

# *Journal of Australian Colonial History*

**A Refereed Journal**  
ISSN 1441-0370

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<http://www.une.edu.au/jach/>

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Richard Tuffin, Hamish Maxwell-Stewart & Michael Quinlan, 'Integrating Historical Records through Digital Data Linking: Convicts Prosecuted for Collective Action in Van Diemen's Land', *Journal of Australian Colonial History*, Vol. 22, 2020, pp. 49-84.

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# **Integrating Historical Records through Digital Data Linking: Convicts Prosecuted for Collective Action in Van Diemen's Land <sup>1</sup>**

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**T**his article explores the ways in which prosecution data was recorded and utilised at different administrative levels in the colony of Van Diemen's Land (Tasmania). We do this through an analysis of convict collective action, deploying methodologies of aggregate data analysis to highlight previously hidden relationships between the charges brought against individual convicts. Record sets related to two convict stations situated on the Tasman Peninsula (south east Tasmania) will form the focus of this discussion. The first of these is a bench book consisting of court summaries for the Tasman Peninsula Coal Mines (1833-48). The second consists of conduct records pertaining to convicts who passed through the Port Arthur penal station between 1830 and 1877. Instances of collective action will be used to explore the administrative intent behind these two different forms of record-keeping, demonstrating how they facilitated (or failed to facilitate) identification of acts of collectivised offending. As will be shown, records of immediate control, like bench books, were capable of identifying instances of collective action. We will demonstrate through data linkage methodologies that many more acts may have gone unrecorded. Our examination of these collective acts will discuss the ways in which administrators reacted to this type of offending and whether such behaviours attracted markedly different forms of censure.

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<sup>1</sup> This research was supported by an Postdoctoral Fellowship from the University of New England, an Australian Research Council Discovery Project, Landscapes of Production and Punishment (DP170103642) administered by the University of New England, and a Linkage Project, Conviction Politics (LP180101048) administered by Monash University.

We will also examine the nature of these documents. Records like the bench book were cross-sectional, designed to capture a sequential record of all charges brought against convicts serving at a particular station. By contrast, conduct records — a form of higher-level administrative documentation — were designed to capture the sequence of charges brought against an individual over time. As such, this latter form of record keeping did not immediately lend itself to the analysis of populations at a smaller scale. Using data linkage, we demonstrate a methodology that allows us to use conduct records to recreate a local-scale view of convict population dynamics unavailable to contemporary administrators. We also demonstrate ways in which high-level administrative documentation can be used to reconstruct the content of other records that may have been lost to time.

While bench outcomes were often also reported in colonial newspapers, we have not relied on this source in this article for a number of reasons. While prior research indicates that these contain valuable information on convict dissent, especially with regard to rural and town workers, the vast majority of incidents recorded in bench-books were not reported in newspapers and this under-reporting was particularly pronounced with regard to dissent in gangs and at penal stations.<sup>2</sup> Second, while the newspapers often provide the names of convicts brought before the bench, they were much less likely to report police numbers and ships of arrival making it difficult to link information pertaining to the same convict.

In an influential article in 1979 Alan Atkinson suggested that convict resistance could be broken into four categories: attack; appeal to authority; withdrawal of labour; and compensatory retribution.<sup>3</sup> The last three of these he saw as evidence that convicts operated within a form of moral economy. That is, that while they might accept the terms under which they were bound to serve, they perceived the powers invested in the state or master as having prescribed limits. Following Atkinson's pioneering study, a number of others have explored dimensions of convict resistance, including revolts, group-absconding,

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<sup>2</sup> For a discussion of the respective strengths and weaknesses of different sources including absconding notices, court records and newspapers, and the importance of court records for documenting gang protests see M. Quinlan, *The Origins of Worker Mobilisation, Australia 1788-1850*, New York and London, 2018, pp. 22-24, 241-44.

<sup>3</sup> A. Atkinson, 'Four Patterns of Convict Protest', *Labour History*, No. 37, 1979, pp. 28-51.

riots, sabotage and strike action.<sup>4</sup> There have been few attempts, however, to look at the relationship between different forms of action or the individuals that participated in those events. There have also been few studies that have explored the ways in which the pattern of actions altered across different labour extraction processes or the manner in which collective action was prosecuted. In this article we use large runs of digitised data in a preliminary attempt to fill these gaps. In doing so we hope to demonstrate the extent to which different analytical techniques might be used to reconstruct the history of labour relations in convict Australia.

In part, the failure to appreciate the rate at which serving convicts reacted to workplace management practices reflect the ways in which convict labour was stigmatised. In colonial Australia former conviction history was used to justify labour exploitation. The word 'convict' itself reinforced the extent to which each worker's loss of freedom resulted from a successful prosecution. The fact of being a convict in servitude also subjected individuals to a special legal apparatus in which petty misbehaviours, including workplace infractions, could be punished summarily by magistrates. Under imperial and local legislation, breaches of workplace regulations could be effectively treated as though they were criminal acts.<sup>5</sup> 'Collusion', a term that implies

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<sup>4</sup> For example, T. Dunning and H. Maxwell-Stewart, 'Mutiny at Deloraine: Ganging and Convict Resistance in 1840s Van Dieman's Land', *Labour History*, Vol. 82, 2004, pp. 35-47; I. Duffield, 'Cutting out and Taking Liberties: Australia's Convict Pirates, 1790-1829', in C. Anderson et al. (eds), *Mutiny and Maritime Radicalism in the Age of Revolution: A Global Survey*, Cambridge, 2013, pp. 197-228; G. Karskens, 'Defiance, Deference and Diligence: Three Views of Convicts in New South Wales Road Gangs', *Australian Journal of Historical Archaeology*, Vol. 4, 1986, pp. 17-28; H. Maxwell-Stewart, *Closing Hell's Gates: The Death of a Convict Station*, New South Wales, 2008; H. Maxwell-Stewart, 'Those Lads Contrived a Plan': Attempts at Mutiny on Australia-Bound Convict Vessels', *International Review of Social History*, No. September, 2013, pp. 1-20; W. Nichol, 'Malingering' and Convict Protest', *Labour History*, Vol. 47, 1984, pp. 18-27; K. Reid, 'Contumacious, Ungovernable and Incurable': Convict Women and Workplace Resistance, Van Diemen's Land, 1820-1839', in Ian Duffield and James Bradley (eds), *Representing Convicts: New Perspectives on Convict Forced Labour Migration*, London and Washington, 1997, pp. 106-23; D. A. Roberts, 'A 'Change of Place': Illegal Movement on the Bathurst Frontier, 1822-1825', *Journal of Australian Colonial History*, Vol. 7, 2005, pp. 97-122; B. Smith, *A Cargo of Women*, Kensington, 1988.

<sup>5</sup> The formative attempt to formalise convict discipline in law was the 1823 *Act for the Better Administration of Justice in New South Wales* (4 Geo. 4, c.96), which empowered magistrates to deal summarily with workplace offences, namely 'Drunkness, Disobedience of Orders, Neglect of work, Absconding or Desertion, abusive Language to ... Employers or Overseers, Insubordination or other turbulent or disorderly Conduct' committed by convicts under sentence of transportation. See D.

complicity in a transgressive undertaking, was commonly used to describe offences that involved more than one convict. Others who combined to voice a grievance were charged with 'insubordination' — a term that implied unruliness. The manner in which convict records were organised served to reinforce the point. While slaves were managed by an ideology based on race, 'convictism' was used to justify labour exploitation in colonial Australia. This was an ideology anchored in the belief that criminals deserved their fate and that any attempt at self-amelioration merely confirmed their debased status.<sup>6</sup>

Information about offences was recorded in two systems. The first of these were the bench books. These contained an account of each case brought before a magistrates' bench. While the level of detail varied between benches, information about who was charged, the date the case was heard, the name of the magistrate and the outcome of the case were all routinely recorded. Four times a year each bench was required to forward a summary of all charges that had been brought against all serving convicts. Each of these was then re-transcribed into the centrally-administered conduct records.

Not all convicts were dragged before a bench, but a conduct record was created for every convict transported to, or sentenced in, the colony. While local bench books formed the foundation of a station's disciplinary regime, the conduct record was the rock upon which the colony's penal bureaucracy was set. It was the heart of the paper-based panopticon in Van Diemens Land. Its intent was neatly captured in the early years of the probation system (1839-54) by Registrar James Thomson, responsible for the collation of records:

From the records of his office the registrar will ... be required to mark the working of the probation system in its effects upon the convicts under its operation, to enable him to report to the directors any important facts of circumstances...which may be seen to render a modification in the details of the system.<sup>7</sup>

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A. Roberts, 'The "illegal sentences which magistrates were daily passing": The Backstory to Governor Richard Bourke's 1832 Punishment and Summary Jurisdiction Act in Convict New South Wales', *The Journal of Legal History*, Vol. 38: No. 3, 2017, pp. 231-253

<sup>6</sup> H. Maxwell-Stewart, "'Like Poor Galley Slaves': Slavery and Convict Transportation', in M. S. F. Dias (ed), *Legacies of Slavery: Comparative Perspectives*, Newcastle, 2007, pp. 48-61.

<sup>7</sup> Thomson, Registrar, to Forster, Director of Probation System, 1 June 1841, *Convict Discipline and Transportation*, London, 1843, p. 46.

The conduct record was a document designed to locate individuals within the penological landscape. It helped to locate convicts in physical space, noting the places through which they passed and the courts in which they were tried. It also affixed each man and woman on a moral scale through the provision of information that could be used to inform the award of indulgence and deterrence.<sup>8</sup> The conduct record had its genesis in 1817, when Lieutenant Governor William Sorell established a 'system of perpetual reference and general control' that was designed to introduce a 'greater degree of method and regularity' in the regulation of convicts.<sup>9</sup> Eight years later, the new Lieutenant Governor, George Arthur, explained the system of paper-based surveillance that he had expanded:

... every convict should be regularly and strictly accounted for as Soldiers are in their respective Regiments, and that the whole course of their Conduct – the Services to which they are sent, and from which they are discharged, the punishments they receive, as well as instances of good Conduct they manifest – should be registered from the day of their landing until the period of their Emancipation or death.<sup>10</sup>

A significant feature of this record series was the degree that it enabled the surveillance of the individual. It was a document of service, allowing life trajectories while under sentence to be traced. The information contained therein could be used to accelerate or hinder an individual's progression. It was the 'user interface' for a wider archival system that included original conviction records, prison and hulk reports, indents (recording personal and anthropometric information) and arraignments before magistrates' benches. Through this interface, the 'worthiness' of an individual for receipt of indulgences (the remission of sentence, the acquisition of a Ticket-of-Leave, the promotion to higher-tier labour or ration scale) could be judged. It also provided the background information necessary to condemn a

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<sup>8</sup> B. Godfrey, C. Homer, K. Inwood, H. Maxwell-Stewart, R. Read, and R. Tuffin, 'Crime, Penal Transportation and Digital Methodologies', *Journal of World History*, Vol. 32, No. 2, 2020 (in press).

<sup>9</sup> Bigge, Commissioner of Inquiry, to Bathurst, Secretary of State, 6 May 1822. Reprinted in: *Report of the Commissioner of Inquiry into the State of the Colony of New South Wales*, Australian Facsimile Editions No. 68, Adelaide, 1966, p. 19.

<sup>10</sup> Arthur, Lieutenant Governor, to Bathurst, Secretary of State, 3 July 1825, Colonial Office, Original Correspondence Tasmania, CO 280/3, p. 77, National Library of Australia (NLA).

prisoner to longer and or harder servitude, the withdrawal of extra rations, or demotion within the ranks. Regulations issued for the first stage of probation in 1843 stated that such documentation allowed 'a correct view of the conduct of each convict may always be at hand, to serve as a guide for his advancement to a higher stage'.<sup>11</sup>

Crucially, conduct records were also organised by ship of arrival and police number. While these did not operate as unique identifiers, they did enable the identification of other records related to a specific convict. These included Description and Appropriation Registers, as well as record series that documented such events as applications to marry lodged by convicts still under sentence.<sup>12</sup> Linkage between these different record sets enables the longitudinal data recorded in the conduct records to be analysed according to the sex, age and recorded skills of each convict. An increasing number of projects have used this data to examine how a convict's experience of their sentence was determined by an array of variables: labour skill, sex, the type of offences committed under sentence, the location they were assigned/sentenced to, even colonial economic cycles.<sup>13</sup> In effect, such quantitative explorations have helped to convert an administrative record originally employed to gauge the conduct of individual prisoners, into a tool capable of shedding light on the ways in which

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<sup>11</sup> 'Regulations of the First Stage of Convict Probation in Van Diemen's Land', October 1843, in *Convict Discipline*, London, 1845, p. 16.

<sup>12</sup> 'Description Registers', Con 18, 19 and 23 series; 'Appropriation Registers', Con 27 series, 'Permission to Marry Registers', Con 45 series, 'Alphabetical Registers of Applications for Indulgence', Tasmanian Archives (TA).

<sup>13</sup> R. W. Byard and H. M. Stewart, 'The Potential Forensic Significance of Convict Archives from Van Diemen's Land, 1820–1877', *Forensic Science, Medicine and Pathology*, Vol. 14, No. 1, 2018, pp. 127-32; M. Finnane, A. Kaladelfos, A. Piper, Y. Smaal, R. Blewer, and L. Durnian, 'The Prosecution Project Database', 2016. <prosecutionproject.griffith.edu.au/prosecutions>; H. Maxwell-Stewart and M. Quinlan, 'Female Convict Labour and Absconding Rates in Colonial Australia', *Tasmanian Historical Studies*, Vol. 22, 2017, pp. 19-36; H. Maxwell-Stewart and M. Quinlan, 'Voting with Their Feet, Absconding and Labor Organisation in Convict Australia', in T. Chakraborty, M. van Rossum, and M. Rediker (eds), *A Global History of Runaways: Workers, Mobility, and Global Capitalism, 1650-1850*, Oakland, 2019, pp. 156-77; H. Maxwell-Stewart, 'Convict Labour Extraction and Transportation from Britain and Ireland: 1615-1870', in C. Vito and A. Lichtenstein (eds), *Convict Labour: A Global Regime*, Leiden, 2015, pp. 168-96; H. Maxwell-Stewart, 'The Rise and Fall of John Longworth: Work and Punishment in Early Port Arthur', *Tasmanian Historical Studies*, Vol. 6, No. 2, 1999, pp. 96-114; Quinlan, , *op. cit.*; R. Read, 'Convict Assignment and Prosecution Risk in Van Diemen's Land, 1830–1835', PhD thesis, University of Tasmania, 2020; R. Tuffin, 'Convicts of the 'Proper Description': The Appropriation and Management of Skilled Convict Labour', *Labour History*, No. 114, 2018, pp. 69-92.

transportation operated as an unfree labour system — albeit one cloaked in the language of criminal justice.

It is much more difficult, however, to use the conduct records to chart the rate at which convicts banded together to challenge the circumstances under which they laboured. This is due both to the manner in which the records are organised and their sheer scale. In order to use the conduct books to piece together a complete history of prosecution at any one location, it would be necessary to transcribe all the records for convicts known to have spent time at that particular place. This is a considerable undertaking. Since the mean number of charges brought against a convict was over five, the male conduct record series alone contains information for some 295,000 charges distributed across 59,000 individual records. It is thus not surprising that existing quantitative studies that have drawn on the conduct records have relied on samples, rather than complete count data.<sup>14</sup> These have been drawn using a number of different techniques, but small sample sizes reduce the chance of finding information on individuals charged for committing an offence in conjunction with one another. In the rest of this article we look at ways of overcoming these limitations.

This article has its genesis in a series of projects that have enabled the assembly of large data series that can be analysed in parallel. These datasets include spatio-temporal, anthropometric, demographic and health information about convicts transported to Van Diemen's Land as well as considerable data about prosecutions and punishment.<sup>15</sup> While each project dataset is a resource in its own right, they have been linked together in order to enable the analysis of labour practices as well to gauge the impact of those practices on life-course outcomes.<sup>16</sup>

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<sup>14</sup> J. F. H. Moore, *Convicts of Van Diemen's Land*, Hobart, 1976; L. L. Robson, *The Convict Settlers of Australia*, Carlton, 1965.

<sup>15</sup> J. Bradley, R. Kippen, H. Maxwell-Stewart, J. McCalman, and S. Silcot, 'Research Note: The Founders and Survivors Project', *The History of the Family*, Vol. 15, No. 4, 2010, pp. 467-77; R. Tuffin, 'Australia's Industrious Convicts: An Archaeological Study of Landscapes of Convict Labour', PhD thesis, University of Sydney, 2016; R. Tuffin, M. Gibbs, D. Roberts, H. Maxwell-Stewart, D. Roe, J. Steele, and S. Hood, 'Landscapes of Production and Punishment: Convict Labour in the Australian Context', *Journal of Social Archaeology*, Vol. 18, No. 1, 2018, pp. 50-76; Quinlan, *op. cit.*, pp. xvii-xx.

<sup>16</sup> Tuffin et al., 'Landscapes of Production and Punishment'; R. Tuffin and M. Gibbs, 'Repopulating Landscapes: Using Offence Data to Recreate Landscapes of Incarceration and Labour at the Port Arthur Penal Station, 1830-1877', *International Journal of Humanities and Arts Computing*, Vol. 13, No. 1-2, 2019, pp. 155-81; R. Tuffin, D. Roe, M. Gibbs, D. Clark, and M. Clark, 'Landscapes of Production and Punishment: Lidar and the Process of Feature



The two places which form the focus of this article are the Port Arthur penal station and the Tasman Peninsula Coal Mines. Both of these were major centres of convict management in Van Diemen's Land, located on the 'penal peninsula' in the colony's south east which was otherwise closed to settlement. Up until 1841 the two operated in tandem, with Port Arthur administratively responsible for the mines. Both were considered to be 'punishment' stations, oriented toward the reception of convicts who had been reconvicted in colonial courts. At one stage, the mines operated as an ultra-punishment station, a proportion of its workforce consisting of men who had been redirected there following prosecution at Port Arthur penal station. After 1841, Coal Mines became administratively separate, when it was re-classified as a probation station—although it continued to take reoffenders from other stations throughout the colony. Port Arthur was to substantially outlast Coal Mines, operating for 47 years as opposed to the latter's 16.

At both Port Arthur and Coal Mines the unfree lived and worked under a variety of conditions. Many were employed in primary labour. Such work was usually undertaken by gangs under the charge of an overseer. New arrivals at both stations were expected to perform a period of labour in a primary gang. For much of Port Arthur's life, timber-getting was the convicts' main occupation, though men were also deployed in a diverse array of other primary, secondary and tertiary industries.<sup>17</sup> At Coal Mines the bulk of the punishment labour undertaken by these individuals consisted of hauling coal to the surface, manning pumps, and pushing carts along a tramway system.<sup>18</sup> Thereafter, good conduct might be rewarded with promotion to a more trusted position together with an associated reduction in workload. This included employment as a servant, wood cutter, cook, baker or mechanic. A small number of skilled convicts were employed as colliers.<sup>19</sup> The majority of the latter were detailed to the site, rather than having been sentenced there as a result of a court encounter.

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Identification and Analysis at a Tasmanian Convict Station', *Australian Archaeology*, Vol. 86, No. 1, 2020, pp. 37-56.

<sup>17</sup> R. Tuffin and M. Gibbs, 'Early Port Arthur: Convict Colonization and the Formation of a Penal Station in Van Diemen's Land 1830–35', *International Journal of Historical Archaeology*, Vol. 23, 2019, pp. 568-95; R. Tuffin, 'The Employment of Convicts at the Port Arthur Penal Station, 1830-77: Landscapes Project Database 3', 2020. <[hdl.handle.net/1959.11/28599](https://hdl.handle.net/1959.11/28599) (18 August 2020)> .

<sup>18</sup> R. Tuffin, "'Where the Vicissitudes of Day and Night Are Not Known": Convict Coal Mining in Van Diemen's Land, 1822-1848', *Tasmanian Historical Studies*, Vol. 13, 2008, pp. 35-61.

<sup>19</sup> Tuffin, 'Convicts of the 'Proper Description'', pp. 75-78.

At both Coal Mines and Port Arthur, some convicts in skilled positions were also provided with additional incentives such as tobacco, tea and sugar.<sup>20</sup> Further prosecution could result in the demotion back to a primary gang in addition to other punishments such as flogging and solitary confinement. In some cases, convicts could be ordered to perform hard labour in chains. At both stations convict work parties were overseen by a mixture of convict trustees, civil staff and military officers. While these officials had administrative control over their convict charges, they lacked the authority to administer beatings or other forms of punishment. These had to be sanctioned by a magistrates' bench. Overseers, officers and other labour managers could, however, bring charges against any convict who they thought were not applying themselves sufficiently to the task in hand, refused to carry out orders, or breached either the criminal law or the rules and regulations of the settlement.

The bench book for Coal Mines covers the years 1836-41.<sup>21</sup> There was usually a short delay between the date a convict was placed on a charge and the subsequent trial. This was particularly the case during the period Captain Charles O'Hara Booth presided over the bench (February 1836 to November 1838). As Commandant of Port Arthur, Booth was required to make an 18-mile (29 km) journey, using a combination of bridle paths and the schooner stationed in Norfolk Bay.<sup>22</sup> During this period the average time between visits was nine days. From 1838, when a justice of the peace was situated on the station, the time between trials fell to 2-3 days. The record stops in 1841, the year in which the mines were re-classified as a probation station.<sup>23</sup> Over these seven years the population of the station increased from 100 convicts, to over 250. The register records a total of 1,546 arraignments. Those that resulted from the same charge were bracketed together in the original record, information that was preserved in the subsequent digital transcription.

There are a number of surviving bench books for Port Arthur. However, for the purposes of this article, summary accounts in the conduct records of charges brought against convicts have been drawn

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<sup>20</sup> Maxwell-Stewart, 'The Rise and Fall of John Longworth', p. 103.

<sup>21</sup> 'Record of Crown Prisoners tried at the Coal Mines from 3rd February 1836', AF584/1/1, TA.

<sup>22</sup> D. Heard (ed.), *The Journal of Charles O'Hara Booth: Commandant of the Port Arthur Penal Settlement*, Hobart, 1981.

<sup>23</sup> Tuffin, 'Australia's Industrious Convicts', p. 177.

upon. This was done in order to test the efficacy of using such high-level documents of control to reconstruct more local-scale histories of prosecution and punishment. The compilation of these conduct records started in the late 1990s, when staff at the Port Arthur Historic Site assembled a list of all convicts recorded as serving at the penal station in surviving musters.<sup>24</sup> These names were supplemented with information drawn from a survey of microfilm copies of all conduct records for male convicts. Staff looked for evidence of a court ruling sentencing a convict to Port Arthur, plus further confirmation of service at the site. This consisted of, either summary charges for offences that had occurred at the penal station or its satellite site at Coal Mines, or annotations recorded in the margin of the record noting that the convict was on strength at Port Arthur.

This article analyses the conduct records for 1,034 of those individuals (approximately one in eight of all convicts identified as serving at the settlement). These records were digitised in sequence according to the date on which each individual arrived in Van Diemen's Land.<sup>25</sup> This resulted in much greater representation for convicts who served at the site in the 1830s compared to later decades. In all, the sample yielded 4,698 summaries of arraignments before the station's magistrates between the years 1830-68. Analysis of the interval between hearings reveal that, unlike Coal Mines, sessions appear to have been held most days. We can conclude, therefore, that there was likely to be a shorter delay between a charge being brought and the resultant bench proceeding.

Both the digitised conduct records and the bench book could be linked by name, police number and ship of arrival to information held about all convicts. This included the convict's age and trade as recorded on arrival in the colony, British and Irish conviction history, a record of treatment on the voyage to Australia as well as the date on which each individual was awarded a ticket of leave, certificate of freedom or pardon. This master dataset also contained the date of death for many serving and former convicts as well as details of family formation and other lifecourse events. The offence data contained within the collated conduct records and bench book was coded, with

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<sup>24</sup> S. Hood, *Transcribing Tasmanian Convict Records*, Port Arthur, 2003.

<sup>25</sup> This process was undertaken as part of the ARC-funded *Landscapes of Production and Punishment* project. (DP170103642). It would not have been possible without the dedicated volunteers who transcribed and digitised this data over 30 years.

the sentencing information normalised. The resulting tables have been made available digitally alongside this article.<sup>26</sup>

Digital methodology was utilised for both these sources to determine the extent of collective action and the different way in which it was captured by contemporary record-keeping. As mentioned, Coal Mines' bench book bracketed together individuals who engaged in collective action. In this way 128 separate events, involving 407 arraignments of 304 individuals were detected by the authorities and brought before the bench — accounting for 26% of total arraignments. However, we were interested in uncovering collective events that, while put before the bench, may not have been treated as such. The bench book contains numerous examples of these events: such as James South who was arraigned for conniving at a fellow convict, Henry Sampson, pilfering vegetables.<sup>27</sup> Despite this being an act of collusion, the men were brought before the bench individually. To detect such events, the raw data for Coal Mines and Port Arthur was filtered according to date and type of offence, with groupings of similar offence given a unique event identifier. This data was used to identify the number of potential collaborations and individual collaborators across different types of charges.

Using these methods, we linked together 838 (54%) arraignments from the Coal Mines bench book that potentially related to collaborative actions, carried out by 515 individuals across 298 separate events. The maximum number of convicts brought before the bench on one charge was 14, with the highest number of individual charges belonging to prisoner Samuel Williams, who accrued nine appearances in the short period between September and November 1840.<sup>28</sup> Using the Port Arthur conduct records, we determined that 944 (20%) of the arraignments involved collaborative actions on the part of 508 prisoners across 423 events. The maximum number of convicts brought

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<sup>26</sup> R. Tuffin, 'Coal Mines bench book, 1836-1841: Collective and non-collective prisoner offences', University of New England, 2020 <hdl.handle.net/1959.11/29250> (20 August 2020); R.Tuffin, 'Port Arthur conduct record offences, 1830-1868: Collective and non-collective prisoner offences', University of New England, 2020 <hdl.handle.net/1959.11/29249> (20 August 2020).

<sup>27</sup> Henry Sampson per *Henry Porcher*, #2280, 'Pilfering vegetables', James South per *Commodore Hayes*, #529, 'Conniving at the offence of Henry Sampson', 26 February 1837, AF584/1/1, TA.

<sup>28</sup> Samuel Williams per *Lady Nugent*, #2155, AF584/1/1, TA.

before the bench was 6, with the highest number of individual charges accrued by prisoners involved in collective action being 12.<sup>29</sup>

Figure 1: A page from the Coal Mines Bench Book

No.	Names	Ship and Original Sentence	Colonial Sentence	Date of Trial	Before whom	Offence	Sentences	Remarks
524	Michael Arkwright	Georgia		29 <sup>th</sup> Sep 1836	E. B. North Esq.	Taking coal from off the sides of the Roads in the Mine, thereby endangering the said Roads.	25 Stripes	
1374	Frederick Denton	Gilmore	6039	30 <sup>th</sup> Sep 1836			25 Stripes	
1439	Richard Smith	Strathfieldsay	6011	30 <sup>th</sup> Sep 1836			25 Stripes	
1465	William Mayfield	Circassian	6012	30 <sup>th</sup> Sep 1836			25 Stripes	
1520	George Higgins	Southworth	7900				25 Stripes	
387	Richard Upston	Southworth					25 Stripes	
717	Moses Cochrane	Melway				Gross neglect of duty while carrying a Balcon whereby a fellow prisoner was injured	25 Stripes	
692	Charles Smith Esq.	Manila		30 <sup>th</sup> Sep 1836		Being under the influence of liquor	Four 5 shillings	and recommended to be removed of his 1 <sup>st</sup> class.
124	Alexander Gidam	H <sup>o</sup> Archer	6039	30 <sup>th</sup> Sep 1836		Not performing the labour required of them on a plea of inability	48 hours Sol <sup>l</sup> Conf <sup>t</sup>	
1574	Charles Sartin	S <sup>o</sup> W <sup>o</sup> Benlinc	6039				24 days Sol <sup>l</sup> Conf <sup>t</sup>	
133	Queen Queen	North S <sup>o</sup> Forbes					48 hours Sol <sup>l</sup> Conf <sup>t</sup>	
797	William Saffin	Andromeda				Arming a Boat ashore without authority and having in his possession a quantity of Fire	5 Weeks to 3 <sup>rd</sup> Gang	
2204	William Benyon	Mangles	6039	11 <sup>th</sup> Oct 1836		Refusing to work in the Mines when ordered	48 hours Sol <sup>l</sup> Conf <sup>t</sup>	
647	William Pearce	Royal George		25 <sup>th</sup> Oct 1836		Provolity cutting timber	10 days to 3 <sup>rd</sup> Gang	
334	Peter M <sup>o</sup> Guice	Bengal Merchant				Making away with his fellow Prisoners Balcon	One Month	
621	John Sisk	S <sup>o</sup> W <sup>o</sup> Forbes	Life			Refusing to work in the Mines when ordered on a plea of inability	3 Weeks to 3 <sup>rd</sup> Gang	
2274	William Benyon	Mangles	6039				25 Stripes	
1301	John Silk	Gilmore					25 Stripes	
797	William Saffin	Andromeda					25 Stripes	
133	Queen Queen	North S <sup>o</sup> Forbes					25 Stripes	
397	Matthew Jackson	S <sup>o</sup> W <sup>o</sup> Benlinc					One Month to 3 <sup>rd</sup> Gang	
724	John Ashwood	Ephinstone	6039	12 <sup>th</sup> Nov 1836			One Month to 3 <sup>rd</sup> Gang	
1739	John W <sup>o</sup> Bartley	John Barry					25 Stripes	

'Source: Record of Crown Prisoners tried at the Coal Mines from 3 February 1836', AF584/1/1, TA.

<sup>29</sup> John Hutchings per Gilmore, #1576. Accrued between April 1835 and May 1844. All references to the Port Arthur dataset can be henceforth located in the accompanying dataset.

Table 1: Coal Mines court register, showing total number of arraignments, total number involving collective action, sorted according to collective action as percent of total

Total arraignments	% of total	Total arraignments involving collective action	% of collective action	Collective action as % of total	Description
6	0.4%	6	0.7%	100%	Sleeping under the same covering
23	1.4%	20	2.3%	87%	Conspiracy
5	0.3%	4	0.5%	80%	Indecent, riotous, or offensive conduct
276	16.8%	186	21.3%	67%	Offences against convict discipline: absence without leave
95	5.8%	62	7.1%	65%	Offences against convict discipline: idleness
355	21.6%	229	26.2%	65%	Offences against convict discipline: refusing to work
11	0.7%	7	0.8%	64%	Offences against convict discipline: Insubordination
49	3.0%	31	3.5%	63%	Malicious damage
19	1.2%	12	1.4%	63%	Offences against convict discipline: trafficking
135	8.2%	79	9.0%	59%	Offences against convict discipline: neglect of work
4	0.2%	2	0.2%	50%	Other offences against the person
6	0.4%	3	0.3%	50%	Receiving
52	3.2%	23	2.6%	44%	Offences against convict discipline: disobedience
24	1.5%	11	1.3%	46%	Other offences against property
61	3.7%	27	3.1%	44%	Larceny, other
12	0.7%	5	0.6%	42%	Offences against convict discipline: Absconding
5	0.3%	2	0.2%	40%	Drunkenness
20	1.2%	8	0.9%	40%	Other offences against good order
48	2.9%	18	2.1%	38%	Obscene, threatening, or abusive language
357	21.7%	127	14.5%	36%	Offences against convict discipline: Misconduct
9	0.5%	2	0.2%	22%	Fraud and false pretences
23	1.4%	5	0.6%	22%	Assault, common
7	0.4%	1	0.1%	14%	Offences against convict discipline: feigning illness/sickness
38	2.3%	5	0.6%	13%	Offences against convict discipline: Insolence
1	0.1%	0	0.0%	0%	Burglary
4	0.2%	0	0.0%	0%	
1645		875			Total number of charges

Table 2: Port Arthur conduct records, showing total number of arraignments, total number involving collective action, sorted according to collective action as percent of total

Total arraignments	% of total	Total arraignments involving collective action	% of collective action	Collective action as % of total	Description
7	0.1%	4	0.4%	57%	Assault, aggravated
4	0.1%	2	0.2%	50%	Offences against convict discipline: out after hours
6	0.1%	2	0.2%	33%	Sleeping under the same covering
3	0.1%	1	0.1%	33%	Burglary
129	2.5%	38	3.7%	29%	Offences against convict discipline: Absconding
28	0.6%	8	0.8%	29%	Offences against convict discipline: trafficking
409	8.1%	116	11.4%	28%	Offences against convict discipline: idleness
68	1.3%	19	1.9%	28%	Indecent, riotous, or offensive conduct
12	0.2%	3	0.3%	25%	Offences against gambling suppression laws
1921	37.8%	446	43.9%	23%	Offences against convict discipline: Misconduct
372	7.3%	82	8.1%	22%	Offences against convict discipline: absence without leave
247	4.9%	51	5.0%	21%	Offences against convict discipline: neglect of work
26	0.5%	5	0.5%	19%	Receiving
26	0.5%	5	0.5%	19%	Offences against convict discipline: Insubordination
272	5.4%	52	5.1%	19%	Offences against convict discipline: refusing to work
204	4.0%	37	3.6%	18%	Larceny, other
39	0.8%	7	0.7%	18%	Fraud and false pretences
30	0.6%	5	0.5%	17%	Other offences against the person
60	1.2%	9	0.9%	15%	Conspiracy
20	0.4%	3	0.3%	15%	Offences against convict discipline: feigning illness / sickness
304	6.0%	40	3.9%	13%	Offences against convict discipline: disobedience
219	4.3%	27	2.7%	12%	Offences against convict discipline: Insolence
17	0.3%	2	0.2%	12%	Drunkenness
201	4.0%	22	2.2%	11%	Obscene, threatening, or abusive language
74	1.5%	8	0.8%	11%	Assault, common
185	3.6%	13	1.3%	7%	Other offences against good order
81	1.6%	5	0.5%	6%	Other offences against property
102	2.0%	4	0.4%	4%	Malicious damage
1	0.0%	0	0.0%	0%	Murder
1	0.0%	0	0.0%	0%	Suicide, attempted
1	0.0%	0	0.0%	0%	Housebreaking
1	0.0%	0	0.0%	0%	Robbery and stealing from the person
1	0.0%	0	0.0%	0%	Arson
1	0.0%	0	0.0%	0%	Forgery and uttering forged instruments
1	0.0%	0	0.0%	0%	Drunkenness and disorderly conduct
1	0.0%	0	0.0%	0%	Perjury and subornation
1	0.0%	0	0.0%	0%	Offences against convict discipline: being in a public-house
4	0.1%	0	0.0%	0%	Unidentified
<b>5079</b>		<b>1016</b>			<b>Total number of charges</b>

When prisoners were arraigned, they were sometimes brought up on more than one charge. From those events deemed to involve potentially collective action from Coal Mines, 875 separate offences were recorded against the 838 hearings. At Port Arthur the total was 1,012 from 944 prosecutions. Tables 1 and 2 illustrate the variety of offences represented, as well as the disparity between the two datasets. It is immediately apparent that conduct records returned fewer linkages between individuals than the court register. The Port Arthur records indicated that only two types of offences: 'Assault, aggravated' and 'Out after hours' recorded above 50% returns for collective action. Across the 38 different types of charges, the average was 16% involvement in collective action. The Coal Mines bench book indicated that over 12 offences recorded above 50%, with an average of 47% across 26 different charge types. The higher proportion of identified collective prosecutions at Coal Mines can largely be explained by the difference in our two data collection systems. As we do not currently have access to a total count of records for Port Arthur convicts, there are likely to be a substantial number of collective prosecutions not captured in our reconstitution. Nevertheless, the results can be used to explore differences in the range of offences for which convicts were collectively prosecuted across the two sites.

At Port Arthur, by far the highest number of charges involving two or more prisoners were for general 'misconduct' (446). At Coal Mines it was for convicts 'refusing to work' (229). Charges which by their nature involved more than one individual were represented highly in the latter station's bench book, while offences against property and the person occupied a lower proportion. The latter was surprising, as inter-personal violence — though sometimes directed against overseers — was most common amongst the prisoner population. The low rate of collective prosecution is explained by the fact that the victim of such violence was usually not charged and therefore not represented in the court record. Those acts which were represented, involved two individuals who jointly-threatened and assaulted a sub-constable and three men who were arraigned on the same day for 'using violence towards a fellow prisoner'.<sup>30</sup> At Port

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<sup>30</sup> William Pickthorne per *Gilmore* #814; William Robbins per #844, *York*, 'Assaulting the sub constable on the 20th instant whilst in the execution of his duty', 22 January 1839. Thomas Axton per *Surrey* #534; Giles Brown per *John* #2016; John Holliday per *Norfolk* #1950, 'Using violence towards a fellow prisoner', 26 April 1841, AF584/1/1, TA.



Arthur the returns were mixed, with aggravated assault highly represented in the collective actions, though common assault was not.

Acts which could be interpreted as forms of resistance to imposed work regimes were highly represented in both datasets. At Coal Mines, of the 645 individual arraignments that could be construed as work-related (idleness, refusing to work, insubordination, malicious damage and neglect of work) 408 (63%) of these involved two or more men. Charges of idleness and refusing to work were particularly likely to be brought against a group of prisoners. On average, three men were brought before the bench for each case involving a charge of refusing to work, with the largest grouping being 10. These men were arraigned on 25 October 1837 and charged with 'Refusing to work in the Mines when ordered on a plea of inability'.<sup>31</sup> These cases of specifically refusing to take part in the mining operations accounted for 26 of the 229 cases of refusal, though this number can be considered a minimum due to the non-specificity of the other charges. At Port Arthur there were a total of 1,056 charges relating to labour, of which 228 (22%) were likely to have involved collective action. Of these 'idleness' was the most-recorded offence (116), which in 28% of occurrences involved two or more prisoners.

At Coal Mines, the workings were evidently a target for vandalism by groups of prisoners, even to the point of endangering the works. Of the 31 charges of malicious damage, 16 of these directly related to prisoners damaging the workings (Figure 2). These occurred on three occasions: 29 September 1839 (three men), 13 November 1840 (11 men) and 5 January 1841 (two men). Those in 1839 and 1841 involved the apparent deliberate breakage of some of the coal carts, that of 1839 leading to the destruction of five such vehicles. In 1840 11 men were charged with 'Wilfully destroying the roads in the Mines or being party to the same'.<sup>32</sup> This act related to the undermining of the main drives leading out from the workings, either through the removal of coal or waste stone. Similarly, of the 75 arraignments for neglect of duty, 32 occurred in the mine workings. These occurred on nine separate occasions, with five of these involving the removal of coal

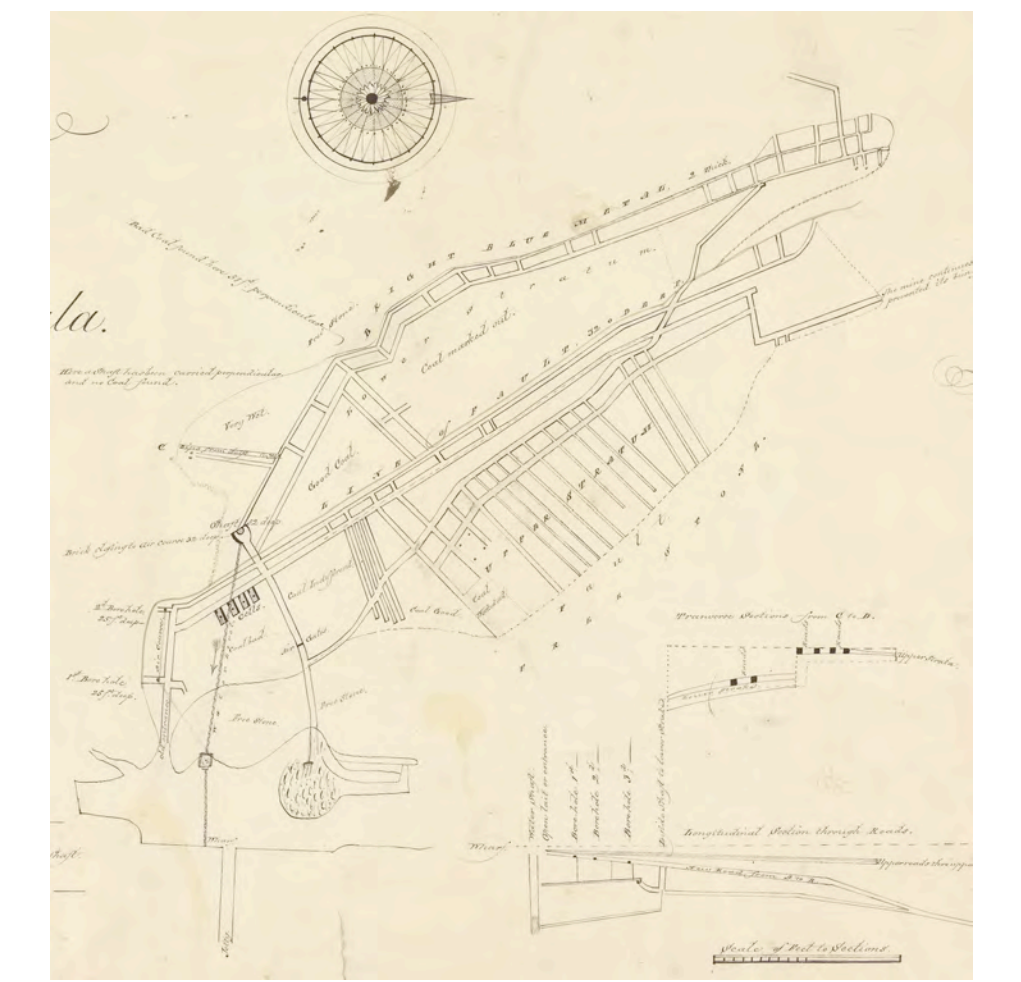
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<sup>31</sup> As this was during Booth's period as a magistrate, it is possible that this grouping did not occur on the same day. Sitting on 25 October 1837, Booth had not been in attendance for the previous two weeks. Group of 10 prisoners, 'Refusing to work in the Mines when ordered on a plea of inability', 25 October 1837, AF584/1/1, TA.

<sup>32</sup> Party of 11 prisoners, 'Wilfully destroying the roads in the Mines or being party to the same', 13 November 1840, AF584/1/1, TA.

from the sides of the roads, as well as one involving the removal of timber props. Other groups of convicts allowed a wagon to fall down the shaft, whilst another allowed the 'roll [windlass] to run' thereby endangering the lives of those below.<sup>33</sup>

Figure 2: Detail of c.1837 plan of the underground workings at Coal Mines Station



Source: 'Chart of the Coal Mines at Tasman's Peninsula', nd. [c.1837], PWD266/1/1836, TA.

<sup>33</sup> Party of two prisoners, 'For allowing the Roll to run at New Shaft thereby endangering the Life of Tho Reece (Miner)', 9 August 1839; party of six prisoners, 'Extreme carelessness in allowing a Box Wagon to fall down the Shaft', 18 March 1841, AF584/1/1, TA.

On 29 September 1837, 14 prisoners were brought before Commandant Booth charged with damaging the mine workings.<sup>34</sup> Nine of these were charged with taking coal from the roads and endangering the workings. Five more were arraigned for employing these men 'for the purpose of conveying coals from off the sides of the Roads in the Mines'. The five — William Atkinson, Charles Davies, Mark Edwards, James Hilton and Andrew Wilkinson — were all miners working at the coal face. All had professed prior experience as coal miners to the clerk on arrival in the colony, with all but Atkinson appropriated directly to the mines from their respective transports.<sup>35</sup> Such men were a highly-valued part of the mining operation, the government making efforts to co-opt and retain their essential labour.<sup>36</sup> To be a miner attracted inducement in the form of extra rations and more favourable accommodation. Their work was measured by the amount of coal they were able to remove during a shift, the output relying upon the presence of unskilled labourers who were tasked with dragging and hoisting the boxes and wagons of coal to the surface. With coal tallied by the cart load, the authorities found that the prisoners (miners and labourers) lessened the burden of their task through substituting cut coal with worthless rock and earth. This would only be apparent when the load was tipped through a screen, although the addition of a weighing machine by mid-1837 did make the identification of this problem easier.<sup>37</sup> The cutting of coal from the sides of the underground roads was also a tactic designed to ease prisoners' workloads — though with the added danger of undermining the works.

Many charges of absenteeism also involved multiple convicts. Of the 132 arraignments relating to prisoners absenting themselves from Coal Mines station, 57 (43%) were to do with groups of men leaving

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<sup>34</sup> Booth had been in attendance on the 28th, which indicates that this grouping did occur on the same day.

<sup>35</sup> William Atkinson, #689, *Aurora*, CON27/1/2, p. 3; Charles Davies, #1080, *Bardaster*, CON27/1/2, p. 48; Mark Edwards, #515, *Blenheim*, CON27/1/7, p. 37; James Hilton, #1521, *Lotus*, CON27/1/6 p. 38; Andrew Wilkinson, #2267, *Blenheim*, CON27/1/7, p. 47. Conduct records, indents and appropriation lists viewed through Tasmanian Archives names index. <libriestas.ent.sirsidynix.net.au/client/en\_AU/names/>\_\_ (18 August 2020).

<sup>36</sup> For a discussion of the treatment of skilled miners, see Tuffin, 'Convicts of the "Proper Description"', pp. 86-91.

<sup>37</sup> Booth, Commandant, to John Montagu, Colonial Secretary, 31 July 1837, Colonial Secretary's General Correspondence 1837-1841 (CSO5), 37/773, TA.

their work.<sup>38</sup> A number related to small groups of men (either in twos or threes) absenting themselves to cook food in the bush, including two men who were found cooking two slaughtered goats.<sup>39</sup> A serious absenting event took place in September 1840 when 13 men left their place of work 'without authority'.<sup>40</sup> At Port Arthur, of the 501 occurrences of absconding and absence without leave, 120 (24%) involved two or more prisoners. In August 1832 a group of at least six prisoners escaped from the settlement and were at large for ten days until apprehended. All received an extra term of imprisonment and hard labour, lenient treatment perhaps given that Port Arthur convicts were liable to transportation for life if found illegally at large. In June 1842 five men received terms of hard labour in chains and solitary confinement for being absent from their place of work.

The records also allow observations to be made about the operation of black-market economies at the stations. Two forms of offence, trafficking and receiving, required at least two parties to commit the act. Of the 19 cases of trafficking recorded at Coal Mines, 12 involved the prosecution of two prisoners. In one case, two men were found guilty in February 1839 of swapping tobacco and bread, both receiving two days solitary confinement.<sup>41</sup> At Port Arthur there were a total of 28 cases of trafficking, of which eight involved more than one prisoner. These cases all occurred in four events between 1834-35, each involving a pair of prisoners trafficking in handkerchiefs, slops (clothing) or rations.

Fifty percent of cases of receiving at Coal Mines were linked to cases of larceny and trafficking, all three of which saw the trafficker arraigned alongside the receiver. In January 1838 a party of four convicts appear to have been involved in a minor trafficking and receiving ring. Prisoner William Longest threw some fish over the palings of the barracks yard, which another prisoner, John Dent, proceeded to pick up.<sup>42</sup> Both received one month in the chain gang as a reward for their endeavours. Longest may have intended the fish to go

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<sup>38</sup> The total of 186 'absent without leave' includes the records of 54 boys from Point Puer and who have not been included in the calculation.

<sup>39</sup> John Hilson per *Persian* #446 and Moses Snook per *Royal George* #1209, 'Gross misconduct in being absent from their work without leave and having 2 Goats in the bush which had been killed', 6 April 1841, AF584/1/1, TA.

<sup>40</sup> 'Leaving his place of work without authority', 24 September 1840, AF584/1/1, TA.

<sup>41</sup> James Neill per *Mangles* #366; Francis Curtis per *Atlas* #1564, AF584/1/1, TA.

<sup>42</sup> William Longest per *Red Rover* #582; John Dent per *Royal George* #614, F584/1/1, TA.

to more than Dent, as two other men, William Harding and William Lettice, were both also charged with secreting fish in their huts the same day.<sup>43</sup> At Port Arthur there were a total of 26 cases of receiving, of which five involved collaborative action. Two arraignments, in 1831 and 1836, involved the theft of pairs of boots, which were subsequently given or swapped to another prisoner. In 1837 two convicts were amongst a group charged with stealing and receiving goods from the hold of a visiting colonial marine ship, the *Isabella*.

If we look at the punishments awarded by the magistrates there are subtle differences between collective acts identified at the time (that is, bracketed in the bench book), those identified through our analysis, and those involving individual prosecutions. Of the 298 events we linked together in the Coal Mines bench book, 117 (39%) saw the prisoners involved receiving exactly the same punishment (both the type and intensity), increasing to 168 (56%) if just the type is considered. For those arraignments where collective action was detected (bracketed), 54 (42%) had exactly the same type and intensity of punishment, with 80 (62%) the same type. At Port Arthur, of the 423 events, 246 (58%) had the same punishment recorded.

Though the similarities are interesting, suggesting that magistrates were following some form of standard guidance in their judgements, the variations suggest consideration of other factors such as prior patterns of good or recidivist behaviour, or the labour value of the individuals involved. An example of the latter is the position of the 18 men identified as colliers at the coal mines station. In all, these men were charged 27 times for involvement in potential collective action, receiving non-punitive punishments (ration withdrawal, demotion, reprimands) 40% of the time. This was well above the rate for the remainder of the mines' convict population, who received such milder sanction only 13% of the time.

As demonstrated in Table 3a, prisoners engaged in collective actions at Coal Mines were more likely to receive corporal punishment. This was the same whether it was detected at the time (bracketed) or picked up as part of our data-linkage analysis. The chances of receiving sentences of hard labour in chains were slightly elevated if the arraignment was part of an identified collusion event (Table 3b).

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<sup>43</sup> William Harding per *Currency Lass* #1829; William Lettice per *Aurora* #926, AF584/1/1, TA.

Solitary confinement was less utilised for collective acts, particularly where the collusion was identified before the bench.

When brought up on charges related to labour and involving collective action, a prisoner at the mines had an increased likelihood of receiving corporal punishment – with increased amounts of chaining for those brought before the bench collectively. By contrast, those who were charged on their own were more likely to be sentenced to solitary confinement (Table 3c). Charges of absence were more likely to receive corporal punishment, particularly where men were arraigned together. Though individual absences were more likely to be sentenced to corporal punishment, a high proportion also received solitary confinement. Very few men who absented collectively received solitary confinement as a sanction. Conversely, prisoners involved in individual acts of trafficking or receiving were disproportionately awarded sentences of hard labour and solitary confinement. Perhaps surprisingly, assaults were also less likely to result in corporal punishment, although the probability that this offence would attract a flogging increased when individuals were prosecuted. Many such altercations resulted from attacks on overseers or constables and were thus evidently treated more seriously. All men who were brought up on charges of sleeping 'under the same blanket' as another man received corporal punishment.

At Port Arthur similar forms of disincentive were applied: hard labour in chains, solitary confinement, the infliction of corporal punishment and various forms of non-punitive punishment (ration withdrawal, demotion, fines, sentence extension). As shown in Tables 4a and 4b, the rates of punishment for labour-related offences were similar for both collective and non-collective action, with solitary confinement favoured over punitive punishments. Absences from the settlement, whether for individuals or groups did attract higher rates of hard labour and corporal punishment, as did collective groups of men involved in assaults. Trafficking for groups and individuals both attracted more frequent sentences to hard labour.

There was evidently a higher reliance upon solitary confinement at Port Arthur. While penal stations are commonly associated with elevated rates of flogging, they were in fact early adopters of sensory deprivation punishments.<sup>44</sup> It is also true, however, that there was a reduction in the use of flogging in Van Diemen's Land over time and a proportionate rise in the use of solitary confinement. In order to test the extent to which differences in the punishments awarded reflected the greater time span represented in the Port Arthur dataset, the sample of collective actions was restricted to the period 1830-40. This did not demonstrate a marked difference to the wider sample, with solitary confinement continuing to be the favoured method of punishment. A smaller sample was isolated, for the period 1830-35, a period prior to the construction of large range of separate cells in 1836. As Table 4c illustrates, the proportion of men receiving hard labour or corporal punishment markedly increased in this restricted sample.

It is therefore evident that the convict experience of life under sentence could be drastically affected by the penal architecture of the place to which they were sent to labour. Without the availability of cells in which to confine prisoners, other strategies had to be favoured. At Port Arthur, solitary and separate cells were limited until the completion of the prisoners' barracks complex in 1836, which included a range of 140 separate cells (Figure 3).<sup>45</sup> This greatly increased the non-corporal punishment options available to the magistrates. As demonstrated by Table 4, hard labour and corporal punishment was favoured during the pre-1836 period, while stints of solitary confinement were more regularly issued after the construction of these cells. At Coal Mines, such architecture did not appear on a significant scale until the mid-1840s, with the construction of two ranges of separate (>100) and solitary (52) cells. Until that point, the administrators relied upon four solitary cells situated within the mine workings (1833-38) and, from 1838, 16 cells within the barracks compound (Figure 4).<sup>46</sup> This paucity of infrastructure undoubtedly influenced magistrates' sentencing patterns.

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<sup>44</sup> P. Edmonds and H. Maxwell-Stewart, "'The Whip Is a Very Contagious Kind of Thin'": Flogging and Humanitarian Reform in Penal Australia', *Journal of Colonialism and Colonial History*, Vol. 17, No. 1, 2016. pp. 10-12.

<sup>45</sup> Henry Laing, 'Plan of Prisoners' Barracks & Cells', ca. 1836, CON 87/1/38, TA.

<sup>46</sup> Tuffin, 'Australia's Industrious Convicts', pp. 243-46.

It is also possible to use digitised court record series to piece together a history of collaboration across multiple prosecutions. Thus, of the 515 individuals linked by us in the Coal Mines bench book, 58 were arraigned with the same person on the same day more than once. The majority (54 of these) were twice charged with an offence alleged to have been committed with the same individual. The remaining four men appeared three times. This group of four were part of the sawing gang responsible for cutting the timber needed at the settlement and for use in the mine workings.<sup>47</sup> The group were twice brought before Booth for being absent from their place of work, the first on 27 June 1837 and the second on 12 July.<sup>48</sup> Discipline amongst the detached sawyers appears to have been difficult to enforce, as two of the men, John Griffiths and James Upperton, were both caught two weeks later cooking at the sawpits.<sup>49</sup> The remaining two, Charles Henry Williams and Richard Wilson, were caught with two others on the same day away from the pits and cooking.<sup>50</sup>

At Port Arthur, of the 508 individuals linked together by possible collective action, only 35 (7%) were arraigned more than twice with the same man. Of these only two, George Hunt and Job Wigmore, recorded three arraignments – all with each other. Two of these events were absconding attempts both occurring in 1832, with the third related to falsehoods claimed by both after being recaptured the first time. Evidence is therefore slight for the formation of long-lasting networks between the convict population, as represented in the administrative documents.

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<sup>47</sup> John Griffiths per *Prince of Orange* #292, Charles Henry Williams per *Arab* #1778, James Upperton per *Lord William Bentick* #20, Richard Wilson per *Katherine Stewart Forbes* #1408, AF584/1/1, TA.

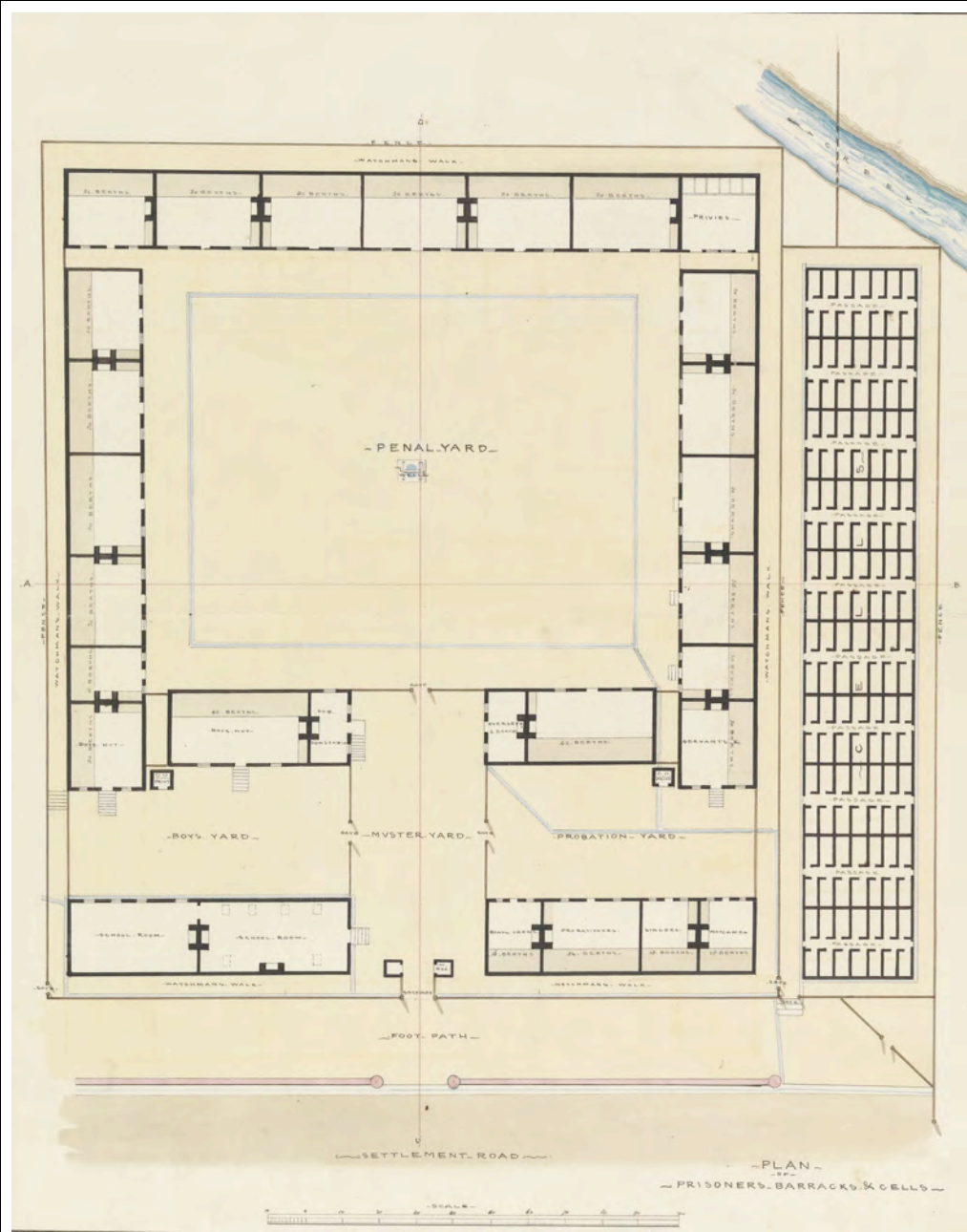
<sup>48</sup> Though recorded when Booth had not sat on the bench for some weeks, both events were recorded in such a way as to indicate they had occurred at the same time. Party of four prisoners, 'Absenting themselves from their Saw Pits without permission this day', 27 June 1837; Party of four prisoners, 'Absenting themselves without leave from their place of work', 12 July 1837, AF584/1/1, TA.

<sup>49</sup> Party of two prisoners, 'Privately cooking at their Saw Pits', 31 July 1837, AF584/1/1, TA.

<sup>50</sup> The two events have been treated as separate due to the specific wording of the arraignments. Party of four prisoners, 'Being absent from their place of work and privately cooking', 31 July 1837, AF584/1/1, TA.

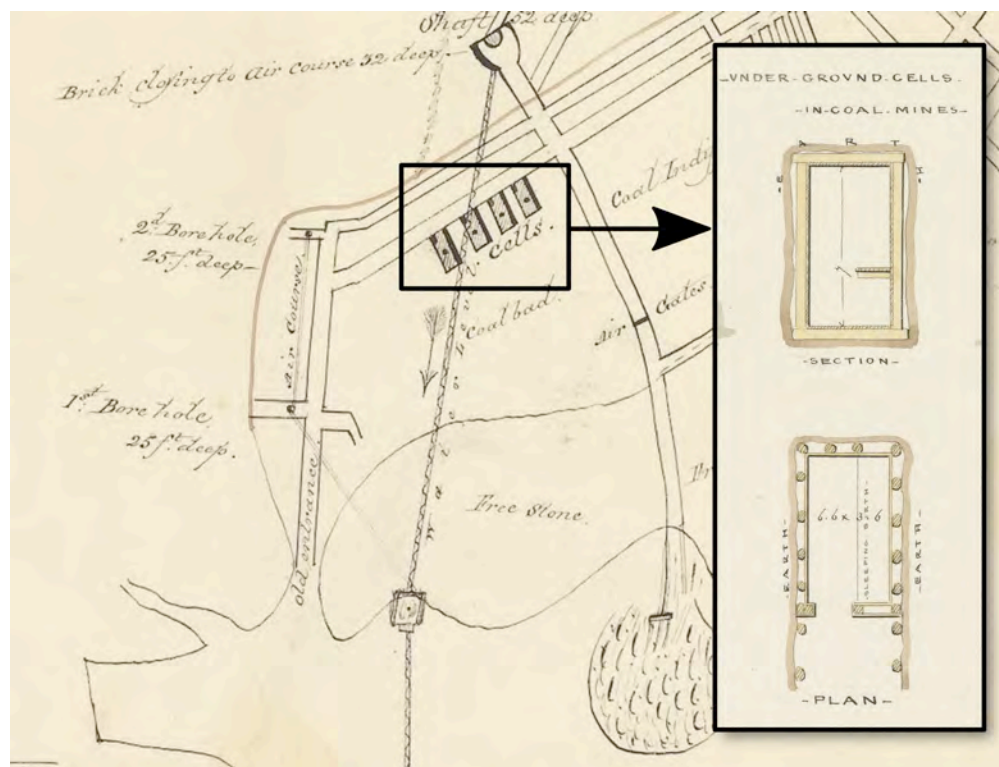


Figure 3: Plan of the Port Arthur barracks, constructed in 1836



Henry Laing, 'Plan of Prisoners' Barracks & Cells', ca. 1836, CON 87/38, TA

Figure 4: Detail of c.1837 mine plan showing location of underground cells, shown in insert



Source: 'Chart of the Coal Mines at Tasman's Peninsula', nd. [c.1837], PWD266/1/1836, TA; Henry Laing, 'Under ground [sic] cells in coal mines', c.1836, CON87/1/78, TA.

This data also enables us to explore the extent to which prior association formed on the long passage to Australia may have influenced the formation of subsequent prisoner networks. Initial analysis indicates that such connections may have been at play at Coal Mines. Of the 515 individuals linked in our dataset, 46 (9%) were arraigned with fellow prisoners who had arrived in the colony on the same ship. Of these 21 were drawn from a detachment of Point Puer boys who had been detailed to the site. These boys, who were arraigned for being absent without leave, leaving their places of work in groups of between two and six, arrived on nine transport ships. Without the weighting of these boys, only 5% of the adult male

population of Coal Mines were arraigned with a former shipmate. Of these Duncan Mckechnie was the only one arraigned twice with men with whom he had originally been transported. In October 1840 he was arraigned with eight other men for refusing to work, a cohort that included a fellow transportee from the *Lord Lyndoch*, Edward Jacques.<sup>51</sup> Six months later Mckechnie and another shipmate, William Hillage, were charged with possessing tobacco.<sup>52</sup> The remaining 24 men were arraigned with shipmates on only one occasion.

At Port Arthur, of the 508 individuals, 57 (11%) were arraigned with a man who had arrived on the same ship. In only one instance did we find evidence that shipboard association may have led to collective action. Prisoner William Cresswell was twice brought before the magistrate's bench with John Holding, both men having arrived in the colony on the *Aurora* in 1835. In 1836 and 1837 they were charged with talking in the cells and 'creating a disturbance' in the barracks.

The administration of the assignment system ensured that convicts transported on the same vessel were split up on arrival. One of the few exceptions to this were juvenile convicts too young to be considered of use to settlers. From 1834 these were sent directly to Point Puer. In some cases convicts with particularly valued skills were directed to public works sites upon disembarkation, rather than being allocated to the private sector. Thus, in October 1837 and January 1838 two groups of four experienced colliers were sent to Coal Mines direct from the transports *Elphinstone* and *Neptune*.<sup>53</sup> The majority of the convicts at Coal Mines and Port Arthur, however, had been ordered to the Tasman Peninsula following an encounter with a court elsewhere in the colony. The extent to which such convicts were able to maintain relationships with former shipmates was therefore largely a matter of serendipity, a fact borne out by our analysis. This did, however, change with the introduction of probation in 1840. From then on large groups of prisoners were directed to individual stations upon arrival. Thus 179 men were sent direct from the *Duncan* in 1841 to Jerusalem

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<sup>51</sup> Party of eight prisoners, 'Refusing to work on plea of inability', 6 October 1840, AF584/1/1, TA.

<sup>52</sup> Party of two prisoners, 'Misconduct in having Tobacco in possession' and 'Misconduct respecting a pair of shoes and a Shirt and having a considerable quantity of Tobacco in possession', 10 April 1841, AF584/1/1, TA.

<sup>53</sup> Appropriation Lists of Convicts, *Elphinstone* (2), arrived October 1837, 239 convicts, and *Neptune*, arrived January 1838, 348 convicts. CON27/1/7, 1836-37, TA.

probation station.<sup>54</sup> Under such circumstances it was easier for former shipmates to maintain colonial contact. Again, this is an example of how a variable like the period of transportation could dramatically impact upon life under sentence.

Our data does indicate, however, that some men did collaborate across multiple prosecutions and with prisoners from the same transport. This meant that the responsibility for ensuring that this did not turn into persistent behaviour lay with the local administrators. One way to do this was via separation. In addition to the solitary and separate cells, the prisoner population of Port Arthur and Coal Mines was divided into wards and messes. At the latter, the construction of new barracks in 1838 provided six conjoined wards, capable of accommodating up to 30 men in each.<sup>55</sup> At Port Arthur the core of the prisoners' accommodation was the 1836 barracks complex, which provided over 20 wards capable of accommodating 20-42 prisoners each.<sup>56</sup> Further enforcement of discipline was attempted within the wards by the implementation of watchmen patrols.

Separation could also be achieved during the day by placing individuals in different labour situations, with a myriad of gangs working at each settlement and further afield. This, however, evidently did not always occur. At Coal Mines, for cooking at the sawpits, Griffiths and Upperton both received three weeks in the same gang – the No. 3 chain gang. On 32 separate occasions between April 1836 and July 1838, men who were likely involved in collective actions were sentenced to work in the same gang. On 15 of these occasions they received exactly the same sentence. This suggests that any policing of collaborative associations was devolved to the overseers and sub-overseers tasked with the organisation of ganged labour. Any attempts to ensure that association could not turn into overt and persistent acts of resistance appears to have been left to these convict trustees.

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<sup>54</sup> Appropriation Lists of Convicts, *Duncan*, arrived April 1841, 259 convicts. CON27/1/8, 1839-40, TA.

<sup>55</sup> T. Lempriere, *The Penal Settlements of Van Diemen's Land, Macquarie Harbour, Maria Island and Tasman's Peninsula*, Hiobart, 1954 [1839], p. 78.

<sup>56</sup> Henry Laing, 'Plan of Prisoners' Barracks & Cells', CON 87/38, TA.

In this article we have presented another way of engaging with and understanding the formation, development and reaction to collective networks amongst the convict population. We chose collective action because, while there has been a substantial expansion of published research into semi-free and unfree labour including slaves and convicts over the last four decades, detailed assessments of systemic resistance and collective dissent remain rare.<sup>57</sup> This is despite research suggesting that, amongst the 171,000 convicts transported to Australia, surviving evidence contained in court bench books, conduct registers and newspapers documents over 6,400 instances of collective dissent between 1788 and 1862. This includes group-absconding, strikes, go-slows, sabotage, threatened and actual assaults, riots and revolts — very much like the actions that we have discussed in this paper.<sup>58</sup>

We utilised two different types of records to analyse collective action. We found that the Coal Mines bench book, while capturing a number of collective acts, did not in all likelihood reflect the true scale of such actions. To get some idea of this, we temporally linked similar arraignments together to reveal that the scale of collective action was likely much higher than recorded. We found that 54% of the arraignments may have related to collective acts — as opposed to the 26% identified by contemporary administrators. Carrying this forward, we were able to determine that labour-related arraignments dominated these potential collective actions, with absenteeism similarly prevalent. The sentences handed down for collusion favoured heavier forms of sanction than if the arraignment had been for an individual transgressive act.

For Port Arthur we introduced a method of linking together conduct records in a bid to replicate the behaviour of bench books. Though it demonstrated that only a full exercise in digitisation and transcription would perfectly replicate such records, it did provide

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<sup>57</sup> See for example: C. Anderson, ed., *A Global History of Convicts and Penal Colonies*, London, 2018; B. Bush, 'Towards Emancipation: Slave Women and Resistance to Coercive Labour Regimes in the British West Indian Colonies, 1790–1838', *Slavery & Abolition*, Vol. 5, No. 3, 1984, pp. 222–43; D. Gaspar, 'The Antigua Slave Conspiracy of 1736: A Case Study of the Origins of Collective Resistance', *The William and Mary Quarterly*, Vol. 35, No. 2, 1978, pp. 308–23; I. Rashid, 'Do Dady nor Lef Me Make Dem Carry Me': Slave Resistance and Emancipation in Sierra Leone, 1894–1928', *Slavery & Abolition*, Vol. 19, No. 2, 1998, pp. 208–31; M. Turner, *From Chattel Slaves to Wage Slaves: The Dynamics of Labour Bargaining in the Americas*, Bloomington, 1995.

<sup>58</sup> Updated from the 5,024 cases recorded in Quinlan, *op. cit.*, p. 113.

further analytical avenues for understanding the extent of collective action at the penal station. It was particularly evident that those arraignments identified as part of collective acts did attract different forms of censure — even at an establishment where extensive solitary confinement infrastructure was established early.

Analysing the bench books and conduct records in this way also reinforces the success with which the penal system managed to separate potentially disruptive cohorts. Our analysis found very low rates of repetitive linkage between individuals, with very limited evidence for persistence of linkages based upon ship of arrival. The nature of the system, with men passing through the filters of assignment and government service before arrival at Port Arthur or Coal Mines, effectively decreased the chances of persistent association. Though the options for separation once the men were established at these places was more limited, the small number of persistent associations in our data does indicate that local strategies of separation through architectural and behavioural means were successful.

We suggest that previous analysis of convict offences that have employed data extracted from the conduct records have almost certainly under-estimated the rate at which convicts were charged collectively. This is because historians have read these records in isolation, rather than linking them together in order to explore rates of collective prosecution for convicts. In this article we have presented a way of linkage, demonstrating how the high-level records of control can replicate the function of local scale documents like bench books. This is important, as not all bench books survive from all convict places and for all periods. Our methods demonstrate a way of using the more intact conduct record to recreate the data that would have been contained within these records. This, of course, is dependent upon the continuation of transcription and digitisation programmes.

It is likely that future analysis will provide evidence of other associations. While bench books have the advantage of capturing a complete cross-section of prosecutions at any particular site, they can shed little light on the prior history of defendants. While scale renders the digitisation of the conduct record series a formidable challenge, digitisation also presents an opportunity to explore multiple longitudinal histories in parallel.<sup>59</sup> While this is a task that would have

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<sup>59</sup> H. Maxwell-Stewart, 'The State, Convicts and Longitudinal Analysis', *Australian Historical Studies*, Vol. 47, No. 3, 2016. p. 423.

been beyond the resources of the administration that originally created these records, it seems unlikely that it would have been one that would have particularly interested nineteenth-century bureaucrats. The convict administrators focussed on individual level offending since this enabled them to emphasise the extent to which the fate of each convict was the direct result of individual transgressions. The conduct record was thus perfectly designed to track the prisoner across the colonial and penological landscape with a laser focus that was fixed intently upon individual action, but blind to collective interaction. Digital technologies enable these and other record groups to be analysed in series, enabling researchers to reconstruct the intention behind nineteenth-century penal management strategies. They also, however, enable a parallel analysis of the manner in which such management strategies were resisted, as well as the long-term impacts on the lives of convicts and their descendants.





3b: Collective actions (bracketed)									
	Corporal		Hard labour & chains		Solitary		Other		
		%		%		%			
Assault, common									
Other offences against the person	2	0	0%	2	100%	0	0%	0	0%
Burglary									
Larceny, other	20	3	15%	8	40%	4	20%	5	25%
Receiving									
Fraud and false pretences									
Malicious damage	17	4	24%	4	24%	4	24%	5	29%
Other offences against property	6	0	0%	3	50%	2	33%	1	17%
Drunkenness									
Obscene, threatening, or abusive language	2	1	50%	1	50%	0	0%	0	0%
Indecent, riotous, or offensive conduct	4	1	25%	3	75%	0	0%	0	0%
Other offences against good order	2	2	100%	0	0%	0	0%	0	0%
Conspiracy	9	0	0%	5	56%	4	44%	0	0%
Offences against convict discipline: trafficking	4	0	0%	2	50%	2	50%	0	0%
Offences against convict discipline: disobedience	12	1	8%	0	0%	5	42%	6	50%
Offences against convict discipline: feigning illness/sickness									
Offences against convict discipline: absconding	4	4	100%	0	0%	0	0%	0	0%
Offences against convict discipline: misconduct	72	10	14%	27	38%	25	35%	10	14%
Offences against convict discipline: absence without leave	92	66	72%	18	20%	3	3%	5	5%
Offences against convict discipline: insolence									
Offences against convict discipline: insubordination	3	2	67%	1	33%	0	0%	0	0%
Offences against convict discipline: idleness	29	13	45%	7	24%	5	17%	4	14%
Offences against convict discipline: neglect of work	48	21	44%	14	29%	6	13%	7	15%
Offences against convict discipline: refusing to work	75	36	48%	10	13%	17	23%	12	16%
Sleeping under the same covering	6	6	100%	0	0%	0	0%	0	0%
Unidentified									
		<b>170</b>	<b>42%</b>	<b>105</b>	<b>26%</b>	<b>77</b>	<b>19%</b>	<b>55</b>	<b>14%</b>
								<b>407</b>	
Labour		<b>76</b>	<b>44%</b>	<b>36</b>	<b>21%</b>	<b>32</b>	<b>19%</b>	<b>28</b>	<b>16%</b>
								<b>172</b>	
Assault etc		<b>1</b>	<b>25%</b>	<b>3</b>	<b>75%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>
								<b>4</b>	
Trafficking etc		<b>0</b>	<b>0%</b>	<b>7</b>	<b>54%</b>	<b>6</b>	<b>46%</b>	<b>0</b>	<b>0%</b>
								<b>13</b>	
Absence		<b>70</b>	<b>73%</b>	<b>18</b>	<b>19%</b>	<b>3</b>	<b>3%</b>	<b>5</b>	<b>5%</b>
								<b>96</b>	

3c: Non-collective actions		Corporal		Hard labour & chains		Solitary		Other	
Assault, common	18	7	39%	2	11%	6	33%	3	17%
Other offences against the person	2	1	50%	0	0%	1	50%	0	0%
Burglary	1	1	100%	0	0%	0	0%	0	0%
Larceny, other	34	3	9%	8	24%	19	56%	4	12%
Receiving	3	1	33%	1	33%	1	33%	0	0%
Fraud and false pretences	7	1	14%	1	14%	3	43%	2	29%
Malicious damage	18	1	6%	4	22%	13	72%	0	0%
Other offences against property	13	4	31%	1	8%	7	54%	1	8%
Drunkenness	3	0	0%	1	33%	0	0%	2	67%
Obscene, threatening, or abusive language	30	15	50%	4	13%	8	27%	3	10%
Indecent, riotous, or offensive conduct	1	0	0%	0	0%	1	100%	0	0%
Other offences against good order	12	3	25%	1	8%	8	67%	0	0%
Conspiracy	3	1	33%	1	33%	1	33%	0	0%
Offences against convict discipline: trafficking	7	1	14%	4	57%	1	14%	1	14%
Offences against convict discipline: disobedience	29	6	21%	3	10%	15	52%	5	17%
Offences against convict discipline: feigning illness / sickness	6	2	33%	1	17%	2	33%	1	17%
Offences against convict discipline: absconding	7	4	57%	2	29%	1	14%	0	0%
Offences against convict discipline: misconduct	230	46	20%	71	31%	93	40%	20	9%
Offences against convict discipline: absence without leave	90	46	51%	13	14%	28	31%	3	3%
Offences against convict discipline: insolence	33	17	52%	3	9%	8	24%	5	15%
Offences against convict discipline: insubordination	4	1	25%	2	50%	0	0%	1	25%
Offences against convict discipline: idleness	33	12	36%	6	18%	13	39%	2	6%
Offences against convict discipline: neglect of work	56	17	30%	9	16%	16	29%	14	25%
Offences against convict discipline: refusing to work	126	58	46%	12	10%	45	36%	11	9%
Sleeping under the same covering	0								
Unidentified	4	2	50%	0	0%	0	0%	2	50%
		250	32%	150	19%	290	38%	80	10%
								770	
Labour		89	38%	33	14%	87	37%	28	12%
								237	
Assault etc		23	46%	6	12%	15	30%	6	12%
								50	
Trafficking etc		3	23%	6	46%	3	23%	1	8%
								13	
Absence		50	52%	15	15%	29	30%	3	3%

Table 4: Comparison of punishments at Port Arthur by type of arraignment

4a: Whole Period									
	Corporal	%	Hard labour & chains	%	Solitary	%	Other		
Assault, aggravated	4	4	100%	0	0%	0	0%	0	0%
Assault, common	8	2	25%	2	25%	3	38%	1	13%
Burglary	1	1	100%	0	0%	0	0%	0	0%
Conspiracy	9	0	0%	5	56%	1	11%	3	33%
Drunkenness	2	2	100%	0	0%	0	0%	0	0%
Fraud and false pretences	7	1	14%	5	71%	1	14%	0	0%
Indecent, riotous, or offensive conduct	19	5	26%	2	11%	8	42%	4	21%
Larceny, other	37	7	19%	7	19%	15	41%	8	22%
Malicious damage	4	0	0%	0	0%	4	100%	0	0%
Obscene, threatening, or abusive language	22	3	14%	4	18%	14	64%	1	5%
Offences against gambling suppression laws	3	0	0%	0	0%	3	100%	0	0%
Other offences against good order	13	5	38%	6	46%	2	15%	0	0%
Other offences against property	5	0	0%	2	40%	1	20%	2	40%
Other offences against the person	5	1	20%	1	20%	3	60%	0	0%
Offences against convict discipline: Absconding	38	25	66%	10	26%	1	3%	2	5%
Offences against convict discipline: absence without leave	82	17	21%	25	30%	23	28%	17	21%
Offences against convict discipline: disobedience	38	3	8%	13	34%	15	39%	7	18%
Offences against convict discipline: feigning illness / sickness	3	3	100%	0	0%	0	0%	0	0%
Offences against convict discipline: idleness	116	17	15%	21	18%	66	57%	12	10%
Offences against convict discipline: Insolence	25	6	24%	10	40%	9	36%	0	0%
Offences against convict discipline: Insubordination	5	1	20%	1	20%	0	0%	3	60%
Offences against convict discipline: Misconduct	446	34	8%	167	37%	191	43%	54	12%
Offences against convict discipline: neglect of work	51	11	22%	13	25%	22	43%	5	10%
Offences against convict discipline: out after hours	2	2	100%	0	0%	0	0%	0	0%
Offences against convict discipline: refusing to work	52	19	37%	7	13%	21	40%	5	10%
Offences against convict discipline: trafficking	8	2	25%	4	50%	2	25%	0	0%
Receiving	5	2	40%	3	60%	0	0%	0	0%
Sleeping under the same covering	2	0	0%	0	0%	1	50%	1	50%
Unspecified									
Arson									
Drunkenness and disorderly conduct									
Forgery and uttering forged instruments									
Housebreaking									
Murder									
Offences against convict discipline: being in a public-house									
Perjury and subornation									
Robbery and stealing from the person									
Suicide, attempted									
			17%	308	30%	406	40%	125	12%
							1012		
Labour	48	21%	42	18%	113	50%	25	11%	
							228		
Assault etc	7	41%	3	18%	6	35%	1	6%	
							17		
Trafficking etc	4	18%	12	55%	3	14%	3	14%	
							22		
Absence	44	36%	35	29%	24	20%	19	16%	
							122		

4b: Non-collective actions										
	Corporal		Hard labour & chains		Solitary		Other			
Assault, aggravated	3	0%	1	33%	0	0%	2	67%		
Assault, common	66	18	27%	14	21%	25	38%	9	14%	
Burglary	2	0	0%	1	50%	0	0%	1	50%	
Conspiracy	52	3	6%	20	38%	15	29%	14	27%	
Drunkenness	16	3	19%	5	31%	4	25%	4	25%	
Fraud and false pretences	32	3	9%	11	34%	11	34%	7	22%	
Indecent, riotous, or offensive conduct	49	7	14%	15	31%	19	39%	8	16%	
Larceny, other	16	7	10	6%	75	45%	57	34%	25	15%
Malicious damage	98	6	6%	33	34%	48	49%	11	11%	
Obscene, threatening, or abusive language	17	32	18%	42	23%	87	49%	18	10%	
Offences against gambling suppression laws	9	0	0%	1	11%	7	78%	1	11%	
Other offences against good order	17	25	15%	32	19%	94	55%	21	12%	
Other offences against property	76	6	8%	35	46%	25	33%	10	13%	
Other offences against the person	25	6	24%	7	28%	9	36%	3	12%	
Offences against convict discipline: Absconding	91	42	46%	34	37%	8	9%	7	8%	
Offences against convict discipline: absence without leave	29	0	58	20%	111	38%	94	32%	27	9%
Offences against convict discipline: disobedience	26	6	32	12%	72	27%	137	52%	25	9%
Offences against convict discipline: feigning illness/sickness	17	9	53%	2	12%	6	35%	0	0%	
Offences against convict discipline: idleness	29	3	33	11%	65	22%	172	59%	23	8%
Offences against convict discipline: Insolence	19	4	42	22%	48	25%	91	47%	13	7%
Offences against convict discipline: Insubordination	21	8	38%	5	24%	4	19%	4	19%	
Offences against convict discipline: Misconduct	14	75	110	7%	578	39%	619	42%	168	11%
Offences against convict discipline: neglect of work	19	6	32	16%	59	30%	59	30%	46	23%
Offences against convict discipline: out after hours	2	2	100%	0	0%	0	0%	0	0%	
Offences against convict discipline: refusing to work	22	0	69	31%	24	11%	112	51%	15	7%
Offences against convict discipline: trafficking	22	0	0%	9	41%	7	32%	6	27%	
Receiving	22	1	5%	11	50%	7	32%	3	14%	
Sleeping under the same covering	4	1	25%	2	50%	0	0%	1	25%	
Unspecified	5	2	40%	0	0%	1	20%	2	40%	
Arson	1	0	0%	1	100%	0	0%	0	0%	
Drunkenness and disorderly conduct	1	1	100%	0	0%	0	0%	0	0%	
Forgery and uttering forged instruments	1	0	0%	0	0%	1	100%	0	0%	
Housebreaking	1	0	0%	0	0%	0	0%	1	100%	
Murder	1	1	100%	0	0%	0	0%	0	0%	
Offences against convict discipline: being in a public-house	1	0	0%	0	0%	0	0%	1	100%	
Perjury and subornation	1	0	0%	0	0%	0	0%	1	100%	
Robbery and stealing from the person	1	0	0%	1	100%	0	0%	0	0%	
Suicide, attempted	1	0	0%	0	0%	1	100%	0	0%	
	<b>562</b>	<b>14%</b>	<b>1314</b>	<b>32%</b>	<b>1720</b>	<b>42%</b>	<b>477</b>	<b>12%</b>		
							<b>4073</b>			
Labour	<b>148</b>	<b>18%</b>	<b>186</b>	<b>22%</b>	<b>395</b>	<b>48%</b>	<b>99</b>	<b>12%</b>		
							<b>828</b>			
Assault etc	<b>25</b>	<b>26%</b>	<b>23</b>	<b>24%</b>	<b>34</b>	<b>35%</b>	<b>14</b>	<b>15%</b>		
							<b>96</b>			
Trafficking etc	<b>4</b>	<b>4%</b>	<b>40</b>	<b>42%</b>	<b>29</b>	<b>30%</b>	<b>23</b>	<b>24%</b>		
							<b>96</b>			
Absence	<b>102</b>	<b>27%</b>	<b>145</b>	<b>38%</b>	<b>102</b>	<b>27%</b>	<b>34</b>	<b>9%</b>		
							<b>383</b>			

	Corporal	%	Hard labour & chains	%	Solitary	%	Other	
Assault, aggravated	4	100%						
Assault, common	1	25%	2	50%			1	25%
Burglary								
Conspiracy			1	100%				
Drunkenness	2	100%						
Fraud and false pretences	1	17%	4	67%	1	17%		
Indecent, riotous, or offensive conduct	4	67%	2	33%				
Larceny, other	2	17%	2	17%	7	58%	1	8%
Malicious damage								
Obscene, threatening, or abusive language	1	14%			6	86%		
Offences against gambling suppression laws								
Other offences against good order	2	50%	2	50%				
Other offences against property								
Other offences against the person								
Offences against convict discipline: Absconding	20	71%	8	29%				
Offences against convict discipline: absence without leave	4	20%	7	35%			9	45%
Offences against convict discipline: disobedience			1	33%			2	67%
Offences against convict discipline: feigning illness / sickness								
Offences against convict discipline: idleness	1	8%	8	67%	1	8%	2	17%
Offences against convict discipline: Insolence								
Offences against convict discipline: Insubordination								
Offences against convict discipline: Misconduct	11	18%	28	46%	14	23%	8	13%
Offences against convict discipline: neglect of work	11	46%	6	25%	6	25%	1	4%
Offences against convict discipline: out after hours								
Offences against convict discipline: refusing to work	1	13%			4	50%	3	38%
Offences against convict discipline: trafficking	2	25%	4	50%	2	25%		
Receiving								
Sleeping under the same covering								
Unspecified								
Arson								
Drunkenness and disorderly conduct								
Forgery and uttering forged instruments								
Housebreaking								
Murder								
Offences against convict discipline: being in a public-house								
Perjury and subornation								
Robbery and stealing from the person								
Suicide, attempted								
	<b>67</b>	<b>32%</b>	<b>75</b>	<b>36%</b>	<b>41</b>	<b>20%</b>	<b>27</b>	<b>13%</b>
							<b>210</b>	
Labour	13	30%	14	32%	11	25%	6	14%
							<b>44</b>	
Assault etc	5	63%	2	25%	0	0%	1	13%
							<b>8</b>	
Trafficking etc	2	22%	5	56%	2	22%	0	0%
							<b>9</b>	