

Chapter Nine

Conclusion

This thesis has examined the construction of the line of road from Mt Victoria to Bathurst in the 1830s. The impact of the penal reform and transportation debates in the United Kingdom and inter-departmental politics at a local level which surrounded the inception and construction of the line of road have been analysed. Their impact on the management and organisation of the convict labour force has been investigated in parallel with their later effects on the efficacy of the construction process. The road works itself, and the places as physical entities connected by the line of road have been described and explained. They form the context and setting for the interplay of interdepartmental politics and, from the convicts' point of view, the experience of penal servitude under the influence of the penal reform and transportation debates. This has enabled comment on the convict system and the sophistication and efficacy of the colonial administration in terms of infrastructure development, governance and penal management. The convict recidivist workforce and the convict experience on the road have been examined because of the opportunities this sample population have presented to compare their character and experience relative to the broader population as analysed by Robson and Nicholas and Shergold.¹

The thesis also presents to the academic community a new major convict site that is comprised of the series of sites connected by Mitchell's line of road from Mt

¹ L.L. Robson, *The Convict Settlers of Australia*, Carlton, Melbourne University Press, 1965; Stephen Nicholas (ed.), *Convict Workers Reinterpreting Australia's Past*, Cambridge University Press, 1988.

Victoria to Bathurst. Unlike other major sites of secondary punishment such as Port Arthur and Norfolk Island, this network as a physical entity and as a penal site has been hidden in a multitude of archival records that have obscured its scale, functioning and importance in colonial New South Wales. The network, as a recognized entity, has been literally buried in the records for almost 170 years. Its retrieval had many parallels with an archaeological investigation, as document by document, evidence was dug up, intellectually ‘dusted off’, assessed, identified as connected (or not) and its place found in the jigsaw.

This concluding chapter overviews the key arguments of the thesis as they were introduced and interwoven through successive chapters. The specific concerns under investigation and addressed by the thesis are reviewed with reference to the chapters in which they are more thoroughly explored. To reiterate, as expressed in Chapter One, these concerns, listed in order of their introduction to the thesis, but not necessarily in their order of importance, are:

- 1st the ways in which the concerns of the transportation and penal reform debates were reflected in conditions on the Western Road;
- 2nd the efficacy of enforced labour to simultaneously meet the dual objectives of colonial infrastructure development and the reform, punishment and deterrence of criminal behaviour;
- 3rd the process of management and construction of a major transport link, crucial to the development of the colonial economy, to examine the competence of the colonial administration;
- 4th how the process of development of colonial infrastructure, as embodied in the Western Road in the 1830s, reflects on the humanity of the colonial administration through an exploration of official policy concerning convict welfare; and
- 5th the contribution of a sample population of recidivist offenders to the convict origins and experience debate.

The relatively, and in its day, unexpectedly long history of the No. 2 Stockade Cox's River points to the complexity, not only of the road building process, but of the influences bearing on it. As was demonstrated in Chapter Two and throughout the thesis, the 1st issue of concern, the transportation and penal reform debates in the remote United Kingdom, had a practical impact on the management of prisoners' experience of servitude on the Western Road. As in England, where the government determinedly avoided the necessary financial investment in penal reform, a similar fiscal attitude prevailed toward the New South Wales colony. With the Governor held accountable, insistent pressure to allay the concerns of the anti-transportationists and penal reformers could be asserted. A convenient blindness to local conditions and the implications of these imperatives - fiscal, human and political - could be indulged by the British.

The 2nd major issue addressed by the thesis, the efficacy of the system to meet penal and development objectives was discussed in detail, particularly in Chapters Two, Three, Seven and Eight. British policy, as manifested on the Western Road, meant that the reform, punishment and deterrence of prisoners through hard physical labour, discipline, just and certain punishment, and classification and graduated movement through a penal hierarchy was undertaken in circumstances of extreme financial restraint. This circumstance predisposed the undertaking to failure from both a penal and efficient infrastructure development exercise. However, in the latter instance, if measures of efficiency factor the penal role into the efficiency calculator, then the road building enterprise was more efficient than might be otherwise granted. In terms of the effective application of penal reform methodologies, however, the findings of this thesis, tend toward a conclusion of unmitigated failure, rather than the successful and effective punishment and reform of the Western Road convict population. The recidivist demographic, that populates this thesis, the 5th issue of concern, were degraded, brutalised and often ruined. While this may not have been the experience of all convict workers on the Western Road, those who escaped the investigative net cast in the research for the thesis, would certainly have been aware

of the precariousness and vulnerability of their situation.

As documented in Chapters Seven and Eight, Thomas Cook's account of his experiences on the road has been largely corroborated. This account indicates that the ideal in terms of penal reform was subverted in its practical application on the road. Indeed it was "A Den of Infamy" in the power of a corrupt cabal of overseers which arose partly due to the fiscal constraints, the poor working relationships of authorities who shared jurisdiction over them, and the physical isolation of the place. Many convicts suffered similarly to those, referred to in Chapter Eight, who were sent to Norfolk Island, after conviction on false charges created by their overseers, or who endured the sexual intimidation referred to by Cook, but did not have the wherewithal to protect themselves. The situation was all the more damaging because of the extreme youth of the Western Road convict population and it is a certainty that numerous premature deaths resulted, many at the hands of the executioner, after their removal from the road.

As was shown in Chapter Two, the establishment of the road gang system as another layer in the penal repertoire of New South Wales for the punishment of secondary offenders was an attempt to dovetail penal reform concerns with development of the colony. Within the colony, but not disassociated with the British administration, inter departmental politics, as outlined in Chapter Three, complicated the difficulties of implementing the penal reform charter, and thus the subversion of the anti-transportationist's goals. The appointment of the able, but difficult Major Thomas Mitchell as Surveyor General brought its own tensions. Mitchell enjoyed considerable patronage from the Secretary of State, Sir George Murray. This facilitated the allocation of additional responsibilities to Mitchell by British authorities, who, in doing so, went against the advice of the Governor. The continued support of Mitchell over the Governor created a situation that undermined effective governance and had particular implications for the process of management of works on the Western Road, the 3rd major issue of concern of this thesis. This was not

merely a clash of personalities, although Mitchell's ambitions were personally all-consuming; it was a clash of jurisdictions. The implications of this were particularly poisonous chalices for the Governors. They were responsible for the implementation of imperial policy and were, ultimately, held accountable should they fall short of expectations, yet they had to tolerate a powerful subordinate who could undermine governance with support from the United Kingdom.

The distrust that developed between these two key offices, as explained in Chapter Three, had an impact on relations between the Surveyor General's Office and other key departments of the New South Wales administration. This situation to a large extent hamstrung efficient construction of the road, not because the engineering or management or organisational expertise was lacking, but because the state of relations between the surveying department and that of the Governor meant that other departments were more likely to receive the support of the Governor in any dispute. The commissary, the convict department and the military, as shown in Chapter Four showed little empathy for the requirements of the road making enterprise. As a result the melding of penal ideologies and methodologies was thwarted at the metaphorical coal face (rock face) of road construction en route from Mt Victoria to Bathurst.

As demonstrated in Chapters Three, Four and Five, day to day matters, that ought to have been managed on the ground, were constantly referred to Sydney for resolution at the highest level. An advantage to the thesis, derived from this situation, is that the surviving documentation between the Governor and the Surveyor General mediated by the Colonial Secretary, and that between the Surveyor General and his assistant surveyors, has enabled these realities to be brought to light. Thus, their contribution to an understanding of the construction of the Western Road within the context of a punishment forum for recidivists, was able to be examined.

The documentation, as is demonstrated in Chapters Five, Seven and Eight, also

reveals the extent to which convict welfare was a concern of the administration, and thus enables the 4th issue of investigation, the humanity of the administration and their concern for convict welfare, to be addressed. As is argued throughout the thesis, there was a genuine attempt on the Western Road, as elsewhere in New South Wales, to implement the penal methodologies advocated by the penal reformers. Adequate food, shelter and medical care were fundamental to this and the numerous letters concerning the quality of the rations, the standard of accommodation at the stockade, not to forget the guard beds all testify to this. The classification of prisoners and their reform, offered through the opportunities of advancement, were also integral to this process; as argued by Governor Bourke in Chapter Two, the experience was not meant to be ‘appalling’ in either its intensity or its duration.

The reality on the Western Road fell far short of the ideal, which brings this discussion to the 5th area of concern. As was demonstrated in Chapter Six, these prisoners, although by the time they reached the Western Road were by definition, recidivists, were young and for the most part less criminally experienced than the norm found in the general convict population sample studied by Robson. Most were originally convicted in the 1820s as the justice system hardened in the United Kingdom. They came before the New South Wales courts when calls for deterrence were strengthening. The demographic profile suggests that the Western Road convicts may have been comprised of a substantial proportion who were victims of a harsh British justice system and were victims again in New South Wales. The disproportionate numbers of Irish on the Western Road support this view. The demographic profile also lends support to the view that for many in this group the experience of transportation was a dehumanising and brutalising one. Rather than reform or deter, their experience further corrupted. This is not to say that there were no experienced criminals in the population. As the tables in Chapter Six show, they were undoubtedly there, but the evidence suggests that a good number became renegades and were truly criminalized by the experience.

A biographical study of individuals from the Western Road sample population would throw more light on this issue and while, in some instances, substantial curriculum vitae have been compiled in the process of undertaking this research, a full and comprehensive study for the sample of 1108 individuals was beyond the scope of the thesis. It is a project worthy of later pursuit. As part of the research for the thesis it has become evident that there is a great deal of information in archives but that it also takes a great deal of time and funding to access, copy, compile, and analyse the material.

The analysis of the nature of the workforce provided in Chapter Seven has also enabled the testing of methodologies employed by Nicholas and Shergold in their major analysis of the convict indent data, which raises concerns about their classification and denotation of skill levels. These are qualities which are important components of the debate concerning the character of the convicts. The assessment of the skills of the Western Road workers using the Armstrong Adjusted (Rosen) model, developed for this thesis, has enabled a more realistic assessment of skills to be achieved with a greater spread in the skill levels identified. As discussed in Chapter Seven this model produces fewer identified skilled workers than either the Nicholas-Shergold model or the Armstrong model, due to the recognition of the lesser skill level of apprentices and assistants compared to masters. But as noted in Chapter Seven deployment on the Western Road for the 'rank and file' convicts in the gangs was not achieved through qualification by skill, but due to an appearance in the courts and it was a punishment.

In terms of the efficiency of the road construction process, the convict workers on the road, as demonstrated in Chapter Seven, had a variety of skills, but the chief skill of use on the road was their youth and implied within that, their stamina. For those with relevant industry skills such as mining or quarrying there was the opportunity to be promoted to a position of responsibility and even clerks, such as Thomas Cook, could be found appropriate employment. But regardless of the skills, pick and shovel

work was a penal reality until good behaviour or patronage secured a promotion. With regard to the competency of the administration in relation to infrastructure development, as explained in Chapters Three, Four and Five the engineering competence and project management skills were there, but hampered by other factors. Even when the Colonial Engineer, who was not encumbered by poor interdepartmental relations, was charged with responsibility for finishing the road, it was still undertaken under the constraints of a penal situation and with a workforce that had little reason to facilitate the project.

The analysis presented in Chapters Six and Seven of the character of the convicts compared to those found in the studies conducted by Robson and Nicholas and Shergold was possible due to an unexpected by-product of the research into the construction of the road that emerged as research for the thesis progressed, that is the gradual accumulation of a roll call of individual prisoners from the road. The statistical analysis presented here is necessarily minimalist in that it was undertaken only to the extent necessary to comment in a general way on the situation on the Western Road and on the key issues of concern to the thesis, including the origin and character of the convicts and the nature of their penal experience. In seeking to address these issues it became evident, as a list of names was compiled, as convict names appeared haphazardly in a wide variety of sources, that it would be possible to compare the population to the larger studies which have set the stage for convict work since the 1960s. Yet the sample here is dominated by repeat offenders, as most identities that were extracted from the records were identified because they were associated with new offences. There were many more convicts on the Western Road, moving in and out of the gangs and road parties of whom we know nothing. The numbers involved cannot even be estimated. There are also many more sources of information that would lead to the revelation of more individuals on the road, but which were not accessed because they were not specifically relevant to the original core questions of the thesis.

The statistical analysis is another area that could be developed, preferably in association with a demographer or statistician with an interest in the subject and the period, who could bring a higher level of statistical skills to the task than has been possible within the context of this thesis.

With the identification of a small number of Western Road convicts, entree to others in the court and convict system was achieved and this in turn facilitated the development of a view of the experience of convicts as workers on the road as presented in Chapter Seven, and of their experience of living on the road in the penal environment of the stockade and road party sites, presented in Chapter Eight. This further facilitated the consideration of the infiltration of penal reform policies as they were effected and an assessment of the effectiveness of their delivery. The details of court evidence particularly provided insights into living conditions, day to day circumstances and the politics on the ground. The attitude of authorities to the convicts and the reality of their circumstances could be gauged and imagined through these records which enabled the convicts' views to be heard, sometimes in word, but more often in deed.

The diverse components of this thesis, the impact of the penal reform and transportation debates; the exigencies of colonial politics; the place itself as a physical entity, a line strung across a landscape like a notched piece of string denoting convict work sites; and the character and origins of the convicts together with their experience on the road, in the bushes and roaming about the neighbourhood all interact, as demonstrated in the thesis, in a dynamic circular and reiterative fashion to create a particular milieu that existed on the Western Road in the 1830s.

In conclusion, the thesis has demonstrated that it can be argued that the road gang system was an inefficient means of infrastructure development, because penal concerns overrode the construction requirements of the project. It has also been

demonstrated that the penal reform methodologies were also ineffectually engaged due to the isolation and quality of the supervision that led to a corruption of the ideals that were intended to be in operation. At the end of the road, however, an impressive road was constructed, parts of which have served New South Wales for 170 years but albeit, unintentionally, many convict lives were ruined or destroyed in the process.

Chapter Ten

Bibliography

Primary Sources

Manuscript

Mitchell Library, State Library of New South Wales

Bourke Family Papers, CY 2798

Colonial Office, Typed transcripts: Miscellaneous Letters, NSW, 1833, ML: A2146.

Governors' Despatches, Vol.21, 1832 ML 1210 Cy 543

Return of Summary Trials at Hyde Park Barracks for April 1833. ML Uncat. Mss508

'The Fort on the Cox's River near Bathurst, NSW', attributed to Major James
Pattison Cockburn

State Records of New South Wales

Clerk of the Peace

Quarter Sessions, Depositions and Other Papers, Sydney and Country, CGS 845,
Bathurst, Nov 1832 - Aug 1836, 4/8368 - 4/8382. R.2395-2398.

Colonial Engineer

Col. Engineer, Letters Sent, Jan. 1837 - Nov 1842, 4/457.

Colonial Secretary

Main Series of Letters Received, 1821, 4/1751. R. 6052.

Main Series of Letters Received, 1826-1982:

Colonial Engineer, 1832, 4/2130-4/2164.1

Colonial Engineer, 1837, 4/2358.1

- Convicts 1832, 4/2165-4/2166.1
- Convicts, 1837, 4/2351 - 4/2353
- Convicts, 1838, 4/2394 - 4/2396, 4/2425
- Convict Petitions, 1835, 4/2296. R.2200
- Convict Petitions, 1836, 4/2309. R.2203
- Convicts Tickets of Leave, 1835-36, 4/2335.2. R.2203
- Supreme Court, 1833, 4/2216
- Supreme Court, 1834, 4/2256.2
- Supreme Court, 1835, 4/2297.3
- Military and Mounted Police, 1834, 4/2238.1
- Military and Naval, 1837, 4/2367.3
- Military and Naval, 1835 4/2287.2.
- NSW Civil Establishment, Returns of the Principal Superintendent of
Convicts, 1831, 1833-55, 4/7323. R.829
- Police - Bathurst 1833, 4/2201.2
- Police - Bathurst 1834, 4/2249.2
- Police - Bathurst 1835, 4/2289.3
- Police - Bathurst 1836, 4/2329.1
- Police - Cox's River 1834, 4/2250.2
- Police - Mount Clarence 1834, 4/2252.8
- Police - Vale of Clwydd 1836, 4/2334.1
- Principal Superintendent of Convicts, 1833, 4/2184 - 4/2187
- Principal Superintendent of Convicts, 1834, 4/2229 - 4/2232
- Principal Superintendent of Convicts, 1835, 4/2275 - 4/2308
- Public buildings in NSW - letters from the Colonial Engineer 1832, 4/2166.4
- Returns of the Civil establishment, 1848-57, Native Police, 4/720.1 (part)

Special Bundles:

Bathurst and Southern Roads, 1827-1849, SZ 854, COD 207.
Roads and Bridges, 1835-51, 2/1855.
Roads in the Colony, 1827-1834, 4/2258
Roads in the Colony, 1828-56, 4/7168
Roads in the Colony, 1832-1840; 4/2403.1
Great Western Road, 1834-1845, 9/2686.
Convicts - printed circulars re: custody and
management of convicts sentenced to work in irons on
the roads or public works, 10 September 1832, SZ79.
COD 182.

Copies of Letters Sent:

2 Apr 1835-21 Jan 1836, 4/3681, R.1049.
Establishments, 4 Dec 1826 - 12 Mar 1839, 4/3716. R.1055
Establishments, 15 Sep 1827 - 11 Dec 1828, 4/3717. R.1056.
Establishments, 11 Dec 1828 - 20 Jul 1830, 4/3718. R.1056.
Establishments, 21 Jul 1830 - 13 Dec 1831, 4/3719. R.1057.
Establishments, 13 Dec 1831 - 22 Mar 1833, 4/3720. R.1057.
Establishments, 21 Dec 1831 - 25 Mar 1833, 4/3721. R.1057.
Establishments, 30 Aug 1834 - 30 Mar 1837, 4/3722. R.1058.
Establishments, 26 Mar 1833 - 11 Sep 1834, 4/3723. R.1058.
Establishments, 30 Mar 1837 - 12 Mar 1839, 4/3724. R.1059.
Military Officers, 11 January 1827 - 31 October 1832, 4/3793. R.2869
Surv. Gen., 22 Jan - 27 Jul 1829, Jan - July 1829, 4/3905, R.3014.
Sent to Surv. Gen., 24 Jul 1829 - 31 Dec 1829, 4/3906. R.3014.
Surv. Gen., 1 Jan 1830 - 21 May 1830, 4/3907. R.3015.
Surv. Gen., 20 May 1830 - 7 Oct 1830, 4/3908. R.3015.
Surv. Gen., 8 Oct 1830 - 20 Apr 1831, 4/3909. R.3015.
Surv. Gen., 20 Apr 1831 - 19 Oct 1831, 4/3910. R.3016.

- Surv. Gen., 20 Oct 1831 - 12 Mar 1832, 4/3911. R.3016.
- Surv. Gen., Mar 1832 - Sept 1832, 4/3912. R.3016.
- Surv. Gen., 6 Sep 1832 - 15 Feb 1833, 4/3913. R.3017.
- Surv. Gen., 16 Feb - 31 Jul 1833, 4/3914. R.3017.
- Surv. Gen., 1 Aug 1833 - 11 Apr 1834, 4/3915. R.3017.
- Surv. Gen., 12 Apr 1834 - 31 Dec 1834, 4/3916. R.3018.
- Surv. Gen., 1 Jan 1835 - 7 Apr 1836, 4/3917. R.3018.
- Surv. Gen., 4 Apr 1836 - 27 Mar 1837, 4/3918. R.3018.
- Surveyor of Roads and Bridges, 3 Apr 1827 - 31 Dec, 1829, 4/3934. R.3002.
- Surveyor of Roads and Bridges, 3 Jan 1831 - 31 Mar, 1832, 4/3935. R.3002.

Commissariat

- Record of Stores Issued for Military and Convict Works 1832-1833, 4/4553.
- Ledger, Military and Convict, Jul 1834 - Aug 1835, 4/417.

Courts of Petty Sessions

- Benches of Magistrates, Bathurst, Bench Books, 28 December 1832 -19 March 1833, CGS 2772, 2/8324. R.663.
- Bathurst Bench Books 1825-1936, CGS 2772, 2/8325. R. 1259.
- Vale of Clwydd Bench Book, Feb 16 1836 - 2 Jun 1839, CGS 3064, 4/5673. R.669
- Vale of Clwydd Deposition Book, 7 Dec 1837- 17 Nov 1842, 4/5674. R.669.
- Monthly Returns of Summary Trials of Convicts Before Benches of Magistrates, August 1832 - December 1836:
- Cox's River, Jan-Dec 1833, X706. R.661;
 - Hyde Park Barracks, Aug- Dec 1832, Jan, Mar 1833, Jan, Mar 1835, Jan- Sep, Nov 1836. X707. R.662;
 - Vale of Clwydd, May-June, Sep-Nov 1836, X709. R.662
- Hyde Park Barracks Court of General Sessions, Copies of Letters Sent, 3 Jul 1830 - 31 Jan 1848, 2/670. R. 2650; 4/5721. R. 2651.
- Monthly Returns of Summary Trials at Hyde Park Barracks, Aug - Dec 1832; Jan -

Mar, 1833, Jan - Mar 1835, Jan-Sep, Nov 1836, X707,. R.662.

Principal Superintendent of Convicts

Convict Indents,1801-1814, 4/4004.

Convict Indents,1814-1818, 4/4005.

Convict Indents,1818-1819, 4/4006.

Convict Indents,1820-1821, 4/4007.

Convict Indents,1822-1823, 4/4008.

Convict Indents,1823-1824, 4/4009.

Convict Indents, 1823-1825, 4/4009A. R.2662.

Convict Indents,1826, 4/40011.

Convict Indents, 1827, 4/4012. R.397.

Convict Indents, 1827-1828, 4/4013. R.398.

Convict Indents,1829, 4/4014.

Convict Indents, 1829-1830, 4/4015. R

Convict Indents, 1830-1832, 4/4016.

Convict Indents, 1832-1833, 4/4017. R.905;

Returns of Convict Trials Before Bench of Magistrates, 1832-1836, Bathurst to
Goulburn, 4/7022.1.

Supreme Court

Criminal Jurisdiction, Informations and Other Papers 1824-1947, CGS 13477

Criminal Jurisdiction, Clerk of the Peace, Papers and depositions, 1824 -1836, CGS
880.

Returns of Prisoners Tried at Bathurst, Berrima and Maitland, April 1841, X901; and
March 1844 X902.

Letters, Petitions and Returns Received by Mr Justice Burton, 1834 -1843, 5/4765.

Registers of Coroner's Inquests an Magisterial Inquiries, 1834-1942, 4/6611-5.
1834-1836, 4/6611.1, R.190.

Surveyor General

Letters Received from Surveyors,

Abbott, 1828 - 1834, 2/1509.1. R.3051.

Lambie, 1829 - 1836, 2/1548.

Nicholson 2 Jan 1830 - 25 July 1831, 2/1561.2. R.3080.

Nicholson, 14 Feb 1832 - 22 Dec 1834, 2/1562. R. 3080.

Dulhunty, 1832-1837, 2/1532, R. 3063.

Letters Received from Assistant Engineer and Sub-Inspector of Roads, 2/1720.

Register of Letters from Roads Branch to the Surveyor General, 1833 - 1836; 1846 - 1850, 2/1417. R. 2804.

Road Gang Reports, 1827-1830, CGS 13792, 9/2689. R.590.

Copies of Letters Sent:

Col. Sec., 7 Jun 1831- 17 Nov 1832 , 4/5398. R.2839.

Col. Sec., 20 Nov 1832 to 23 Nov 1833, 4/5399. R.2839.

Col. Sec., 25 Nov 1833- 21 Feb 1835, 4/5400. R.2839.

Col. Sec., Feb 1835 - Dec 1835, 4/5401. R.2840.

Col. Sec., 7 Feb 1836 - 20 Dec 1836, 4/5402. R.2840.

Governor, private individuals, Col. Sec & surveyors, 4/6909. R.2821.

Great Western Road, correspondence, reports etc, 1834 -1845, 9/2686.

Surveyors, 2 Jul 1832- 27 Sep 1834, 4/5424. R.2826

Sketch Books, Vol.2.,X 752.

Surveyors' Field Books:

R. Dixon, 2/4959. R.2628

R. Dixon, 2/4961., R.2628

AO Map No. 1420 (B. 792)

AO Map No. 1461A (B.1136)

AO Map No. 1461B (B.1136A)

AO Map No. 1462 (B.1.1136A)

AO Map No. 1462 (B.1136A(1))

AO Map No. 1463 (B.1136A(2))

AO Map No. 1464 (B.1136A (3))
AO Map No. 1465 (B.1136A (4))
AO Map No. 1781-2 (C.1, 2. 604)
AO Map No. 1783 (C.645)
AO Map No. 1784-5 (C.1, 2. 645)
AO Map No. 2512 (D.1. 681)
AO Map No. 3101 (H.1006)
AO Map No. 3102 (H.1006a)
AO Map No. 3103 (H.1006c)
AO Map No. 3104 (H.1006e)
AO Map No. 3105 (H.1.1018)
AO Map No. 4277-9 (M.1642 & 1642a)
AO Map No. 5011-2 (R.651)
AO Map No. 5024 5026 (R.1,2,3 677)
AO Map No. 5027 (R.687)
AO Map No. 5028 (R.687a)
AO Map No. 5029 (R.687b)
AO Map No. 5044 (R.I. 751).
AO Map No. 5045 (R.2.751).
AO Map No. 5046 (R.3.751).
AO Map No. 5047-8 (R.4, 5.751)
AO Map No. 5055-5057 (R.758)
AO Map No. 5101 (R.852)
AO Map No. 5118 (R.1. 877)
AO Map No. 5119 (R.2. 877)
AO Map No. 5119 (R.2. 877)
AO Map No. 5129 (R.I. 897)
AO Map No. 5130 (R. I.897)
AO Map No. 5138 (R.15.897)
AO Map No. 5272 (R. 1220a)

AO Map No. 5273 (R. 1220b)

AO Map No. 5274 (R. 1a 1220)

AO Map No. 6266 (R. 874)

Public Records Office, London

Home Office 17

Treasury 1/4347

MPG 1/785

Library of the Religious Society of Friends - London

Backhouse's Journal, Temp MSS 556.

Contemporary Published Sources

British Parliamentary Papers, *Crime and Punishment Transportation*, Vol. 1, Irish University Press, Shannon.1969.

British Parliamentary Papers, *Crime and Punishment Transportation*, Vol. 3, Irish University Press, Shannon.

British Parliamentary Papers, *Transportation and Secondary Punishment, Crime and Punishment Transportation*, Vol.6., Irish University Press, Shannon, 1971.

Cook, Thomas., *The Exile's Lamentations*, The Library of Australian History, North Sydney, 1978.

Cox, William., Cox's Journal in George Mackaness (ed.) *Fourteen Journeys Over the Blue Mountains of New South Wales, 1814-1841*, Pt.I, Australian Historical Monographs, Vol. XXII (new series), Sydney, 1951.

Darwin, Charles., *The Voyage of the Beagle*, Edito-Services, Geneva, n.d.

Darwin, Charles., 'A Journey to Bathurst in 1836' in George Mackaness (ed.)
Fourteen Journeys Over the Blue Mountains of New South Wales, 1814-1841, Pt.III,
Australian Historical Monographs, Vol. XXIV (new series), Sydney, 1951.

Govett, William Romaine., *Sketches of New South Wales*, Gaston Renard Publisher,
Melbourne, 1977.

Historical Records of Australia, Series I, Vol. XI, The Library Committee of the
Commonwealth Parliament, Sydney, 1917.

Historical Records of Australia, Series I, Vol. XIII, The Library Committee of the
Commonwealth Parliament, Sydney, 1920.

Historical Records of Australia, Series I, Vol. XIV, The Library Committee of the
Commonwealth Parliament, Sydney, 1922.

Historical Records of Australia, Series I, Vol. XV, The Library Committee of the
Commonwealth Parliament, Sydney, 1922.

Historical Records of Australia, Series I, Vol. XVI, The Library Committee of the
Commonwealth Parliament, Sydney, 1923.

Historical Records of Australia, Ser.1, Vol. XVII, The Library Committee of the
Commonwealth Parliament, Sydney, 1923.

Historical Records of Australia, Ser.1, Vol. XVIII, The Library Committee of the
Commonwealth Parliament, Sydney, 1923.

Report upon The Progress Made In Roads and in the Construction of Public Works in New South Wales From the Year 1827 to June 1855 By Colonel Sir T.L. Mitchell, Surveyor General, Government Printer, Sydney, 1856.

Sydney Gazette, 5 June 1826; 12 January 1830.

von Hugel, Baron Charles, *New Holland Journal*, November 1833- October 1834, Dymphna Clark (trans. and ed.) Melbourne University Press at the Miegunyah Press in Assoc. With the State Library of New South Wales, 1994.

Published Indexes

Convicts & Employers (NSW) Index: 1828, 1832-1833, Jan 1838- Jan 1844, published by Past Keys.

Secondary Sources

Abbott, G. J., 'The Botany Bay Decision', *Journal of Australian Studies*, Number 16, May 1985, pp.21- 41.

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

Atkinson, Alan. 'The Free-Born Englishman Transported: Convict Rights as a Measure of Eighteenth-Century Empire' *Past and Present*, No.144, August 1994, pp.88-115.

Atkinson, Alan. 'Writing about convicts: our escape from the one big gaol', *Tasmanian Historical Studies*, v.6, No. 2, 1999, pp.17-28.

Chapter Ten: Bibliography

Armstrong, W.A. 'The use of information about occupation' in E.A. Wrigley, (ed.) *Nineteenth century society: Essays in the use of quantitative methods for the study of social data*, Cambridge University 1972, pp.191-310.

Beattie, J.M. *Crime and the Courts in England, 1660-1800*, Oxford University Press, Oxford, 1986.

Blair, Sandra, 'The Felonry and the Free? Divisions in Colonial Society in the Penal Era', *Labour History*, No. 45, November 1983, pp.1-16.

Braithwaite, John. 'The Criminal Class and the Making and Breaking of Australia', *Australian & New Zealand Journal of Criminology*, 1991, Vol. 24, pp.99-104.

Broeze, Frank. 'Introduction: The Convict Experience and Australian Society', *Westerley*, No.3, September 1985, pp.31-35.

Byrne, P.J. *Criminal Law and Colonial Subject: New South Wales, 1810-1830*, Cambridge University Press, Melbourne, 1993.

Casella, Eleanor Conlin., Cornwall, Ellen., and Frost, Lucy., 'your unfortunate and dutiful wife', *Chain letters narrating convict lives*, Lucy Frost and Hamish Maxwell-Stewart (eds.), Melbourne University Press, Melbourne, 2001, pp.105-115.

Clark, Manning. 'The origins of the convicts transported to Eastern Australia, 1787-1852', *Historical Studies*, Vol. 7: 1956, pp. 121-135; 314-327.

Dening, Greg. *Mr Bligh's Bad Language*, Cambridge University Press, Melbourne, 1992.

Dinwiddy, J.R., 'The early nineteenth-century campaign against flogging in the

army', *English Historical Review*, Vol.97, 1982, pp.308-331.

Duffield, Ian., 'Stated This Offence': High-density convict micro-narratives', *Chain letters narrating convict lives*, Lucy Frost and Hamish Maxwell-Stewart (eds.), Melbourne University Press, Melbourne, 2001, pp.119-135.

Dyster, Barrie, A New View - Convicts as Working People, *Westerly*, No.3, Sept, 1985, pp.57-61.

Dyster, Barrie. 'Convicts', *Labour History*, No.67, Nov 1994, pp.74-83.

Evans, Raymond and Thorpe, William. 'Power, Punishment And Penal Labour: Convict Workers and Moreton Bay', *Australian Historical Studies*, Vol.98, 1992, pp.90-111.

Finnane., Mark. 'After the convicts: Towards A History Of Imprisonment In Australia', *Aust & NZ Journal Of Criminology*, 1991, Vol. 24, pp.105-117.

Finnane, Mark. *Punishment in Australian Society*, Oxford University Press, Melbourne, 1997.

Fletcher, Brian. *Colonial Australia before 1850*, Nelson, Melbourne, 1976.

Fletcher, Brian. *Ralph Darling A Governor Maligned*, Melbourne, Oxford University Press, Melbourne, 1984.

Foster., S.G., 'Convict Assignment in NSW in the 1830s', *The Push From The Bush*, No.15, April 1983, pp.35-80.

Foster, William C., *Sir Thomas Livingstone Mitchell and his World 1792-1855*,

Institution of Surveyors NSW Inc., Sydney 1985.

Foucault, Michel, *Discipline and Punish*, Penguin Books, London, 1977.

Frost, Alan. *Botany Bay Mirages*, Melbourne University Press, Carlton 1994.

Garton, Stephen . 'The Convict Origins Debate: Historians And The Problem Of The Criminal Class', *Aust & NZ Jour. of Criminology*, Vol.24, July 1991, pp.66-82.

Hay, Douglas. 'Property, Authority and Criminal Law' in Douglas Hay et.al., *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England*, Allen Lane, London 1975, pp.17-64.

Harvard, W. L., 'Along the Road to Bathurst in 1832' *JRAHS*, Vol.26, Pt.4, 1940, pp. 341-352.

Hirst, J.B. *Convict society and its enemies*, George Allen & Unwin, Sydney 1983.

Hirst, J.B. 'Or none of the Above: A Reply' *Historical Studies*, Vo. 22, No. 89, pp.519-524.

Hughes, Robert., *The Fatal Shore*, Collins Harvill, London, 1987.

Ignatieff, Michael, *A Just Measure of Pain*, The Macmillan Press, London, 1978.

Karskens, Grace., 'As good as any in England': The Background to the Construction of the Great North Road', *JRAHS* , Vol.68, Pt.3, 1982, pp.192-204.

Karskens, Grace., 'Defiance, Deference and Diligence: Three Views of Convicts in New South Wales Road Gangs,' *Australian Historical Archaeology*, 4, 1986,

pp.17-28.17.

Kent, David., and Norma Townsend, *The Convicts of the Eleanor: Protest in Rural England new Lives in Australia*, The Merlin Press, Pluto Press, Australia, 2002.

Kercher, Bruce. *Debt, Seduction and other Disasters: The Birth of Civil Law in Convict New South Wales*, The Federation Press, Annandale, 1996.

Kercher, Bruce. *An Unruly Child: A history of Law in Australia*, Allen & Unwin, Sydney, 1995.

King, Hazel. *Richard Bourke*, Oxford University Press, Melbourne, 1971.

Leckbandt, Ollie. *The Mount Walker Stockade Cox's River*, Olaf Leckbandt, 1997.

Leckbandt, Ollie. *Convict Stockades from Mount Walker to Mount Victoria*, Olaf Leckbandt, Lithgow, 1999.

Leckbandt, Ollie. *Mt. Kirkley The forgotten Stockade Old Bathurst Road*, Olaf Leckbandt, 2002.

McQueen, Humphrey. *A New Britannia*, Penguin, Sydney, 1970.

McQueen, Humphrey. 'Convicts and Rebels', *Labour History*, No. 15, Nov. 1968, pp.3-30.

Neal, David., 'Law and Authority: The Campaign for Trial by Jury in New South Wales', *Journal of Legal History*, Vol.8, No. 2, Sept 1987, pp.107-128.

Neal, David. 'Free Society, Penal Colony, Slave Society, Prison?', *Historical*

Studies, Vol.22, No. 89, October 1987, pp, 497-518.

Neal, David. *The Rule of Law in a Penal Colony: Law and Power in Early New South Wales*, Cambridge University Press, Melbourne,1991.

Newell, Hugh Hamilton., 'Road Engineering and its Development in Australia, 1788-1938', Pt. 1, *The Journal of the Institution of Engineers*, Vol. 10, 1938, pp.41-70.

Nichol, W., "'Malingering" And Convict Protest', *Labour History*, No.47, Nov. 1984, pp.18-27.

Nicholas, Stephen (ed). *Convict Workers*, Sydney, Cambridge University Press, Melbourne, 1988.

Nicholas, Stephen, 'Understanding Convict Workers', *Australian Economic History Review*, Vol. 31, No.2, Sept 1991, pp.95-108.

O'Brien, Eris, *The Foundation of Australia, 1786-1800*, Sheed & ward, London, 1937.

Phillips, David., 'A Nation Of Rogues? Recent Writings On Crime, Law And Punishment In Australian History', *Aust & NZ Jour. of Criminology*, Vo.24, July 1991, pp.161-166.

Reade, Eric., *The Australian Screen*, Lansdowne Press, Melbourne, 1975, pp.275-296.

Ritchie, John., 'Towards Ending An Unclean Thing: The Molesworth Committee And The Abolition Of Transportation to New South Wales, 1837-40', *Historical*

Studies, Vol.17, No.67, Oct 1976, pp.144-164.

Robbins, William, 'Management and Resistance in the Convict Work Gangs, 1788-1830', *The Journal of Industrial Relations*, Vol.45, No.3. Sept 2003, pp.360-377.

Robbins, William, 'The Supervision of Convict Gangs in New South Wales, 1788-1830', *Australian Economic History Review*, Vol.44, No.1, March 2004, pp.79-100.

Robinson, Portia., *The Women of Botany Bay* Penguin, Ringwood. 1993.

Robson, L.L., *The Convict Settlers of Australia*, Melbourne University Press, Melbourne, 1965.

Rosen, Sue. 'Heritage assessment of second Cox's River stockade site and associated graves; proposed upgrade of Lyell Dam', Pacific Power, 1992.

Rosen, Sue., 'A History of No. 2 Stockade Cox's River', Pacific Power 1994

Rosen Sue and Michael Pearson., 'The No. 2 Stockade Cox's River- Its life and times: an historical and archaeological investigation', Pacific Power, 1997.

Rosen, Sue, *Government House, Parramatta, 1788-2000: A History of the Governors, their Home, and its Domain, Parramatta Park*, Caroline Simpson, Sydney, 2003.

Rudé, George., *Protest & Punishment*, Clarendon Press, Oxford, 1978.

Salt, Annette., *These Outcast Women: the Parramatta female factory 1821-1848*, Hale and Iremonger, Sydney, 1984.

- Schedvin, M.B., and C.B., 'The Nomadic Tribes of Urban Britain: A Prelude to Botany Bay', *Historical Studies*, Vol.20, Pt. 78,1978, pp.254-277.
- Shaw, A.G. L. *Convicts and the Colonies*, Melbourne University Press, Carlton, 1977.
- Shaw, A.G.L., 'James Stephen and Colonial Policy: The Australian Experience', *The Journal of Imperial and Commonwealth History*, Vo. XX, No.1, pp.11-34.
- Shaw, A.G.L., 'British attitudes to the Colonies, ca. 1820-1850', *The Journal of British Studies*, Vol.9, No.1, Nov 1969, pp.71-95.
- Shlomowitz, Ralph., 'Convict workers: a review article', *Australian Economic History Review*, Vol.30, Sept 1990, pp.67-88.
- Sturma, Michael. *Vice in a Vicious Society*, Queensland University Press, St. Lucia, 1983.
- Townsend, Norma., 'The clamour of ... inconsistent Persons: Attitudes to Transportation within New South Wales in the 1830s', *Australian Journal of Politics and History*, Vol. 25. No.3, 1979, pp.345-357.
- Townsend, Norma., 'The Molesworth Enquiry: Does the Report fit the evidence?', *Journal of Australian Studies*, No.1, June 1977, pp.33-51.
- Ward, Russell. *The Australian Legend*, Melbourne, Oxford University Press, 1958.
- Wood, G.A.'Convicts', *JRAHS*, Vol.8, Pt.4., pp.177-208, 1922.

Theses

Hammond, Peter. "Murder, manslaughter and workplace relations in convict New South Wales 1824-1838", Honours Thesis, University of New England, 2003.

Karskens, Grace. "'The Grandest Improvement in the Country': An Historical and Archaeological Study of the Great North Road, NSW 1825-1836", MA Hist. Arch Thesis, University of Sydney, 1985.

King, A.H., 'Police Organizations and Administration In the Middle District of New South Wales, 1825-1851', MA Thesis, University of Sydney, 1956.

Maxwell-Stewart, Hamish. 'The Bushrangers and the Convict System of Van Dieman's Land, 1803-1846', PHD Thesis, University of Edinburgh, 1990.

Robbins, William. 'The Management of Convict Labour Employed by New South Wales Government, 1788-1830', PHD Thesis, University of NSW, 2001.