

Chapter 6: Inhabiting the Spaces In-between: The Ross Bridge gang and other government gangs in the Campbell Town Police District.

The previous chapter argued that convicts in road parties took whatever opportunities they could to exert control over their lives as ganged men. They worked for cash, traded in goods and services within the gang, and absconded in relatively large numbers. Absconding linked them to the convict economy in rural districts. While the degree to which they were able to manipulate ganged life varied from gang to gang, the evidence suggests that convicts were not powerless to shape the circumstances in which they found themselves.

In this chapter, the theme of agency over work and integration into the community is pursued further through an examination of the Ross Bridge Gang. This chapter will look at how an inefficient administration failed to provide the gang with the skilled leadership that was necessary to start the bridge project. This gave the men the opportunity to establish a positive working relationship with local emancipist tradesmen and settlers who wanted to purchase goods and services. The chapter will argue that strong market forces drove these interactions as settlers started to build more permanent houses and farm buildings to replace their earlier split log huts and barns. Equally important, however, was an imported class culture that shaped relationships in the district. A shared understanding of traditional class interactions transcended the recent and artificial creation of a convict class that had been imposed on island society in place of a free working class.

The chapter will look closely at a supply incident, typical of many work interactions between gang members, emancipist tradesmen and settlers. It will demonstrate the manner in which the local administration tried to work against the dominant cultural and social understandings that had been reestablished in Ross between the gang and the town, and close down private trading between them.

The chapter will also examine the way in which the type of tribunal that heard cases against ganged men may have affected the types of punishments they received. Police magistrate John Whitefoord provided an open civil court system that heard

charges against the Ross Bridge ganged men and several other small local groups of ganged convicts. His approach was different from the closed hearings conducted by military magistrates who were also gang superintendents. Whitefoord's judgments provide an opportunity to examine how a civilian magistrate attempted to impose the stricter discipline that the administration believed was a necessary feature of gang justice.

Ross had been an insignificant location on the Main Road to Launceston before the first thirty or so settlers arrived in 1823 to take up their land grants. Named by Governor Macquarie during his visit to Van Diemen's Land in 1821, Ross was the location of both the ford across the Macquarie River and the Government Farm of 30,000 acres where working bullocks and milking cows were bred. Since 1812 a military outpost had been stationed there to protect travelers against attacks from Aborigines and bushrangers and Stocker's inn provided accommodation to travelers near the ford.

By 1824 the first bridge had replaced the ford. It was described as having fourteen arches and being about 250 feet in length. It was "constructed of uncemented stone buttresses, upon which are laid rough logs of wood and these are covered with earth and gravel. Within eighteen months of the construction of the bridge, a small settlement had sprung up around it.¹ As floods washed away the logs and the surface soil, and the remaining bridge timbers decayed, the bridge proved increasingly inadequate.

The early history of the attempt to build a new bridge at Ross demonstrates the lackluster manner with which the project was organization by the Roads and Bridges Department.² In 1829 Lieutenant Vachell arrived with six convicts to start the bridge construction. Little work was done on the bridge as Vachell did not accept that it was

¹ Edward Curr, Van Diemen's Land company, quoted in K. R. von Stieglitz, *A Short History of Ross with some Tales of the Pioneers*, privately printed 1949, p. 9.

² In 1827 Arthur divided the Engineers Department into two separate departments: the Roads and Bridges Department; and the Engineer and Architects Department; which in 1835 was renamed the Public Works Department. Entries in the *Blue Book* of 1833 shows that the Roads and Bridges Department appointed the supervisors for the Ross project. See CSO 50/8, *Blue Book* 1833, ATO, pp.105-107.

his duty to supervise convict workmen, and he had no foreman with the experience to start the project. Instead, his men effectively lived as free men: they built themselves a barracks, hired themselves out to the local settlers for work, drank in the pubs at night and one even got married.³

After Vachell's departure, Mr. Foord from Bothwell arrived in May 1831 with a team of forty convicts, but work was delayed on the bridge for another eighteen months because no experienced stonemason-foreman had been appointed. However, the convicts were not idle in this period. By the end of 1833, the convict gang had erected a blacksmith's shop, a military guardhouse and stables, a commissary store, a set of stables for the commissariat clerk, George Cock, four brick barracks for themselves and a brick overseer's hut.⁴ Foord also permitted his men to seek work around the district and appeared to coordinate the production of building materials and the increasingly complex building jobs the convicts started for local settlers.⁵ Stone was quarried and bricks were burned and sold to many prominent local settlers, including William Kermode of Mona Vale farm, Samuel Hill, a local Justice of the Peace, and John Dickenson, the publican. Foord built brick kilns at Somercotes and Ashby farms, where he also located a lime kiln.⁶ As well as the brick and lime kiln workers, at least two other groups of gang members established work camps outside the barracks and village. A charcoal burners gang was located in the Eastern Tiers outside Ross with a men's hut attached where they stayed overnight while firing the kilns.⁷ There was also a government sawpit and carpenters camp in the hills. In the absence of a qualified stonemason, for the first four years the gang completed what they could for the government. The rest of their time, they worked to supply the private market demands for building materials and built houses and farm buildings for the settlers.

³ L. Greener & N. Laird *Ross Bridge and the Sculpture of Daniel Herbert*, Hobart, Fullers Bookshop, 1971, pp. 4-5.

⁴ PWD 266/1690, 290/1404, AOT, Maps circa 1833, Ross Series.

⁵ Maureen Byrne, *Ross Bridge Tasmania*, Australian Society for Historical Archaeology, Department of Archaeology, Sydney University, 1976, p. 2. Foord was dismissed in September 1832 after it became clear that little was happening on the bridge work, even though no experienced supervisors or workmen had been appointed. Hobart was also dissatisfied with stories of the gang's lifestyle and that they worked for settlers.

⁶ *Ibid*, p. 21.

⁷ LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trial of Arthur Thredder, 5 October 1835. See the details of the clerk's report for insight into how the charcoal burners' gang lived.

It was significant that the convicts' barracks was located on a site half way between the sandstone quarry and the new site for the bridge.⁸ Their barracks was on the town perimeter between Church and Bond Streets, giving the convicts excellent access to the bridge site, the quarry and the village. This created a special relationship with the village. The convicts, including the skilled tradesmen amongst them, were very accessible to the settlers while the services of the village also became accessible to the convicts in the gang. While many other bridge and road parties were generally some distance from the nearest village, the Ross Bridge gang was physically integrated within Ross and as a result overseers, tradesmen and convicts became quickly known around the village.

A crude separation was attempted by placing the military establishment and its buildings in between the village and the convict barracks. The new parade ground was marked out beside the location of the new bridge site, and the soldiers' barracks, officers' mess and stables were built nearby.⁹ Until the end of 1834 this separation was minimal. As the barracks was not fenced in, the convicts appeared to have relatively easy access to the local pubs and were around the village and on other work sites during and after working hours. Even at night the convicts' barracks was far from secure.

The bridge work was finally commenced when four significant appointments were made between March and November 1833. Three of these finally provided professional leadership to the party of fifty convict workers. James Colbeck a convict and a master stone mason with experience in construction, was appointed to train and lead the stonemasons. Shadrech Purton a free settler was appointed as overseer by John Lee Archer with George Cock, the former Ross commissariat clerk, as his

⁸ E. Cassella, '“A Large and Efficient Establishment”': Preliminary report on the fieldwork at the Ross Female Factory', *Australasian Historical Archaeology*, 15: pp.79-89. See also *Ross Female Factory Archaeological Survey*, Tasmania, Parks & Wildlife Service, 1998. Report of the excavations conducted by Eleanor Casella, Department of Anthropology, UC Berkley, 1995. This site of the Ross Bridge Gangs barracks was later developed into a women's prison during the early Probation Period. See also *Ross Female Factory*, Tasmania, Parks & Wildlife Service, circa 1998. Pamphlet on the historical transformation of the Ross Bridge male convicts' barracks into the Female Factory from 1847.

⁹ PWD 266 / 1689 and 290/1403., 'The Military Quarters at Ross', Maps, circa 1833, Ross Series, AOT.

deputy.¹⁰ In November, Charles Atkinson a young English architect, was appointed by Governor Arthur to oversee the project.¹¹

It was difficult for the first contingent of six convict police who arrived in Ross in midsummer 1833, to interrupt the gang's pattern of integration into the commercial and social life of the village and restrict them to barracks and government work. The local justices of the peace, Samuel Hill, Ben Horne and John Leake, accepted that private contracting should cease, but would not support the prosecution of settlers who had used the services of the gang during the period when no professional leadership had been provided by the Department of Public Works. However, they allowed one prosecution against John Dickenson the publican, who was charged with buying materials for his house from gang members. He admitted to using government timber in the construction of his house but argued it was the practice of the gang to lend materials to local settlers who would replace them later. The case against him was withdrawn. Two convict clerks were charged with organizing the making and selling of bricks from the two brick kilns at the Somercotes and Ashby farms but they claimed they did so in their spare time. They were admonished and excused by the justices of the peace.¹² Because George Cock, one of the commissariat clerks, was later promoted to assistant overseer, it was always likely that some of the former arrangements with private settlers would continue.

By 1833, the gang had established traditions of living and working in Ross over the previous four years. During this period, the gang members had started to function as a cohesive private construction work group, rather than a group of convicts in government employment.¹³ This did not appear to be a form of protest against their sentences or their working conditions. They were not contesting the system, appealing for fair treatment, withdrawing their labour or sabotaging tools or government property.¹⁴ Instead, they evolved a pragmatic working relationship with

¹⁰ *Australian Dictionary of Biography*, op. cit., Vol. 1, 1788-1850, pp. 23-24. John Lee Archer was appointed Civil Engineer and Architect for Van Diemen's Land between 1826-1837 and reputedly designed the Ross Bridge.

¹¹ Maureen Byrne, *Ross Bridge Tasmania*, p. 3.

¹² Greener & Laird, *Ross Bridge and the Sculpture of Daniel Herbert*, pp. 10 – 12.

¹³ *Ibid.*, pp. 4-12.

¹⁴ Alan Atkinson, 'Four patterns of convict protest', *Pastich 1: Reflections on Nineteenth Century Australia*, Russell Penny & White Richard editors, St Leonards NSW, Allen & Unwin, , 1994, *passim*.

the settlers, which included former gang members, when they were freed or paroled. This type of cohesive working relationship between settlers, emancipists and convicts was unusual in Van Diemen's Land, but not in the colony of New South Wales. The Sydney Lumber Yard was a government work site employing convicts. It also operated in the 1830s as a manufacturing site that supplied the local building industry with both simple and finished building products. Under clear guidelines, convict tradesmen at the lumber yard were permitted to take apprentices and work off site for themselves for two days a week. This formalization of working arrangements, enabled a high degree of productivity to be maintained for the government's building needs, but also supplied the free market's strong demand for building products. Convict tradesmen, who worked under these guidelines, ran their own cash businesses part-time, while still employed by the government.¹⁵

In Ross, substantial market pressure existed for building supplies, but no formal arrangement was agreed by the local or Hobart authorities. Instead the emancipist and gang tradesmen organized their own model for satisfying the local demand. Left unregulated, the result was the development of a clandestine economy, which left both the local emancipists and the gang tradesmen vulnerable to prosecution under the convict regulations. Its other effect was to continue to slow down the gang work on the bridge as no clearly delineated quantity of government work had been negotiated. Although the private work of the gang was reduced between 1833 and 1835, it was never completely stopped: there was still a strong market for building materials and even officials like the local postmaster in Ross continued to employ gang members.¹⁶ By 1835, it became apparent that the continued slow progress of the bridge was partly because many gang members were still working for themselves. The Public Works Department had reputedly spent, by then, almost £2500 on the bridge and could see very little progress despite this considerable outlay.¹⁷ The inefficiency of the Roads and Bridges Department in organizing the building work over the first six years of the project was in stark contrast with its counterpart in New

¹⁵ W. M. Robbins, 'The Lumber Yards: a Case Study in Management of Convict Labour 1788 – 1832,' *Labour History*, No. 79, November 2000, pp. 141 – 161

¹⁶ LC 83/1, Return of Cases Heard, Magistrate's Court Campbell Town, AOT, Trial of Paul Peers, 16 February 1835.

¹⁷ Stieglitz, *A Short History of Ross*, p.11.

South Wales. From 1828 the new Surveyor-General Edmond Lockyer, had remodeled gang structure, allocating set numbers of men and overseers to each gang, defining their conditions and requiring weekly and monthly reports on both gang outputs and behavior. Karskens attributes the quality of the work completed by gangs making the Great North Road, to the efficient distribution of manpower and the training received by formerly unskilled convicts.¹⁸

One very public case in May 1835 demonstrated that ganged convicts were still supplying the private market. District constable Edward Freestun received information about a deal being made between several bridge stonemasons and Mrs Abbott of Ashby farm, the widow of a former deputy-judge-advocate, and owner of the farm, where the convicts had managed the successful brick and lime kilns just two years earlier.¹⁹

The Abbott case revealed the complex layers of cooperation that existed between the ganged men, private settlers and emancipists. John Abbott, acting for his mother, did not approach the gang stone cutters directly but gave instructions to Wooley a convict bricklayer on temporary loan from the Government, to purchase stone for a building that was being erected at Ashby farm. Wooley met the stonemasons at their hut and got an agreed price and over the next two weeks, three convict stone masons prepared the stones. One of the masons got leave from the overseer to use two government hands to load one of Mrs Abbott's farm carts when it came to the quarry to pick up the order. The convicts had arranged for a local emancipist stonemason to say the stone had been bought from him if the cart was stopped after it left the quarry. The informer was William Cartwright, the storeman for the gang who contacted the police on the morning of the pick up.²⁰ It is unclear why Cartwright turned informer on his fellow gang members but it is possible that the police had

¹⁸ Grace Karskens, 'Defiance, Deference and Diligence: Three Views of Convicts in New South Wales Road Gangs', *Australasian Historical Archaeology*, 4: 1986, pp. 17–28. Iron gangs, road parties and bridge parties, all with specific skills, contributed to particular tasks along the road.

¹⁹ *Australian Dictionary of Biography*, Vol.1, p. 2. Major Edward Abbott, former New South Wales Corps from 1790 to 1796, deputy-judge-advocate in VDL, large land holder.

²⁰ LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trials of James Newton, John Welsh and John Winks, 30 May 1835.

some evidence of Cartwright mismanaging the gang's stores for his own profit, a common practice, and used this to force him to cooperate with them.

It is not clear that the stone bought from the bridge gang was necessarily cheaper than what was charged by the local emancipist stone masons. The two groups were not in open competition with each other on pricing issues. Instead, deals appear to have been made between gang members and some local emancipist stone masons to share parts of the work and the profits.²¹ The three bridge stonemasons paid the gang quarrymen nine pence a piece for the rough cut stone and they charged the Abbots two shillings and three pence for each block after it was dressed. Some larger pieces of dressed stone such as door steps, could command up to ten shillings a piece. The three gang stone masons at one stage offered part of the job to Edward Hulley an emancipist stone mason, who had recently been discharged from the bridge gang when his sentence had expired. He declined it claiming that the price at which the gang stone masons offered it to him was too low. They had probably offered to split part of the work and their contracted price with him in order to give credence to their plan to allegedly source the job to him in case they were caught. Even when he declined the job they asked him to agree to say he provided the stone if he was asked. He later reconsidered this and denied to the police he had produced or sold the stone.²² This case demonstrates the integration of the work of the government and free tradesmen within Ross to cooperatively produce goods that were in great demand by settlers. It illustrates the way working class men normalized their working relationships if they could and ignored the increasingly artificial commercial distinctions between free and convict tradesmen in order to service a market.

A lot of ripples spread out round these incidents. May 1835 saw the biggest official effort to stop gang members working for the settlers. Earlier in May District Constable Freestun had a run in with some of the Ross Bridge carpenters who became aware that they were under scrutiny. Eight convicts worked at the government carpenters camp in the Eastern Tiers. Their isolation enabled them to

²¹ LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trials of William Preston and James Newton, 16 April 1835.

²² LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trials of James Newton, John Walsh and John Winks, 30 May 1835.

enjoy a reasonable amount of autonomy and less supervision than the men who resided in the barracks at Ross. On Friday 8th May, two of the carpenters named Gazely and Jepson approached and threatened District Constable Freestun in Ross. Jepson “violently assaulted Freestun” and later the same night three other convict carpenters got drunk and disorderly at Dickenson’s Robin Hood Inn. Two of them returned the following Friday night to Dickenson’s and were charged again with being drunk and disorderly.²³ No charges of working for themselves were laid against any of the five but Jepson got 50 lashes for the assault and Gazely was sentenced to seven days in the solitary cell on bread and water.²⁴ Dickenson was charged with breaching the Publican’s Act by serving prisoners and fined £5 with costs.²⁵

Emancipist tradesmen also became the target of police interest. John Gregory was a hard drinking and fighting emancipist stonemason who frequently employed some of the Bridge stoneworkers. Two nights after the altercation with the carpenters’ gang Freestun was called to Gregory’s house where one of Gregory’s assigned servants had assaulted the stonemason’s wife. Gregory was out at the time of the assault but returned to find Freestun and several constables taking two of his assigned men to the watch house. He followed and attacked the constables while trying to free his men. This incident started a series of charges against Gregory as police believed that if they broke Gregory’s hold on gang labour, they would discourage others as well. Over the following few weeks Gregory was charged and appeared nine times before the local bench. The charges included being drunk and disorderly, assaulting several people involved in the trafficking incidents, and employing stonemasons from the Ross Bridge gang. This wore away Gregory’s independence and ability to pay the

²³ LC 83/1, Return of Cases Heard, Magistrate’s court, Campbell Town, 1835, AOT, Trials of Thomas Lewis on 11 May 1835 and 19 May 1835. Lewis was ordered 20 lashes for the first offence and 50 lashes for the second offence. Trial of Thomas Spencer, 11 May 1835- Spencer was severely admonished for his first offence. Trials of Richard Copperwhite, 11 May 1835 and 19 May 1835; Copperwhite was ordered 20 lashes for the first offence and 50 lashes for the second offence.

²⁴ LC 83/1, Return of Cases Heard, Magistrate’s court, Campbell Town, 1835, AOT, Trial of Alfred Gazely, 8 May 1835; trial of Charles Jepson, 8 May 1835. Jepson’s 50 lashes were commuted to 7 days in the solitary cell, when the medical officer testified he was too ill to be subjected to a whipping.

²⁵ LC 83/1, Return of Cases Heard, Magistrate’s court, Campbell Town, 1835, AOT, Trial of John Dickenson, licensee of the Robin Hood Inn, Ross, 19 May 1835. It was customary to charge the licensee of the public house where a convict had been drinking, if that convict was arrested when drunk.

finances and sureties that were required for him to keep the peace. The court made him pay for the medical expenses and costs for assaulting a constable. He was fined £10 for employing other unnamed gang convicts and a further £10 for employing William Young—a stonemason from the Bridge gang. Gregory paid a further £10 surety for abusive and threatening behavior to William Cartwright, the store man informer from the gang. He had to call on two other emancipists to assist with additional sureties in late June and early July. Edward Hulley a recently released gang stonemason, put up a £10 surety for him and Thomas Tucker, a client and local emancipist who had set himself up as a publican, paid the bond binding Gregory to keep the peace for three months. In addition, Prudeax Watson licensee of the Caledonian Inn in Campbell Town, put up another £30 surety for Gregory to keep the peace after he was charged with assaulting District Constable Freestun.²⁶ William Speed, the other emancipist stone mason who had trafficked in stone with the gang, was also charged by Freestun with employing a gang member to make chisels—a token charge that was dismissed by Whitefoord.²⁷

In the aftermath of the Abbott and Gregory cases the bridge gang was placed under increased surveillance. Captain William Turner arrived in early June to take charge of the gang from Superintendent Atkinson who had been dismissed. The three quarrymen who cut the rough blocks were charged with working for themselves and given sentences of 20 to 50 lashes.²⁸ Several gang members who had threatened an overseer or behaved in a disorderly way in the wake of the charges, were either flogged or given time in solitary confinement.²⁹ The three gang stonemasons who organized the Abbotts' job, were ordered to work in chains for 2 to 3 months.³⁰

²⁶ LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trials of John Gregory on 11 May 1835, 12 May 1835, 26 May 1835, 5 June 1835, 9 June 1835, 10 June 1835, 18 June 1835, 3 July 1835.

²⁷ LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trial of William Speed, 23 June 1835.

²⁸ LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trials of James Merrett, Christopher Bassett and Richard Davis, 20 May 1835. Merrett got an additional 50 lashes for absenting himself from the barracks without leave on 12 June 1835.

²⁹ LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trials of John Newin and George Kenny on 20 May 1835.

³⁰ LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trials of James Newton, John Walsh and John Winks, 30 May 1835.

But the emancipists and gang members took their revenge on at least three of those who prosecuted or informed on their colleagues. William Cartwright, the gang's storeman who informed on the stone masons, was not rewarded for assisting the police. Instead, Superintendent Turner demoted him for not informing him sooner of the illegal trafficking. The stone masons got their revenge a month later when one of them complained to the superintendent about Cartwright's drunken behavior. John Kenmore told the magistrate that Cartwright turned up at his hut "half tipsy" on the Saturday night and told him he had been stripped of his separate quarters and had to move in with Kenmore. Cartwright left telling him he was going to get the irons struck off one of the stonemasons who was in chains. A little while later "he then returned to my hut and said he would have it flagged, that the sandy floor did not suit him". Cartwright got twelve lashes for this behavior.³¹

Joseph Boden was also ostracized by other gang members for being an informer. He absconded from the gang and gave himself up in Campbell Town, telling the magistrate he was afraid to return to the gang.³² Even District Constable Edward Freestun who had been so vigorous in his pursuit of the traffickers, was paid back. Not only did Freestun take a beating from John Gregory but he was charged with feloniously embezzling five window sashes, the property of persons unknown but most likely the property of Mrs. Garrett. (The words Mrs. Garrett were struck out of the clerk's notes.)³³ The windows were found in his possession and he was committed to stand trial at the following Quarter Sessions Court. Very probably the window frames were planted on his property by persons unknown. The case against him was dismissed once the Quarter Sessions sat but Freestun chose not to return to duty with the Van Diemen's Land police and left for the Port Phillip District.³⁴

It would be a mistake to believe that the complex series of events of May to July 1835 could stop the free and convict tradesmen of Ross, however, from continuing

³¹ LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trial of William Cartwright, 22 June 1835.

³² LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trial of Joseph Boden, 29 July 1835.

³³ LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trial of Edward Freestun, 18 and 20 June 1835.

³⁴ Freestun David, 'The Brothers Freestun, Why were we Policemen?', *Tasmanian Ancestry*, March 1997, pp. 230-232.

their private working relationships to supply local market demands. The settler and convict economies had become too interdependent to be easily separated and private demand was likely to be rationally supplied, regardless of convict department regulations.

By October 1835 another cooperative trading venture between gang members and ticket of leave men in Ross was exposed. Two bridge gang convicts from the charcoal burners' gang in the Eastern Tiers were caught selling charcoal, some of which they produced in their spare time, the rest they took from the gang's general supply. They were assisted by William Nailor, otherwise known as "Black Bill", a ticket of leave man who lived nearby on the tier, in a hut he shared with his emancipist employer, Murdoch.³⁵ They supplied charcoal to John Ellis a local ticket of leave blacksmith in Ross, also a former bridge gang member. Nailor acted as the 'legitimate seller' and Murdoch covered for Nailor by employing him to mind his bullocks. Ellis used one of John Gregory's assigned men to cart the charcoal for him in the stone mason's cart.³⁶ It's not clear who the informer was, although two other charcoal burners gave evidence against their co-workers. In this manufacturing and selling ring, it is clear that a reasonable degree of cooperation and trust existed between some current and former gang members and that they acted cooperatively to supply a local demand for charcoal. Far from waiting to be given privileges by overseers or employers, small clusters of serving and former convicts continued to work together in commercial ventures. The force of the free market drove the arrangements that freed, ticket of leave and serving convicts made with each other. The convicts' need for cash was the other significant motivation. Cash supplied many of the small comforts they needed while they were still under sentence. Those who were caught were punished and while this may have stopped individuals for a time, the trend would continue, as opportunities and markets continued to arise and provide a chance for work and profit. Although this system was particularly well developed around Ross, it is probable that similar arrangements existed in other parts of Van Diemen's Land wherever supply opportunities arose and wherever working

³⁵ The appellation "Black Bill" identifies Nailor as a probable Afro-Caribbean convict & former slave released in England.

³⁶ LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trials of Arthur Thredder, John Curtis, John Ellis and William Nailor, 5 October 1835.

class convicts and middle class settlers resumed their traditional patterns of economic and social exchange, ignoring the impositions of the convict system.

Even though cases against Ross Bridge ganged convicts who engaged in private work occupied a large slice of police magistrate Whitefoord's time in 1835, other charges against them were minimal. For the first half of 1835 all charges against the gang members were heard publicly in the local magistrate's court, instead of *in camera* by the gang superintendent. This provides an opportunity to look at the general behavior of the Ross Bridge ganged men as workers and as members of the Ross community.

Despite the gang's barracks being on the edge of the village, very few gang members were charged with burglary or other misdemeanors against the general population of Ross. George Kenny was found trespassing on land that was formerly the government farm just east of the village, although the charge doesn't suggest why he was there.³⁷ Only three men were implicated as potential robbers but as there was no evidence that they were on their way to commit robberies, a lesser charge was laid of "escaping from the barracks at night under suspicious circumstances". According to evidence provided by the gang overseers, security was taken seriously, particularly after the arrival of Captain Turner as superintendent and the overseers had been tasked with keeping a lookout for three weeks in order to catch the suspects.

Overseer Colbeck told the magistrate that after they mustered the men at 5.30 on Saturday evening, the three overseers each took an evening watch. "Between 1 and 3 o'clock on the following morning as the moon began to drop down, the prisoner Howe got over the wall and went under Mr. Cock's (the assistant overseer) fence in the shade as if for concealment". Howe remained there without moving for another half hour waiting for a companion. "About half an hour afterward another man attempted to get over the wall but he saw us and went back again. These ropes or nettles were taken out of the prisoner's pocket." The three civilian magistrates found only Howe guilty, even though the overseers had their suspicions about who the

³⁷ LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trial of George Kenny, Arab 2, 21 March 1835.

other man was. Howe didn't implicate anyone else and was sentenced to eighteen months in a chain gang. Two others were charged with being accomplices but were acquitted, as the magistrates refused to convict on a mere suspicion of a misdemeanor, although one was sentenced to be removed from the Ross Bridge gang.³⁸

The only other general charges laid against bridge gang men were minor. One was caught trying to milk the postmaster's goat and a convict was found with a quantity of fencing wire in his possession, presumed to have been stolen from neighbors' fences.³⁹ The lack of charges against bridge gang members for misdemeanors against the village residents, suggest that unlike some larger gangs, the Ross bridge gang may have maintained more cordial relationships with the local free population. Because so many were able to work for cash, this may have reduced the need to steal from the town and may have achieved a degree of integration between gang and village that was markedly more cordial than in some other parts of the island.⁴⁰

Good relationships with local businesses could create tensions in other directions though. In 1834 a gang member reported seeing three convicts in the barracks with a dead sheep and another man going into Ross the next day with a bag of what may have been sheep meat over his shoulder. A month later a Shadrack Perton, a free settler saw James Hogg one of the convicts previously involved, driving some sheep to the river then falling on one and killing it. He reported this to both an overseer and the gang superintendent. When charged, Hogg exposed the sheep meat ring of five gang members and an overseer, claiming they had killed around 60 sheep this way and sold most of the meat in Ross.⁴¹ Outraged settlers held two public meetings

³⁸ LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trials of James Howe, George Harris and William Turner, 7 July 1835. The police magistrate a local justice and the gang superintendent sat to hear these charges.

³⁹ LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT. Trial of Harrison Colville on 27 April 1835. Trial of Henry Stewart, 20 May 1835.

⁴⁰ LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trial of Joseph Crawford, 23 January 1835. As well as the services and goods offered by tradesmen such as stone masons, carpenters and charcoal burners to village residents and settlers, Crawford was caught making a quantity of shoes, presumably for sale. Others were caught with goods which were not specified, in their possession and which may have been destined for trading.

⁴¹ Katie Febey, *'Who'll come a Walzing Matilda with me?' Stock Theft and Colonial Relations in Van Diemen's Land*, Thesis, Bachelor of Arts with Honours in History, School of History and Classics, University of Tasmania, 2002, p. 38.

demanding action from the administration and one result was that for the first time a fence was erected around the gang barracks to confine the men at night.

Hindmarsh has argued that drinking was one of the more visible convict leisure pursuits and a symbol of their determination to maintain traditional practices and exercise control over their own time.⁴² Despite the greater difficulty that ganged men had in obtaining liquor, the Ross gang had a long history of drinking in the village going back as far as 1827, as much of the money to spend came from trafficking in building materials with settlers. One particular tavern, Dickenson's Robin Hood inn at the far end of the village was generally held to be the convicts' pub—although most of its business was done with emancipists and ticket of leave men, while the soldiers and some settlers drank at the Man of Ross. The prohibition against convicts drinking in public houses was more likely to be broken in Ross. Dickenson was charged with the largest number of breaches of the licensing act of all the publicans in the Campbell Town police district and William Sadler licensee of the Man of Ross, came close behind him.⁴³

However, by mid 1835 gang members were more closely supervised and only two gang members were found drinking in local pubs.⁴⁴ Others were found drunk and charged but not actually caught in the local pub. Most of these offences were clustered around specific dates in May during the period when charges were laid against gang members caught trafficking. Many of the men on charges went out and got drunk with their mates. It is also probable that the long standing commercial relationship between the local publican, John Dickenson, and gang members enabled them to be served at the back of his pub whenever they wanted to buy liquor and that some gang members continued to have the opportunity to be in the village and drink discreetly without being caught. However, there is some evidence that this too may have been reduced during the year. Ross gang members sent a juvenile to buy liquor

⁴² Bruce Hindmarsh, *Beer and Fighting*, pp. 3-4.

⁴³ LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT. Both Dickenson and Sadler had 10 charges each for the year of breaching either the licensing or harboring acts. Dickenson, however, had an additional large group of charges associated with the Christmas Day affray at the inn, which had involved gang members, local emancipists and ticket of leave men.

⁴⁴ LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trials of Richard Bennett and three others on 26 December 1834.

for them from the pub instead of fetching it themselves in April.⁴⁵ Pressure had been steadily applied on the gang since mid 1834 when a perimeter fence was erected round their barracks which made it more difficult for them to slip away at night. It is also likely that more pressure against drinking was applied by the new superintendent of the gang, Captain Turner. After his arrival in mid 1835, Turner heard most disciplinary charges against the gang members *in camera* and details of the offences were no longer entered into the Campbell Town bench book.

Whatever the standard drinking practice for the gang was, however, Christmas Day appears to have been an exception. It had been traditional for gang members to gather at Dickenson's pub on December 25th and drink openly in the tap room. The Christmas of 1833 was the last time this occurred without an official challenge.

In 1834 the convict constables were in the village and were ordered by district constable Freestun to remove the men from Dickenson's on Christmas day. Gang members threw Freestun and the three constables out of the pub and continued drinking. A group of soldiers led by Sergeant Pat Carmody was also unsuccessful in removing the men as was Benjamin Horne the local magistrate, whom they told to go home and finish his Christmas goose.⁴⁶ Atkinson finally arrived and ordered his men peaceably back to their barracks, as he had the previous year when he had described them as "tipsy but peaceable".⁴⁷

Christmas day 1835 was once again celebrated at Dickenson's by drinking and fighting.⁴⁸ The magistrate's court records provide greater evidence that this was a general working class celebration. Emancipists, ticket of leave men and assigned convicts from the nearby farms all participated in the revelries although the men from the Ross Gang were to the fore.

⁴⁵ LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, ATO, Trial of Edward Burns, 11 April 1835, ATO.

⁴⁶ Freestun, David, 'The Brothers Freestun', *TA*, p. 231.

⁴⁷ Greener & Laird, *Ross Bridge and the Sculpture of Daniel Herbert*, p.12.

⁴⁸ LC 83/1, Return of Cases Heard, Magistrate's court, Campbell Town, 1835, AOT, Trials of Richard Beckett and George Harwood on 26 December 1835 and Edward Westbury and Charles Pearts on 29 December 1835. A larger selection of men also charged with riot at Dickenson's pub, are found on these two dates in the bench book.

During the day, soldiers were called out to try and assist the police keep order. Private Kelly recalled that: “I was out under my commanding officers orders yesterday at Ross in quelling some disturbances at Ross. I was stationed along with a constable at Dickenson’s to assist the police—the prisoner (William Docking—emancipist) wanted to get on top of the house in despite of myself and the constable—he was drunk—He said he'd have revenge, he knew a soldiers and a sailors duty—he tried three times to rush against us.” Constable Moylan was more forthright. “I was with Private Kelly at Dickenson’s yesterday keeping the door in order to prevent the mob rushing in and out—the prisoner came out and used great violence—he said he would go out to the stables—The soldier told him mildly that he could not go out—afterward the sjeant (sic) gave him permission to go and feed the horse—He said he'd be buggered if he would go—and if it was not for that thing on the musket of that soldier’s (Bess?)—be buggered, he'd do something—the exact words of his threat—the prisoner was tipsy.”⁴⁹

Not content with this, Docking later was part of a mob intent on rescuing a drinker from the police, one James Goldsworthy, an assigned servant of Captain Horton’s. The constable in charge described the incident to the magistrate: “Cons Morgan and myself were taking a prisoner to the jail yesterday—we were followed by about 30 men trying to rescue the prisoner we had in charge...” Docking led the mob and kicked another constable to the ground making him let go the prisoner. The police also reported seeing Goldworthy attacking another constable while the fighting and affray continued at Dickenson’s.⁵⁰

By the afternoon even District Constable Prescott was at Dickenson’s pub trying to gauge the mood. “Charles Becket was fighting in Dickenson’s public house between 4 and 5 o'clock in the afternoon—He was drunk—I saw him repeatedly in the yard at Dickenson’s fighting. There was a great disorder at Dickenson’s.” Later that evening two constables tried to arrest Beckett. They told the magistrate: “there was fighting, drunkenness and tumult—I went into the house about 10 last to keep the peace—The

⁴⁹ LC 83/1, Return of Cases Heard, Magistrate’s Court, Campbell Town, 1835, AOT, Trial of William Docking, 26 December 1835. Brown Bess was a common name for a musket.

⁵⁰ LC 83/1, Return of Cases Heard, Magistrate’s Court, Campbell Town, 1835, AOT, Trial of James Goldsworthy, 26 December 1835.

defendant was fighting, I asked him what he was doing—he then struck me several times saying there was a mob at Ross Bridge intending to slaughter the constables.” Later at his appearance in court, Becket told the magistrate, “I don’t recall being the man at all.”⁵¹ Dickenson was fined around £20 over the next few days for a number of breaches of the Publican’s Act on Christmas Day.

The statements to the magistrates on Boxing Day reveal some glimpses of the rowdy recreation enjoyed by the working class. This was a traditional holiday and they knew they had a right to celebrate it as they chose, regardless of whether they were convicts or not. They stood together as men enjoying their holiday and no doubt similar scenes were being enacted in rough public houses all over England to celebrate Christmas in the same way. Certainly the magistrates saw it differently. Several of the assigned servants got floggings or a few days of solitary confinement for their efforts and a few ticket of leave and freed men were fined. Most of the drunks and fighters were ignored by the law. The Ross Bridge ganged convicts were tried by Captain Turner and their sentences were not recorded in the bench book but their punishments were likely to have been similar to those received by the assigned servants.

Despite their occasional celebrations, the Bridge Gang was a tolerably hard working gang and had relatively few charges laid against them in early 1835 for work related incidents. In general, the gang appeared to be a relatively orderly workplace with a reasonable degree of cooperation between ganged convicts and their overseers. Most work related charges were laid between March and the end of June.⁵² This coincided with the arrival of Captain William Turner as the new superintendent of the gang and the period when thirty or so charges were laid against gang members who were working for themselves or trafficking in building materials. The trafficking charges may have increased tensions in the gang between the workers and their overseers. Overseers may have tightened up their control over the men during this period and been less willing to hand out privileges or overlook minor misdemeanors.

⁵¹ LC 83/1, Return of Cases Heard, Magistrate’s Court, Campbell Town, 1835, AOT, Trial of Charles Becket, 26 December 1835.

⁵² See Table 6.1

An additional 32 work related charges were laid against gang members between March and June. These were mostly laid against the convict labourers rather than the tradesmen. Around twenty five charges of idleness, disobeying orders or neglecting duty were laid which suggests that Captain Turner was expecting increased work outputs from the labourers and willing to charge any who didn't comply. A few of the men resisted this approach and were charged with insolence, misconduct, using improper expressions and fighting. Despite these charges, it was a reasonably orderly work site, even with the stress caused within the gang because of the change of their work conditions.

Although the Ross Bridge Gang was the largest in the district, a number of other small local gangs had been established in 1835 to attend to minor public works around the district. There are difficulties in comparing them to the Bridge gang.

Around 50 men worked in the bridge gang and another sixteen worked in either the charcoal burners' or the carpenters' gang that worked in the hills outside Ross. Exact numbers in the Epping Forest and Burke's road parties are hard to document but were likely to be small, possibly fewer than 30 men in each. Both gangs worked on the Main Road north of Campbell Town. In addition, there was also a Campbell Town foot party, occupied with street repairs and maintenance of the government buildings.⁵³

These gangs are not strictly comparable for the year 1835 as the bench book does not record charges for the whole year for some of these gangs. The Epping Forest and Burke's road parties only presented charges before the police magistrate for two months of 1835. At other times they were likely to have been under the control of a military superintendent who was authorized as a justice of the peace, to hear charges against his own ganged men. The Ross Bridge gang records also ceased to be recorded in the police magistrate's bench book after June 1835. By contrast the records for the Campbell Town foot gang are complete for the year, as the police magistrate retained daily control over these convicts. Even so, a number of

⁵³ LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT. All of these gangs are mentioned in the Campbell Town bench book for 1835.

comparisons between the gangs can be made even though the charges sheets alone do not reveal the extent of all work issues and law breaking in the gangs as they only document cases against those who were caught and charged. They are, however, indicative of the problems that existed in different types of gangs.

There was an unusually low rate of absconding from both the Ross Bridge gang and the Campbell Town foot gang for the three years between 1833 and 1835.⁵⁴ This suggests that the conditions that pushed men in other gangs to run may have been absent in these two gangs. By comparison, in two months, six men absconded from Burke's road party and two from Epping Forest. Peter Middleton who absconded twice from Burke's gang, told the magistrate that he didn't run away from Burke's party but he wanted to come and see the magistrate and Thomas Orchard said he "left the party with the intention of coming to Campbell Town to procure medical aid being too ill to work".⁵⁵ Both explanations suggest dissatisfaction with conditions in the gang.

The Campbell Town foot party had similar access to village facilities as the Ross gang and trafficked or traded when possible. Two men in the Campbell Town gang were charged with trafficking with village residents. James Button was caught making springs for sale and John Cocker trafficked with a worker from Hogg's inn in Campbell Town very probably obtaining liquor for gang members.⁵⁶ Collectively these few charges demonstrate that cash could be earned by men from almost any gang, as long as they could get their goods to a market close by. Even the more remote Burke's road party was subject to trafficking from men who would travel out to the gang to trade with them. William Clarke the gang overseer was charged with allowing this to happen.⁵⁷

⁵⁴ Mathew Loone, Excel Spreadsheet, *Notices of Absconders, Government Gazettes, 1833,1834*. UTAS, 2005. Thesis, Bachelor of Arts with Honours in History, School of History and Classics, University of Tasmania, 2005.

⁵⁵ LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT, Trials of Peter Middleton, 19/11/1835 & 8/12/1835, and Thomas Orchard, 8/12/1835.

⁵⁶ LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT, Trials of James Button, 14 August 1835, and John Cocker 8 September 1835.

⁵⁷ LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT, Trial of William Clarke, 2 November 1835.

A few ganged men attempted to make money through stealing or trading in stolen items. Henry Stewart of the Ross gang was found with a quantity of stolen fencing wire in his possession while John Smith had a bucket of fat he couldn't explain and the Ross gang's flagellator stole the blacksmith's horse and offered it for sale, although he was drunk at the time the offence took place.⁵⁸ These thefts suggest that petty theft was still a source of income for some gang members who didn't make goods to traffick and was not solely the consequence of inferior living conditions. Accommodation and food was likely to be much better in the two village gangs than in more isolated gangs as suppliers were local and accountable. On one occasion, a convict worker was disciplined for shirt-fronting a farmer in Ross and complaining about the quality of the vegetables he had recently supplied to the gang's mess.⁵⁹

Few convicts in the Campbell Town foot party were charged with poor work standards and on the whole, disciplinary problems were minor. One man was charged with intentionally losing the government bullock, four with refusing to work because of the weather or other reasons, and two with being insolent.⁶⁰ The foot gang appeared to be a malleable, small gang whose work made them highly visible around the village where they functioned in a similar way to later council outdoor gangs, occasionally grumbling and being uncooperative but generally integrated into the community and engaged in useful and easy work. These small village gangs appeared in most villages in mid 1835 and were probably some of the less brutally managed gangs across the island. Their integration into village life made it less likely that they would suffer from either inadequate care or acts of extreme punishment as this was likely to be known immediately and arouse public disapproval. The police magistrate remained accountable to public opinion to a greater extent than superintendents of remote gangs, because his local court was open to public scrutiny.

⁵⁸ LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT, Trials of Henry Stewart, 20 May 1835 and John Smith, 1 June 1835 and James Murphy 21 December 1835.

⁵⁹ LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT, Trial of John Davis, 30 May 1835.

⁶⁰ LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT, Trials of George Sweetman, 28 February and 1 August; Charles Williams, 4 September; John Kenmore, 24 October; John Cocker 11 November and William Webber, 28 February 1835.

This did not save gang members from receiving floggings but it may have mitigated the severity of the floggings to some extent. Table 6.1 shows that during 1835, the police magistrate sentenced local gang members to 31 floggings during the first half of the year. There is no evidence about what local people thought about the flogging of men whom they knew and who worked in their own community although there was a growing public rejection of flogging in Van Diemen's Land as it reminded too many liberal middle class settlers of slavery.

Table 6.1: Police Magistrate's sentences of flogging for local gang members in 1835.

Outcome	Campbell Town foot party	Ross Bridge gang	Totals
Flogging- no previous sentence in 1835	2	15	17
Flogging- 1 previous sentence in 1835	0	10	10
Flogging- 2 to 3 previous sentences in 1835	1	3	4
Totals	3	28	31

Source: LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT.

The Ross Bridge gang received a much higher rate of flogging than the Campbell Town foot party for the year and fifteen of them were on their first disciplinary charge when they were flogged, although some may have had poor conduct records from previous years. However, most men received fewer than the maximum of 50 lashes that the governor had decreed as the maximum punishment, possibly to enable them to resume work more quickly.

Table 6.2: Number of lashes for local ganged convicts in the Campbell Town district in 1835.

Number of lashes	12	20	24	25	30	35	36	50	N/R
Number of cases	1	3	2	6	7	2	1	7	2

Source: LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT.

The local administration used flogging because it was cheap and its use was more frequent on ganged men who were already under sentence of punishment, than on assigned men. There was also an urgency to complete the bridge work at Ross and to turn around the less than efficient work outputs of the convicts. Overwhelmingly the floggings were for disruptive or uncooperative behavior at work. Of the six men who were ordered the maximum 50 lashes, three had their sentences reduced. One man had 50 lashes reduced to 30 when the district surgeon confirmed he was too ill to sustain the harsher punishment.⁶¹ Another, on a charge of disobedience, also had his sentence reduced to 30 lashes and the third had his sentence for a drinking offence reduced to 20 lashes.⁶² However, several men received a full 50 lashes. James Carney was flogged for refusing to work for the overseer and Christopher Bassett for working for himself.⁶³ John Ward got two floggings of 50 lashes, the first in March for using improper expressions which suggests he was abusive to the overseer and again in May for refusing to work.⁶⁴

Little is yet known about the flogging rates in many other gangs. Maxwell-Stewart has deduced that in the 1820s, the mean rate was 70 lashes in the two labouring gangs at Macquarie Harbour, although this generally meant sentences of 100 lashes were the most common.⁶⁵ In his study of Port Arthur between 1830 and 1832 the mean rate had been reduced to 22 lashes in the labouring gangs, which also indicated that most men who were flogged experienced more than 22 lashes.⁶⁶ Whitefoord's flogging rate seems comparable in severity with that at Port Arthur, a penal station of last resort for prisoners. Evans and Thorpe offer the explanation that after the mid 1820s an increasing militarization of penal discipline occurred in both colonies and cite Bigge who recommended "a rigid and uniform corrective discipline,

⁶¹ LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT. Trial of Charles Jepson, 11 May 1835

⁶² LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT. Trial of James Button, 12 June 1835 and trial of Richard Copperwhite, 19 May 1835.

⁶³ LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT, Trial of James Carney, 2 May 1835 and trial of Christopher Bassett, 7 April 1835.

⁶⁴ LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT, Trials of John Ward 30 March 1835 and 2 May 1835

⁶⁵ Maxwell-Stewart Hamish, 'Convict Workers, Penal Labour and Sara Island: Life at Macquarie Harbour, 1822-1834', Ch. 8 in Duffield Ian and Bradley James (eds), *Representing Convicts: New Perspectives on Convict Forced Labour Migration*, London, Leicester University Press, 1997, p. 149.

⁶⁶ Maxwell-Stewart Hamish, 'The Rise and Fall of John Longworth: Work and Punishment in Early Port Arthur', *Tasmanian Historical Studies*, Vol.6, No. 2, 1999, pp. 104-5.

unswervingly applied.” In Moreton Bay penal station a total of 219 floggings (10,000 lashes) occurred between late 1835 and 1842, despite the decline in convict numbers from 311 to 94.⁶⁷ Whitefoord’s sentences amounted to over 600 lashes ordered for around 50 men over a six month period and so surprisingly, seem at least comparable to the flogging rate at Morton Bay. It appears that by the mid 1830s, flogging had become so institutionalized in both colonies as a work discipline that even a civilian magistrate like Whitefoord was prepared to inflict a flogging rate on the labourers of the Ross Bridge public works gang that was comparable to the rates in two of the worst penal stations in the colonies.⁶⁸

Police magistrate Whitefoord also imposed many lesser sentences, including forty four instances of reprimanding convicts or sentencing them to the solitary cell for several days. These warning sentences were his strategy of giving the men brought before him a chance to choose to cooperate without incurring harsher punishments.

Table 6.3: Other sentences imposed by the police magistrate on local gang members in 1835.

Outcome	Totals	Outcome	Totals
Reprimand/admonished	29	Extension to sentence	4
Solitary cell, B&W	15	Removal to prison	3
Work in chains	3	Remanded to appear at Quarter Sessions Court	8
Removal to stricter road party, hard labour	15	Charge dismissed	4
Removal to chain gang	7	Sentence not recorded	2

Source: LC 83/1, Return of Cases Heard, Magistrate’s Court, Campbell Town, 1835, AOT.

As well he had some prisoners work in chains for several months and a number of men were removed entirely from the gang and sent to other road parties or chain gangs and even to Port Arthur. This suggests that Whitefoord believed that working conditions were milder in the Bridge gang and is further evidence that conditions varied considerably between different road parties and public works gangs.

⁶⁷ Raymond Evans and William Thorpe, ‘Power, Punishment and Penal Labour: *Convict Workers and Moreton Bay*’, *Australian Historical Studies*, Vol.25, No. 98 1992, pp. 102-103.

⁶⁸ Stephen Nicholas, *Convict Workers*, pp. 181. Nicholas cites Hirst who suggests the flogging rate went up substantially in NSW in 1835.

There are at least two narratives that represent the story of the Ross Bridge gang although they are gulfs apart. Prosaically, a small group of convicts who were poorly led and supervised arrived in Ross and for three years failed to make much progress on the bridge works. Eventually tradesmen-overseers were appointed and more convicts were supplied for the labouring gangs. With stronger support from the local police magistrate and the arrival of a military superintendent, they completed the bridge in two years and it was successfully opened in 1836.

But the bridge narrative functions at another level too, when a closer look is taken at the convict workers themselves. When the first gang arrived in 1830 they integrated into the local community, occupying the spaces in between the free world of the settlers and that of the convicts. They were active builders who completed both local government infrastructure and also farm buildings and houses for the settlers. In some ways they already exemplified the concept of reform that Arthur saw as the end process of the experience of transportation. These personal gains, however, were subordinated to the task of completing the bridge and the tradesmen and labourers were brought under control by the use of whips and chains that were the official methods of gang coercion.

When the bridge was completed, the settlers marveled at the strange sandstone carvings that covered the arches. A crowned king, women with flowers, a lamb, a tree with a lion's head, wavy lines, a boat and many more enigmatic symbols were crowded into a collage of images.⁶⁹ Did they represent the strange and fractured experiences of the bridge builders or did they contain cryptic comments about their servitude? Daniel Herbert, the master stone mason who carved them, would never say. Their closest resemblance was to the symbols in the tattoos that the convicts had pricked onto their bodies during their voyages out. Many different images of candles, stars, hearts, anchors, flames and others were encoded in the designs along with

⁶⁹ Greener & Laird, *Ross Bridge and the Sculpture of Daniel Herbert*, p. 124, also photographic appendix of all carvings. See also Denis Gojak, 'Convict archaeology in New South Wales: An overview of the investigation, analysis and conservation of convict heritage sites', *Australasian Historical Archaeology*, 19, 001, p.75 for use of symbols used in patterning on cheap ceramic and other goods.

words or groups of letters that had some significance to the men.⁷⁰ Tattooed men building a tattooed bridge and encoding it with their own meanings—men who could be suborned by official violence but who could also find the spaces in between to enact their own thoughts and behavior, whenever there was an opportunity to appropriate some semblance of freedom.

⁷⁰ H. Maxwell-Stewart & J. Bradley, 'Convict tattoos: Tales of freedom and coercion', in Michelle Field & Timothy Millett (eds), *Convict Love Tokens: The leaden hearts the convicts left behind*, Kent Town, Wakefield Press, 1998, pp. 47-52. See also David Kent, 'Decorative Bodies: The Significance of Convicts' Tattoos', *Journal of Australian Studies*, No. 53, 1997, pp. 78-85.