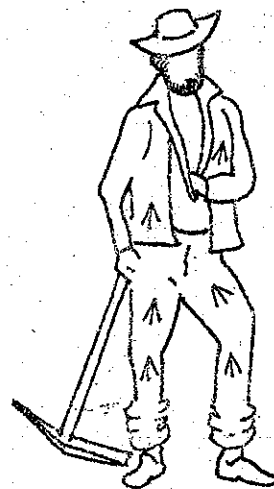
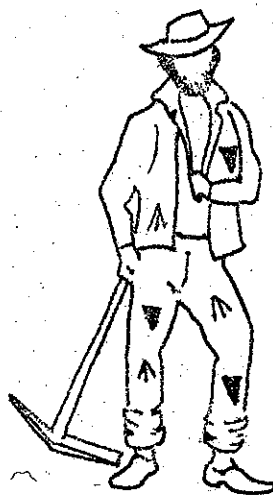
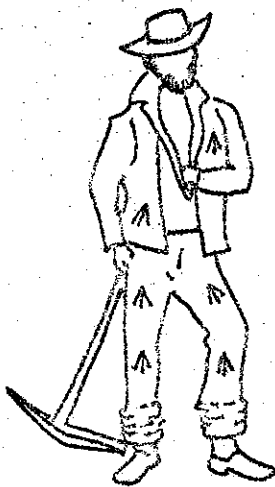


broadarrow

/'brɒd'ærəʊ/ a mark of the shape of a broad arrowhead placed formerly on prison or convict clothing.



INDEX

Introduction 1
Biographical Index. 3
Statistics. 9
Convict System. 11
Sources. 12
Maps
southwest Western Australia. 2
Places of conviction. 10

I N T R O D U C T I O N

This booklet contains very brief biographies of some 26 men who were convicted and transported to Western Australia because they were homosexuals.

They were all convicted between 1849 and 1859, and arrived between 1851 and 1863. In 1861, capital punishment for sodomy was abolished in England, and the convicts who arrived after that year had already been sentenced under the 'old' regulations. There are also two Irish Expirees who were re-convicted in Western Australia in 1872 and 1873 on an anti-homosexual charge (their original convictions in Ireland are not related to these charges). The largest number of convictions occurred in 1852; while Maidstone in Kent was the place where the most convictions took place during the ten year period. Further research is needed to indicate whether 1852 was a year, or Kent a place, where persecution of Gay men was heavier than usual.

Eight men arrived with the partner they were charged with, while the partners of the other sixteen (if they were also charged) could have received either a lighter or heavier sentence which did not involve transportation. Neither of the re-convicted men match to another transportee, but the partners involved (if also charged) may have been processed through the colonial prison system.

Of the couples (i.e. those charged and convicted at the same time) who arrived, only two were together by the time they reached Fremantle (and so were allotted consecutive identification numbers); and only one couple seem to have stayed together throughout their term of imprisonment, and later as Expirees.

Four of the men later married in the colony, two of them becoming businessmen, one a farmer, and one a labourer. One of the men was married at the time of conviction, and another was a widower. Two of the men were soldiers in the British Army when convicted (one in the Crimea, one in Burma); and they were part of a large number of soldiers who were Court Martialed and transported to the colony from all over the Empire.

There is no indication (yet) that these men were in touch with each other. Some were in the same place at the same time - e.g. 3 in Bunbury 1865-67, 4 in Toodyay 1862-66, 3 in Guildford 1862-72), but whether they sought each others company is not known.

What was the attitude of prison authorities (Imperial and colonial) and of the settlers to these men? Were they even aware of them? Was there any sort of gay 'community' in the colony? What affect did the sexual imbalance in the colonial population (e.g. 1854 - 7778 men, 3965 women; 1862 - 10962 men, 6284 women) have on these men, and on feelings between and towards gay people? Much more research is needed yet to uncover the part played by gay men and women in the making of Australia - could they be regarded as the "spiritual ancestors" of today's

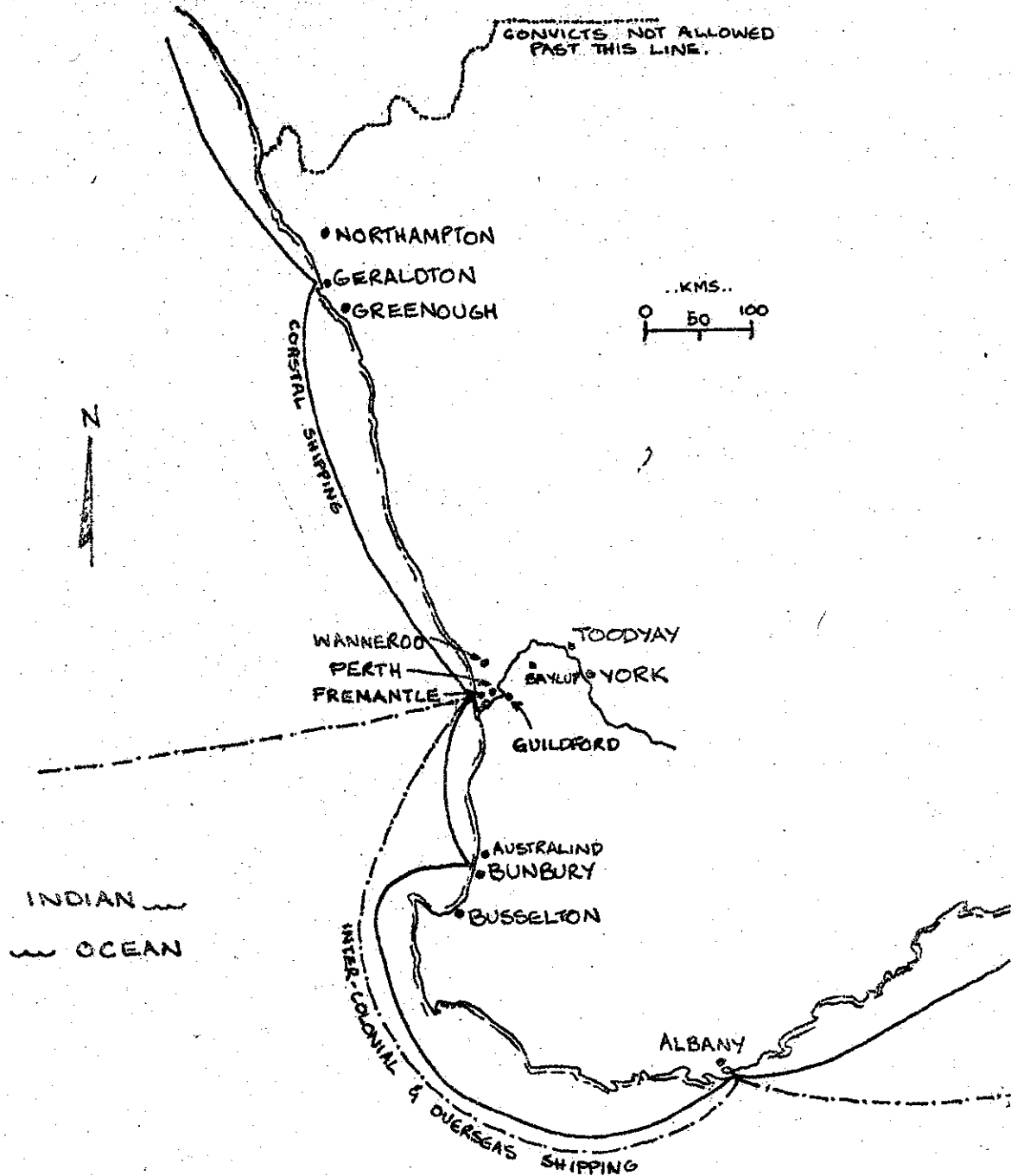
gay Australians? The story of their persecution and suffering is a part of our history, and should not be forgotten. Hopefully, these few pages will help to illustrate a part of that history.

Comments and information are most welcome, and can be sent to:

Bruce Baskerville,
P.O. Box 60,
Dongara, 6525,
Western Australia.

ph. 099 55 8060

6 March 1986



COLONY OF WESTERN AUSTRALIA
(SHOWING PLACES MENTIONED IN TEXT)

B I O G R A P H I C A L I N D E X

The third convict ship to arrive in the colony, the MERMAID, dropped anchor in Fremantle on 17 May 1851, with 208 convicts aboard. No. 176 James Haxton Riley was convicted in 1849 at the age of 21 in Maidstone of an "unnatural crime", and sentenced to 10 years. He had previously been a farm labourer. He received his Ticket-of-Leave on 12 March 1852, and his Conditional Pardon on 8 September 1856 at Perth. James Riley married in June 1851, while still a prisoner, to Eliza Emma Wilkerson at Fremantle. 3½ years later a daughter was born at Fremantle. A further seven children were born over the next 22 years. On 13 June 1890, James died at Fremantle aged 62, of Alcoholic Poisoning.

Sources: D.W.A. V2 & 3; D.C. Fremantle 247/90; W.A.B.I. 50/68.

The DUDBROCK arrived at Fremantle on the 10 February 1853. Aboard were over 200 prisoners, including No. 1529 Henry Feast with No. 1530 James Milner, and another man No. 1571 Thomas Thomas.

Henry Feast was a labourer and James Milner a chimney sweep, both aged 19. They appeared before the Court at Worcester, where on 15 March 1851 they were sentenced to life for "buggery". They were still together when they arrived in Western Australia nearly two years later, but by the time they received their Tickets-of-Leave in 1856, Henry and James appear to have parted company. James Milner received his Conditional Pardon on 13 November 1860 in Perth, and nothing further is known of him. Henry Feast in May 1859 married at Perth to Susan Puckrin, after she had given birth to a daughter the previous year. Another seven children, including two sets of twins, were born during the next twelve years. Henry worked as a sawyer until he began a carting business in Wanneroo, a small farming settlement north of Perth, in 1885. He died in 1914 aged 81 years.

Thomas Thomas had been a cooper, and was a widower with two children when he was convicted at Monmouth in 1851 of "buggery" and sentenced to Life. He received his Ticket-of-Leave in 1856, and was employed as a labourer at various places in the Bunbury and Busselton areas before receiving his Conditional Pardon in August 1867 at Bunbury. He apparently lived in a small hut at Australind, a largely abandoned village on Leschenault Estuary, a few kilometres north of Bunbury, where he died in March 1873 aged 65.

Sources: (Feast) D.W.A. V2 & 3; W.A. Almanac. (Milner) D.W.A. V2.
(Thomas) D.W.A. V2; B.L. 399A.

The ROBERT SMALL arrived at Fremantle in August 1853 with 300 prisoners from Ireland aboard. No. 2262 James Healy received his Conditional Pardon six years later in 1859. On 2 July 1873, he was convicted at Perth of an "unnatural crime", and sentenced to 6 years. In July 1877, he received his Ticket-of-Leave, and worked in the Bunbury area as a servant, a brickmaker before receiving his Conditional Pardon in 1879 at Bunbury. He may have later lived in the Fremantle area, working as a lime-burner during the 1880's.

Sources: D.W.A. V2; W.A. Almanac.

A fortnight after the "Robert Small" had discharged it's human cargo, another ship from Ireland, the PEOEBE DUNBAR arrived with 286 convicts. No. 2492 Timothy McAuliffe had been convicted in Cork, and sentenced to 10 years for burglary. He gained his Conditional Freedom at York, a farming town in the Avon Valley, in 1864. In late 1872, he was arrested at York, and convicted in the Supreme Court in Perth on a charge of "sodomy" (reported in the 'Perth Gazette' as "unnatural crime"), for which he was sentenced to 15 years. In 1881, he gained his Ticket-of-Leave, and was employed in the Swan Valley as a servant, then labouring on the Victoria Plains (a pastoral area north of Toodyay), and later sandalwood or timber cutting around Toodyay, before his sentence finally expired in 1887, 34 years after arriving in the colony.

Sources: D.W.A. V2; 'Perth Gazette' 8.11.1872

The RAMILLIES arrived at Fremantle in August 1864 with 277 convicts. No. 3168 Frederick Cox, a semi-literate labourer, had been convicted at Wells, Somerset in 1852, aged 31, of an "unnatural crime", and sentenced to Life. He gained his Ticket-of-Leave in February 1859. Two years later, his body was found in the bush, where he had died a lonely death after becoming lost. The body was found 1 February 1861.

Also on the 'Ramillies' was No. 3126 William Savage, an illiterate farm labourer, who in 1850 at the age of 23 was convicted at Warwick of an "unnatural crime" and sentenced to Life. He gained his Ticket-of-Leave in 1856, and his Conditional Pardon in 1862 at Toodyay. Some time later he went to Guildford, an inland river port and market town, and the main

town of Swan Valley, where he died in November 1888 aged 62.
Sources: (Cox) D.W.A. V2. (Savage) D.W.A. V2; D.C. Swan 631/88,
B.L. 399A.

On the 18 July 1855, the ADELAIDE anchored in Gage Roads.
Among it's 259 prisoners were 7 gay convicts, the largest
group to arrive in any one ship.

No. 3552 William Cartnell aged 21 and No. 3533 George Simpkin
aged 37, had been convicted in Maidstone, Kent, in 1852 of an
"unnatural crime with a man", and sentenced to Life. William
was a turner and George a shoemaker. They both recieved
their Tickets-of-Leave on 11 May 1858, and made their way
to the Swan Valley, where William gained his Conditional
Pardon in 1862 and George in 1863. George began a shoemaking
business in Guildford and Perth in 1866, and employing five
Ticket-of-Leave men, all of them shoemakers. In 1879, he was
admitted to the Mt. Eliza Convict Depot Hospital, where he
died aged 64. William, now aged 48, had recently gone into
business as a wheelwright and carpenter at Guildford, and he
also employed Ticket-of-Leave men. This business was still
operating in 1889, although no further details are as yet known.
No. 3668 James White aged 18 and No. 3621 William Aitken aged 45
were convicted in Edinburgh in 1852 - William for "attempted
sodomy" and James for "attempting to committ sodomy" - and both
had been sentenced to 21 years. Both men were literate, James
a carpenter and William a tailor. By the time they disembarked
from the "Adelaide", however, they do not seem to have been
so closely involved. Both gained their Ticket-of-Leave in
1857, and James' Conditional Pardon came in July 1862 in Perth.
William gained his Conditional Pardon in 1864 at Toodyay, after
having worked as a labourer around the Swan Valley and at Toodyay.
He later went to the lead mining settlement of Northampton,
where in 1877 he signed a petition to the Governor protesting
discrimination against Expires.

No. 3552 Joseph Dougan aged 31 and No. 3609 William Crawford
aged 25 were convicted at Gibraltar in 1853 of "buggery" and
sentenced to Life. Joseph was a clerk and William a labourer.
Both gained their Ticket-of-Leave in 1859. Joseph's Conditional
Pardon was granted in 1864 in Toodyay, where he had been a
labourer. He seems to have stayed at Toodyay, where he employed
a Ticket-of-Leave labourer in 1871. By 1878, he was a Baylup,
a few cottages and a Wayside Inn on the Toodyay-Guildford Road,
where he employed another Ticket-of-Leave man as a labourer. In

1880, he was the Schoolmaster at Greenough, and the following year he returned to Toodyay as Schoolmaster. However, by the winter of 1887, Joseph was again at Greenough, where he applied for Poor Relief, being described as "ill and destitute". He returned south to Guildford, where in 1888 he died. William's Conditional Pardon was granted in 1865 at Bunbury where he had been working as a labourer. He later went to the south coast town of Albany, the main overseas port in the colony. He sailed from Albany in November 1868 for Callao, Peru.

No. 3518 Evan Hayton was convicted at the age of 19 in Liverpool in 1852 of "buggery" and sentenced to Life. He was an illiterate labourer. Evan gained his Ticket-of-Leave in 1859; and working as a servant in Fremantle, and then a labourer in the Swan Valley and Toodyay, he gained his Conditional Pardon at Toodyay in 1866.

Sources: (Cartnell) D.W.A. V2; W.A. Almanac; W.A.B.I. 50/68, 69/88. (Simpkin) D.W.A. V2; W.A.B.I. 69/88, D.C. Perth 10339/79. (Aitken) D.W.A. V2; W.A.B.I. 69/88. (White) D.W.A. V2. (Dogan) D.W.A. V2, W.A. Almanac, W.A.B.I. 69/88, W.A.B.I.-C.E.I., Blue Book. (Crawford) D.W.A. V2. (Hayton) D.W.A. V2.

The WILLIAM HAMMOND arrived in April 1856 with 250 convicts, including No. 3845 Thomas Drage. He was sentenced in Northampton (U.K.) in 1854 to 7 years for "buggery" at the age of only 16. Two and a half years later he had his Ticket-of-Leave, and he moved to the Geraldton area, where his sentence expired in 1861. He had previously been a labourer, and by 1873 he had established a farm near Northampton (W.A.). He married and had a family; and in 1893 he died on his Northampton property.

Sources: D.W.A. V2, W.A. Almanac, D.C. Northampton 475/1893.

On New Years Day 1858, the NILE sailed into Gage Roads with 268 convicts, including 5 gay convicts.

No. 4594 William Thistle was serving in the British Army in the Crimea, Russia, when he was convicted at Sebastopol in 1856 of "buggery", and at the age of 21 sentenced to Life. Prior to joining the Army, he had been a bricklayer. He gained his Ticket-of-Leave in 1861 in Perth, and then moved northwards to Geraldton, a west coast Sandalwood and pastoral port, where he suddenly died in March 1864 aged only 29.

No. 4603 William Stokes was a 41 year old confectioner, married with two children, when in 1855 he was sentenced to Life at the Maidstone Court, Kent, for "buggery". His Ticket-of-Leave was

granted in 1861 at Perth, and he later was self-employed as a confectioner at Guildford where he gained his Conditional Pardon in 1872.

No. 4634 Thomas Hawkins was a widower with two children, and a 52 year old farm labourer when convicted at Warwick in 1855 of an "unnatural offense" and sentenced to Life. In 1861 he gained his Ticket-of-Leave at Albany, and his Conditional Pardon at Fremantle in 1866. In September 1869, he died at the Invalid Depot at Fremantle aged 66.

No. 4659 Thomas Hanson aged 21 was sentenced at Winchester in 1856 to 15 years for an "unnatural offense". He was a labourer. Thomas received his Ticket-of-Leave in 1860, and his Conditional Freedom in Perth in 1882 - 26 years after he was sentenced.

No. 4711 George Hayman was a 20 year old farm labourer when convicted at Exeter, Devonshire, in 1849 of "buggery" and sentenced to Life. He gained his Ticket-of-Leave in 1858, and was self-employed at Geraldton the following year. In May 1860 he married Bridgid O'Connell at Perth, and in November was granted his Conditional Pardon at Perth. By 1862, George was operating a Quarry at Rocky Bay, on the Swan River at North Fremantle, where he employed 14 Ticket-of-Leave men, including quarrymen and boatmen. At this time Bridgid died, and in April 1863, George remarried at Perth to Sabina Pendor, and some time later a son was born. By 1872, George's home address was Murray Street, Perth, and he was operating a riverboat service between Guildford-Perth-Fremantle until at least 1889.

Sources: (Thistle) D.W.A. V2, D.C. Victoria 2431/64. (Stokes) D.W.A. V2. (Hawkins) D.W.A. V2, D.C. Fremantle 4393/69. (Hanson) D.W.A. V2. (Hayman) D.W.A. V2 & 3, W.A. Almanac, W.A.B.I. 50/68.

In June 1859 the SULTANA arrived at Fremantle with 224 transportees aboard, including No. 5371 William Cook. He was a gardener, and in 1855 was sentenced to Life at Hereford for "sodomy", aged 50. He was granted his Ticket-of-Leave in 1861, and his Conditional Pardon in 1866 at Fremantle. In April 1870 he died at Fremantle aged 64.

Sources: D.W.A. V2, B.L. 399A, D.C. Fremantle 4542/70.

The FRANCES arrived in November 1859 from Madras, India, carrying only one passenger, prisoner No. 5570 Patrick McDonald. He was a 51 year old British soldier when convicted at Rangoon in 1859 of an "unnatural crime", and sentenced to 14 years. In 1862, he received his Ticket-of-Leave, and worked as a

labourer in Perth, then to York, where he was a shepherd, and then to Bunbury where he was employed as a servant, and where he gained his Conditional Pardon in 1865. He may later have returned to Perth and worked as a labourer during the late 1880's.
Sources: D.W.A. V2, W.A. Almanac.

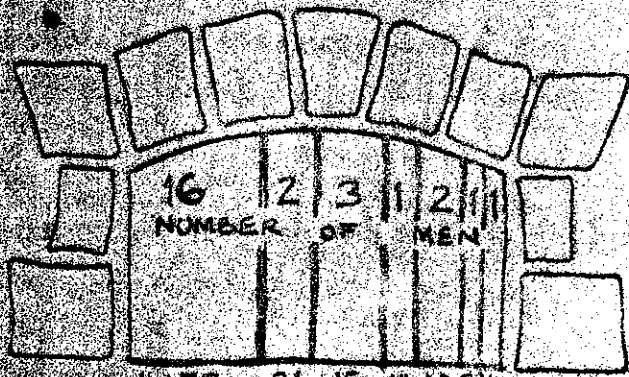
In February 1861, the PALMERSTON unloaded 293 felons at Fremantle, including No. 5696 Isaac Arden. A 38 year old clerk, he was convicted at Stafford in 1859 of "buggery" and sentenced to 15 years. In April 1863, he received his Ticket-of-Leave and departed for Albany. In July 1864 he died at the Albany Convict Hiring Depot.

Sources: D.W.A. V2, D.C. Albany 2551/64.

The MERCHANTMAN arrived at Fremantle in February 1863, with 192 convicts, among them being No. 6831 James Brooks. He was convicted at Winchester in 1856 of "buggery" and sentenced to Life at the age of 26. He was granted his Ticket-of-Leave a month later in March, and worked in the Perth area as a servant, a carter, and a labourer before receiving his Conditional Pardon in 1862 at Perth. He later moved to Guildford where he died in 1870.

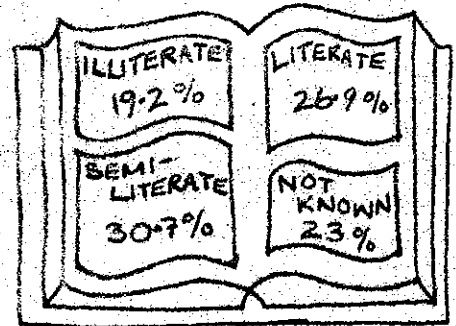
No. 6860 Robert Eustone was a labourer, convicted at the Central Criminal Courts, London, in 1857 of "buggery" and sentenced to 10 years. As the "Merchantman" was nearing Bermuda in the November of 1862, Robert died, and his body was embalmed and later buried at Fremantle.

Sources: (Brooks) D.W.A. V2, L.C. Swan 477/70. (Eustone) D.W.A. V2.

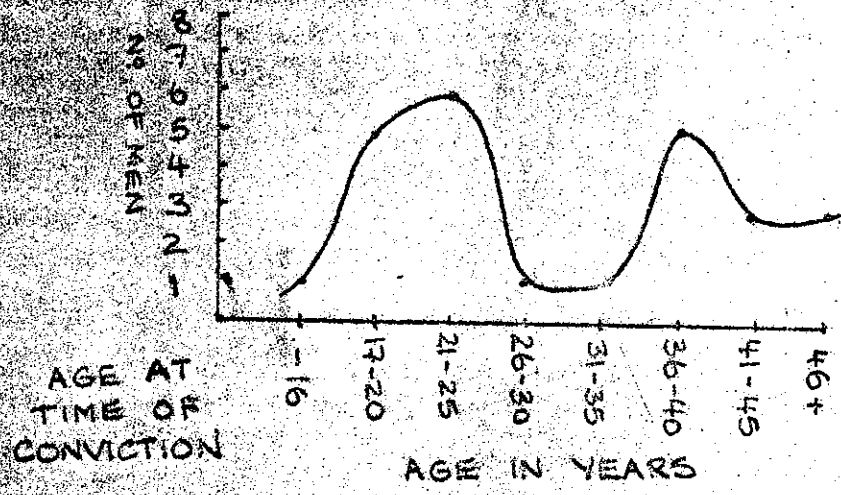


LIFE 21 15 4 10 7 6
YEARS

LENGTH OF SENTENCE



LITERACY AT TIME OF CONVICTION



NO. OF MEN

AGE AT TIME OF CONVICTION

AGE IN YEARS

OCCUPATION AT TIME OF CONVICTION

OTHERS ... 3

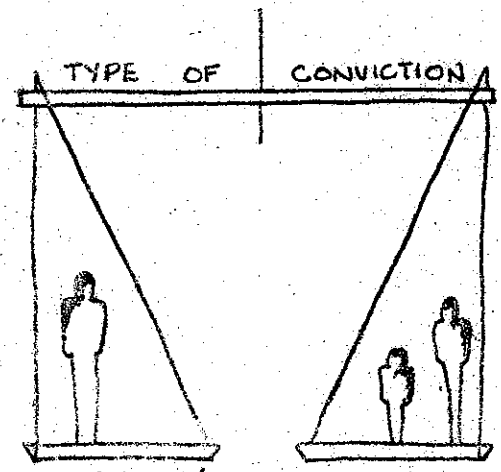
2 CLERKS

CLOTHIERS 2

BUILDERS 4

LABOURERS

6 FARM LABOURERS & GARDENERS



BUGGERY 50%

UNNATURAL CRIME OR OFFENCE 34.6%

SODOMY OR ATTEMPTED SODOMY 15.3%



COUNTY OF CONVICTION IN ENGLAND AND WALES, WITH NUMBER OF CONVICTIONS IN EACH CITY (YEARS IN BRACKETS)

BACKGROUND - THE CONVICT SYSTEM IN WESTERN AUSTRALIA

A small detachment of the 39th Regiment, with 24 convicts, established a settlement on King George's Sound in December 1826, under the control of the Governor of New South Wales. In June 1829, Captain Stirling proclaimed the Colony of Western Australia at Fremantle - this was the first "free" as opposed to "penal" colony in Australia. In 1833, King George's Sound passed from the jurisdiction of Sydney to that of Perth, and its soldiers and convicts returned to the east.

Many of the early settlers were middle class business people and rural 'gentry' from England and Ireland who bought bonded servants to the colony, along with furniture and livestock. Land was granted to these settlers according to the value of the assets they bought to the colony at the rate of 16ha for every £3, and they soon claimed ownership of most of the river flats along the Swan, Canning and Avon rivers, and large areas around Leschenault Estuary and King George's Sound. As the indentured servants and labourers worked off their periods of bondage during the 1830's, the settlers found that they now had to pay scarce cash in wages to their workers. It was at this time that the first calls were heard for the introduction of convict labourers.

As pastoral stations were set up further and further from the settled districts, the pastoralists and squatters found it increasingly difficult to entice either Aboriginal or Colonial labourers to work for them. During the 1840's, juvenile offenders from Parkhurst Reformatory, and Chinese labourers, were introduced to the colony; however calls for transportation continued from the pastoralists who controlled the Legislative Council. In February 1849, a public meeting at Perth called for the introduction of convicts, and in May an Order-in-Council was passed in London making Western Australia a place to which convicts could be sent from the United Kingdom; the only condition agreed to being that they were all males.

The first ship carrying convicts, the "Scindian", arrived at Fremantle in June 1850 with 75 convicts aboard. There was no prison to receive them, so they had to hurriedly convert a rented stone warehouse into a temporary prison; after which all new prisoners worked on building Fremantle Jail until it was completed in 1855. All the prisoners slept in hammocks in dormitories at the temporary prison, with all types of prisoner mixing together, but after 1855, the prisoners were segregated by class, and each man had a cell to himself. By 1853, branches of Fremantle Jail known as Depots had been opened at Toodyay, York, Bunbury, Port Gregory (later moved to Geraldton) and Mt. Eliza in Perth, with smaller depots around the Perth region.

Upon arrival at Fremantle, a convict spent about 9 months at the 'College', as Fremantle Jail was known to its inhabitants, during which time they were employed on various public building projects around the Port. They were then moved to a Depot as a Probationary Prisoner, and from where they worked on road gangs or buildings. The road parties, of between 20 and 50 men, camped on the roadside, and were in the charge of a Warder and his Convict-Constable. After a certain time, the convict gained his Ticket-of-Leave, which allowed him to leave the prison or depot and find employment. There were a number of conditions attached, forbidding him to leave a district without permission of the Resident Magistrate; to carry firearms; to be found upon a ship; or to be absent from his lodgings between 10.00pm and dawn. If he did not find employment within a fortnight of gaining his Ticket-of-Leave, he had to report to the district depot, from where he could be hired out by a settler at whatever wage was

offered. Some skilled men were allowed to work for themselves. After some years, the Ticket-holder received his Conditional Pardon, which freed him from all restrictions except one barring entry to the United Kingdom or the colonies of Victoria and South Australia until the sentence had finally expired.

Between 1850 and 1857, the prisoner moved through these several levels according to the length of their sentences; but after 1857, marks were earned by the men, and the number of marks determined when a prisoner moved up a level in the system, or down.

While in the "College", the daily routine of the men followed a pattern set down in 1853. The day began at 5.00am when the bell rang, and they rose and folded their bedding, followed by Roll Call at 5.15am, and then a visit to the wash house. At 5.55am, the prisoners were again assembled, and sent to work. At 8.00am breakfast was served to those remaining at the jail, followed by prayers at 8.30am, before resuming work at 9.00am. The midday meal was served at 12.00, with work resuming at 1.30pm, and continuing until 6.30pm. Supper and yard exercise took place until 7.30pm, then prayers, with lights out at 8.00pm. Each prisoner received a "sufficient quantity of plain and wholesome food", beginning with a breakfast of 340g of bread and 600ml of tea with sugar. The main meal was dinner, at midday, of 500g of fresh meat or salt pork, 500g of potatoes, 170g of bread, tea, sugar, salt and pepper. The "punishment diet", however, consisted of only 500g of bread and water per day. Those working outside the prison had their meals prepared by the chosen cook of the gang; which usually consisted of 500g of salt pork, and either 110g of preserved potatoes and 220g of flour (as damper), or 220g of rice, with 28g each of raisins and suet with 600g of flour, and the usual tea, sugar, salt and pepper. Before 1853, men working on hard manual labour were allowed extra rations of meat, bread and tea, and some beer, but this was discontinued. After 1856, soup was served with dinner on certain days. Supper consisted of 170g of bread, with tea and sugar. Re-convicted men received a smaller daily ration of meat, and worked (while at the "College") in irons on bridges and road gangs. Twice a year, the prisoners received a clothing allowance, each item marked with a broad arrow, consisting of 2 pairs boots, 4 pairs socks, 4 handkerchiefs, 4 cotton shirts, 1 felt hat, 1 fustian jacket, vest and trousers for winter, 1 duck jacket and vest and 2 pairs duck trousers for summer, and 1 leather belt.

The last convict transport, the "Esougoument", arrived at Fremantle in January 1868, and landed 279 convicts; bringing to 9653 the total number of men sent to the colony over 17½ years. In 1872, the Albany Depot closed, followed by Geraldton and Toodyay later in the year, and York and Bunbury in 1874. It is estimated that about 1000 of these men married, and that a further 1000 left the colony. Many of those remaining ended their days as vagrants, alcoholics, suicides, lost in the bush, or as one of the many lonely inhabitants of the Old Men's Home at the foot of Mt. Eliza.

Sources used in compiling Index entries:

- B.L. 399A - Battye Library, Anglican Parish Registers 1840-1920.
- Blue Book - Colonial public service lists and statistics 1834-1894.
- D.C. - Death Certificate, District-number-year of death.
- D.W.A. - Dictionary of West. Australians 1829-1914, and volume no.
- W.A. Almanac - incl. regional lists of householders, 1862-1889.
- W.A.B.I. - Western Australian Biographical Index, held at Battye Library; 50/68, 69/88 - 1850 to 1868, 1869 to 1888;
- C.E.I. - Convict Employers Index, a W.A.B.I. listing.