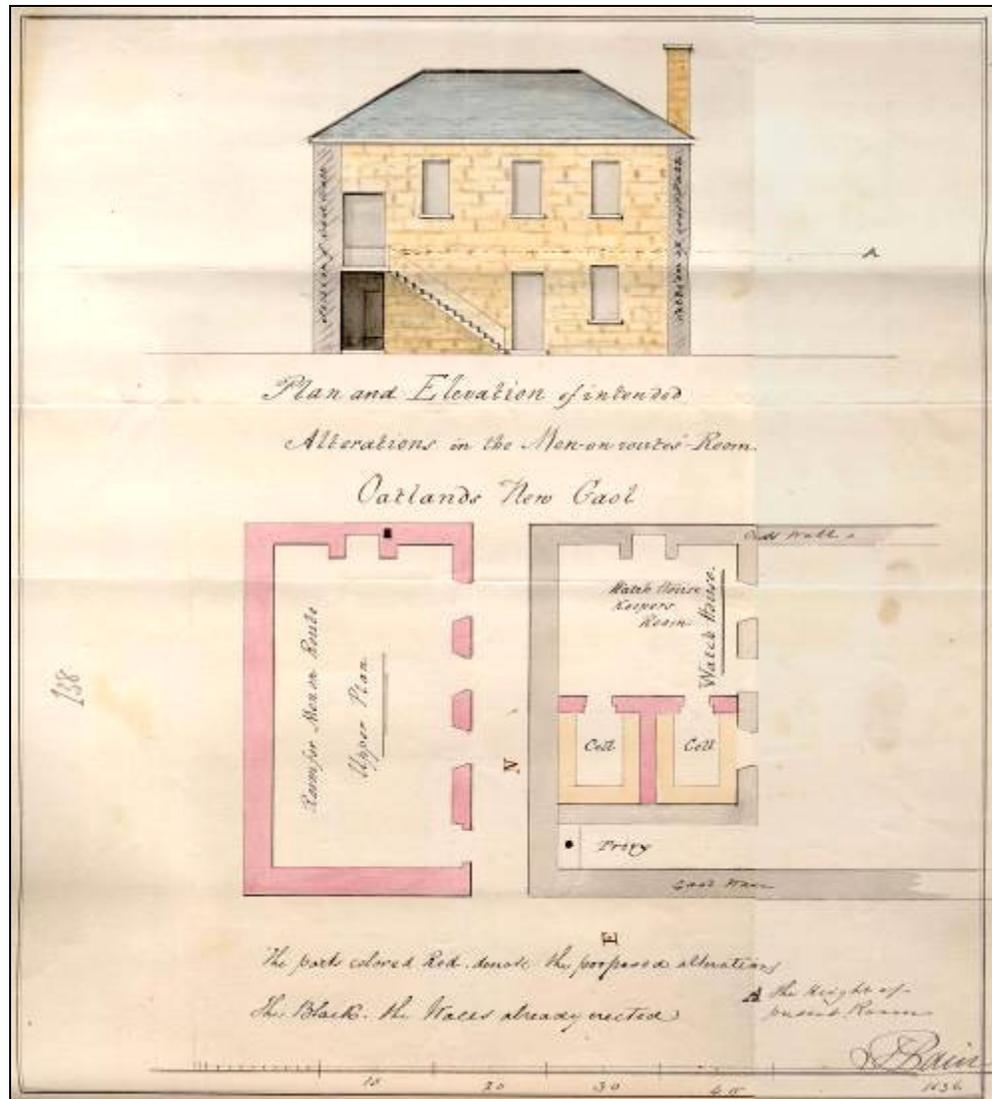


Figure 13.19 – Lee-Archer's plans for the conversion of the incomplete Javelin Men's Building into a watch-house, May 1836 (AOT CSO 1/691/15206:138).

Whilst these plans were abandoned due to questions as to the security of a watch-house within the gaol complex (AOT CSO 1/691/15206:130-32) and a separate watch-house built to the east of the gaol (AOT PWD 266/1587), they are the best indication of the appearance of the Javelin Men's Building, as there are no known photographs of the façade of this building.

This plan places the stairs at the front and a privy in the very corner. The 1880's plans indicate that the stairs were set between the

northern wall of the yard and the northern wall of the Javelin Men's, making no room for a privy. Survey indicates that there may be a cesspit on the outside of the wall, as evidenced by stone at ground level in the area indicated by the plan, however this may be rubble from demolition. Excavation of this outer-wall area would determine whether there was a privy in the north-eastern corner of the wall, in which case the 1880's plans may not be accurate.

With Governor Arthur's rejection of the 1835 plan (Figure 3.3) for this building on the

grounds of it being too narrow (AOT CSO 1/691/15206:155), the 1836 plans show that it had been widened (Figure 13.19). No plans indicate internal walling in this building and it is assumed that it comprised of one large room on each level. Historical documentation demonstrates that it is unlikely that this building was ever converted into cells and a watch-house as indicated in AOT CSO 1/691/15206:34, however excavation of the internal space of the building as per this plan would determine if any foundations of internal walls were ever present. There is evidence on the eastern wall of the gaol of an access door having been added to the back of the building, probably after closure of the gaol when the building was used for Constable's accommodation. It is unknown what this building was floored with, being contemporary, and for a similar use to the Gaoler's residence there is a possibility the floor may have been flagged.

It is likely that the building was demolished in the late 1930s, as the 1938 survey (AOT PWD 266/1554) indicates that the area contained 'demolished cells'. Like the Gaoler's Residence, the Javelin Men's Building would be

archaeologically distinct from the rest of the complex, as it was used for domestic accommodation beyond the life of the colonial gaol.

The main Javelin Men's Yard, or Outer Yard, is as mysterious as the other yards in the complex as it is not known what the surface comprised of. This yard in particular would have required a heavier duty pathway between the main gates and inner gates. It can be assumed that this was gravel, although no documents confirm this. The original form of the Outer Yard was very similar to that depicted in Figure 13.18. This plan does indicate a thinner, or timber wall separating this yard with the Men's Division yard, however photographic evidence (Plate 5.1) shows that this was a substantial wall of stone. An 1855 plan (Figure 13.20) shows that the yard had three gates or doors added, one accessing the Condemned Cells yard, one accessing the new yard and one accessed by stairs overlooking the gallows. This plan also labels the lower level of the Javelin Men's Building as a cook-house, further suggesting that the building had a variety of uses.

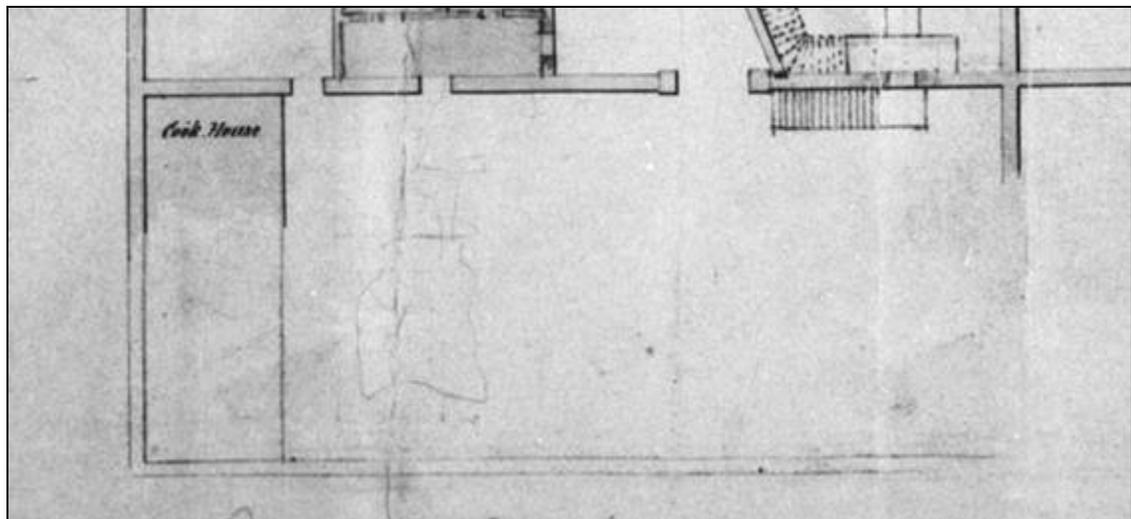


Figure 13.20 – The Outer Yard as depicted on an 1855 plan showing the added gates/doors and stairs (AOT CSO PWD 266/1449).

Shield's 1883 (AOT PWD 266/1564, Figure 5.10) plan indicates a privy in the south-western corner of the Outer Yard and timber shed against the northern wall of the Outer Yard, which was not shown on the 1938 plan (AOT PWD 266/2554). It is unknown what purpose this shed

served. The 1938 plan also shows two water tanks in the north-western corner of the yard and a porch over the eastern door to the Gaoler's residence.



Plate 13.15 – A 2004 east facing view of the Javelin Men's/Outer Yard, taken from the upper level of the Gaoler's residence.

Overall, the archaeological potential of the Outer Yard and Javelin Men's Building is immediately significant as this precinct of the complex has not been obscured by the pool. Section plans in Appendix B show that the expected floor level of the Building is approximately 80 centimetres below current ground level in that area, suggesting that there may be undisturbed remnants of the foundations and floor. The various usage phases of this building could be archaeological evident through

excavation. The 1938 plan of the site shows two water tanks in the north-western corner of the Outer Yard (Figure 7.1) and paint remnants on the eastern wall of the Gaoler's residence suggests that there was a porch over the eastern door of that building in the Outer Yard at some time (Plate 13.16). The current level of the Outer Yard is only slightly higher than the historic ground level and having been used for a long period as a domestic backyard, would probably yield little archaeological potential.



Plate 13.16 – Door leading from the eastern side of the Gaoler's residence (former men's kitchen) into the Outer Yard.

### 13.7 – Well/Gallows Yard and Condemned Cells

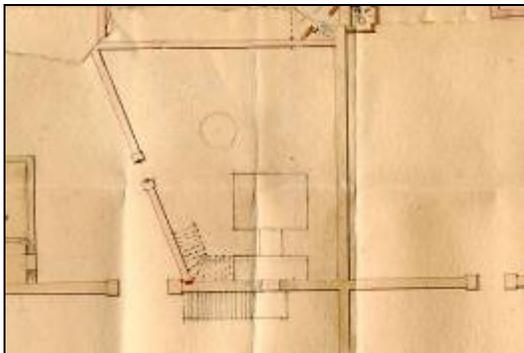


Figure 13.21 – The Well and Gallows yard (AOT PWD 266/1549).

The original gallows at the Oatlands Gaol were situated outside the main gates of the gaol. Public executions were common in Colonial Van Diemen's Land and Oatlands is unique as the only regional gaol where executions were performed. The gallows outside the gaol are unique, as they are the only direct punishment infrastructure erected outside the walls of the complex. The exact location and construction of these gallows is uncertain, however it is likely that

they stood upon a raised earthen platform to the east of the main gates, as depicted in Plate 13.2.

In 1855 the *Private Executions Act* was passed which banned public executions in Tasmanian gaols (*The Examiner* 11/8/1855). This meant that enclosed gallows had to be constructed within the gaol. The site chosen for the gallows was in the north-western corner of the Men's Division, adjacent to the Condemned Cells and well. It was also required that the gallows be walled in, which was done at the same time that the Debtor's Yard and separate Women's yard walls were constructed (AOT CSD 1/34/222). Plans from 1883 (AOT PWD 266/1564, Figure 5.10) show that the well had been divided from the gallows by a fence (presumably timber), forming two smaller yards.

The exact shape and extent of the Well and Gallows Yard is not certain, as the most detailed plans (i.e. AOT PWD 266/1549, 1553) give different proportions of the yard in relation to known features (i.e. the well and privies). The plan in Appendix A gives an indication of the

location of this wall in relation to known features, rather than relying on the shape portrayed in these plans.

The well itself will be further discussed in Section 13.10. The gallows themselves are an enigmatic structure, with Figure 13.21 being the only known representation of such. This plan indicates that the structure consisted of two platforms connected by a walkway, accessed from stairs on the eastern side. This plan is also the only indication of stairs in the Outer Yard leading to what appears to be a viewing, or Executioner's, platform. The number of steps in this plan suggests that the gallows platform was approximately 3 metres above ground level. There are 18 documented executions at Oatlands (Rieusset 2004), those prior to 1855 apparently being done on gallows situated just outside the main gates, for public viewing, while the three executions after 1855 used the gallows. It is interesting to note that the Gallows Yard is in the exact centre of the complex. It is not known of what the gallows were constructed, it can only be assumed that they were a timber platform with timber or stone steps. It is also not known when they were demolished, or to what extent.

Insight into the expected form of the gallows is best gained through an examination of the only extant contemporary gallows in Tasmania, those in the old Hobart Gaol in Campbell Street. These are housed within an open fronted timber structure, approximately 3 metres square, which an upper platform housing the beam and trapdoor, which is accessed via a raised walkway leading from another (viewing) platform. To the rear of this building are steps leading to a semi-basement into which the executed would fall upon release of the trap-door. The plan view of these gallows is very similar to that shown in Figure 13.18, so the archaeological remains of the Oatlands gallows may be hypothesized from the semi-basement of this

structure. The ground level of the Oatlands gallows would be less than a metre below the current level of the pool yard, however there is a likelihood that, if these gallows had a semi-basement similar to those in Hobart, that there may be significant archaeological remains below historic ground level.



Plate 13.17 – Steps leading to the semi-basement of the Hobart gallows



Plate 13.18 – The location of the Well/Gallows Yard in the 2004 pool complex (facing west).

Oatlands, Port Dalrymple/Launceston and Hobart being the only Tasmanian gaols which undertook executions means that the Oatlands gallows are of very high significance. Although the Hobart gallows are extant, those in Port Dalrymple/Launceston have presumably been lost, meaning that Oatlands has the only

other possibly partially extant gallows in Tasmania.

Figures 5.3-5.6, Plate 5.1 and Figure 13.21 give great detail as to the appearance of the Condemned Cells which were constructed in the Men's Yard in 1849. It is unknown when the Condemned Cells were demolished, but they were extant in 1926 as depicted in Plate 5.1 and were not included in the 1930 plan of the complex (Figure 7.1), therefore a demolition date of c1930 is estimated. The site of the Condemned Cells is immediately accessible, as it has not been encroached by the excavation of the pool (see Appendix A). The current level of the ground in that area is approximately 80 centimetres above the expected floor level of the Condemned Cells, again meaning that there is no chance of significant remains of that building. Figures 5.4 and 5.5 indicate that the Condemned Cells had a timber floor supported by sandstone foundations (2 courses or approximately 60 centimetres deep), therefore the archaeology of the building may yield foundations and structural elements. Figures 5.5 & 5.6 indicate a flagged yard to the north of the Condemned Cells, which may have survived demolition.

The Condemned Cells are the only known building within the complex which is known (or at least planned) to have had a timber floor. This has significant consequences for the archaeology of that part of the site. As noted by Casella (2002:55) timber floors offer a greater incidence of artifact catchment than the flagged floors which are likely to have been included in most other buildings in the complex (see Sections 13.3 & 13.4). This means that the Condemned Cells may offer greater potential for artifact recovery and analysis than the likely flagged floors of other buildings. The Condemned Cells are also an archaeologically significant area of the site as they were used for a much shorter period than the rest of the buildings. Being

constructed in 1849, they were only used for their intended purpose (the housing of prisoners awaiting execution) for 11 years (Rieusset 2003). It is unknown whether the cells were used after this time, therefore it is possible that the archaeology of this building may reflect a very specific purpose and timeframe. Also, as explained previously in this section, the Oatlands Gaol was the only regional facility where executions were undertaken on a regular basis. The Condemned Cells, therefore, are historically significant as a rare feature of a regional gaol (the Condemned Cells of the Hobart and Launceston Gaols have been demolished). For these reasons it is suggested here that the site of the condemned cells is a very significant and sensitive area of the complex, therefore careful research design should be undertaken prior to any invasive archaeology in that part of the site.

### **13.8 – The Debtor's Yard**

At the same time that the Well and Gallows Yard were divided from the Men's Yard, another wall was added, to run from the south-east corner of the Gallows Yard to the northern wall of the southern wing of the Men's Division, enclosing an open shed, sometimes referred to as the Debtor's Yard. Plans from 1883 (AOT PWD 266/1564, Figure 5.10), and photographic evidence from the 1890's show that this wall had been removed by that time, with a scar being seen on the wall of the Men's Division (Plate 6.3). The only known structure within the Debtor's Yard was an open timber shed with a shingled roof, apparently with a flagged floor. This shed first appeared on Shields' 1883 plan of the site (Figure 5.10 and part of which is seen in the 1880's photograph of the Men's Division - Plate 13.19).



Plate 13.19 – Part of the open timber shed in the Debtor's Yard. Photograph – State Library of Tasmania.

### 13.9 - The Tread-Wheel

The desire for a tread-wheel at the Oatlands Gaol was expressed by Thomas Anstey as early as 1833:

A large substantial central Jail at Oatlands would obviously be a beneficial measure.  
 – The advantages would be manifold – among the many it would embrace punishment by solitary confinement, the tread wheel etc. etc. (AOT CSO 1/691/15206:49).

Tread-wheels were a standard piece of equipment in colonial penal establishments, with the Launceston and Hobart Gaols including such, as well as the Green Ponds and Rocky Hills Probation Stations. Often the tread-wheel was not for any purpose other than the occupation of prisoners although plans for the Launceston wheel show that it was intended to be attached to a grindstone (AOT PWD 266/935, Figure 13.23). On November 11<sup>th</sup>, 1843, Oatlands Police Magistrate, John Whitefoord, wrote to the Colonial Secretary stating the plan for installation

of a treadmill for hard labour at the Oatlands Gaol. This was to be positioned between the Javelin Men's Building and the Men's Division, a space measuring 16'6"x56'6" (AOT CSO 22/91/1952 – corresponding approximately to the area defined as point 60, Appendix A). The Colonial Secretary wrote to the Director of Public Works on December 7<sup>th</sup>, 1843, asking advice on the best way to implement a tread-wheel at Oatlands. The Colonial Secretary also wrote to John Whitefoord on the same day, indicating that the Lieutenant Governor had approved the installation of a tread-wheel and that hard labour prisoners from other districts be sent to Oatlands to use the wheel.

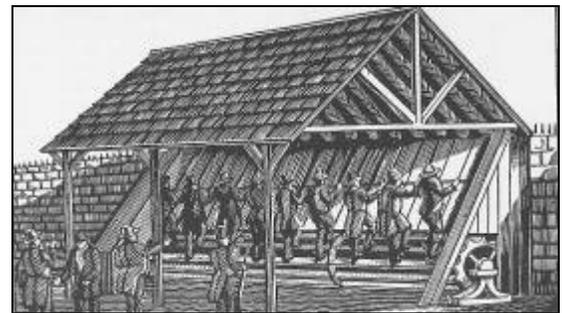


Figure 13.22– A convict tread-wheel, from Weidenhofer (1973:67).

With all the correspondence relating to the planning of a tread-wheel at Oatlands, it is uncertain whether one was ever installed. None of the plans from the time reveal such a device in the area which Whitefoord had planned to have it installed. With the absence of documentation confirming the tread-wheel, archaeological investigation of this area may give clues as to whether it was ever actually installed. Plans from 1849 (AOT PWD 266/1551, Figure 13.25) and 1856 (AOT PWD 266/1557) show that part of the area intended by Whitefoord to be used for the tread-wheel was enclosed and a gate having been added from the Outer Yard. No mention of a tread-wheel was made on these plans and this

wall is not mentioned on the 1883 survey of the gaol (AOT PWD 266/1564).

Archaeological investigations could yield evidence of a tread-wheel, however the archaeological signature of such may be difficult to determine. A wheel as depicted in Figure 13.22 would probably not leave significant archaeological record, as it appears to be wholly above ground level and unattached to milling or power-harnessing infrastructure. Figure 13.22 depicts a contemporary Tasmanian tread-wheel design, which demonstrates a 'bed of wheel', apparently a masonry structure, set into the ground, in which the wheel was seated. This wheel being connected to milling equipment and enclosed within a building of masonry, would be likely to leave a more significant archaeological trace.

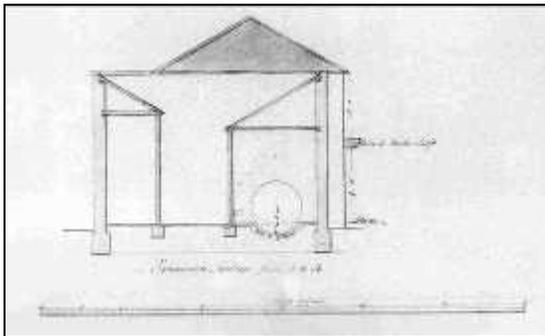


Figure 13.23 – A contemporary tread-wheel planned for the Launceston Gaol. AOT PWD/266/935.

Overall it is unlikely, that if there was a tread-wheel installed at Oatlands, that it would be a significant structure, due to the lack of mention in contemporary correspondence. In the absence of gaol records which may detail sentences to the wheel, as well as the difficulty in determining the archaeological signature of some types of wheels, it would be difficult to ascertain the presence of a tread-wheel in the Oatlands Gaol.

### 13.10 - Drainage and Sanitation

With this report determining that in most cases the above ground structures of the Oatlands Gaol have been demolished to ground level, a major archaeological resource of the complex is the drainage and privy systems below the historic ground level. This drainage and sanitation system is best depicted on plans PWD 266/1551 (Figure 13.24, 1849) and PWD 266/1548 (Figure 13.25, undated, but probably May 1849 due to association with documents of that date AOT CSO 24/74/2320:48-51).

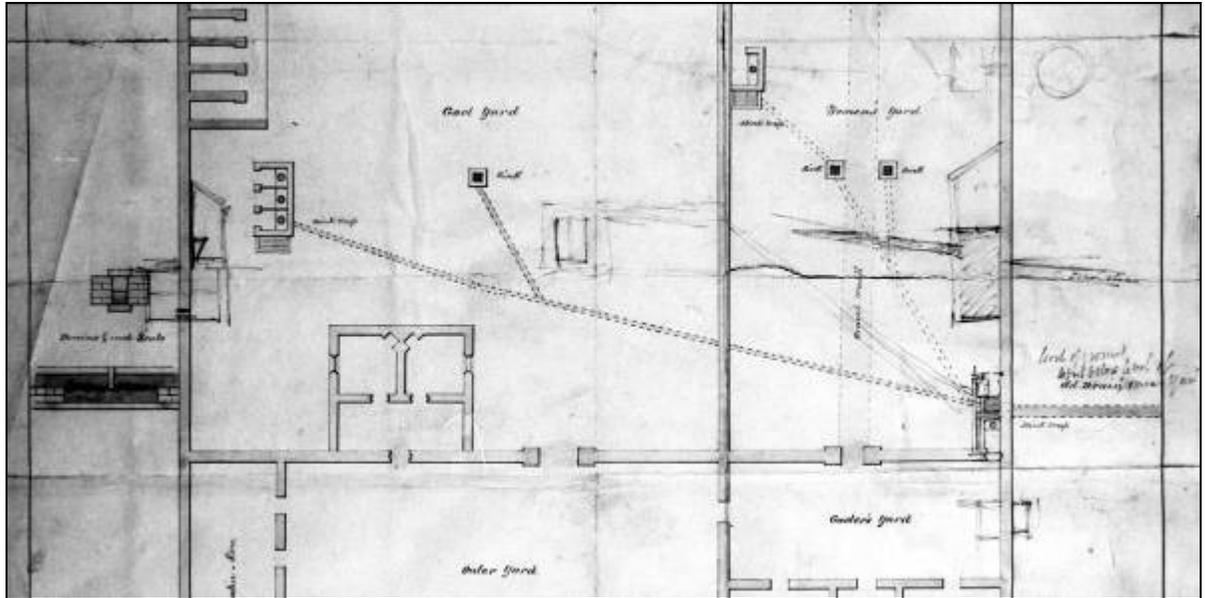


Figure 13.24 – Drainage system, privies, well and sinks as depicted on PWD 266/1548, circa May 1849 (just before alterations).

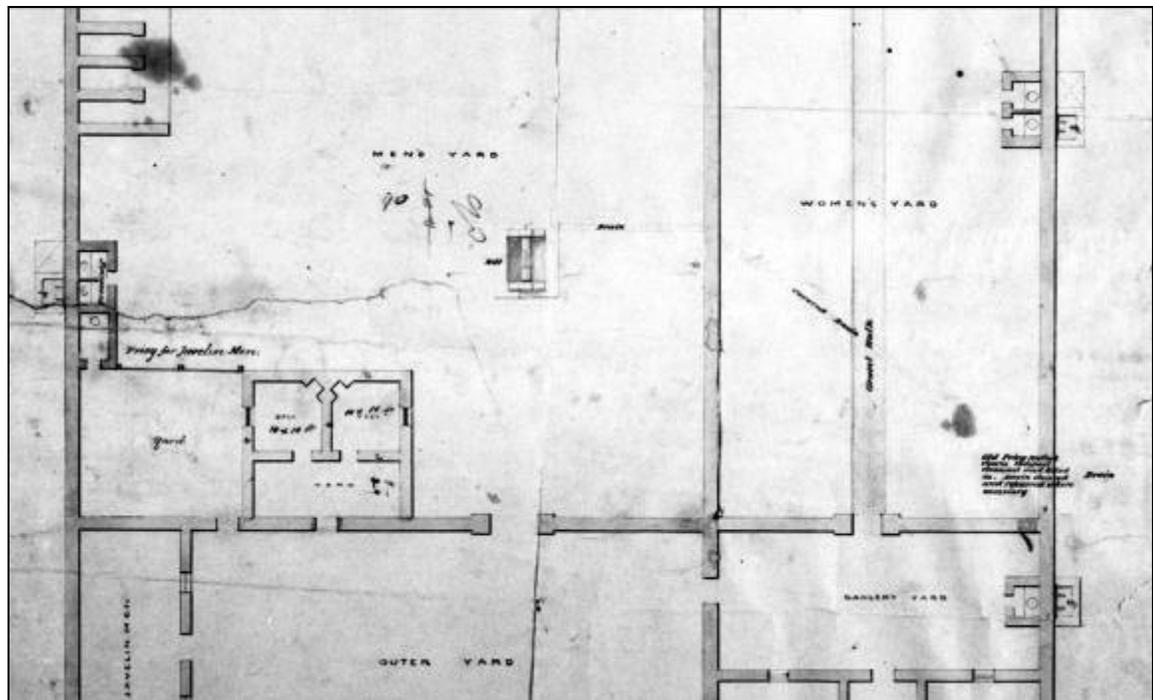


Figure 13.25 – Detail of drainage system as depicted on PWD 266/1551, June 1849, after the alterations were made.

Figures 13.24 and 13.25 clearly depict the location of drains connected to the sinks and cesspits of the complex and the major drain leaving the complex half-way along the western side. Figure 13.24 shows the pre-1849 and

Figure 13.25 shows the post 1849 system. Records indicate that a major overhaul of the drainage system of the gaol occurred in 1849, with detailed descriptions of the drains in relation to privies and sinks. With frequent blockages in

the drain running from the Men's Division privies to the cesspit of the female's and Gaoler's privies on the other side of the complex, (AOT CSO 24/74/2320:30-6), plans for the overhaul of the gaol privies were drawn by the Director of Public Works in June 1849. The 1849 Report on Gaols states that there were privies in the women's yard and that pots were placed in a spare cell in the Men's Division, which were emptied daily into the cesspool of the Women's Division privies and then left to air in the yard (AOT CSO 24/87:1812:137-8). This suggests that there had been long running problems with drainage from the Men's Division privies, a matter which the Gaoler, Peter Pegus, received criticism from the Director of Public works for not reporting sooner (AOT CSO 24/74/2330:30-64). It is from the plans and associated documents relating to this upgrade that give the most detail of the drainage and sanitation system of the complex.

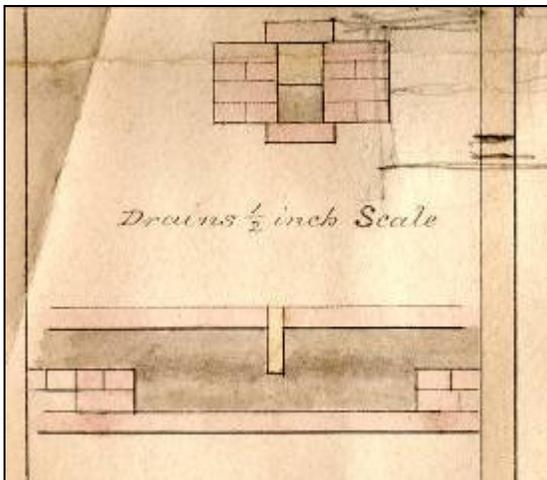


Figure 13.26 – Cross-sections of drains as depicted on AOT PWD 266/1548. Although not to scale here, the original plans indicate a height of 120cm in both cases.

Figure 13.26 shows a scaled cross-section of the drains to be installed as part of the 1849 upgrade of drainage. This indicates that they were approximately 1200mm high and ranged from 600mm to 1800mm in width. A

technical sketch of 1849 indicates that the top of the drains were up to 1.2 metres below ground level (AOT CSO 24/74/2320:49, see Figure 13.35). The drains apparently had a flagstone base and cover, which are mentioned in correspondence relating to 1851 repairs to them (AOT CSO 24/281/6258:311-6). It is uncertain exactly which drains this document refers to, as it is unlikely that repairs would be required for the drains installed during the 1849 upgrade at that time.

Following the 1849 upgrade, it seems that the drain running from the old Men's Division privies to the old female cesspit was decommissioned, or possibly used only for rainwater drainage. Although the old women's and Gaoler's privy was demolished and the cesspit filled, it seems that the drain running from which was still used. June 1849 plans (Figure 13.25) show that the old privies had been demolished and note that the drain had been repaired and a new drain had been installed running from the well, presumably for overflow, leading to this drain.

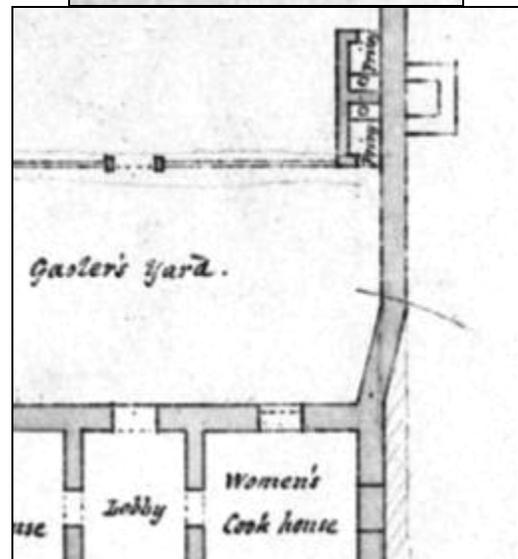
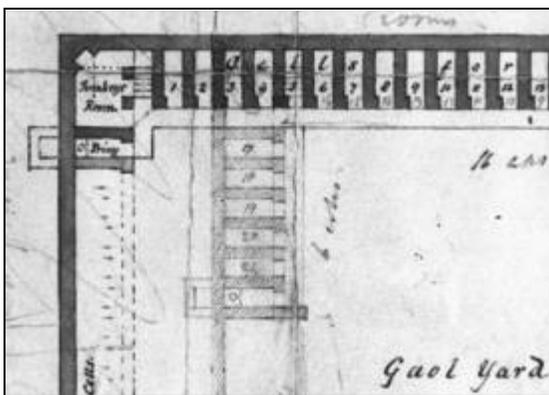
It seems that drainage of rainwater from the buildings was a matter which Lee-Archer had not even considered when the gaol was being built, as on August 4<sup>th</sup>, 1839, W Groves, gaol keeper, requested that the Sheriff's department commission the construction of a drainage system for each yard of the gaol, as recent heavy rains had flooded the yards. AOT CSO 5/185/4480:51-2. In response to this, it was ordered that:

- A drain be constructed in stone around the exterior of the buildings to take away water from the eaves to be conducted to the privies.
- A main drain, constructed in stone, to run from the gaol to connect in with the drain

from the Prisoner's Barracks, to cross the road near Mr. Robinsons, length 260 feet. (AOT CSO 5/185/4480:44-50).

This demonstrates that there would have been significant drainage infrastructure to take water away from the roofs of buildings towards the privy cesspits. None of these drains are marked on any plans of the complex. This also demonstrates that there are significant drainage works associated with the gaol which are not necessarily within the boundary of the complex.

With the 1849 upgrade of the drainage system of the complex, came the replacement of the Gaoler's, Women's and Men's privy blocks. The various plans and documentation of the site show the changes in the arrangement of privies and cesspits within the complex. Lee-Archer's second design for the gaol (AOT PWD 266/1547 - Figures 13.26-8) shows the original intended locations of privies – one in each of the Men's, Women's, Outer (Javelin Men's) and Gaoler's yards. There were three cesspits on the outside of the walls (the Women's and Gaoler's yards sharing a single cesspit).



Figures 13.26, 13.27 & 13.28– The intended locations for privies on Lee-Archer's second gaol plan, April 1835. The men's privy (Figure 13.26, top) was never built in that location. The Gaoler's/Women's privy (Figure 13.28, bottom right) was slightly to the east of this plan when the western wall of the gaol was built straight and it is uncertain whether the Javelin Men's privy (Figure 13.27, bottom left) was built in that location (AOT PWD 266/1547).

It is certain that the Men's Division privy and cesspit were not constructed in this location, as the design of the complex altered after this plan was drawn. The earliest plan depicting the actual location of the Men's Division privies is the May 1849 plan (AOT PWD 266/1548, Figure 13.24) showing that they were three freestanding co-joined cubicles to the north of the eastern wing of the Men's Division (Figure 13.29).

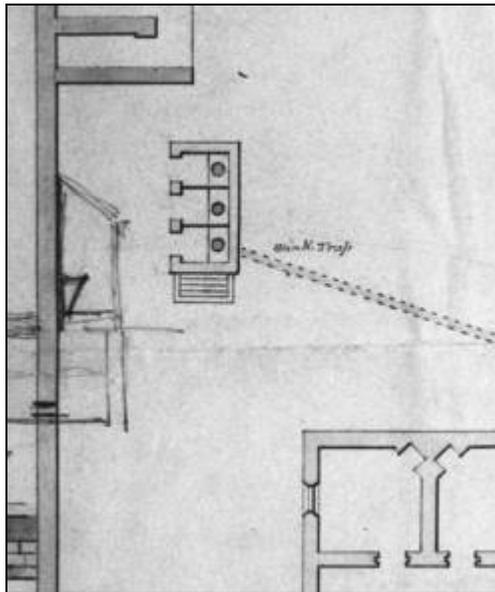


Figure 13.29 – The pre-1849 Men's Division privies showing their location in relation to the eastern wing of the Men's Division (upper left) and the Condemned Cells (lower right). AOT PWD 266/1548.

The Women's/Gaoler's privies were built as per the original plans (Figure 13.28), as later plans of the completed complex show these features, however due to the western wall not being built with the bend in it as depicted in Figure 13.27, these would have been slightly to the east of the location depicted in this plan. Pre 1849 plans also show a second female privy on the eastern side of the Female Yard, with a sink-trap attached (Figure 13.30). Post-1849 (i.e. AOT PWD 266/1551, 1552 – Figure 13.25) plans show that this privy had been demolished and the drain and sink-trap presumably decommissioned.

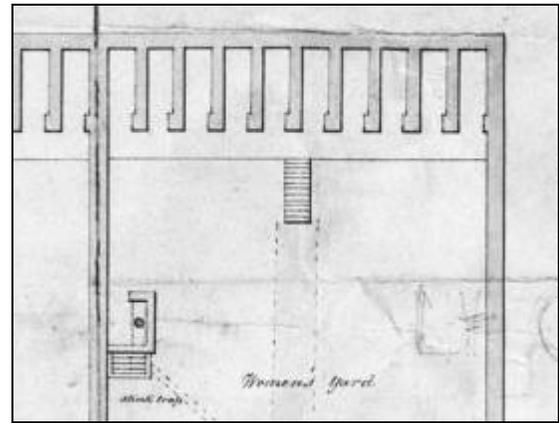
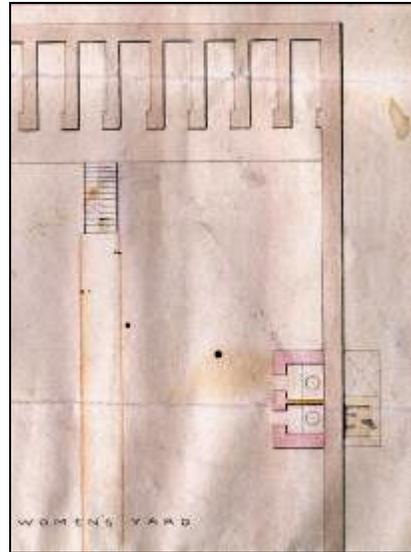
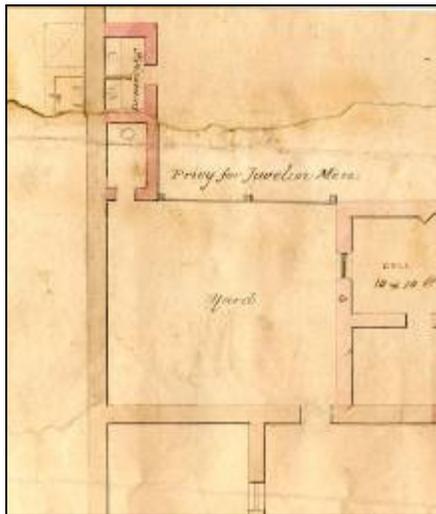
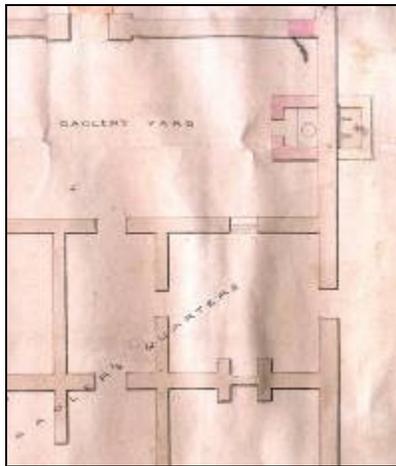


Figure 13.30 – The Pre-1849 Women's Division privies on the eastern side of the Women's Yard (AOT PWD 266/1548).

The 1835 plans shows the Javelin Men's privy in the north-east corner of the gaol yard, with the cesspit on the outside of the wall (eastern side). This privy is also clearly shown on the plans for the proposed conversion of the Javelin Men's quarters to a Watch-house (AOT CSO 1/691/15206:137 - Figure 13.19). This latter plan, however, shows that the stairs to the upper storey of that building were in front of the building, while later plans (1883, PWD 266/1564, Figure 5.10) show the stairs beside the building, in the recess originally intended for the privy. It is unlikely that the stairs were ever in front of the building as depicted in Figure 13.19, as this plan was for works which were never undertaken (AOT CSO 1/690/15206:125-129). It is more likely that the stairs did occupy the space on the side of the building, hence not leaving room for the privy. It is therefore uncertain where this privy was located prior to the 1849 upgrade, the most likely situation being that the Javelin Men shared the Men's Division privies.

In the 1849 upgrade of the drainage and sanitation system of the Gaol, the building containing the Women's and Gaoler's privies was demolished and these privies relocated to two separate buildings closer to the Gaoler's

Residence and Women's Division respectively. Two new cesspits were constructed and the old one cleansed and filled (PWD 266/1551 – Figure 13.25) although it is still likely to have served the purpose of a drain, as it was connected to a drain which lead away from the complex as depicted on the right side of Figure 13-25. The new locations of these privies are depicted on the June 1849 plan (Figure 13.24) and the new female privies are also shown on an undated (post 1850) plan of the Female Division (AOT PWD 266/1552 - Figure 13.17).

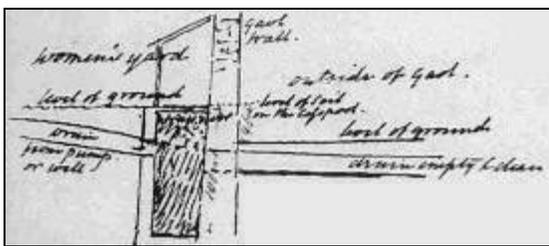
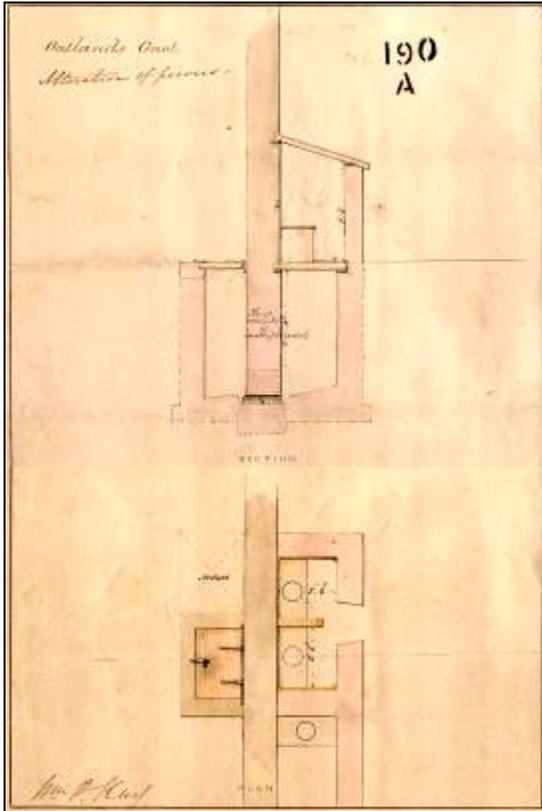


Figures 13.31, 13.32 & 13.33 – The post 1849 Gaoler's, Men's and Women's Division privies (AOT PWD 266/1551).

The new male privies constructed in 1849 are depicted on June 1849, c1855, 1856 & 1883 plans as being attached to the eastern wall of the gaol (AOT PWD 1551, 1549, 1553, 1556 & 1564). Figure 13.34 depicts the detail of the post-1849 Men's Division privies, showing that they were housed in a 2.1 metre high lean-to, with a 2 metre deep, masonry lined cesspit below, with a drain at the bottom allowing waste to flow to the outside of the wall to another cesspit with a hinged lid. The pins off a lid such as this can still be seen on the second Gaoler's privy, on the outside of the western gaol wall (Plate 13.8). The drain which carried waste from the original Men's Division privies to the women's privy cesspit on the other side of the complex had been subject to regular blockage, so apparently it was decided that a separate cesspit for the new privies was a better alternative.

It is interesting to note that the lean-to in which these privies were contained was single storey and attached to an external wall. The 1849 Report on Gaols criticised the design of the Oatlands Gaol in terms of the security it provided, with the effectiveness of the outer wall lessened

by the placement of buildings and wards against it (AOT CSO 24/87:1812:137). An 1849 sketch by W. Kay, Director of Public Works shows that the new privies in the Female Division were also housed in a similar building to this (Figure 13.35).



Figures 13.34 & 13.35 - The Oatlands privy buildings were much inferior in their design and security to contemporary buildings (see Plate 13.20) as evidenced by plans for the buildings housing them. These plans demonstrate that the buildings in which they were contained were only 2.1m high and were attached to the outer wall – lessening the effective height of the outer wall. (AOT PWD266/1562, CSO 24/74/2320:49).

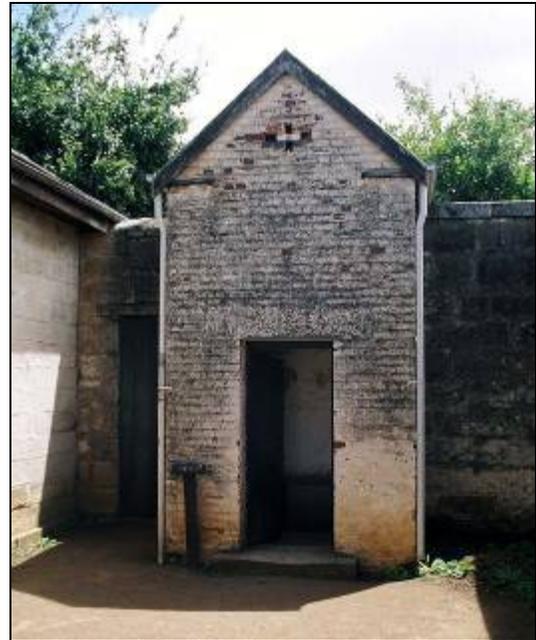


Plate 13.20 – Privy at the Richmond Gaol showing the building to be the same height as the outer wall, lessening the security risk of a building attached to the perimeter wall (see Section 4.3).

An undated plan (PWD 266/1553 – Figure 13.36) showing the intended walling of the gallows and well (c1855) shows that another single privy was located in the Women’s Yard, half-way along the wall between the Women’s and Men’s Divisions. This plan also shows a privy in the Men’s yard across the corner of where the wall between the Men’s and Women’s Divisions met the Gallows yard wall. No plans indicate where these privies drained to, or any cesspits and the privies themselves do not appear on the 1883 maps (PWD 266/1564 & 1550).<sup>7</sup> Their close proximity to the well would

<sup>7</sup> The reliability of the 1883 site-plans as drawn by Shields is questionable. For example, these plans show the co-joined Women’s and Gaoler’s privy on the western gaol wall, which was demolished in 1849 and replaced with separate privies as depicted in Figure 13.25 (AOT PWD 266/1551). It seems that these plans were based on Kay’s 1844 plan (AOT PWD 266/1550) and major features post-dating 1844, such as the Condemned Cells and walled yard around the well and gallows added. Shields’ plan was submitted to the *Commission on the State of*

suggest that they were not connected to a cesspit and may have been privies which required regular emptying into other cesspits.

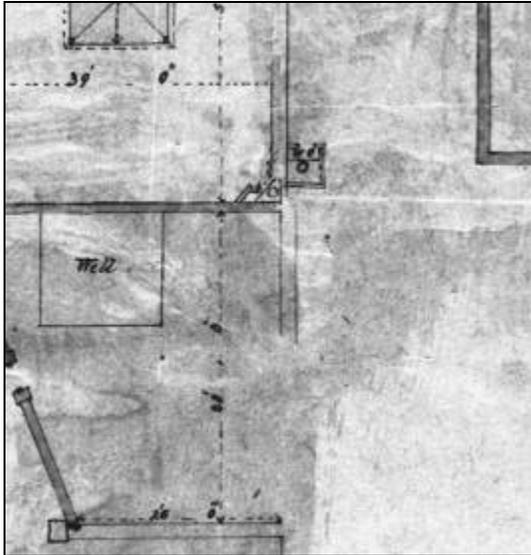


Figure 13.36 – Additional privies in the men's and women's yards shown on plans c1855 (AOT PWD 266/1553).

Figure 13.24 shows that there were four sinks in the female yard and two in the male yard. Each yard had 1-2 central sinks as well as one associated with each privy block. From the little technical information on the plans, it appears that these sinks were framed with masonry with a grille on top. It is uncertain whether these were at or above ground level and they are not depicted in Figure 13.25. Neither of these plans show sinks associated with the Javelin Men's quarters or the Gaoler's residence.

It is unlikely that there is much remaining archaeological evidence of these sinks, as the overlay of the pool structure as presented in Appendix A shows that at least one of the Men's Division sinks and at least two in the Women's Division would have been destroyed during construction of the pool. If the other sinks outside the area of the pool have survived, the

*Penal Discipline in Tasmania* (1883), however he did not claim to have surveyed the site.

archaeological signatures of these would be quite distinct as there would be evidence of where they connected with the main drainage system, with the possibility that some of the masonry structure above the drain surviving. If the grilles were originally at ground level, it is also possible that they may have survived.

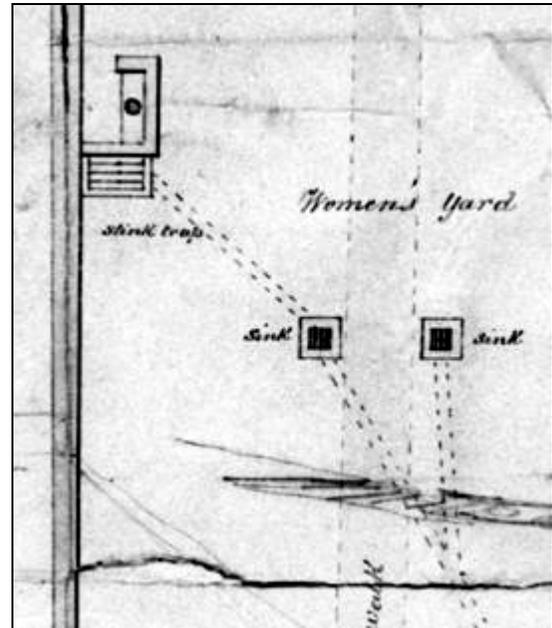


Figure 13.37 – Detail of sinks, grilles and sink-traps as installed in the women's yard. The construction of the pool would certainly have destroyed the easternmost two (left and centre) of these, however, archaeological trace of the other (right) may remain (AOT PWD 266/1548).

The first mention of a well at the Oatlands Gaol was in the inspection of John Lee-Archer in November 1835, who reported that the well in the gaol yard had been sunk to 60 feet (AOT CSO 1/741/16037:196). The 1838 Board of Inquiry into security at the Oatlands Gaol mentioned the well, recommending the rope and windlass used to draw water be replaced by a pump (AOT CSO 5/97/2165:90-8) – the rope apparently was a security risk, which indicates that prisoners in the Men's yard had access to the well. This well was first depicted on Kay's 1849 site plan as a large (approximately 3x2 metre) rectangular structure,

possibly of masonry construction. The locality of the well is depicted on the c1855 plans of the walls to be erected around the gallows (AOT PWD 266/1553 & 1549). These plans also show that the well was enclosed within the gallows yard. The location of the well is documented in detail on the 1849 drainage and sanitation plans (AOT PWD 266/1548, 1551, Figures 13.24-5) and the plans for the walling of the well and gallows yard (AOT PWD 266/1549 – Figure 13.21). These, however slightly differ in their depiction of the well and yard and Appendix A depicts the well in the most likely position as per the perceived most reliable primary sources. The exact shape of the well is also uncertain. Plans associated with the 1849 drainage upgrade indicate a rectangular opening (see Figures 13.23 & 13.24), however Figure 13.19 depicts a round well. Excavation of the pool yard to the top of the well by the Oatlands Council works crew during the early 1990's showed a round well cover, which may not be original and also confirmed the location of the well, being just to the north of the pool as depicted in Appendix A.

Another well is reputed to be on site, actually within the Gaoler's Residence (P. Fielding, pers. comm. 22/2/2004). It has been suggested that the original Women's Kitchen (the south-western, ground-floor room in the Gaoler's Residence) had its own well. This stands to reason, as it is unlikely that the Matron or any other women employed in the Women's Kitchen would be forced to use the other well, unfenced within the Men's Yard – thereby requiring a well somewhere in the Women's Division. This well is, however, not depicted on any plan or mentioned in any correspondence. The floor of this room is currently a jumbled matrix of rotted timber and masonite overlaying the original flags, therefore without removal of this modern (and insignificant) fabric, the presence of this well cannot be confirmed.

The well, or wells, are likely to be the most artifact rich and archaeologically significant part of the Oatlands Gaol – a 20 metre+ deep hole in the centre of the complex, containing a century of unknown fill. The well is an extremely significant archaeological deposit possibly giving a deeply layered time capsule of artifactual deposits relating to the site. Until walling of the well yard in 1855, the well was accessible by prisoners, meaning that any articles which they wished to dispose of, such as contraband, could be thrown into the well.<sup>8</sup> It is likely that the deposits within the well are intact, as the exposure in c1990 only reached the upper surface of the structure. The well should therefore be considered a highly sensitive and significant part of the complex.

The drainage and sanitation systems of the Oatlands Gaol complex are of extreme archaeological significance. Whilst this survey has demonstrated that most of the above ground fabric of the site has been destroyed, there is good reason to believe that the drainage systems below ground level are still reasonably intact. Being below historic ground level, it is much less likely that the drains were disturbed during the demolition of the buildings and filling of the yards. While it is unlikely that they are in good condition, with reports as to deterioration as early as 1851 (AOT CSO 24/281/6258:311-6.), together with 50 years of chlorinated water seeping through them, determining the exact location of these drains would be possible. While the location of these features as depicted in Appendix A relies heavily on the accuracy of early site plans, determination of the exact locations of drains, either through test-excavation or remote sensing, would make it possible to locate the features to which they were

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<sup>8</sup> For a further discussion on prisoner's disposal of contraband, see Casella 2002:71)

connected (sinks, traps, stormwater and privies), thereby testing the accuracy of early plans.

In addition to the drainage system within the enclosure of the gaol, the archaeological significance of drains outside the gaol is also high. AOT CSO 5/185/4480(44-50) as cited above, details the 260 foot (~86m) long drain which was installed in 1839 to run from the gaol, past the Prisoner's Barracks (now the car-park at the rear of the old Oatlands Area School), across High Street at Mr. Robinson's (either the south-western or north-western corners of High and Gay Streets as depicted on Calder's 1845 map - TLD O/14). This demonstrates that the entire Oatlands Military Precinct is likely to have had a complex system of drainage throughout, a point which should be considered when planning works to that area.

With the wholesale demolition of most of the buildings on site prior to the 1940's, there is very little likelihood that much of the privy buildings remain. Plans indicate that the pre-1849 Gaoler's, Women's and Men's Division privies were demolished in mid-1849 to make way for new buildings. Cesspits, foundations and evidence of drain connections and sink-traps may be the only source of archaeological information on these buildings, which would certainly have been demolished to ground-level or below. The likelihood of significant archaeological traces is evidenced by the remnants of hinge-plate and pins from a cesspit cover on the outside western side of the gaol wall (Plate 13.8), which were probably associated with the original Gaoler's and Women's Division privies. Although the overlay in Appendix A shows these to be slightly closer to the Gaoler's residence than early plans suggest, archaeological investigation of this immediately accessible site would give an indication as to how the earliest phase of drainage and sanitation may have operated.

Of the second generation of privy buildings, there may be more archaeological potential. The site of the second Gaoler's privy is accessible through the Gaoler's Yard, however survey shows that little would remain, as there is less than 50 centimetres of fill in the Gaoler's yard at that point. The Men's privy may yield some remains, as the site of this building is under approximately 1 metre of fill on the eastern end of the swimming pool. Of particular interest is the remnants of the Women's privy as a site plan of 1938 shows a large mound (noted to be 2.4 metres high) in the vicinity of where this building would have stood. The current ground level in this area is approximately 1 metre above historic ground level therefore there may be significant remains of this building. The cesspits associated with the post-1849 privies are also of significant interest. These three cesspits are all on the outside of the Gaol walls (see Appendix A) therefore are easily accessible for investigation. A plan and side elevation sketch exists for the Men's cesspit (Figure 13.34) and a rough side elevation sketch of the Women's (Figure 13.35), however these do not show frontal elevations demonstrating how the waste is transferred from the inside of the wall to the outside. Figure 13.34 shows the side profile of a carved trap-system for transfer of waste at the bottom of the pit. Figure 13.35 shows that there was an inlet for water to 'flush' the cesspits and a drainage outlet near the top of the pit, neither of which are shown in Figure 13.34.

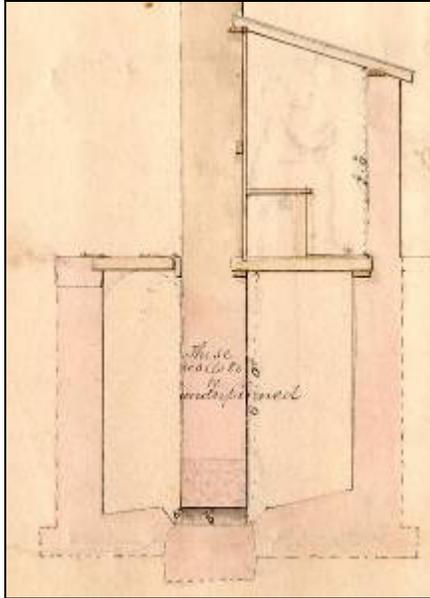


Figure 13.38 – Detail of cesspit depth demonstrating the need for underpinning (AOT PWD 266/1562).

Figure 13.38 also notes that the walls of the gaol had to be underpinned during the construction of these cesspits. These 210cm deep cesspits were added to the existing gaol walls, which would have been unlikely to have had 210cm deep foundations, thereby requiring the wall to be built downwards to accommodate the depth of the pit. It is not known how this would have been done, therefore archaeological investigations may yield clues as to how the upper 6 metres of wall was supported while these underpinning works were done.

### 13.11 – Recycling of the Oatlands Gaol

With the significant destruction of the Oatlands gaol having removed a large part of the original fabric from the site, the question remains as to where it went. Sandstone being a readily reusable commodity would likely have been recycled into other buildings. *Grove House* at Jericho was constructed around 1940 and is reputed to have made use of a large amount of gaol stone. Weeding (PAGE) reported that part of the stone from the 1937 demolition was

purchased by the Catholic Church and reused at Kingston. Rubble from the demolition was possibly used as fill on the Oatlands District High School oval and a small amount of stone was possibly used in a c1940 extension to a cottage at 120 High Street, Oatlands (J. Cantwell pers. comm.). Several police houses constructed at Oatlands during the 1910s-1920s have sandstone foundations which are of similar style to the stone blocks in the gaol wall, suggesting that they may have been sourced from demolition of parts of the gaol.

### 13.12 – Summary and Statement of Archaeological Significance

Overall, the Oatlands Gaol is of extreme archaeological significance. Part I of this study has described the historical significance of the site and it is based on this history that the extent of the archaeological significance is based. The site was certainly the largest and most significant gaol in the colony of Tasmania outside Hobart Town and Launceston and is one of the most extant gaols in Tasmania second only to Richmond. Whilst the 1937 phase of demolition destroyed most of the above ground fabric of the site, the Gaoler's Residence and outer walls are still largely extant. Within the gaol yard, there is no fabric remaining more than 1 metre above historic ground level, however there is significant potential for investigation of ground level and below ground archaeological features.

From the archaeological survey of the precincts comprising the Oatlands Gaol complex discussed in this Section, Figure 13.39 represents a master archaeological plan of all historically known features which have been included on the site. This plan is also presented in Appendix A with an overlay of 2004 site features as a means of proportionally locating archaeological features in relation to structures associated with the Oatlands swimming pool.

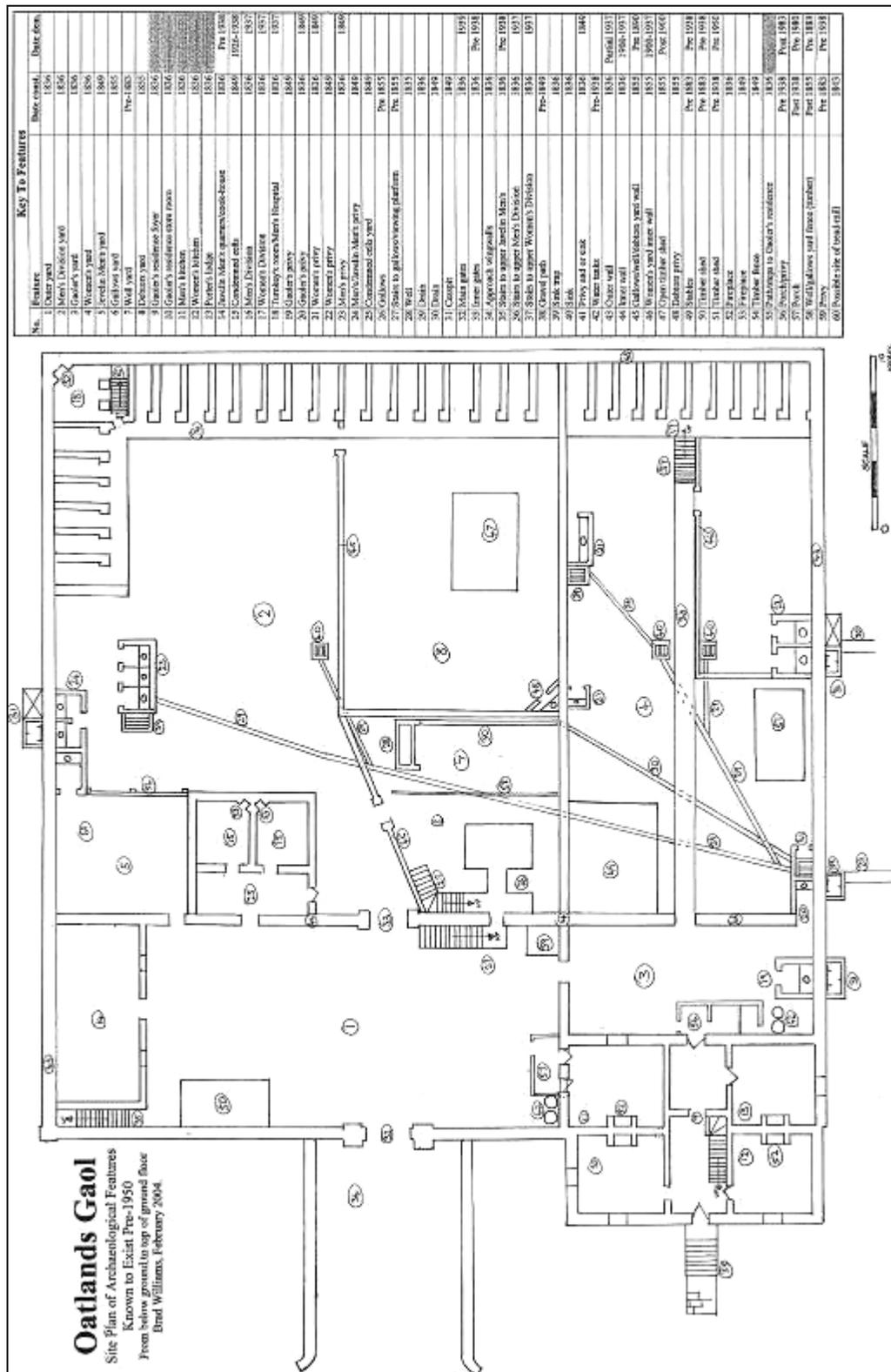


Figure 13.39 – Master archaeological plan of known site features pre 1850, Oatlands Gaol (See also Appendix A).

Part I of this document has been concerned with the historical background and the physical evolution of the Oatlands Gaol as the major interior reformatory institution in the Colony of Tasmania. The Oatlands Gaol represents an historic site of extremely high significance. Whilst this investigation has been limited to the history of the physical development of the site, the history of the Oatlands Gaol has much greater depth than 'bricks and mortar'. This history is multi-faceted and has great potential for the investigation along a wide variety of avenues into the way it has contributed to the development and identity of the Oatlands district.

In summation of the archaeological significance and potential of the site, Part II of this document has investigated the impact of demolition processes on the site and concluded that, with the exception of the outer walls and Gaoler's residence, that there is absolutely no chance that the site contains any extant (i.e. higher than 1 metre) walls of the gaol buildings. The maximum current level of the gaol yard above historic ground level is less than 1 metre, meaning that only the basal courses of any buildings may remain *in-situ*. The most extant and archaeologically significant part of the gaol complex is found in the foundations of walls and buildings and in the drainage/sanitation system of the complex – most of which is likely to have escaped the ravages of demolition. The drainage system, although probably in a deteriorated state,

is a significant archaeological resource – the investigation of which would add to the knowledge of the exact layout of the site as a whole. Cesspits, the well and the gallows site, all being lower than historic ground level (as demonstrated by Appendix B) are likely to yield significant artifactual deposits and therefore be treated as highly sensitive areas of the site. The foundations of buildings are known to be up to 1.5 metres below historic ground level, therefore are very likely to be *in-situ*, thereby having great archaeological potential in the exact re-location of buildings. The eventual excavation and appropriate conservation of these would significantly add to the interpretative value of the site.

Non-invasive archaeology also yields immediate potential on the site. Throughout Section 13 and depicted in Appendix B, estimates have been given as to the depth of features below current ground level. The Javelin Men's Building and Condemned Cells areas have immediate potential for the use of remote sensing equipment (resistivity or ground penetrating radar) as these areas have not been significantly disturbed by the construction of the pool and are buried beneath less than 80 centimetres of fill. The use of remote sensing may be redundant however, as the locations of these buildings are known almost exactly, therefore invasive archaeology may be the only way to yield further information about them.

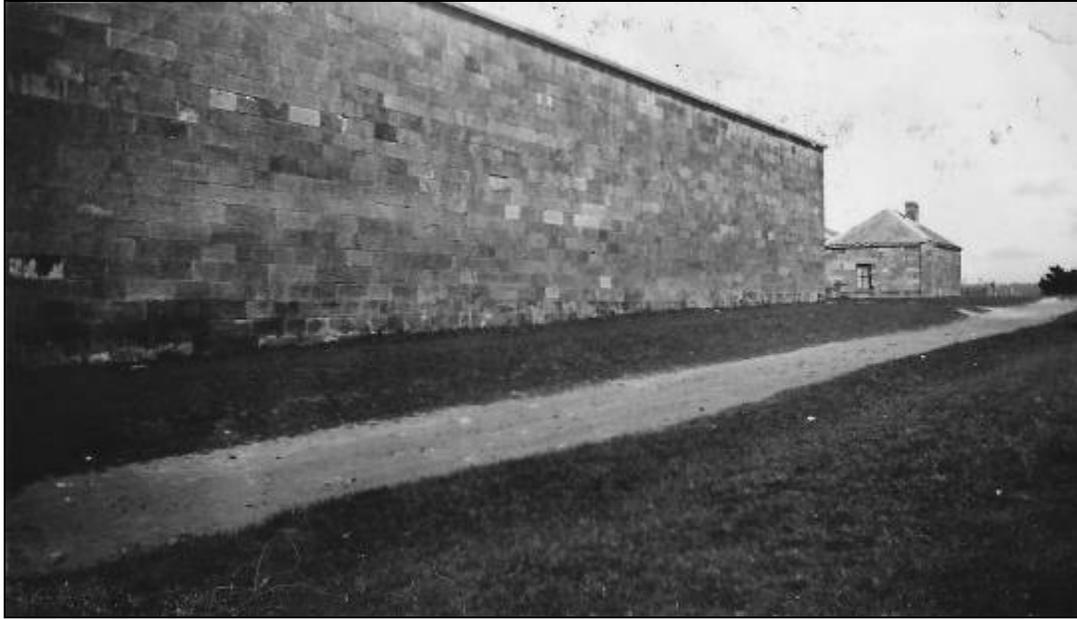


Plate 13.21 – The southern wall of the Oatlands Gaol (facing east) c1935. Photo: Oatlands District Historical Society.

## 14. Conclusion and Future Directions

This document has aimed to provide the initial working document for the long-term conservation, interpretation and promotion of the Oatlands Gaol. The intention of the site administrators to eventually re-locate the swimming pool is a satisfactory first-step in this process. The consequences of this move, however, should not be underestimated. By removing the pool, site administrators are obliged to implement a long-term strategy for the conservation, archaeological investigation, interpretation and promotion of the site. This document has been concerned with setting the benchmark for future archaeological works, however, prior to any excavations or invasive investigation of the site, it is imperative that the site administrators have considered and commenced implementation of certain management procedures, the basis of which will be explored here in the conclusion of this document.

### 14.1 - Conservation Guidelines for Structural Fabric.

The excavation of foundations has significant desirability in the confirmation of the archaeological feature plan as depicted in Appendix A. In addition to this, there is potential on site to undertake investigation of ground surface finishes, such as paths, flagging etc. The exposure of these features, particularly foundations, is desirable for the interpretation and presentation of the site. This, however, has serious ramifications in relation to decay of fabric, with the exposure of buried features putting these at risk of elemental degradation. Before any excavation of structural material take place, research design should indicate whether these are to be immediately backfilled or if trenches are to remain open for long-term interpretation. If the latter is the case, site administrators need to be aware that steps must be taken to ensure the long-term conservation of the structures. Site administrators should also consider

commissioning of a fabric survey of the site in order to assist in the appropriate replacement of fabric in line with conservation guidelines.

#### **14.2- Conservation Guidelines for Artifacts.**

This survey has suggested that particular areas of the site, such as cesspits and wells, are likely to yield significant artifact assemblages. In fact, all parts of the complex should be considered to be potentially artifact rich and any research design for invasive archaeological procedures needs to consider the consequences of excavation in terms of artifact yield. Archaeological works at similar sites, such as Port Arthur, the Ross Female Factory and the Richmond Gaol, have all yielded significant collections, which have great potential for research and display. Prior to any excavations, the site administrators need to formulate guidelines for the conservation, curation, display and long-term management of artifacts.

#### **14.3- Interpretation/Promotional plan.**

The significance assigned to this site means that it has a great deal of potential for future promotion as a major tourism site in the Midlands. Whilst conservation and archaeological investigation of the site is an admirable desire on the part of site administrators, this needs to be undertaken in accordance with an interpretation and promotional plan which will assist in generating interest in the site as a means of ensuring its long term viability as both a tourist icon and an example of proactive heritage management.

#### **14.4- Directional plan.**

The conservation, investigation and promotion of the Oatlands Gaol, as well as the relocation of the swimming pool requires an array of

professional advice in order to ensure that the community retains their swimming pool and is able to fulfill the plan of conserving the gaol. This document has only identified the key requirements of the site administrators in terms of the archaeology of the site. Whilst this is a major part of all facets of the conservation of the site, it does not attempt to explore issues which are the responsibility of Engineer's, Architects, Conservators, Curators, Interpretations Officers and Tourism Promoters – all of whom should have input into the project at some stage. In addition, there are also a number of professionals who need to be consulted in the process of relocation of the pool and demolition of the current pool infrastructure. Regular and proactive community involvement and consultation is also required at all points of this process.

The site administrators need to consider the formation of an Oatlands Gaol site steering committee, comprising the relevant professional consultants, stakeholders and community interest groups, with the aim of formulating a directional plan for the site. This plan needs to define the exact direction of the project, identify the timeline, priorities and management guidelines to ensure that adequate advice is acquired, ensuring that the site is best managed in accordance with the requirements of all stakeholders.

#### **14.5 – Archaeology of the Oatlands Gaol - The Next Stage**

Section 1 stated that this study was the first phase in the Oatlands Gaol Conservation Project and the aims stated therein have been fulfilled. This section has briefly described the broad requirements for the initiation of future stages in the project. As for the next stage in the archaeology of the Oatlands Gaol Conservation Project, this study has identified and discussed

the likely archaeological features, site accessibility and sensitivity of parts of the complex – thereby providing as conclusive a survey as current resources have allowed.

Whilst the greater plan for the conservation and interpretation of the site requires relocation of the swimming pool, the current archaeological investigative potential of the site need not be completely inhibited by the pool encroaching on the site. With careful and thorough research design, many questions stemming from this study can be addressed without interfering with the workings of the pool. Areas such as the Gaoler's Yard, Outer Yard, Javelin Men's Building and Condemned Cells can be investigated with minimal impact on the current workings of the site. In addition, test trenching in selected areas within the immediate pool area could assist in planning future works and answering preliminary questions.

Site administrators should use this study as the basis for research design into the next stage of the archaeological investigation of the Oatlands Gaol. This work should be undertaken with specific aims towards the greater understanding and interpretation of the site, and should only be considered within the parameters set by the recommendations previously stated in this section and in line with current conservation practice.

## **APPENDIX A**

### **Master Plan of All Known Archaeological Features of the Oatlands Gaol Site with 2004 Overlay.**

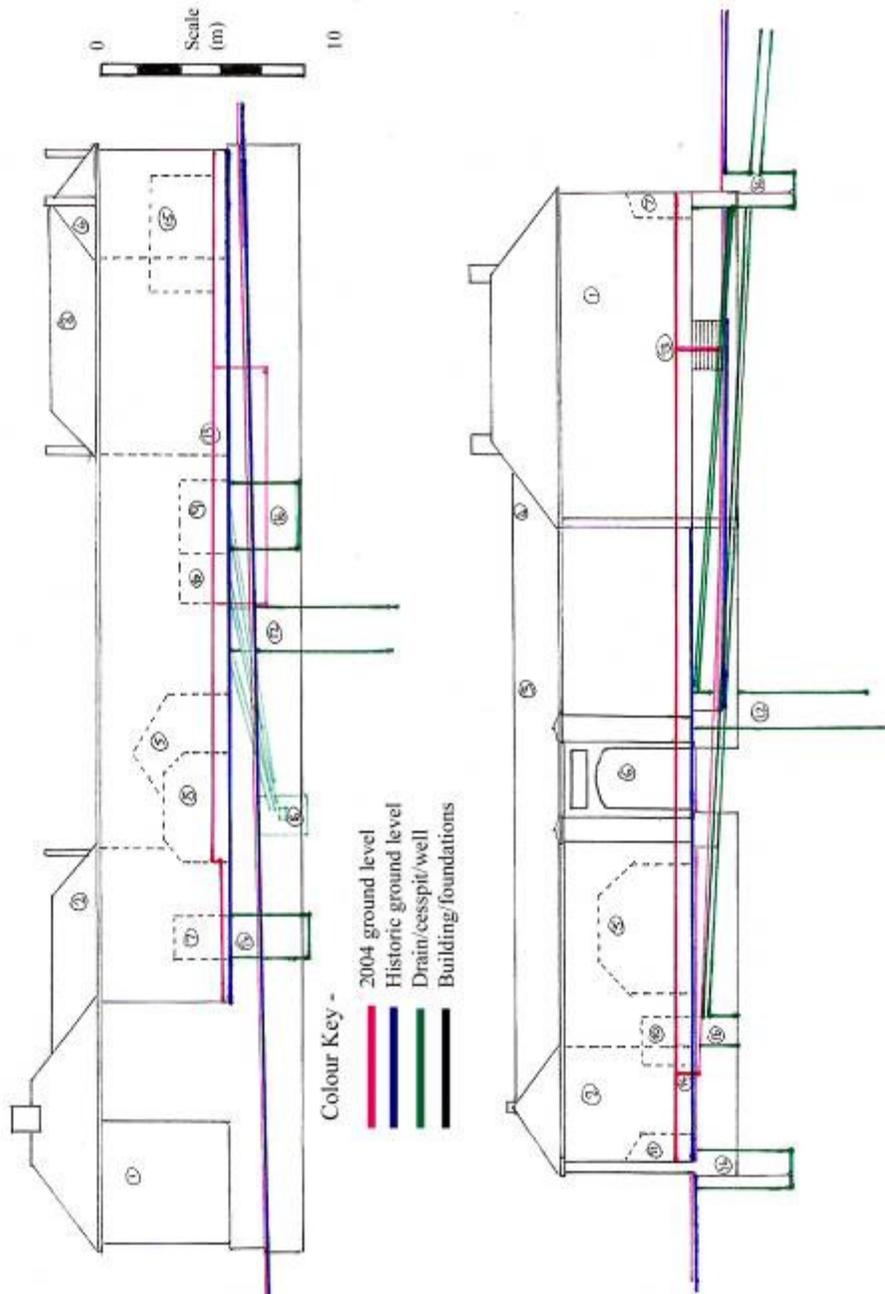
This plan has been based mostly on historic plans (i.e. AOT PWD Series) as well as survey of features evident on site in 2004 (which are presented as the overlay). This plan should be read in conjunction with the section plan presented in Appendix B in order to estimate depths of the deposits depicted. The accuracy of these plans depends wholly on the accuracy of historic plans, which in many cases did not correspond exactly. This plan, therefore, is merely a guide to the expected archaeological deposits

## **APPENDIX B**

### **Section Profile of the Oatlands Gaol Site Showing Likely Subterranean Features**

This plan has been constructed mostly from historic section profiles of proposed buildings on site and like Appendix A relies solely on the accuracy of these plans. The current level of ground has been surveyed according to the scant information supplied on these plans as best explained in Section 13.10 and depicted in Figures 13.34 & 13.35. The current ground level was measured on a laser level, with the doorsteps of the Gaoler's Residence used as a zero point for the assumed historic ground level of the yard. By cross-referencing this zero point with the outside ground levels as depicted in Figures 13.34 & 13.35, this closely correlated with the historic ground level of the yard as depicted in these figures.

Oatlands Gaol - Section Diagram Showing Likely Subterranean Features  
 Brad Williams - April 2004



- Feature Key -
1. Gaoler's Residence
  2. Javelin Men's Quarters
  3. Men's Division
  4. Women's Division
  5. Condemned Cells
  6. Main gates
  7. Gaoler's privy (1849)
  8. Gaoler's/women's privy (1835)
  9. Women's privy (1849)
  10. Men's privy (1835)
  11. Men's privy (1849)
  12. Well
  13. Pool - deep end
  14. Pool - shallow end
  15. Pool amenities block
  16. Cesspit

- Colour Key -
- 2004 ground level
  - Historic ground level
  - Drain/cesspit/well
  - Building foundations

## **APPENDIX C**

Description of and Regulations of the Oatlands Gaol

As Described in *Report on the Gaols 1849* (AOT CSO 24/87:1812).

**APPENDIX D**

*Escape From Convictism: George Dudfield and the 'Oatlands System'*

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Dr. Caroline Evans – University of Tasmania

This work has been included in this study on the Oatlands Gaol as it demonstrates that the history of the gaol is multi-faceted is worthy of historical investigation along a number of lines beyond that of the evolution of the fabric of the site (see further discussion in Section 10). Not to be reproduced, cited or distributed without prior permission from the Author.

## Escape from Convictism: George Dudfield and the 'Oatlands System'

Dr. Caroline Evans.

Drawing on neo-Marxist British historiography of the moral economy, Alan Atkinson argued in his classic 1979 article 'Four Types of Convict Protest' that for convicts in rural 1820s and 1830s Port Macquarie, escape from injustices of the assignment system was through a reasoned protest based on an understanding of their rights.<sup>9</sup> Since then a body of historiography concerning convict resistance has developed with much of the debate stimulated by the differences between neo-Marxist and post-modern perspectives.<sup>10</sup> These depictions of convicts' behavior pre-suppose their engagement with the system on its terms. Even convicts who rejected authority were forced to acknowledge it.<sup>11</sup> There are only two sides in this equation, masters who supported the status-quo and convicts who dealt with it in the best way they could.

However, another avenue of escape from the system was available. As Atkinson pointed out, the presence of free people in towns created a different socio-economic structure in which convicts might be involved.<sup>12</sup> Grace Karskens' study of the Sydney Rocks depicts a complex society in which deference and reciprocal obligations still operated, but were complicated by the entrepreneurial values of the commercial revolution. Under its influence some ambitious and energetic convicts looked for opportunities in setbacks, even transportation.<sup>13</sup> For them escape from the convict system was not through resistance, or even compliance, but by engaging with the commercial opportunities of the colony. As yet convict historiography does not address the possibility that convicts born in British cities could have taken entrepreneurial values to rural Australia.

The commercial vigour and brash opportunism of colonial Sydney is well-recognised, in part because it is reflected in the modern city. Such characteristics are less often applied to Van Diemen's Land as they fit uneasily with Tasmania's modern image - picturesque, but economically challenged. Yet it too had a commercially aggressive aspect, not only in Hobart and Launceston, but in the tiny midlands town of Oatlands, where entrepreneurial attitudes co-existed uneasily with the older English ones. Such attitudes

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<sup>9</sup> Alan Atkinson, 'Four Patterns of Convict Protest', *Labour History*, No. 37, November 1979, pp. 28-51.

<sup>10</sup> For neo-Marxist perspectives of the convict system in Van Diemen's Land see Bruce Hindmarsh, 'Scorched Earth: Contested Power and Divided Loyalties on Midlands Properties, 1820-40', *Tasmanian Historical Studies*, No. 2, 1999, pp. 63-80; Kirsty Reid, '"Contumacious, Ungovernable and Incurable': Convict Women and Workplace Resistance, Van Diemen's Land, 1820-1839' in *Representing Convicts: New Perspectives on Convict Forced Labour Migration*, Ian Duffield and James Bradley (Eds.) London, 1997. A good example of the post-modern approach is Joy Damousi's *Depraved and Disorderly: Female Convicts, Sexuality and Gender in Colonial Australia*, Melbourne, 1997.

<sup>11</sup> Atkinson argues that outright verbal or physical attacks by convicts are different from more accommodating types of protest because they reject the system. Atkinson, *op. cit.*, p. 30.

<sup>12</sup> *Ibid*, p. 29.

<sup>13</sup> Grace Karskens, *The Rocks: Life in Early Sydney*, Melbourne, 1997, pp. 7-12.

countered the attempts of authorities to recreate the 'lost idyll' of English rural life<sup>14</sup> - the more so because the embryonic state of 1830s Oatlands society meant that commercialism's excesses were not restrained. In Oatlands some of the more prominent settlers had material ambitions leading to shared sympathies and collaboration with opportunist convicts, blurring the distinction between free and unfree, and undermining George Arthur's utilitarian machinery of rewards and punishments, which took for granted the probity of 'self-interest'.<sup>15</sup> The older values of deference and reciprocal obligation were expressed by free settlers with modest holdings, who made repeated appeals to their rights in the press. In particular, they complained about legal injustices and the abrogation of common grazing land by elites. My focus is one convict, George Dudfield, his associates, which included some members of the Oatlands elites, and the 'Oatlands System' which he over-saw. As one individual, he does not undermine the historiography of convict resistance. Even so his 'System' points to an under-recognised option for escape from convictism in rural Van Diemen's Land. The individuality of his character and career points to the diversity of people transported to Van Diemen's Land.

My sources are taken from the colonial secretary's official correspondence, including two detailed investigations into the gaolers at Oatlands, Edward Bolger and Joseph Masters. Convict conduct records were useful but since they were designed to show a convict's progress within the hierarchy of reform, they probably omit a great deal. For instance, Dudfield's record is unblemished.<sup>16</sup> The 'Oatlands System' attracted the attention of the Hobart press. The two newspapers that pursued Dudfield most vigorously were the *Colonial Times*, edited by Henry Melville in the early thirties, and the *True Colonist*, edited by Gilbert Robertson.<sup>17</sup> The latter was both sensationalist and litigious, with a social conscience, and eager to expose corruption amongst authorities, particularly if it might reflect badly on Arthur. He had dismissed Robertson as chief constable of Richmond in 1834, a source of resentment.<sup>18</sup> Even so the basis of his complaints about Oatlands are supported by official documents and the *Colonial Times*, which first exposed Dudfield's activities. The *True Colonist* seems to have offered a forum for small settlers' complaints about the 'Oatlands System'.

George Dudfield born in 1792, was a publican from Shire-lane, St Bride's, London, who was probably Jewish. He was transported in 1825 for fourteen years after fencing notes valued at £1006, the proceeds of a robbery of Lord Cowper's rents, taken from his steward's house in Hertfordshire on 9 June 1824.<sup>19</sup> According to the *London Times*, report of his trial, he received them at the Horse-Shoe and Wheat-Sheaf, a

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<sup>14</sup> See Sharon Morgan, *Land Settlement in Early Tasmania: Creating an Antipodean England*, Cambridge, 1992.

<sup>15</sup> WD Forsyth, *Governor Arthur's Convict System Van Diemen's Land 1824-36: A Study in Colonization*, Sydney, 1970, p. 142.

<sup>16</sup> Archives Office of Tasmania (hereafter AOT) Convict Record (hereafter CON) 31/9.

<sup>17</sup> Lloyd Robson, *A History of Tasmania, Van Diemen's Land from the Earliest Times to 1855*, Melbourne, 1983, p. 304.

<sup>18</sup> *Ibid*, pp. 295-6.

<sup>19</sup> AOT CON 31/9.

pub near to his, on 10 June 1824, the morning after the robbery, having offered the thieves £700 for them. He actually gave them £350. He made a series of exchanges in Royston and Cambridge finishing up at the Bank of England. It is symbolic of Dudfield's engagement with the commercial revolution that he was arrested inside the Bank having just made the final exchange. He claimed that the sovereigns in his handkerchief were received that morning from doing business with a merchant. He was 'engaged in a large way of business'.<sup>20</sup>

He was indicted at the Kingston Winter Assizes on 30 December 1824. It took the jury two minutes to find him guilty. After four months on the hulks at Sheerness, he was transported, per *Medina*, arriving in Hobart on 14 September 1825.<sup>21</sup> He brought with him two £100 Bank of England notes and three boxes as well as a calico bag containing an ample wardrobe.<sup>22</sup> He perhaps reasoned that a well-heeled and respectable appearance would further his business activities on release from the convict system.<sup>23</sup> He was sent to the hospital.<sup>24</sup>

Dudfield's record does not show when he was sent to Oatlands. Once there, he progressed quickly, receiving his ticket-of-leave 'much sooner than is usually the case' because he had 'a friend', for whom he carried out 'secret services' according to the *Colonial Times*.<sup>25</sup> In February 1832, he received his conditional pardon having served only seven years of his sentence.<sup>26</sup> By then he was a javelin man at the gaol. It was rumored that he made himself 'extremely useful', by finding out all the local secrets and passing them on to the magistrate.<sup>27</sup>

His convict record showed a wife 'at home'.<sup>28</sup> According to the *Colonial Times*, Mrs. Dudfield was transported to Sydney for the same offence as her husband but this is not substantiated by the government records.<sup>29</sup> On 10 October 1828, Dudfield applied for her free passage and Arthur's recommendation to the Colonial Office that it be granted shows that she was in England.<sup>30</sup> The success of Dudfield's application suggests that he was already doing quite well financially but Mrs. Dudfield's arrival in Oatlands with the

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<sup>20</sup> *Times*, 31 December 1824.

<sup>21</sup> AOT CON 31/9.

<sup>22</sup> AOT Colonial Secretary's Office (hereafter CSO) 1/36/615.

<sup>23</sup> Karskens, *op. cit.*, p. 207-8.

<sup>24</sup> AOT CSO 1/1/137/3348; Appropriation List, MM 33/5.

<sup>25</sup> *Colonial Times*, 25 December 1832; 5 June 1832.

<sup>26</sup> AOT CON 31/9.

<sup>27</sup> *Colonial Times*, 25 December 1832; *True Colonist*, 19 January 1838.

<sup>28</sup> AOT CON 31/9.

<sup>29</sup> *Colonial Times*, 4 November 1825; CSO 1/36/888. A search of Lesly Veibel's CD Rom 'Port Jackson Anthology: Arrivals 1788-1849' did not show Mrs Dudfield.

<sup>30</sup> AOT Governor's Office (hereafter GO) 33/4, p. 987.

couple's capital, to which she may have added some property of her own, would have provided a much needed financial boost.<sup>31</sup>

In 1827, WS Sharland surveyed Oatlands, laying out the town allotments on a site specifically chosen so that the new midlands highway could go through the centre.<sup>32</sup> Since the township was midway between Hobart and Launceston, this offered commercial possibilities. So did the presence of a public works gang, and convict institutions associated with that, and a government building programme. In 1835, the advertisement for a stone house and stores placed in the *Hobart Town Courier*, emphasised the township's potential.

Duly appreciating the important situation of this township, the government have decided on erecting public establishments of every description - and a church, public school, gaol, house of correction, police office, guard house, &c. are now in progress, which combined with the new road through Jerusalem to the Coal River district, will in a short period, fix it as the first township in the interior.<sup>33</sup>

At the same time, Oatlands was a rural community, modelled on the idealised English version of deference and patronage. Dudfield's 'friends' were the nouveau-gentry, Thomas Anstey, police magistrate between 1827 and 1833 and later, John Whitefoord, who took his place.<sup>34</sup> Anstey was a member of the Somerset gentry who arrived in Van Diemen's Land with goods and furniture worth £8000, and a desire to farm on a grand scale.<sup>35</sup> Whitefoord, born in Ayrshire, studied for the bar but abandoned it to take his chances in Van Diemen's Land, arriving in 1832. Both were ambitious, and tackled rural activities with entrepreneurial enthusiasm.

Dudfield had a knack for seeing opportunities where others did not. For instance, the Oatlands gaol had money making potential, yet the hapless Gaoler, Edward Bolger, seemed unable to realise it, even without a convict record. Worse still, he stood in Dudfield's way. In 1832, he was accused, probably by Dudfield with Anstey's support, of being absent without leave and consorting with convict women. An inquiry was held during which the polarisation between Dudfield's allies and others, which characterised his activities, first became evident. Dudfield's witnesses upheld the initial allegations adding some of their own, that Bolger kept bad company, notably with the convict constables and the flagellator, and had falsely accused some

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<sup>31</sup> The *Colonial Times*, wrongly reporting that Mrs Dudfield had been transported to Sydney, said: 'We hear they have brought with them a large sum of money, which, as by the present system, they cannot make use of it, is placed in the hands of an individual at Sydney'. *Colonial Times*, 4 November 1825. See also *Bent's News and Tasmanian Register*, 15 April 1837.

<sup>32</sup> AOT CSO 1/172/4147. See also Jane E Sharman, 'The Changing Face of Oatlands', unpublished Historical Dissertation for the Centre for Education, University of Tasmania, September 1983.

<sup>33</sup> *Hobart Town Courier*, 23 January 1835.

<sup>34</sup> Douglas Pike (Ed.) *Australian Dictionary of Biography*, Vols. 1 and 2, Melbourne, 1986, pp. 19; 595-6.

<sup>35</sup> *Ibid*, p. 19; Robson, *op. cit.*, p. 109.

soldiers of rape. According to Thomas Browne, the police clerk, Bolger was 'generally known as the teller of untruths and was cut by all the decent people in that place'.<sup>36</sup>

Bolger had some defenders. Jorgen Jorgenson, Anstey's previous clerk, warned him that Dudfield 'was doing all in his powers to injure' him.<sup>37</sup> Another witness thought that Dudfield had set up a vendetta against Bolger because he reported him for being absent without leave. Dudfield had said that he 'would give a good look out for the said E. E. Bolger and the first chance he could obtain he would settle him'. The inquiry found against Bolger who was dismissed and replaced by Dudfield on Anstey's recommendation.<sup>38</sup> The *Colonial Times* believed that Bolger's dismissal was 'a got-up' by Dudfield's friends.<sup>39</sup>

By December 1832, according to the *Colonial Times*, the gaol was a well-stocked shop where 'the settler can purchase either a half-penny worth of tape or a ton of sugar'. It was 'as full of articles for sale as are the best shops in Hobart-Town'.<sup>40</sup> In addition, the gaol was allegedly the nerve centre for a gang of stock thieves. A butcher, who was probably complicit, followed his trade outside the prison instead of working on the chain gang according to his sentence. Dudfield used prisoner labour on his two well-placed allotments. On one they cultivated a market garden and on the other accumulated a 'quantity of freestone' which probably became the Franklin Hotel.<sup>41</sup> The *Colonial Times* thought that the authorities should deal with Dudfield but 'Oatlands is a close borough, and so dependent are most persons in the immediate neighbourhood, that they dare not presume an opinion of their own'.<sup>42</sup>

Dudfield also acquired a contract in 1834 for carting materials to the new gaol site. According to Jorgenson, in its first six months of construction, £500 was spent on cartage yet the accumulated stone and materials fell well short of that amount. Dudfield, the contractor, had a 'fine' farm, owned a stone store and was building another. Jorgenson was invited to complain about this and other matters to the local magistrate. His refusal suggests why there was so little official interference with the Oatlands system. 'I could not rightly comprehend on what principle I could become public avenger. Should I have entangled myself in carrying on such prosecution, I must have stood still for want of means, as well as proper support'.<sup>43</sup>

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<sup>36</sup> AOT CSO 1/518/11304.

<sup>37</sup> Dan Sprod, *The Usurper: Jorgen Jorgenson and his Turbulent Life in Iceland and Van Diemen's Land: 1780-1841*, Hobart, 2001, p. 559; AOT CSO 1/518/11304.

<sup>38</sup> AOT CSO 1/518/11304.

<sup>39</sup> *Colonial Times*, 25 December 1832.

<sup>40</sup> *Colonial Times*, 19 March 1833.

<sup>41</sup> *Colonial Times*, 25 December 1832.

<sup>42</sup> *Colonial Times*, 19 March 1833.

<sup>43</sup> AOT GO 1/19.

In 1834 Dudfield's business connections were well enough established for him to give up the gaol and take over the York and Albany Hotel with his wife. In 1837 the couple moved to the grander Franklin Arms.<sup>44</sup> The Dudfield's' pubs were the centre for much Oatlands commercial activity. J. E. Cox's Diligence Stage Coach which went from Hobart to Launceston twice a week stopped at them, dropping off and picking up the royal mail and passengers, while stock auctions were held in the yard.<sup>45</sup> The pub was a place not only for relaxation and entertainment but for business, providing opportunities for the hosts to gather information and apply pressure. Mrs. Dudfield's role was crucial for creating the social setting, and enhancing the respectability of the establishment, which her husband sought to promote. Dudfield's obsequious deference is encapsulated in an advertisement for the York and Albany:

George Dudfield, in returning thanks to his Friends and the Public generally, for the unprecedented support which he has the honor to receive since he commenced business takes this opportunity of acquainting those Ladies and Gentlemen who may favor him with their commands, that the same devoted attention to their comforts and urbanity towards his customers, which he trusts has always characterised himself and Mrs. Dudfield, (who personally attends the Ladies) it will ever be his study to maintain.<sup>46</sup>

The cattle thieving, established at the gaol, continued. In October 1836, the *True Colonist* claimed to have evidence of the killing and branding of so-called 'wild' cattle that could be traced to Anstey and Whitefoord, although not proved.<sup>47</sup> The allegations were probably linked to the conviction and sentence to fourteen years transportation, for receiving forty pounds of mutton, also in October, of an Oatlands man, Michael Caffray, aged seventy-five, who came free to the colony in 1836.<sup>48</sup> His wife, dubbed 'Mother Goose', by the *True Colonist*, because of her fine flock of geese, was charged too but apparently not convicted. Earlier that year Caffray and his wife were in the Oatlands gaol. Their stay there was described during an inquiry into the competence of the new Gaoler, Joseph Masters.

While in the gaol, the Caffrays enjoyed unusual privileges. A variety of provisions were taken from their home to them, including poultry, tea, sugar, rendered fat, potatoes, meat, and a hindquarter of mutton. The gaol cook, John Dixon, drove Mrs. Caffray's geese into the gaol yard where with Sarah Masters, the Gaoler's wife, she selected a few. According to Masters, it was Whitefoord who ordered that the Caffrays should have whatever provisions they liked.

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<sup>44</sup> It boasted eighteen apartments, 'the whole well arranged for an hotel of the most respectable description'. The York and Albany was smaller with twelve rooms plus attics. *True Colonist*, 10 August 1838; *Hobart Town Courier*, 17 November 1837.

<sup>45</sup> *Horn Boy*, 6 December 1834; *Bent's News and Register*, 18 November 1837. Meetings of subscribers to the Oatlands Races were held at the York and Albany. In 1837, people who wanted their allotments surveyed for Grant Deeds or subdivision were asked to leave their names at Dudfield's hotel. *Hobart Town Courier*, 1 February 1833; *Bent's News and Tasmanian Register*, 18 November 1837.

<sup>46</sup> *Horn Boy*, 6 December 1834.

<sup>47</sup> *True Colonist*, 14 October 1836.

<sup>48</sup> AOT CON 35/1.

Mrs. Caffray attempted to keep Sarah on side through a mixture of kindness - by offering her a goose - and intimidation. Sarah did not like Mrs. Caffray, according to Dixon, 'she insinuated herself into the house - Mrs. Masters complained a good deal of her'. She was always sitting in Sarah's room when Dixon went for her and had all her meals there. After Caffray was sentenced his wife 'was heard to hiss rather loud at one of her neighbours', according to a letter to the *True Colonist*, which upset the members of the 'Oatlands System' who prosecuted her for keeping a disorderly house.<sup>49</sup>

Whitefoord accused Masters of receiving a bribe from the javelin men to exempt them from duty, of allowing his wife to 'improperly receive' prisoners within his house, and of 'allowing a system of immorality to prevail with his assigned servants'. The real issue was Whitefoord's suspicion that Masters was the author of an article in the *Colonial Times* containing 'false and infamous reflections' about two Oatlands magistrates. In a letter to the sheriff, Whitefoord wrote:

I have reason to believe he does not bestow his time and attention, being more employed in fabricating calumnies of an unprincipled description, with which to assail, in the columns of the Colonial Times, the public and private characters of the magistrates, who, in the exercise of their office, have felt it necessary to recommend his dismissal.

Masters feared that 'some secret conspiracy will be got up, to deprive me of my liberty'. His accusers' depositions were taken at midnight by Whitefoord at his house, and he was given no notice of the case so that he could prepare a defence. Masters was able to collect numerous signatures attesting to his good character. One said that 'the gaol was never conducted in safer and better calculated principles in regards prison discipline'. Dudfield's involvement was shadowy. However, one of the javelin men, a painter and glazier by trade, who allegedly paid Masters to work for him, was also employed by Dudfield.<sup>50</sup>

During the inquiry into Masters' competence a new beneficiary of the 'Oatlands System' emerged - Thomas Burbury, a constable who was a master butcher, described as having 'respectable connections', transported for machine breaking during a riot in Coventry.<sup>51</sup> Burbury persuaded the Masters' assigned servant, Selina Turner, to bring a charge against Sarah Masters for allowing her to be drunk in the Masters' house.<sup>52</sup> Mrs. Burbury's servant, Hannah Evans, was called as a witness. She had often seen Selina drunk and the Masters' other servant, Elizabeth May, carrying drink to their house: 'The old woman May said that Mrs. Masters went to bed when she got the drink - that she kept a horrid house'. Burbury witnessed Hannah's mark, a

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<sup>49</sup> *True Colonist*, 26 May 1837.

<sup>50</sup> AOT CSO 1/633/14270.

<sup>51</sup> AOT CON 31/5. An account of the riot and Burbury's trial is given in the *London Times*, 8 November 1831; 27 March 1832.

<sup>52</sup> AOT CSO 1/633/14270. Conversely, Turner's conduct record shows that Masters brought her before the magistrate for being drunk or absent without leave twice. AOT CON 40/9.

cross. Although he did not have his ticket-of-leave yet, he was described as her master.<sup>53</sup> He was temporarily in charge of the new recently finished gaol, perhaps hopeful of becoming the official Gaoler.<sup>54</sup> He was probably the butcher who was allowed to work from the Oatlands gaol when Dudfield was Gaoler.

The cattle thieving continued. On 7 April 1837, the *True Colonist* stated that Dudfield had so much influence amongst Oatlands authorities that even his domestic servant, John Pollard, had two or three assigned servants. One was allegedly William Warby, transported from Sydney for cattle thieving and continuing his trade in Oatlands under Dudfield's auspices.<sup>55</sup> After his exposure by the *True Colonist*, Hobart authorities transferred him to a road gang at Waterloo. Warby had brought his wife, Jemima, and child with him from Sydney. According to *Bent's News*, which was convinced of his innocence, he was 'torn' from his family, now comprising two children, with Mrs. Warby 'again enceinte'.<sup>56</sup>

The full details of the stock thieving racket did not emerge until December when Joseph Salmon, a wronged settler with modest means, wrote to the *True Colonist*. On 1 April 1836 he leased his farm to Pollard, then living with Dudfield, who was security for the rent. Pollard placed Warby, and his family, with another man, probably Warby's brother, on the farm. After Warby was transferred to Waterloo Point, Dudfield and Pollard quarrelled, so Pollard gave up the lease authorising Salmon to take possession. When Salmon, his servant, John Newby, and Pollard arrived at the farm to do so, Mrs. Warby ordered them to leave, reinforcing her powerful invective with physical assault, tearing Salmon's clothes and dragging him from the house. He went to Whitefoord who took his information and set the proceedings down for the next day at eleven o'clock. Duly arriving, Newby and Salmon were kept waiting until three o'clock while Whitefoord consulted Dudfield. When they were finally called, he was still present. The charge of assault was dismissed and on Dudfield's advice, Salmon was awarded ten shillings damages for a coat worth thirty. Dudfield said it was 'a coat of iniquity' because it was bought from Masters, the late Gaoler.<sup>57</sup>

The *True Colonist* also published Salmon's complaint to the new governor, John Franklin. Mrs. Warby had returned from New South Wales in October 1836, bringing two Sydney speculators, who also lived with her on Salmon's property. The men were found with three stolen horses while other horses in the district were lost through hard riding. Salmon thought the men were Dudfield's 'benefactors and friends', now carrying on his 'old system by permission'. Even the convict constables were at Dudfield's beck and call. That December, he came to Salmon's farm with a constable and two assigned servants, armed with a large stick, and hit him on the head. By then Salmon had decided that complaints to Whitefoord were useless.<sup>58</sup>

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<sup>53</sup> AOT CSO 1/633/14270. Hannah Evans' conduct record shows Mrs Burbury as her mistress. AOT CON 40/3.

<sup>54</sup> AOT CSO 1/633/14270.

<sup>55</sup> AOT CON 31/47 p 163; *True Colonist*, 7 April 1837.

<sup>56</sup> *Bent's News and Tasmanian Register*, 8 July 1837.

<sup>57</sup> *True Colonist*, 22 December 1837.

<sup>58</sup> *True Colonist*, 22 December 1837.

In July 1837 an alternative gang of sheep stealers to that sponsored by Dudfield and associates was discovered by Burbury. According to the *True Colonist*, it was the 'most extensive plan of sheep stealing' carried out by 'one of the worst gangs of sheep and cattle stealers that ever existed'.<sup>59</sup> Burbury received his ticket-of-leave for their arrest.<sup>60</sup> It seemed to clear Warby, at least until Salmon's letter was published in the *Colonist*. The Hobart press temporarily assumed that the sheep stealing problem was solved, leaving Dudfield and his allies to carry on as before. Burbury continued to do well, receiving his conditional pardon in 1837 and his free pardon in 1839 for capturing some bushrangers.<sup>61</sup> By then he was already district constable for Oatlands.<sup>62</sup>

Soon another minor official fell foul of the 'Oatlands System'. In 1837, the police clerk, John Andrew wrote several letters to the *True Colonist*, under the pseudonym of 'True Blue' accusing Whitefoord of various offences including using convict constables as labourers on his property.<sup>63</sup> Alarmed, Dudfield embarked on a frantic mission to steal the letter from the *Colonist's* offices in order to identify the author, presumably to silence him.<sup>64</sup> He was found out, and on 10 October 1837, Robertson prosecuted Whitefoord and Dudfield for receiving the letter, valued at one penny. The case against Whitefoord failed because, although he had received the letter, his prior knowledge of the theft could not be proved. However, Dudfield had been overheard by two constables saying that the theft had cost him, 'a round sum of money'. As a result, Robertson decided to bring the matter before the Supreme Court.<sup>65</sup> Meanwhile, Andrew, his name exposed, lost his job.<sup>66</sup>

It seems possible that the stolen letter affair was the catalyst for more complaints about the 'Oatlands System'. On 1 December the *True Colonist* published a letter from 'Q out of the Corner' arguing that 'for telling the TRUTH [*sic.*] and exposing and bringing to light a system of misappropriation of the police force highly injurious to the interests of the community, Mr. Andrew has been deprived of his situation, while Mr. Whitefoord has been protected and upheld'. Q believed that there was a spate of letters arriving at the *Colonist* which Robertson was too cowardly to publish. One included an accusation that Dudfield and the Warbys had got away with a prosecution brought before Whitefoord 'with the usual effect and success'. Another complaint was that Whitefoord's sheep grazed on township land: 'No one dare impound this person's sheep'.<sup>67</sup> In August, another correspondent, 'Tryhard' had made similar accusations, suggesting that poor settlers' stock died from lack of food. At the time, Robertson commented that he heard it was 'war to

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<sup>59</sup> *True Colonist*, 4 August 1837.

<sup>60</sup> *Hobart Town Gazette*, 30 June 1837.

<sup>61</sup> AOT CON 31/5; *Hobart Town Gazette*, 1 November 1839.

<sup>62</sup> AOT CSO 50/12 (1838).

<sup>63</sup> *True Colonist*, 29 September 1837.

<sup>64</sup> *True Colonist*, 13 October 1837.

<sup>65</sup> *Hobart Town Courier*, 13 October 1837.

<sup>66</sup> *True Colonist*, 1 December 1837; 22 December 1837.

<sup>67</sup> *True Colonist*, 1 December 1837.

the knife between the police magistrate and the majority of inhabitants'.<sup>68</sup> Galled by taunts of faint-heartedness, he wrote an editorial for the 22 December asserting that Andrew was dismissed for 'exposing a very small portion of the Oatlands system'. Although he complained to Franklin, Whitefoord's explanation was accepted. The whole saga said something unsavoury about the government of Van Diemen's Land.<sup>69</sup>

The case of the stolen letter was tried in the Supreme Court, where Robertson lost.<sup>70</sup> Ultimately Dudfield did fall. In 1838, his clerk and forger, Pinnegar, former clerk of public works, was found guilty by Whitefoord of forging checks against Dudfield. When he was transferred from Oatlands he confessed to forging a warrant of attorney in Dudfield's presence, against the lime contractor, Samuel Hall. As a result, Dudfield was found guilty of procuring a forged warrant of attorney.<sup>71</sup> It seems he miscalculated in making an enemy of Pinnegar. The following year Dudfield filed for bankruptcy and was rejected, in part because he removed goods and horses from his premises before making the declaration.<sup>72</sup> The Franklin Hotel was put up for sale.<sup>73</sup> Dudfield re-emerges in the state records of 1852 looking for government work but his notoriety now established, was refused.<sup>74</sup> He died at 313 Melville Street, his residence, in 1854 aged sixty-two.<sup>75</sup>

Even so, his history shows how entrepreneurial attitudes offered an escape from the convict system. In Oatlands, that escape depended not on adherence or resistance to Arthur's ladder of rewards and punishments but on convicts' relationship to the 'System'. The plans of colonial authorities to reproduce a romanticised rural past were subverted by convicts and settlers who shared the modern values of the English commercial revolution. In doing so they offer historians an escape from an oppositional construct of the convict system, characterised by discipline from above and resistance from below.

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<sup>68</sup> *True Colonist*, 11 August 1837.

<sup>69</sup> *True Colonist*, 22 December 1837.

<sup>70</sup> *Hobart Town Courier*, 2 February 1838.

<sup>71</sup> *True Colonist*, 18 May 1838.

<sup>72</sup> *True Colonist*, 17 August 1838; SC 33/2 No 219.

<sup>73</sup> *True Colonist*, 10 August, 1838.

<sup>74</sup> AOT CSO 80/1, pp 23, 45.

<sup>75</sup> *Hobart Town Courier*, 10 February 1854.

## References Cited:

### Primary Sources

Archives Office of Tasmania (AOT) Colonial Secretary's Office (CSO) 1/691/15206:40-157. CSO documents relating to the planning of the new Oatlands Gaol, 1833-6.

AOT CSO 1/176/4296. CSO documents relating to the old Oatlands Gaol, 1827-

AOT CSO 1/691/14270. CSO documents relating to the trial and dismissal of Gaoler Masters, Oatlands 1836-7.

AOT CSO 1/741/16037:189-96. Survey of Oatlands Public Buildings, 1834-5, by Colonial Engineer John Lee-Archer.

AOT CSO 5/17/326:377-8. Letter from Alexander Cheyne, Roads Office, to the CSO, 22/5/1837.

AOT CSO 5/56 1246:188-9. Letter from John Whitefoord, Police Office, Oatlands, to CSO, 3/7/1837.

AOT CSO 5/97/2165:78-126. CSO documents relating to security at the Oatlands Gaol, 1838.

AOT CSO 5/185/4480:44-52. CSO documents relating to maintenance of the Oatlands Gaol, 1839.

AOT CSO 5/274/7123:138-165. CSO documents relating to alterations of Oatlands Court House and Gaol.

AOT CSO 5/280/7311:57-63. Letters regarding security at the Oatlands Gaol, 1841.

AOT CSO 22/10/406:153-67. CSO documents relating to use of the Oatlands Gaol as a female factory, 1841.

AOT CSO 22/91/1952. CSO documents relating to a tread-wheel at the Oatlands Gaol.

AOT CSO 24/48/1649:107-124. CSO documents relating to the need for Condemned Cells at the Oatlands Gaol, 1847-8.

AOT CSO 24/87/1812:101-229. Report on the Gaols. Prepared by J. Burnett, Sheriff's Office, Hobart Town, 1849.

AOT CSO 24/132/4454:384. CSO documents relating to religious instruction at the Oatlands Gaol, 1850.

AOT CSO 24/261/5855:274-85. CSO documents relating to Javelin Men at the Oatlands Gaol, 1851.

AOT CSO 24/271/5460:19-26. CSO documents relating to the health of females at the Oatlands Gaol, 1850-1.

AOT GD 11, GD 42. Records of the Tasmanian Gaol Branch.

AOT MCC 25/39. Miscellaneous documents relating to planning applications, Oatlands Municipal Council, c1938-55.

AOT SC21/1. Letterbook of correspondence of the Sheriff to Keepers of Gaols and Others, 3/6/1830-22/8/1833.

BENT, A. 1825: *Bent's Hobart Town Almanack*  
A. Bent, Hobart Town.

*Commission on the state of Penal Discipline in Tasmania. Report of the Commissioners with The Evidence Taken and Other Documents.* (1883).  
William Thomas Strutt, Government Printer, Hobart.

*Hobart Town Gazette* (Hobart).

ROSS, J. 1830: *Hobart Town Almanack and van Diemen's Land Annual 1830*  
James Ross, Hobart Town.

STATISTICS OF TASMANIA,  
Government Printer, Hobart (Town).

*Tasmanian Mail* (Hobart).

*Weekly Courier* (Launceston).

WIDOWSON, H. 1829: *The Present State of Van Diemen's Land*  
S. Robinson, London.

### **Secondary sources**

CASELA, E. 2002: *Archaeology of the Ross Female Factory: Female Incarceration in Van Diemen's Land, Australia.*  
Records of the Queen Victoria Museum #108, Launceston.

LISTER, A 1982: *Report on archaeological work in the West Police Magistrate's Room at Oatlands Court House, May and June 1982 : a report to Crawford Cripps and Wegman Architects*  
Crawford Cripps and Wegman Architects, Hobart.

RIEUSSET, B. 2004: *Tasmanian Executions 1806-1846, Index.*  
Brian Rieusset, North Hobart.

VON STIEGLITZ, K. 1960: *A History of Oatlands and Jericho*  
Telegraph Printery, Launceston.

WEEDING, J. 1976: *A History of the Lower Midlands*  
Mary Fisher Bookshop, Launceston.

WEEDING, J. 1988: *A History of Oatlands, Tasmania*  
Derwent Printery, New Norfolk.

### **Plans, Maps etc.**

Survey of Oatlands (Monmouth) 20/8/1827 by W.S. Sharland (Map M/19). Held at the Tasmanian Lands Department archive, Map M/19.

Survey of Oatlands 23/4/1832 by W.S. Sharland. Held at the Tasmanian Lands Department archive, Map O/20.

Survey of Oatlands 1846 by J. Calder. Held at the Tasmanian Lands Department archive, Map O/21.

**Unpublished Reports, Theses etc. and Miscellaneous Archival Sources**

EVANS, C. 2003: *Escape from Convictism, George Dudfield and The Oatlands System*  
Paper presented at the *Escapes* Conference, Strahan, Tasmania, June 2003.

MACQUARIE, L. (1821): *Journal of a Tour of Inspection in V.D.L. in 1821*  
Held in the Mitchell Library, Sydney (A784).

WILLIAMS, B. 2003: *Transfer of Technology from Britain to the Colony –  
The Oatlands Stonemasonry Industry*  
Unpublished BA (Hons.) thesis, The Australian National University, Canberra.

WILLIAMS, B. 2004: *Report on Urgent Maintenance Works to be Undertaken at the  
Oatlands Gaoler's Residence.*  
Unpublished report to Southern Midlands Council, Oatlands.