The History

OF THE

BRITISH CONVICT SHIP

"SUCCESS"

AND ITS MOST NOTORIOUS PRISONERS

Compiled from Governmental records and documents preserved in the British Museum and State Departments in London

THE DARKEST CHAPTER
OF ENGLAND'S HISTORY

WHEN the Convict Ship was overhauled and fitted out for her memorable voyage across the Atlantic, in Glasson Dock, England, in 1912, the British Board of Trade ordered a quantity of the copper bottom to be removed and replaced. This metal is portion of that first placed upon her when built at Moulmain, India, in 1790 and was carefully preserved by the owners of the "Success." It has now been made into **Handsome and Artistic Souvenirs** of various and charming designs. Each one bears the stamp of the ship. Your inspection of them is invited and they may be purchased at exceptionally moderate prices as a memento of your visit to this wonderful and unique old vessel.

The supply is limited and cannot be replaced. You should secure one immediately as their scarcity makes them daily of increasing value.

THE HISTORY

OF THE

CONVICT SHIP

"SUCCESS"

And

Dramatic Story of Some of the

"SUCCESS" PRISONERS

A Vivid Fragment of Penal History

Contents.

PART II.

Introduction

As I am revising and preparing for the press the present edition of the "History of the Convict Ship 'Success'," I am tossing on the bosom of the Atlantic on board that weird old craft, and the thought strikes me that this devil-ship, this ocean-hell, its associations and the terrible system of which it is a direct and vivid illustration, owed its existence directly to the American War of Independence.

On the authority of an Australian historian writing in The Sydney *Bulletin,* the leading newspaper of the Antipodes, I find: "At the time of the successful revolt of the American colonies the British Government was beginning to find out that hanging men for petty theft was a serious mistake. Anyhow hanging did no good. Transportation was tried and the great dominion of Australia was founded. The simple fact of the matter is that the penal laws of England at that time and for seventy years after were a black disgrace to civilization. Women and children were hanged for shoplifting to the value of a pocket-handkerchief. Black Monday opposite the Debtor's Door at Newgate will not bear description."

One writer has this on a quite later aspect of the subject: "A public execution in London was a scene to fill an observer with something like loathing for the whole human race. Through all the long night before the execution the precincts of the prison became a bivouac ground for the ruffianism of the metropolis. The roughs, the harlots, the professional robbers, and the prospective murderers held high festival there. The air reeked with the smell of

strong drink, with filthy jokes and blasphemy. The moral effect of the scene was about as great as the moral effect of a cock-fight. The soul took its flight as if it were a trapeze performer in a circus."

The British Government began to think it just as well if some of them took their flight to Australia. The Americans having got their independence, refused any more white labor. A philanthropic proposal to hand criminals over to the slave-dealers of Morocco was made in a Christian country and rejected. Consignments were sent to the fever-coast of Africa where they died like sheep under the lash. So the Penal Settlements of New South Wales were founded, and the "Success" and her fellow floating torture-chambers were brought into being.

An official communication dated from Whitehall, August 18, 1786, informed the Lords Commissioners of the Treasury that the gaols were crowded and that it would be necessary to ship the prisoners off somewhere. The revolt of America was a serious bore to my lords of the Treasury, for they had for some time past been adding a yearly sum of $250,000 to the revenue by selling offenders as white labor to the planters. Now that market was closed and the article became a drug on the purveyors' hands. As I have said, the experiment was tried of sending a portion to the fever-coast of Africa. So many died there, that sentence of transportation became synonymous with the sentence of death. But this was cheating the hangman and allowing a fine old English institution to fall into contempt. Something else would have to be done. Humane men looked into the question in the light of their environment and in the spirit of the country and of the age. They embodied their results in a series of proposals that might curdle the blood with horror. But as I do not wish to exhaust in the reader his capacity for disgust before he comes to our own immediate records of

the "Success," perhaps these are best left alone. The most merciful was one suggesting transportation to Botany Bay. In 1787 a book was published called: "A History of New South Wales," the preface to which was written by a well-known Cabinet Minister, the Hon. Wm. Eden, who strongly recommended the Botany Bay scheme. What he wrote throws light on the whole question: "Criminals when their lives or liberty are forfeited to justice become a forlorn hope and have always been judged a fair subject of hazardous experiments. If there be any terrors in the prospect before the wretch who is banished to New South Wales they are no more than he has a right to expect; if the dangers of a foreign climate are nearly equivalent to death, the devoted convict naturally reflects that—— . . . offended justice in consigning him to the inhospitable shores of New Holland does not mean thereby to seat him for life on a bed of roses." If the devoted convict in his natural reflections ever did relapse into that idyllic train of thought he was most woefully mistaken. Another of Mr. Eden's recommendations reads: "The more enormous offenders might be sent to Tunis, Algiers and other Mahometan ports, others might be committed to dangerous expeditions." All this time the gaol-fever was carrying off its victims by hundreds, yet the process was not quick enough. Botany Bay was selected.

In March, 1787, the felon-fleet began to rendezvous at Spithead. On May 13 they hoisted sail, carrying 588 male, 292 women and 28 children convicts. Over one-hundred convicts died on the voyage, while three-hundred and twenty-six were landed seriously ill. And this was reformation!

Here, then, was the beginning of the system of which this convict ship the "Success" was so notable an example. This was the spirit that animated man in his treatment

of his fellows, and this presentation should enable you to realise the realness of the history of crime and horror that is to follow.

This history was compiled specially for the information of those visitors who, having made an inspection of the ship, desire to learn further of her history and of the lives of those who filled her dank and gloomy cells, many of them for the term of their natural lives. Some particulars are also given of crime, criminals and punishments associated with the period and with the sister "Ocean-Hells" to the "Success."

CHAPTER I.

Early Days of the "Success"

At Moulmain, a rice settlement near Rangoon, Burmah, in British India, there was launched in 1790 a solid specimen of old-fashioned ship-building that made history at its birth, since she was the first ship to be built "by the old Moulmain pagoda, looking eastward to the sea," as Kipling wrote, and which through her many vicissitudes has been making history for the century and a quarter that has since elapsed. That ship which India, the vast Empire of the East, then regarded with pride, but which Australia regarded later with such loathing and horror that it was nearly the cause of a severance of the ties that bound the mother country and her daughter colony, was the "Success," now the last of the felon fleet, the only prison ship now afloat.

The "Success" is constructed entirely of Indian teak, a native wood which for resistance to decay has proved itself by comparative tests made by the authorities of the Royal Naval College at Greenwich Museum, the sample of teak being marked "timber taken from the old 'Success'." Her tonnage is 580 tons. She is 135 feet in length, about 29 feet beam, copper-fastened, and "trenailed" throughout. Her breast-hooks, beams and ponderous knees show that labor must have been cheap and lumber plentiful in Coolie land in 1790.

Yet pains were taken to make her trim and smart and fit to hold a leading place among her sister ships of the Anglo-Indian fleet. Her decks were trodden by the silken-slippered feet of Indian princes and nabobs of

rank and quality, and by merchants trading in ivory, silk and precious stones, whose patronage was catered for by the owners of these ships of pleasing and even gorgeous exterior.

Midway between the old stern windows, or louvres, elaborate heraldic devices covered with barnacles since her submersion in Sydney Harbor, hereafter alluded to, still defy Time's defacing hand: and costly designs of splendid workmanship originally ornamented every niche and corner of the vessel. Remnants of great gilded scrolls upon a rich blue ground have been brought to light on scratching away the superimposed coating. The quarter-galleries, too, originally were decorated with massive and artistic carvings. Escutcheons can easily be traced at regular intervals from stem to stern; and the fo'c'sle head, raised high aloft forward, bears at its extremity a symbol of innocence and beautiful womanhood in the original figure-head of exquisite design—a strangely inappropriate emblem in the days when her crime-stained convicts in clanking chains put to flight all thoughts of innocence and beauty. It was customary in the days when the "Success" was trading as a first-class merchantman between England and the Indies, for merchant vessels to be accompanied by one or more armed cruisers as a protection against the pirates which then infested the seas, or against the enemies of the King. The "Success," however, carried her own guns and the portholes, breeching rings, bolts and other fittings for them still remain.

In one of her first voyages the vessel successfully resisted an attack made by the heavily armed French piccaroon "La-Rosa," manned by a crew of as desperate assassins as ever boarded a barque. The engagement took place in the Bay of Bengal and after a fierce fight lasting several hours resulted in a heavy loss to the

Frenchman. Great shot-marks are still to be seen on the hull of the "Success," close to the water-line.

Nor is the hull the only part of the vessel bearing traces of past encounters, for on the teakwood mainmast may be seen an indentation which carries with it a most curious history. It seems that the Lascar sailors on the "Success" once broke out in a mutiny and the state of affairs became so grave that the captain signalled to the authorities at Fort William, Calcutta, for assistance. By some extraordinary mistake they assumed the vessel to be hostile and responded to the signal by firing a shot which struck the mainmast with terrific force, causing a heavy splintered piece of "ironwood" to fall in the midst of the mutinous crew, killing one on the spot and injuring several others. The indentation made by the cannon-ball seems not to have affected the stability of the mast, for the wild monsoons that sweep with devastating force across the Indian Ocean must often have subjected it to a severe test and yet the old teak mast is standing to-day, apparently as sound and erect as when the vessel left the dock for the first time, a century and a quarter ago.

Even in her earliest days the "Success" had a turbulent and stormy career, despite the fact that her builders planned for a ship of peace but of strength in defence. Yet this very strength was the cause of her degradation to the purpose for which she afterward was fitted. The "Success" pursued the even tenor of her way for some years, with a monotony broken only by an occasional attempted boarding by a pirate or an easily suppressed mutiny of the crew—the shipmaster "stood no nonsense" in those days—but as events of that kind were constantly happening to ships of the "Success" type, the historian's dates and places for these occurrences are not available, nor was any fully authenticated data recorded. In the beginning of the Nineteenth Century, in the year 1802, to

be exact, we find her flying the British flag and carrying condemned unfortunates to their doom in the newly established penal settlements in Australia. She was one of the many ships engaged in that awful transport and we have ample evidence of the life on board during the seven to nine months the voyage usually lasted.

At that period there were over one hundred and forty-five offences for which the decreed penalty in England was death, but the hangmen were kept so busy that for the less heinous crimes the sentence of death was commuted to one of transportation for life, or for fourteen years. Where the crime was exceptionally trivial, that is trivial by the standard of the present day, the commutation was to a sentence of seven years, which was the minimum for a transported convict. The simple fact, I repeat, is that for the first seventy years of the last century the penal laws of England were a black disgrace to civilization.

CHAPTER II.

Life on the Convict Ships

Some of the greatest writers of the Nineteenth Century devoted their pens to horror-compelling descriptions of the voyages of the felon-fleet of which the "Success" was in her day the leader or principal devil-ship. Charles Reade, Dickens, Kingsley and others wrote of the evils and the horrors of transportation and of life on the felon fleet. The convict ship, described by Clark Russell in his book with that title is in every detail almost an exact picture of the "Success" as she is to-day, unchanged after all her years, nothing being now lacking on her but her human freight with their sufferings from the cruelties and barbarities perpetrated upon them. In "Moondyne," too, John Boyle O'Reilly describes from personal experience on her, the "Hugomont," a sister ship to this ocean-hell, with a faithfulness which anyone on visiting her must realize.

These descriptions, however thrilling in their intensity, cannot vie with the actual records of the "Success" and her sister prison ships as disclosed by State papers and by the evidence laid before the Houses of Parliament in 1857 when the first steps to abolish transportation were taken.

The work of carrying convicts from England to Australia was entrusted to contractors, under Government military protection, who received six pence per day for each convict's food allowance, besides a tonnage rate. It would be almost impossible to believe the stories told of the wolfish greed of those contractors if the stories were not borne out as already stated, by State papers and

other recorded facts. The longer the voyage lasted, the longer the contractors drew their miserable allowance and these six pence were, of course, saved in cases where the convict died. Thus a business-like understanding was established under which the human cargoes died off like rotten sheep. The figures tell the story. Dr. White, the Colonial surgeon, wrote some reports on the subject. "Of 939 males," he says in 1802, "sent out by the last ships, 'Success' and 'Scarborough' and 'Neptune,' 261 died on board, and 50 have died since landing. The number of sick this day is 450 and many who are reckoned as not sick have barely strength to attend to themselves. When the last ships arrived we had not 60 people sick in the colony." The caravan tracks across the deserts were marked by the bleaching bones of beasts and men, but the track of these convict ships across the ocean might as easily have been distinguished by its line of floating corpses.

This was not all. "Floating Hells" was the name the convict ships soon earned. Crowds of miserable persons were thrown into the cells in the hold, with little ventilation and with little supervision. Brutality and irons were the only means used to enforce order. The wretched vessels employed were not big enough—the "Success" was one of the largest and best equipped—to accommodate the number of convicts whom the greed of the contractors and the carelessness of the Government forced on board. The victims might well have felt themselves handed over to the irresponsible tortures of fiends. If any were over-tortured and died in consequence they were easily thrown overboard. There was no difficulty about that. Herded like pigs, but not half so well-fed; half-clothed and robbed on board of any comforts a kind hand might have provided for the voyage; chained to a dead body sometimes, or to a dying man; and flogged into mutiny and out of it at the caprice of a

drunken skipper, these unhappy convicts in their despair often preferred the gaping maw of a hungry shark to the horrors of the prison ship. The shark at least would use no more violence than was necessary, but the records show that these drunken skippers tortured their victims because they liked it.

If the condition of the men was bad, that of the females and children was worse. Under the savage laws of the times, women and girls often of gentle lives and honest parentage, were found on board the women's ships. The "Success" was for a considerable period a woman's ship. "Not a few of the convicts," says the historian Bonwick, "were mere boys and girls from 13 to 15 years of age." This is the one touch of horror needed to complete the revolting picture. The rest of the shameless story is best indicated by another quotation, this time by Captain Bertram, who, writing about these floating Gomorrahs in 1806, said this: "The captain and each officer enjoy the right of selection. Thus they continue the habit of concubinage until the convicts arrive at Sydneytown. Each sailor or soldier is permitted to attach himself to one of the females." It is not necessary to fill out the picture.

Surely no den of infamy or lair of vice and crime ever equalled the scenes enacted in the holds of the "Success" and her companion prison ships. What story of the slave trade ever equalled in the graphic intensity of its horrors the unholy abominations carried on with white men and white women and girls, the helpless victims of a ferocious system of nearly seventy years under England's flag? These wretches were criminals, it is true, but they were men and women and children still. Their crimes almost invariably were petty offences by contrast with the outrages of their gaolers or in the light of the criminal code of to-day.

We read sometimes in the stories of the slave trade, how the negroes were forced on deck to dance to the music of a pipe. This was for exercise. It was thought wrong to depreciate the market value of the labor on board by sapping its strength in idle confinement. The convict men and women also danced on board, sometimes, but it was to the music of the boatswain's cat-o-nine-tails. It was considered a treat for the sailors to be allowed to flog the convicts, but it was a refinement of luxury to flog women. The creatures contended for this privilege. If any woman convict objected to the arrangement described by Captain Bertram, already quoted—as some rustic Devonshire girl, convicted of stealing apples and transported by some booby squire might have done—she was at once flogged into submission. If this was not done on the direct charge, another was easily invented. But as a rule no misunderstanding arose from idle scruples in this matter. If a drunken officer wanted a man or woman, boy or girl flogged at the gangway for his amusement or his spite there was no trouble about a trifle like that.

The "Success" in the days of her activity carried 80 pairs of handcuffs and 300 basils with chains for use on the voyage. Convicts made the voyage in irons all the way. It saved trouble. Charges of attempted or intended mutiny were trumped up. Governor Hunter mentions a case where "in consequence of some conjecture that they meant to seize the ship and murder the officers," the whole human cargo was double-ironed for the entire voyage. "They look most wretched from their long confinement," he added with simple neatness. On another occasion intended mutiny was disclosed to the captain by a convict. The captain could only induce the soldiers and sailors to spare lives by tempting them with the offer of a wholesale flogging in which each should take his part. "At eleven o'clock we commenced flogging these villains

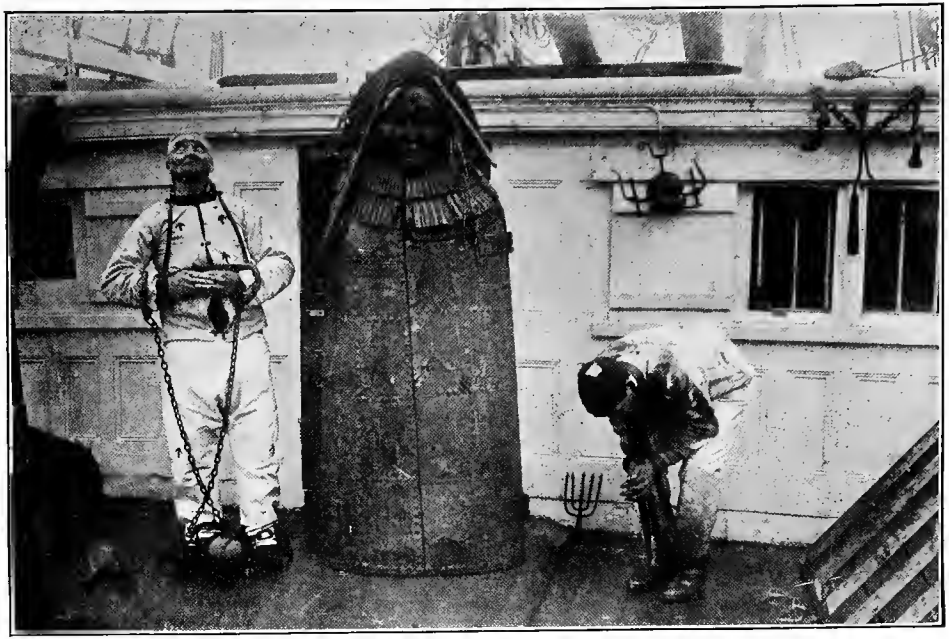
at the gangway, continued engaged at that service until 42 men and 8 women received their punishment."

The "Lady Shore," a companion ship to the "Success," left England for Sydney with a reinforcement for the New South Wales Corps, and 60 female prisoners. The voyage was an orgie from the start. At length the soldiers mutinied, seized the ship which was also carrying provisions for the Colony and murdered the master and first-mate. They carried on a wild career of license and debauchery on the high seas with their convict women for a time and then sailed to Rio Janeiro and handed the ship over to the Portuguese Governor there. The captain of the "Hercules," another of the companion ships of the "Success," fired volleys into the hold of his ship in expostulation with the convicts there confined. He was tried for murder, convicted and *fined*. A revolt of convicts was also once quelled in Sydney Harbor on the "Success" in this way. Shotted blunderbusses were often fired into the holds. Naked women fought there like fiends and men festered in their filth.

It is calculated that one hundred and sixty-five thousand convicts left English ports for Botany Bay while the system of transportation lasted!

They did not all reach their destination. The horrors of the voyage decimated the *deportees*. The Black Hole of Calcutta was only a trifling incident in comparison with this tale of torture long drawn out. From the reports of Dr. White we gather something of the horrors the "floating hells" carried into harbor. When he went on board, as it was his duty to do, he found dead bodies still in irons below, amongst the crowds of the living. Here is what he found according to his own statement: "A greater number of them were lying, some half and others quite naked, without either bed or bedding, unable

to turn or help themselves. The smell was so offensive, I could hardly bear it. Some of these unhappy people died after the ship came into the harbor, before they could be taken on shore. Part of these had been thrown into the harbor and their dead bodies cast upon the shore and were seen lying naked upon the rocks. The misery I saw amongst them is inexpressible." And this system persisted for over 20 years into the reign of Victoria the Good!



Convicts praying in irons near the "Sweat Box." Those who have entered never came out alive.

CHAPTER III.

The Convict on Shore

From Official Records Compiled by the Sydney Bulletin, Australia's Leading Newspaper.

Having survived the terrors of the voyage the unfortunate convict now faces life in Australia. For as long as possible the ship remained in harbor acting still as a prison house until its wretched freight was drafted inland or to country stations. In the meantime the convict's life was not a bed of roses nor one of idleness. He joined the chain gang and became a roadmaker for the kindly government that whipped and scourged him as if he were a wild beast.

"The greater number of overseers in the colony," wrote a man who himself was in charge of a chain gang, "have been criminals themselves and have neither prudence, honesty, nor humanity. They are ruffians who are actuated and influenced by the worst passions and frequently flog an unfortunate wretch for complaining of their oppressions." These were the gentle creatures to whose tender mercies the newly arrived convict was now handed over. When a convict had passed through the horrors of the voyage, and the inferno of convictism in the colony and had shown to the satisfaction of his very competent judges that he had been improved into the lowest grade of brutality, he was made an overseer of a chain gang. By this means the standard of brutality and barbarism was efficiently kept up. The labor gangs were drafted away into the Parramatta or the Hawkesbury districts and set to work in the fields like the beasts of the same.

An Irish political prisoner, Holt, has a note of something he saw on entering one of these cultivation-paddocks for the first time. The Reverend Mr. Marsden, Mr. Atkins the Judge-Advocate, Captain Johnstone and Dr. Thompson were with him. "We proceeded to a Government settlement. At a distance I saw about 50 men at work, as I thought dressed in nankeen jackets, but on nearer approach I found them naked except for a pair of loose trousers. Their skin was tanned by the sun and climate to that color. I felt much pity for the poor wretches."

A little conversation ensued, which is worth recording:

"Captain Johnstone addressed me, saying, 'Mr. Holt, you are a good farmer, I suppose?'

" 'I do well enough with horses and oxen, but not with men,' said I.

"Dr. Thompson then said: 'Do you not think these men would understand you better than horses or oxen?'

" 'Yes, sir,' I replied, 'but it appears great brutality to work men in this manner.'

" 'Well,' said he, 'it matters not what you think about it, you will soon come to it.' The humane doctor, it will be seen, had the profoundest confidence in the brutalising effects of the system on all who were brought into contact with its operation. And he was right."

The soil of Parramatta and its vicinity is scored as deeply by the convict-labor as ever the backs of the convicts were excoriated by the lash. Every hill, probably has seen its whipping-post and every field has been watered by convict blood. The gallows on Constitution Hill

stretched its black, gaunt arm like a grisly sceptre over the land, claiming everything in view by the right of exclusive possession. To this day the ghost of dead and buried convictism broods over the district, which bears a repute in old colonial history not second to either that of Port Arthur or Norfolk Island. Horrible stories of convict murders, of men flogged to death, of convicts at the triangles and on the gallows, hang like deadweights on this chapter of miserable colonial history.

The Government regulation set a certain quantity of work to be done in a given time. The persons to whom convicts were assigned gave this out to their white labor by the day, week or month. The convict was to be paid a certain price for all the work he did beyond the stipulated quantity. Each man cost his employer 12 shillings per week for rations, lodging, and such clothing as he had. If any were idle and did not do the regulated quantity of work, "it was only necessary to take them before a magistrate," says a writer of the time, "and he would order them 25 lashes of the cat on their backs for their first offence, 50 for the second, and so on; and if that would not do"—in some cases it did not do because the slave-driver was so anxious to get some return for his 12s per week that he compelled his victims to work while their wounds were still gaping—"they were at last put into a gaol-gang, and made to work in irons from morning till night."

Some instances are given when an occasional holder of convict labor treated his men with a certain tolerance. These cases were few, and happy was the convict who could get into such a service. "Most of them," we are told, "by finding out that honesty was the best policy, became sincerely honest and well-conducted and lived and died valuable members of society. So much does gentle and mild treatment win upon the minds

of men, while harsh severity and coercion hardens their hearts and brutalises their characters." But the gaolers of these men and the officials of the settlement cared very little about these moral observations. It was not to their interest to see their victims become valuable members of society. That interfered with the dishonest fortunes these officers were making. It was to their interest that the unhappy convict should be remorselessly and hopelessly ground down. It was on this view that they consistently acted.

The magistrates were in collusion with the officers and the judges with the magistrates. Judge Dore was nearly always drunk and Judge-Advocate Atkins, who relieved him, was more drunk still. But this only sharpened their appetite for blood. In Governor Bligh's report on the colony he expressly mentions that Judge-Advocate Richard Atkins repeatedly had pronounced sentence of death in moments of intoxication. Mann, who has written about the early days, writes this with a running pen, as it were: "As instances of the irregularities (this world is Machiavellian) that have been practised by some of those in magisterial capacities, I have known men without trial to be sentenced to transportation by a single magistrate at his own barrack; and free men after having been acquitted by a court of criminal judicature, to be banished to one or other of the dependent settlements; and I have heard a magistrate tell a prisoner who was then being examined for a capital offence and had some things on him supposed to be stolen, that were he not going to be hanged so soon he (the magistrate) would be d—d if he would not make him say from whence he got them; nor do I believe it less true that records of an examination wherein a respectable young man was innocently engaged have been destroyed by the same magistrate before whom the depositions were taken." It need only be added to this that in Australia transporta-

tion meant hard labor, often for life, in the coal mines of New Castle, or banishment to Norfolk Island. Judge Atkins was not popular, strange to say. He could sentence men to flogging or transportation with a hiccup, and cock the black cap over his eye with a leery air as he pronounced the last sentence of the law in what Bligh euphuistically called his "moments" of intoxication—and yet they did not love him! These accomplishments, and the genially sociable qualities of this drunken draco palled on their jaded appetites. So they excogitated a little plot. Unfortunately, perhaps, it failed in its execution and the plotters were arrested. Judge Atkins adjudicated and this is what took place:

Question: "Did you hear the prisoner say all this?"

Witness: "No; I only heard him say that he would flog the Judge to death."

Judge Atkins: "Did he say for what reason he would flog me to death?"

Witness: "Because, sir, you had ordered men to be flogged, and they had died from the flogging."

And yet the Judge was not popular—except, indeed, amongst the class which admired his firm and uncompromising administration of the law. Colonial history is always repeating itself and this opportunity has not been missed.

"The more convicts that can be made over to individuals and taken off the stores, the greater will be the advantage," said a Whitehall despatch. The principle thus laid down was carried out in very thoroughpaced fashion. The laborers worked from five in the morning till eleven, and from two in the afternoon to sunset. The

Governor wrote thus: "Notwithstanding the number of people brought from Ireland by the last two ships"—this was just after the Irish rebellion—"we have received no great accumulation of strength. Many of the prisoners have been bred up in genteel life or professions, unaccustomed to hard labor. These are a deadweight on the public stores."

Each officer had 10 assigned servants. A letter to the Duke of Portland contains a statement that assigned servants "were allotted to the service of convict prostitute women." In the service of private masters, convicts received such bad treatment that the Government resented this interference with its privileges and an order was issued to the effect that "if any person should use or beat their (sic) servants ill they will be taken from them to Government labor and the offender dealt with according to their situations in the colony." But if any convict attempted to work for himself while at assigned service, with a view to improving his condition by and by, he received the reward of his industry in the shape of 100 lashes and 12 months in close confinement. That stopped him for the time. "Magistrates," we read, "would oblige one another as employers in authorising the removal of obnoxious servants, or by inflicting lashes for the supposed disobedience of orders—an elastic charge by which the poor fellow lost the benefit of his fixity of tenure."

Many men were kept in a state of servitude long after the expiration of their sentences. The Secretary of State promised that "in future lists shall be sent from England and Ireland of the terms of sentence." For two years not an item of information on this subject was despatched with the transports and only irregularly afterward. The fact proves rather conclusively that the Government in England had little thought of its outcasts as soon as it got them off its hands.

CHAPTER IV.

Flogging as a Fine Art

Thus deserted by God and man, the convicts on first arriving in Australia were at the mercy of wretches whose characters are best shown by their own acts. The story becomes too Zola-like in its realistic horror to be minutely treated by any other than a Zola's pen. Men and women were flogged alike at the triangle or at the cart's tail. A Botany Bay "dozen" was 25 lashes, and as many as one thousand often were ordered and administered. Such a sentence as this reads nowadays like a sentence of death by torture, but the presiding fiends had to some extent guarded against that. So we read in the old stories of men who were cut to pieces from the neck to the knees, and when all semblance of humanity was thus crushed out of the quivering jelly that represented the body, as the system had long since driven the divine image out of the soul, the victim was saturated in brine to expedite his recovery so that his sentence might be completed in a similar way. The coffin bath or compulsory bath on the "Success" tortured many a poor unfortunate in its time.

One such sentence, signed by Judge-Advocate Atkins, John Harris and Thomas Jamieson, is given with others in a report of Colonel Johnstone's court-martial. It bears date 1807, and sets forth that seven convicts having attempted to escape from the settlement, were recaptured and brought back. They were sentenced: one to receive 100 lashes; three others, 500 lashes each; one to hard labor in an iron collar in the coal-mines at Newcastle; and two others to 200 lashes, with three years' hard labor. It is not difficult to imagine the genial Judge—whom, you

will remember, certain convicts unkindly wished to flog to death because men had died under his floggings—joining the festive circle after delivering that appalling sentence and being carried thereafter drunk to his quarters by convict servants who were afraid to break the bloodthirsty ruffian's neck!

We get a pleasant little social picture of the Judge-Advocate in these lines from Holt's recollections. They make that excellent man live again. He met Atkins arm-in-arm with Barrington, the pickpocket, in Parramatta one day. "Mr. Atkins asked me into his house, and Barrington followed. A bottle of rum"—this beverage corresponded to Amontillado and the like in those days—"was produced and some pleasant conversation passed. At length I wished to retire, but Mr. Atkins said he never allowed any bottle off his table till he saw it emptied. We finished the half-gallon bottle and were, of course, not a little elevated, being each of us as full of chatter as a hen magpie in May. Mr. Atkins was not a Judge then, but acted as a kind of deputy when Judge Dore was not able; which frequently happened, for when spirits were plentiful in the colony he was generally indisposed."

Another charming vignette is presented in the following terse bit of description. A number of desperate creatures had been goaded into an attempt at rebellion. They intended to seize the Governor and the officials and rule the colony themselves after disarming the soldiers. Of course, they were detected in their plot and were duly sentenced to be flogged, under the infliction of which some died. This is what took place in one instance: "We marched to Toongabbee, where all the Government transports were kept, who were called out to witness the punishment of the prisoners. One man was sentenced to receive 300 lashes, and the method of punishment was such as to make it most effectual. The unfortunate man had

his arm extended round a tree, so that flinching from the blow was out of the question, for it was impossible for him to stir. Two men were appointed to flog—namely, Richard Rice, a left-handed man, and John Johnson the hangman from Sydney"—one wonders how on earth they spared him!—"who was right-handed. They stood on each side, and I never saw two threshers in a barn move their flails with more regularity than these two mankillers did, unmoved by pity and rather enjoying the horrid employment than otherwise. The very first blows made the blood spurt out from the man's shoulders and I felt so disgusted and horrified that I turned my face away from the cruel sight. I could only compare these wretches to a pack of hounds at the death of a hare or tigers that torment their victims before they put them to death."

This is such pleasant reading that we cannot do better than continue the extract. "I have witnessed many horrible scenes," this onlooker goes on to say, "but this was the most appalling sight I had ever seen. The day was windy, and I protest that, although I was 15 yards to leeward from the sufferers, the blood, skin, and flesh flew in my face as the executioners shook it from their cats. The man received his whole 300 lashes, during which Dr. Mason used to go up to him occasionally to feel his pulse, it being contrary to law to flog a man beyond 50 lashes without having a doctor present. I shall never forget this humane doctor, as he smiled and said, "Go on; this man will tire you both before he fails!" During the time he was receiving the punishment he never uttered a groan; the only words he said were 'Flog me fair; do not strike me on the neck.' The hapless wretch knew that he might sue in vain for further mercies.

"The next prisoner who was tied up was a young lad of about 20 years of age, just recently arrived on the "Success"; he also was sentenced to receive 300 lashes. The first hundred were given on his shoulders

and he was cut to the bone between the shoulder-blades, which were both bare. The doctor then directed the next hundred to be inflicted lower down, which reduced his flesh to such a jelly that the doctor ordered him to have the remaining hundred on the calves of his legs. During the whole time he never whimpered or flinched, if, indeed, it had been possible for him to have done so."

This lad was asked if he would give information about the alleged plot. He answered that he did not know anything, and if he did he would not tell. "You may hang me," said he, "if you like; but you shall have no music out of my mouth to make others dance upon nothing." He was put into the cart and sent to the hospital. "After this terrible execution was over," writes the eye-witness with an unconscious touch that will strike the reader with a strange effect, "the Provost-Marshal and I walked to Parramatta and went to a tavern kept by James Larra, an honest Jew, where we dined upon a nice lamprey and some hung beef." Just so! The good Provost-Marshal could not live on floggings. He required more substantial refreshment. But even the beef he assimilated had to be hung! There is a story of how Governor King ordered a woman 100 lashes for using impertinent language to an overseer. In 1806 the old Sydney Gazette mentioned in a paragraph that Margaret Camel, being an accessory to a theft, was sentenced to be publicly whipped through the streets of Sydney at the cart's tail. This was a common street scene as well as the procession of convicts to the place of execution, with their officers beside them in a cart. It is Byron who says that the first sight that met his eyes in an English town after returning from abroad was the spectacle of a woman being whipped through the streets at the cart's tail, and Botany Bay was not to be left behind in such a matter as this—not, it may be believed, even if Judge-Advocate Atkins and his compeers had to build a cart for the purpose themselves. In 1829 Judge Dowling

sentenced a man to be flogged in this way from George Street Police Court to the Market Street wharf, for stealing a pair of oars. So the popular mind was familiarised with horrors and children gazed on in pleased appreciation as men and women were hanged and flogged in public for their encouragement. Thus the natural feeling even of the young was blunted—and thus, perhaps, it comes about that we have been unable to see the barbarism of some of our traditionary laws, and have been content to retain them so long. While the flogger was busy, the hangman was not idle.

It is almost a farce to describe the legal proceedings that led up to these executions, for legal proceedings, properly so-called, there were none. A criminal court consisted of seven naval or military officers—the officers of the New South Wales Corps! To hang a man a total of five voices was needed. The old records tell how the proceedings were conducted. Eight men were charged, in 1803, with stealing nine pecks of wheat. They had been tried for something else and acquitted, but the court was clearly determined to have them, for they were escaped prisoners. So the second charge was brought. The prosecutor as in all such matters, conducted his own case. In this instance the Judge-Advocate, who always framed the indictment, prosecuted. The Court deliberated for some minutes and then passed sentence—"All guilty—death!" That was all.

For a good many years the authorities in Sydney just ran up a gallows wherever they happened to require it—on Pinchgut, for instance. Lower George Street was a favorite, convincing ground, but afterward, always with an eye to the picturesque, the gallows was removed to a place known to fame as Gallows Hill. The officials liked to see a fellow-creature dangling against the sky-line. It added to the scenic effect of the landscape. Joseph Sam-

uels, who was suspended in 1803 for stealing a desk containing money belonging to one Mary Breeze, broke the rope in the middle the first time, unrove it at the fastening on a second attempt, and on a third trial snapped the rope once more. A hangman with any pride in his profession would resign after this bungle, but the Provost-Marshal merely went to the Governor and had the man reprieved for his agility.

An execution or a reprieve—sentence of life or death—never cost a second thought to the officials of those early days. It was not till the hanging customs were seriously curtailed that the authorities fought to the last gasp before they yielded up an erring creature's life to the popular sentiment asking that an execution might be stayed. During the first six years in Sydney 95 persons were hanged. In a small population decimated by sickness and famine, this was a highly encouraging average. But no authentic record—what a horrible chapter of miseries this blank space must cover!—was kept of the executions up to 1825. In August, 1821, 19 men were hanged together in Sydney.

Convicts sent up-country as "assigned" servants—slaves—were not out of the jurisdiction of the cat-o'-nine-tails. Nearly every large holder of assigned convict servants was a magistrate. A flogger was part of each magistrate's retinue and the triangles were a common feature in every well-regulated homestead. Neighboring employers honored each other's notes of hand by administering a flogging to the bearer; and often a worthy magistrate in the cool shadow of his spacious verandah, dined pleasantly with his wife and daughters to the music of a yelling wretch triced up to the torture at an easy distance away.

CHAPTER V.

Prison Hulk

The "Success" Becomes a Stationary Floating Prison

On May 24th, 1852, the "Success" with her usual cargo of convicts on board dropped anchor at Port Williamstown just in time to see the infant town of Melbourne *en fete* in honor of Her Majesty's birthday.

Port Williamstown, named after King William IV. and situated nine miles from Melbourne, was then a pretty fishing village such as the busy man to-day would seek for his vacation and children; a spot where his good lady could bask in the sunshine with her knitting or sewing, and keep a watchful eye on her children paddling in the edge of the sea while they waxed jealous over some rare (to them) find of sea shell or seaweed, her husband meanwhile either sunning himself in the warm sand or endeavoring to tempt the innumerable fish that swim the bay.

The chief communication between Williamstown and Melbourne in the early days was across the bay, and in order to attract the attention of the ferryman on the opposite side the residents were requested (according to the advertisements in the one Melbourne paper) to "raise a smoke" on the shore, which was effected by burning large quantities of brushwood and dry seaweed.

This Arcadian simplicity, however, suffered a rude awakening. Gold, glittering gold, had been discovered in the vicinity and the red hot rush of countless feet would have melted the snows of Klondyke, so impetuous was the scramble to the new Aladdin's Cave.

Ship after ship suddenly appeared in this peaceful harbor laden with hopeful immigrants who were burning for gold. The metamorphosis of Port Williamstown was complete. These vessels came from all parts of the world and comprised every sort and shape of craft. There were paddle-boxes from America, Dutch galiots from the East Indies, and even a Falmouth fishing boat survived the dangers of the several thousand miles' passage from England. In connection with this last boat it is interesting to note that it was named "The Mystery," and was sailed by its owners, two brothers named Barnett. They were allowed to come in free from harbor dues as a reward for their bravery in making the journey under such trying conditions. For many years the brothers were the boatmen of the "Success," and rowed the storekeeper and others to and from the shore.

Where, a few years before, scarcely a soul was seen, the harbor was now crowded with shipping. Then, one day, a curiously old full rigged ship hove in sight and dropped anchor in the middle of this conglomeration of shipping. Her balloon-like sides, bulging bows and high freeboard attracted the attention of all whose eyes were not for the moment glued to the Golden Road. Many were the conjectures as to her nationality but as she swung to the tide, high above her sternposts was seen the blazoned word "Success."

What an omen! To many who hitherto had hesitated to join the "Glad Throng" to the goldfields it was taken as a straight tip from Providence. For some the "Favorite" won. But of the majority many lived and died to curse the name, while some, poor devils, ended their days in the cells of the "Success."

As may be imagined, in this sudden influx of immigration murder, rapine and crime ran riot. Old "lags" found

their way over from Botany Bay and Hobart Town and it is estimated on creditable authority that over 9,000 felons joined the rush to the goldfields in one year. One day the Melbourne Argus contained no less than 12 columns of notices of horses stolen! Teamsters demanded 100 pounds per ton for the conveyance of goods into the interior, and then the owners had to incur the grave risk of losing their property at the hands of freebooters, who made traveling extremely dangerous. The miners also frequently fell a prey to these desperate ruffians, who concealed themselves in ambush and waylaid anyone whom they suspected of having made a haul at the goldfields. The troopers that patrolled the highway in the interests of safety were often found murdered by the roadside; brigandage flourished in the "bush"; and even ships were boldly boarded in the Bay.

As an example of the lawlessness of the times and of the boldness with which robberies were perpetrated, we may mention that on April 2nd, 1852, gold weighing 8,153 ounces, valued at £24,000, was stolen from the gold ship "Nelson" which was moored in the stream off Sandridge, now better known as Port Melbourne, the suburb of Melbourne. The captain and most of his crew had been carousing on shore and no anchor-watch was apparently kept. At night twenty determined convicts wearing crape masks, put off from the rickety structure then dignified by the name of Sandridge Pier. The men leaped on board the "Nelson" and overpowered two able seamen. The mate, named Ludley, who made a brave resistance, fell weltering in his blood; and then these desperate ruffians carried off the specie, right under the very noses of the constabulary on shore.

Of these men one was Burgess, who later served a sentence of seven years on the "Success."

It is impossible to convey in words the hideous phantasmagoria of those days when robbery under arms ran

riot throughout the land. Callot might have drawn it. Dante might have suggested it. A minute attempt to describe its horrors would but disgust. There are depths in humanity which one cannot explore, as there are mephitic caverns into which one cannot penetrate. Each blade of grass has its horrible story and every woodland nook reeked of its bloody reminiscences.

The gold-fever called to all. Ships were deserted by masters, officers and men the moment they had dropped anchor, all after the Golconda supposed to be awaiting them. The "Success" had no sooner reached her moorings and her human freight turned over to the authorities than she, too, was deserted. Her captain and crew might have been seen together, making their way through the dense virgin forests to the gold-fields of the interior. The "Success" was soon forgotten by all; the gold-fever was then at its height and it was a common sight to see fine vessels lying at anchor in the bay, abandoned, save perhaps by the watchman in charge, by every soul of their crew from the captain downwards. It was found impossible to get men to "sign on" for the homeward voyage and the old "Success" fared no better than her sister-vessels in the bay. Accordingly, after a lapse of some months, she was turned to the base uses of a convict hulk. The necessary alterations were made, her top hamper was removed, and the inspector of penal establishments gave orders that all irregular corners in the ship from the keel to the main deck, were to be provided with ring-bolts and surrounded by walls. Cells of varying sizes and degrees of torture were constructed and prisoners were accommodated—mark the significance of the term—on board the newly fitted prison-hulk. As she was then remodelled so she stands substantially to-day.

The galley on the fo'c'sle head was a substantial structure, roofed with iron; and the food supplied to the 'tween deck prisoners was lowered through the forward hatchway.

The Murder of Captain Price. Drawn from particulars given by an eye witness.

On the high poop deck one of the principal objects of interest is the original steering gear. Though the modern "diamond screw" has been added, the old-time tiller, a great iron beam by which the vessel was then guided, and the ponderous rings to which the "kicking tackle" was fastened, still remain. Her history shows that she possessed the same dangerous propensity that marked a celebrated Russian Admiral's ship of the olden time—she would "steer herself," and on many occasions she has seriously injured the man at the wheel.

During the last voyage of the "Success" to the Colonies a towering wave struck her broadside with such force that the tiller rebounded, hurling the helmsman on the ironwork deck and injuring him fatally. To commemorate the death of the sailor thus killed at his post, the old ship's carpenter inserted in the deck a piece of wood, the shape of a coffin, which is still to be seen right under the foot of the binnacle.

From the binnacle we pass to the bell, still hanging, untouched by rust, as in the time when it divided the convicts' days into weary hours. Above the simultaneous tolling of the bells on board the different convict hulks in the harbor, the high, clear-sounding signals from the "dark-cell drill" ship could always be recognised by the old residents of Williamstown and by fishermen on shore. The routine of the ship and the movement of the prisoners was regulated day and night by its hourly monotone. At nightfall it tolled the curfew, when the lights on all other hulks would have to be extinguished. The original inscription, "Success, Moulmein, 1790," engraved in quaint characters, can still be deciphered on this interesting relic, which hangs over the entrance to the warders' quarters.

When the bell was rung violently—the signal of an outbreak—all hands responded to the alarm. The alley-

ways in an instant became filled with excited warders, often hatless and coatless and the ringleaders were speedily surrounded by the armed attendants who conveyed them to the "black-holes" on the deck below, where their screams and blasphemy were unavailing, owing to the thickness of the walls. Riots were of frequent occurrence on the "Success," and the shrieking and howling continually kept up by the maddened inmates converted the hulk into a veritable pandemonium, where peace and quietness were unknown.

At the extreme end of the alleyway, aft on the main deck, is a cosy cabin extending the full width of the vessel. This was the warder's sanctum and with the glass doors closed and the curtains drawn, it made a very snug retreat. The sunshine filtered through the skylight, and the warders gained access to the high, old-fashioned poop by means of a companionway that then existed. Comfortable arm-chairs, sofas or lounges were ranged round the cabin and a wide table encircled the rudder post, the shaft of which runs through the centre of the apartment. Decanters and glasses were ready to hand on a swinging rack, the edges of which were ornamented with a border of bone carving, beautifully executed by a convict from New South Wales—a strange contrast to the cells below.

Descending to the corridor that runs 'tween-decks, one gets a good perspective view of the cells that occupy each side of the vessel. Above and below are strong iron bars and gridiron gratings. Those massive iron-bound doors, fastened with huge iron hasps and heavy drawbolts, look as if the words of Dante might be written over each, with terrible appropriateness: "All hope abandon, ye who enter here." They look, indeed, more fit to be cages of wild beasts than a prison-house for men, and the close-cropped, crouching prisoner within seems to have caught something of the spirit of the untamed animals as he lies there, a sullen victim.

It says a good deal for the care with which the prisoners were guarded, that not a single case of successful escape is on record. The most ingenious and persevering attempt was that made by a convict named Richard Jones, who feigned sickness for upward of three months and managed to escape being suspected. With the assistance of other prisoners he secreted three knives in his cell, carrying them thither in the lining of his boot on different occasions. He then actually entered on the utterly hopeless task of cutting his way through the impenetrable teak hull, the walls of which are as thick as those of a Roman church. His heart failed him, however, and his plot was quickly discovered.

The whole of the "floor" of the 'tween-decks, except about two feet running in front of the cells and a broad plank down the centre of the corridor, was composed of a strong iron grating, to give light to the corridor below. The centre plank was for the use of the sentry as he paced his weary beat day and night, for it seldom happened that all of the "association deck" convicts were ashore at the same time. After dark two or three oil lamps swung from the deck above, casting a sickly yellow light down the corridor, which presented as uncanny an appearance as could well be imagined.

On this deck, used only by the better-behaved prisoners, most of the cells are seven feet by seven feet, the rest being four feet by seven feet. By a ridiculous and hypocritical rule of the ship a Bible was placed in each dark cell, it being of course utterly impossible for the convict to decipher a single word or even to see the book as it lay on the little shelf provided for the purpose.

In the bow of this deck, on the port side, is the prison chapel, a small dark enclosure railed off by stout iron bars behind which about a half-dozen of the promoted prisoners were drafted every Sunday in order that they

might benefit by the spiritual ministrations of the Chaplain, who—wise soul—not wishing to be a second Daniel, kept on the outside of the den. As the Chaplain droned through the prayer for mercy "on all prisoners and captives," the warders were standing "at attention" with loaded rifles, a mockery of religion which could hardly have failed to strike the sin-stained sufferers behind the bars.

At the stern of the vessel is "The Tiger's Den," an awful looking prison formed of stout two-inch iron bars deeply embedded in the solid beams above and below. Whether this miniature inferno was so named because of the fierce and desperate ruffians who were there herded indiscriminately together, or because of their resemblance to tigers from their special yellow jackets barred with black, it is difficult to say, but it certainly was expressively named. Within this hellish den quarrels and fights were of frequent occurrence in the semi-darkness that prevailed. Old grudges and grievances were wiped off. Woe betide the wretched prisoner who at the Criminal Sessions had given condemnatory evidence against his comrades! He was sure of their retribution when once in their power. The warders never ventured within, but quieted its wild and reckless occupants by presenting loaded rifles through the bars with a threat to shoot the offenders when the disturbance became so great as to call for interference.

The corner cells on either side of the deck below are the dreaded "Black-Holes," in which prisoners who had been guilty of some breach of discipline or fractious conduct, were punished by solitary confinement, lasting from one to twenty-eight days, according to the gravity of the offence committed. These small and tapering torture chambers measure only two feet eight inches across. The doors fit as tight as valves and close with a "swish," excluding all air, except what can filter through the perforated iron plate that was placed over the bars above the

door in order to make the hole as dark and oppressive as possible. A stout iron ring is fastened about knee-high in the shelving back of the cell and through this ring the right wrist of the prisoner was passed and then handcuffed to the left hand, the consequence being that he was thus prevented from standing upright or lying down, but was obliged to stoop or lean against the shelving side of the vessel as it rolled to and fro. In each of the larger cells on either side of the corridor the floor is worn into hollows, ruts and grooves close against each doorway, by the constant jangling and friction of the prisoner's leg-irons as they stamped impatiently, waiting for the stroke of the bell that marked the times for meals or exercise—a sad and silent testimony to countless hours of miserable endurance. The square aperture through which the visitor to the "Success" can now view the interior of each cell did not, of course, exist originally, the holes having been cut for the purpose of enabling the public to see into the closed cell and view the lifelike model representing the original occupant.

In some of the cells are to be found holes cut through the thick partition wall so that conversation might be carried on between the convicts. Of one small hole extending half-way through the massive wall, Dr. White in his "Crime and Criminals," tells an amusing story.

A convict named Tribe, who was a good example of the evolution of a criminal from a state of innocence to that of a confirmed villain, was the cause of a good deal of trouble to the warders and the Inspector-General through the successful manner in which he used to secrete small quantities of tobacco in spite of all the precautions taken by the authorities. He was searched frequently, but all in vain; for an hour after the search he would be found sitting contentedly chewing his beloved weed. At last the Inspector, in desperation, promised the prisoner a small reward if he would tell him how he came by the

tobacco. The man accepted the offer and then gave a low whistle, when to the surprise of the warder and the Inspector, out popped a little timorous mouse from the hole with a piece of tobacco tied to its tail.

The man had, it appeared, fed it regularly with crumbs from his rations and in this way had trained it to come out of its hiding place at meal times and then to disappear between the walls of the cell, bearing its small freight of the forbidden weed. Even the stern Inspector was captivated by this unique sight and allowed the ingenious smuggler to go scot-free.

CHAPTER VI.

Convict Discipline

On either side of the fo'c'sle head the sentry-boxes are still to be seen. Two men armed with loaded rifles were always on duty in these watchtowers, so as to frustrate any attempt at escaping from the vessel. A large number of warders was employed to guard the prisoners. Their clanking muskets were a constant reminder that they were ever on the alert in the event of an attempted escape, and ready "to take sure aim" and shoot the prison-breaker, as they were empowered to do under Clause VI of the regulations that were pasted on the mainmast.

The usual method of boarding the hulk was by an ordinary gangway ladder, and on stepping over the waterways the visitor would be challenged by an officer stationed to guard the entrance to the Commandant's quarters, now being used as the manager's office. The warders gained access from deck to deck by means of iron ladders, fixed vertically, but the prisoners, encumbered by the weight of their irons, had to be raised and lowered in batches of five at a time—often quarreling and fighting—in a rough lift, which passed from the lower to the main deck through the forward hatchway. The wooden wheel with an endless rope, and the ingenious chocks that formed the raising apparatus of this lift, still hang above the iron-barred hatchway and can be seen by visitors to the vessel.

In order completely to isolate the "Success" and prevent the escape of any prisoners, a cordon of buoys was moored round the yellow-painted hulk, at a distance of seventy-five yards. Any person entering the circle without proper authority, or not being possessed of the countersign, rendered himself liable to be shot at sight.

Only the prisoners of better behaviour who were confined in the 'tween-deck cells were taken off every day to work at the quarries from whence came the stone with which the magnificent pier was built, a lasting monument of convict labor. The breakwater also, which curves out into the sea like a strong arm protecting the vessels from the heavy rollers in Hobson's Bay, was built by the hands of prisoners from the convict hulk "Success."

On the lower deck were the absolutely hopeless characters, men who were considered utterly irreclaimable and who were confined in separate dens. Here, too, were the condemned cells, in which those who were doomed to die passed the brief interval in a chamber of darkness from which even death itself must have proved a welcome relief.

A typical incident happened during the Governorship of Mr. Latrobe, the first Governor at Port Phillip, He was making an official visit to the hulk with the view of inquiring into the protestations of innocence made by a prisoner named Keir, then under sentence of death. His Excellency was accompanied by Sir A——n Y——g (Commander of the Marlborough), then staying as the Governor's guest at Melbourne. Together with a warder, they proceeded to the condemned man's cell over which appeared his name and the particulars of his crime. The massive door was unpadlocked and flung open and the Governor cautiously advanced into the dark interior where the prisoner, on bended knees, prayed earnestly to be released from his undeserved tortures. In his almost hysterical entreaties he flung himself at the feet of Latrobe and had clasped him round the legs, a proceeding which caused the warder to push him roughly back into the corner of the cell.

"Let the man say what he has to say," sternly commanded Latrobe; "I will hear him through," and the con-

vict, thus reassured, told his story with such success that Sir A—— Y——g interested himself in the case, which was reheard, the result being that the man's innocence was established and he was not only reprieved but received substantial compensation. Incidents of this kind, however, were few and far between, as the vast majority of the higher officials of the penal settlements were hardened and calloused to all prayers and entreaties.

The "unsafe sixty" prisoners were, by the regulations, never allowed on shore under any pretext. Their only exercise and opportunity of enjoying a breath of fresh air was restricted to one hour in every twenty-four, when they were marched from stem to stern upon the upper deck. The exceptionally high bulwarks prevented them from seeing aught but the strip of blue Australian sky directly overhead, the white-winged gulls as they glided over the vessel seeming to mock the prisoners in their heavy chains. From long confinement in the dark cells the eyesight of the convicts was generally ruined. The sudden transition from their black dens to the dazzling sunshine in their hour's respite, was more bewildering than the sensation experienced by the miner on emerging into daylight after some hours' sojourn in the bowels of the earth. Thomas Campbell has well expressed the feelings of the dark-cell prisoners:—

"Lo! nature, life and liberty relume
The dim-eyed tenant of the dungeon gloom."

The main deck of the "Success" has been somewhat altered in appearance. In front of the officer's quarters, right athwart ship to the gangway on either side originally ran a high iron barrier, the top of which was studded with a row of formidable-looking spikes. A similar division also crossed the ship close to the forward hatchway. These barriers fenced in the space for exercise.

In the iron-barred partition astern on the starboard side was a wicket and between this wicket and the end of the high gangway platform a sentry paced while on duty. From the latter position he could gain an uninterrupted view of the water from stem to stern, and even when the guard-boat approached, though each face was quite familiar, he dared not neglect the military discipline that prevailed on board. Distinct and clear his voice would ring across the waves: "Who goes there?" The reply would come: "Guard-boat." "Advance guard-boat, and give the countersign!" Then "Gibraltar" or some such word would be given as the password. "Pass on guard-boat—all's well!" the last words being given quite a musical intonation.

From the wicket gate the sentry's view commanded the whole of the deck. The sight of the prisoners at exercise was saddening in the extreme, each man half-stooping beneath the weight of the links with which he was encumbered. The marked desperadoes were closely watched by special warders and marched straight up and down, while the others made the round tour of the ship by crossing over to the opposite side on reaching the fence at either end. The course they followed can still be perceived by tracing the grooved pathway worn into the original planks of the deck.

As they paced the deck during this tour of comparative relaxation, it was no uncommon event for one of the prisoners to make a bold dash for freedom or death. They scarcely expected to get beyond the cordon of buoys, but they were reduced to such a state of desperation that they preferred a watery grave to the treatment they received on board this "ocean hell." When one of these "rushers" was overtaken in such an attempt he was invariably punished by having a heavy ball of iron, weighing seventy-two pounds, attached to his belt by a chain. This "punishment

ball" is still preserved and is shown to visitors to the "Success." In spite of its weight, some of the convicts gained a wonderful dexterity in swirling it round them in a semicircle at their feet and would then nimbly step over the chain by which it was attached to the iron waist-belt. They could thus move from one part of the deck to the other with comparative ease born of long practice.

As an additional punishment, the eyes of the refractories on parade were sometimes tightly bandaged and gagging is shown to have been resorted to by the authorities, who appear to have exercised a fiendish ingenuity in the invention of means to break the convict's spirits. The "black gag" consisted of a wooden bit in a leather bridle, the straps buckling round the convict's head and neck, and a perforation was made in the mouthpiece to enable him to breathe. Senior Warder W——e who was stationed on the "Success" in 1853 and who a few years ago was living in retirement in a rose-covered villa at Richmond, near Melbourne, effacing the dark memories of tortures he was powerless to prevent, admitted in the course of a newspaper controversy he had with Marshall Lyle, a leading Melbourne lawyer, that the gag was certainly used on the "Success," and added significantly that "it had the effect of compelling the prisoners to submit to the discipline of the establishment." (Vide Melbourne Herald, October 31st, 1895.)

Among the punishments I may also appropriately include the "compulsory bath," into which the fractious prisoners were thrust by the warders and then scoured with long-handled brushes to keep them sweet and clean. It consisted of a wooden, lead-lined structure like a deep box, and the convicts' ablutions were rendered none the pleasanter by the bolted stump of the bowsprit which projected inside the bath. It was refilled for each gang of ten prisoners and three 'tween-deck convicts took turns

at the handle attached to the pump-wheel, by means of which salt water was made to play upon the unwilling bather. There are also ugly tales related of prisoners being brought straight from the flogging frame, with their backs torn and bleeding from the cruel lashes of the "cat," when their wounds were cleansed by the steady flow of the salt water used, so it is said, "to prevent inflammation."

The prison dress was always plainly branded with broad-arrows and distinctive numbers. The hair of each prisoner was clipped at frequent intervals and their legs were always kept in irons. The blacksmith's forge was under the fo'c'sle head, where a convict son of Vulcan forged the fetters for his comrades in crime and fastened their clanking anklets with red-hot rivets. Examples of these chains are now shown on board, varying from 8 lbs. to 56 lbs. in weight; while in the Oscott Museum, at Birmingham, the 48-lb. leg irons worn by Martin Cash, a notorious bushranger (who styled them his "Sunday suit," as they were made for wearing during attendance at Divine worship) are still exhibited, having been brought to England by the Rev. Dr. Wilson to show a committee of the House of Commons. Martin Cash was originally transported for having, in a fit of jealousy, shot and seriously injured his rival, his first sentence being seven years. An old rhyme ran—

"Seven links have I in my chain,
And every link a year,
Before I can return again
To the one I love so dear."

But the number of links had no significance upon the hulk, where men had sentences ranging as high as 32 years. Rusty anklets and chains are still found here and there in the lumber yards of the older inland prisons in Australia, relics of her early convict days which the present generation appear to be so anxious to erase from memory.

Hulk prisoners would narrate how, when traveling in single file from one convict centre to another—"on the chain," as it was called—the weakest men would fall by the roadside, only those of the strongest physique being able to stand the protracted marches through the almost impassable interior. At one time in New South Wales there were a thousand prisoners "on the chain." The long continuous chain passed through a central ring fastened to each man's "travelling chain-gang iron"; and when a body of convicts attached in this manner were being employed in repairing the roads, one armed soldier was considered a sufficient guard for a party of eight, the officer in charge being instructed to see that the irons had not been tampered with and that all the fastenings were secure.

Each one of those dark cells, if they could but speak, could tell of some murderous onslaught. Each ring-bolt has a record, each chain a chapter of cruelty; and the very timbers that formed the home of these human failures year after year are studded with initials and devices that tell of sorrows past. In cell 23, the name of Harris, who made himself notorious at the time of the Melville rush, may still be seen and also a rough design representing a ship.

One hour's exercise a day was all that the prisoner of the "black hole" was granted, and the visitor who allows himself to be shut in, only for a minute, and to have the massive bolt shut upon him, will realise such a fearful feeling of suffocation that he will marvel at the comparative ease with which some of the older offenders underwent their sentences, in an attitude that was of itself a refinement of torture. Starved, beaten and abused as they were, the wonder is that so many of even those hardened villains were able to endure punishment as they did.

That the majority of them were callous and irreclaimable—more like wild beasts than men—is possible; but

the treatment they were shown to have received on board, by evidence given at a subsequent Government inquiry, was such as to drive any man to desperation and despair. Constant applications of the "cat," imprisonment in the "black hole," and other punishments were the instruments relied upon for producing a reform. No wonder that the scaffold on shore had no terror for these men! Death was a welcome relief from the cruelties practised on board the hulks.

As an example of some of the ingenious methods for inflicting additional punishment on the prisoners we may mention a heartless practice that was said to have been initiated during the reign of Inspector Price. Rations having been stopped, a steak was at times cooked at the end of the corridor on the deck, so that its appetising odor could find its way through the bars over the doors of the convicts' dark cells, and make their mouths water for the succulent meat to which their stomachs had been strange for so long a time. Another fiendish invention was the cayenne pepper mill, which was worked as a special punishment by a prisoner whose nose and eyes suffered severely from the pungent, burning dust. It would, indeed, appear that instead of seeking to reclaim the convicts and make them fitter to mix with society when their sentences had expired, the officers in power utterly destroyed all chance of reformation and by their revengeful treatment eradicated any lingering germ of better nature that is generally to be found in even the most hardened ruffians.

CHAPTER VII.

Attempted Escapes and Mutinies

The reader will not be surprised that at the quarries on shore the convicts, though in 14-lb. irons, required all the vigilance of the warders to prevent attempts at escape. Day after day they were landed at the little stone jetty from the "yellow frigates" to work at the excavations on the foreshore. Besides the overseers, a cordon of armed guards prevented the approach of any person or the escape of any prisoner.

Standing out from the "Success" and her sister "Ocean Hells" was the Electra, a war sloop (then under Commander Morris), and her presence certainly had a restraining influence upon would-be "rushers" or escapees. On the opening of the Geelong railway, great festivities were held to celebrate the cutting of the first sod, and the Electra left the "Success" unprotected and proceeded to Corio Bay to join in the demonstration. The convicts saw in her absence an opportunity to make an attempt to overpower the guards. At a given signal the guards were simultaneously "rushed" but not surprised, for they promptly replied with a deadly fire, which threw the convicts into dire confusion. With stones thirty of the prisoners boldly "ovaled" their leg-irons and reports of muskets rang out right and left.

The process of "ovaling" consisted in pounding their anklets edgeways with a double-handed stone till they had burst the rivets and the convicts in that way gained their freedom. (See exhibit on board the "Success.")

Nine of the convicts were terribly wounded. Howling with rage and pain, the prisoners loudly cursed their

leader and found out, when too late, that they had made a mistake. Repulsed in their first mad "rush" they took refuge behind the stone heaps and endeavored to disable the warders with well-aimed stones. Flag signals passed from the "Success," and boatloads of warders from the different hulks soon overpowered the prisoners, who were taken back to the vessel in dogged submission. The re-ironing of the fractious prisoners was finished by the convict blacksmith just as darkness set in. Enraged at their capture, the noise they raised that night was simply indescribable. They clanked their chains in unison upon the ironwood floor, they yelled defiance at the authorities, and with the only article of furniture their cells contained they battered the massive doors of their prison. Full vent was given to their passion and the air was filled with riot and obscenity. The Inspector-General feared the worst and had the hatchway gridiron gratings battened down, so that should

"Locks, bolts, and bars fly asunder,"

and the ruffians break loose, most of them, being below the water line, would still be well under control.

For hours the warders watched, armed with loaded rifles, at the "combings" of the hatches and those on shore listened to the shrieks that came across the Bay, till they spent themselves at last in one prolonged discordant roar. Just as the riot had nearly expended itself, H. M. S. Victoria, a war sloop then under Commander Norman, arrived to suppress the reported disorder and stood with shotted guns and ports open, ready to pour a broadside into the rebels' prison and sink her where she lay should occasion demand. Had she arrived but half an hour earlier, that course undoubtedly would have been pursued and the now historic ship would have been sunk at her moorings, with all her hideous cargo of crime.

The "Sweat Box" of 100 years ago. To-day's "Third Degree" is minor in comparison!

The ringleader of this rush had escaped from the Richmond stockade. The authorities were determined that incidents like this should be put a stop to, and the hulks were accordingly placed under the surveillance of the military. H. M. 40th Regiment was ordered from Melbourne to Williamstown and an officer and military guard was stationed upon each of the yellow frigates. This display of militarism gave great offence to the prisoners and there was a sullen look in the eye of many an "old hand," as, in marching past, they unwillingly gave the regulation salute to the soldiers in authority. One burly prisoner refused point blank to touch his cap to the officer, who, as he insolently phrased it, "wore a Government knife by his side, and a brass band round his head to keep his brains in." This act of insubordination was met with a sentence of thirty days' solitary confinement.

The exasperated spirit of these dangerous men sought another opportunity to combine, and at all costs gain their freedom. Painful disclosures had been made from time to time, revealing that frightful barbarities had been practised on the prisoners and gradually the public conscience was becoming aroused.

Dr. John Singleton, at one time Chaplain on board the "Success" was a man whose word no one questioned, a Christian philanthropist and a true friend of the people. He was the first to expose the cruel treatment of the prisoners upon the hulks and it was owing to his zeal that the "Citizens' Committee" was formed. The following leading men were prominent members of the committee: Sir George Stephen, David Blair, Rev. Dr. Shiel, Rev. A. Ramsay, George Elliot Burton, William J. Little, J. G. Burt, Adam Anderson, Dr. Cairns, George MacKay, LL.D., and Henry Jennings. Mass meetings were held by the citizens and resolutions were passed condemning the cruel practices upon the prison ships. The Govern-

ment, however, was deaf to all appeals, and slow to move. Meanwhile, on board the hulks a deadly hate was fostered by the agitation between the prisoners and their officers. To the convicts, murder was just a matter of opportunity, and the warders retaliated by methods that made the horrors of Norfolk Island and Port Arthur "pale their ineffectual fires."

A correspondent writing to the Melbourne Age, November 25th, 1857, said: "I have seen the dungeons of Spielburg and the miseries of the galleys, and experienced the horrors (as a visitor) of the Continental gaols: I have crossed the 'Bridge of Sighs,' and been down to the uttermost depths of the prison beyond, where the 'Council of Ten' immured their victims forever, but not one of these is to be compared in refinement of cruelty and multiplication of horrors to the floating hells of Victoria."

To the convicts the gallows or the yard-arm was considered a release from misery worse than death. They girded at their guards and scorned the warders' rifles by rushing for the bulwarks. But instead of being shot, as they anticipated, they were flogged for insubordination or attempted escape. The convict Power in after years used to relate how, as they paced the deck encumbered by their heavy irons, they insulted the sentries on guard with their upraised, outspread fingers.

On the 4th of June, 1856, the convict Melville was one of ten at exercise on the main deck. He loitered behind instead of keeping the regular distance from the other prisoners, as provided by the regulations. Sergeant Graham ordered him to "close up." Melville thereupon stepped out of the ranks and told that officer that he "would be treated with more respect." For his insolence he was ordered below and Warder MacPherson and a

Mr. Horne followed Sergeant Graham and the prisoner to the "dark cell." On his wrists being freed from the handcuffs, Melville sprang with a bull-dog ferocity at the officer in charge and fastening his teeth in the face of the struggling sergeant, nearly bit off his nose.

MacPherson sprang upon the convict's back while Horne vigorously belaboured him till he fell insensible to the deck with the warders on top of him, and he was then soon secured. That same afternoon Mr. (afterwards Captain) Pascoe, the visiting magistrate, sentenced Melville to "twenty-days' solitary," chained short to the ring-bolt. On the third day the chain was lengthened, thereby giving the prisoner an opportunity of resting on the floor.

In August, 1856, the Gisborne "rush" took place, the ringleader being shot through the body. On the 22nd of October, in the same year, a shocking and sensational affray took place between the convicts and their guards, attended by loss of life on both sides. The notorious Melville was again brought into prominence as the leader of this insurrection. Further on we give fuller details of the eventful career of this desperate criminal.

The Citizens' Committee at last obtained by their agitation the appointment of a select committee of the Legislative Council of the Colony of Victoria. They were empowered by resolution to take evidence concerning the administration of justice on board the hulks, and the following Members of Parliament formed that tribunal: Messrs. Cruikshank, Mitchell, Miller, McCoombie, Hood, and Harvey, the latter previously having been secretary of the Anti-Transportation League.

Mr. Hallis, Superintendent of the "Success," and other officers and even prisoners, gave evidence. Public opinion was greatly divided and feeling ran very high. It was the fashion in some circles to extol the severe

Inspector-General Price as a most exemplary official, while others sided with the Committee as humanitarians. The evidence given on oath at the enquiry, and published in the Melbourne Age, 25th of November, 1856, elicited the following facts:

A man named Duncan, the best workman at "the hulks," was ordered extra irons for merely asking for lighter ones. A prisoner named Cussen had been thrown from the top deck to the centre deck, from the centre to the lower, and then set upon by warders most brutally until his blood flowed in all directions. It was stated that a man named Murphy had two years added to his sentence for drawing himself up and looking through the top bars of his cell, but this was afterward shown to have been for a much more grievous offence. Another witness stated that convict Walker was not in his right senses when sent to "the hulks"; yet on his arrival he was sentenced to thirty days' solitary; a pound of bread was passed to him daily, and water was lowered to him through the bars. A convict stated that "water-gagging" was frequently adopted to stop their breath. Buckets of water were said to have been thrown upon them from a great height; and the barber, Fielder, stated that it was impossible to dress the hair of his fellow-prisoners, owing to the numerous open wounds the convicts had received upon their heads from the batons of the warders.

Other witnesses denounced the members of the Committee as grievance-mongers, and Dr. Youl, one of the visiting magistrates, spoke strongly in favor of Mr. Price and said that he was satisfied that the Inspector-General, though one of the most powerful men in the country, had never struck a prisoner in his life. Dr. McRae said he had never seen any cruelty toward the convicts and that Mr. Price had always acted towards them with the greatest consideration, when they deserved it. The Inspector himself, at the enquiry said that all his hopes of reform-

ing the prisoners had gone. The convicts on board the "Success" were more like wild beasts than men and it was necessary to iron them heavily, even below the waterline, to break their spirits and render them more tractable. He stated that Melville had secreted a long knife in his cell the day after the outbreak, with the firm intention of killing a warder.

The Melbourne Age, November 25th, 1856, also commented upon the Inspector-General's evidence as follows: "His avowed principles of penal discipline are first, that the reformation of a criminal is hopeless; and secondly, that extreme severity is the only method by which criminals can be governed. Mr. Inspector Price's principles cannot be tolerated in this community. They are rejected with abhorrence by all men of intelligence and human feeling. There must be a more searching enquiry."

The Melbourne Argus, on the other hand, claimed that the Inspector-General's character was vindicated and wrote that punishment could not be effected without being cruel, with penal establishments as they were.

The Mount Alexander Mail, the leading country journal, said on December 3d, 1856: "The editor of the Argus is accused of wishing to sacrifice 'Melville,' and save its own pet, Mr. Price"; and later, on December 8th, published the following prophetic words: "Is blood to be shed, or murder in some shape or way to be committed before the Victorian Government will open their eyes to the abuses in the penal system over which they are supposed to have control?"

Still no Parliamentary action was taken and, three months afterward Inspector-General John Price was assassinated at the quarries on shore, in broad daylight, by a furious crowd of angry convicts, under the circumstances narrated in the chapter following.

CHAPTER VIII.

The Assassination of Inspector-General John Price

Mercy for him that shows it is the rule
By which Heaven moves in pardoning guilty man;
And he that shows none, being ripe in years
And conscious of the outrage he commits,
Shall seek it and not find it, in his turn.

—*Cowper.*

The 'tween-decks of the old "Success" presented an animated appearance on the glorious morning of the 26th March, 1857, when Mr. Hallis, the Superintendent of the ship, mustered his men for the labor of the day between the mustering barriers that still remain. While engaged in this duty an old soldier named Taylor complained that the chief warder had robbed him of his portion of bread. The convict was evidently much angered and Mr. Hallis ordered him below. The man obeyed instantly, and the others proceeded to the quarries; but on landing they refused point blank to work till they had seen Inspector-General Price. That gentleman being in Melbourne, Mr. Hallis went to the city to report the charge made by the overseer, together with the news as to the mutiny of the prisoners. Mr. Price returned to Williamstown without delay and accosting the first prisoner, Henry Smith (alias Shylock) asked him the nature of his complaint. He replied that Taylor's bread had been kept back by the chief warder and said further that the quality of the bread was very inferior. Taking a piece from another convict's bag, he added, "Here is a sample."

Mr. Hallis, who was present, said that the bread shown was not that morning's, but was two or three days old.

Mr. Price then said, "Anyhow, no prisoner is allowed to have two rations at once, and you have a deal to say and a great many complaints to make."

"Yes," replied the convict, "I have a thousand." The Inspector-General then moved on, accompanied by Mr. Hallis and Smith grumblingly resumed his work.

Next a prisoner named Williams asked that part of his sentence might be remitted, but this could not be granted, as he had been an absconder. Another prisoner named Brannigan made a similar request, and "Red" Kelly, the father of the bushrangers of later years, asked whether a sentence of three days' solitary, which he had received a week before, would affect his ticket-of-leave.

Mr. Price and Mr. Hallis agreed that he would have to wait six months, whereupon Kelly shook his fist defiantly, and said, "You —— tyrant, your race will soon be run." For this display of insolence he was taken back to the "Success" in charge of two overseers. Bryant, a reckless ruffian, then complained of the short allowance soap granted to him and the Inspector-General marked a cross upon it and was moving away. At this juncture about thirty of the prisoners approached the Inspector simultaneously, professing to wish to speak to him.

Seeing the convicts clustering round him, he demanded loudly, "By whose authority have these men left their work?"

The overseer replied, "They would not be stopped, sir."

"Oh, that's it," said Mr. Price, "then they had better be sent on board at once"; and addressing the men, said, "When on board I will listen to all you have to say."

The overseer experienced great difficulty in getting the prisoners into line, many angry voices loudly cursing Hyland, the chief overseer, for cheating them of their rations. Maloney then, in the presence of Price, shook his fist at Hyland, exclaiming loudly, "He's another —— tyrant"; while Smith shouted several times, "We will have new officers."

From the rear of the crowd clods and grass came flying through the air and several stones were thrown at Mr. Price, one striking him on the cheek as he tried to protect himself with his upraised hand. The three overseers formed a ring round the Inspector, but the way was cleared by a brawny convict, who struck out right and left. The convict Bryant closed with Mr. Price and almost strangled him, Maloney next striking him in the face as he fought in self-defense. In retreating backward down a slight incline, followed by twenty of his assailants, the unfortunate officer was felled to the ground by a huge stone thrown by the prisoner Brannigan. The infuriated Bryant, Brown and Chesley then each picked up a shovel and struck their prostrate victim repeatedly upon the head and neck, Maloney and Smith fairly raining blows upon him with their quarrying tools.

Another stone was deliberately dashed upon the insensible form of the bleeding officer and Bryant, throwing down his shovel, said, "Come on now, boys, he's cooked. He wants no more." The desperate convicts then scattered in different directions, but were soon overpowered by the military, and two others were afterward found hiding in an excavation, waiting for nightfall so as to make good their escape.

The Inspector was carried on a hand-barrow to the lighthouse by convicts who thought thus to ingratiate themselves and secure a commutation of their sentences. Captain Price was attended by Dr. Wilkins, but expired the next day without recovering consciousness. A hollow where his head rested was filled with blood and one convict was so bespattered with blood stains that he stripped himself of his holland jumper and burned it at the quarry forge adjacent, in order to destroy all traces of the ghastly crime; but the absence of his jumper, for which he could offer no explanation, proved incriminatory evidence. For many months two iron pegs driven into the ground indicated the exact site of the murder.

This sensational outrage caused almost a panic in Sydney. Reports that the convicts had broken loose in numbers and were intent on violence and bloodshed were fully believed, and the police and military hurried down to find that four of the gang had gone on board without offering any resistance and, although thirty-three convicts had burst their leg-chains with tools at the quarry forge, they were soon recaptured and lodged in their cells. These hardened wretches, exulting in their butchery, then gave three defiant cheers for the "Success," and were answered by the convicts on the sister hulk, the "President."

The tampering with the leg-irons was regarded by the officials as a crime of great enormity. "Jacky" Williams was one of the number who with chisels and spalling-hammers had relieved each other of their "leg-ornaments," as they were referred to by the convicts. Their handiwork was rewarded by the infliction of the wearing of "the punishment-band," or "body-iron," a steel contrivance encircling the body and from which projected strong iron outriggers for the wrists, thereby holding the arms extended forward for hours, in a benumbed and painful position.

One section of the press imputed the murder of Captain Price to the unnatural system adopted by the deceased Inspector-General.

The Melbourne Age, in a leading article contained the following, referring to the enquiry by the Citizens' Committee: "Enough was proved to warrant the suspension of Mr. Price twenty times over, but the Government was perfectly indifferent. There can be no doubt whatever that Mr. Price was guilty of the cruelty attributed to him, and his untimely end is the result of that vindictive feeling which his own policy has fostered in the minds of the convicts under his charge. The whole affair lies in a nutshell. He was a cruel man, and his cruelty came back to him."

Months before the tragedy occurred, a Melbourne clergyman forwarded to the leading newspaper a bulky pamphlet written by the Rev. Thomas Rogers, who was Chaplain at Norfolk Island at the time that Mr. Price was Commandant there. Commenting upon its reception, the editor remarked (Melbourne Age, September 19th, 1857): "If the horrible details that it contained had been published at the height of the excitement about the hulks, the Inspector-General instead of being murdered by the convicts, might have been torn to pieces in the streets of Melbourne."

The Melbourne Argus, on the other hand, maintained that the Inspector was so just that he lost his life through his great attention to the professed complaints of the convicts.

The trial of the prisoners commenced on April 13th, 1857, Judge Barry presiding. The fifteen prisoners accused of wilful murder were first arraigned at the inquest and each pleaded "Not guilty." On the third day

of the trial the jury found the prisoners guilty and sentence of death was pronounced. On the 16th, five other convicts were placed in the dock, their trial lasting four days. Finally, Williams, Smith, Maloney, Bryant, Brannigan, Chesley and Brown were sentenced to death and executed, this being the most hideous week's work of the gallows ever known in the colony of Victoria.

For a considerable period the prisoners on the "Success" had a superstitious fear of Captain Price that saved his life on many previous occasions. Of his character and doings some very extraordinary things are asserted. The dreadful atrocities which he witnessed and the fearful scenes through which he passed would have hardened a less susceptible man than he. He boasted of being able to "manage" a convict before anyone, and his experiences in Norfolk Island eminently fitted him for his after life. On one occasion, swaggering close to a man at work in the yard Price deliberately exposed one of his pistols, stuck loosely in his belt, the other being secured on the opposite side. Quick as a flash the convict seized the butt of the pistol and wrenched it from the belt. Leveling it at the head of the Inspector he told him he could prepare for death. Price merely folded his arms and smiled. For a moment the man was appalled at the reckless bravery of the officer. Only for a moment, however, with an oath he pulled the trigger, the muzzle being within a few inches of the other's face. A sharp click was the only result. It had missed fire. The convict was so overcome with terror at what he considered a direct interposition of an unknown Power that he fell forward upon his face in a fit. Price was supposed among the superstitious to bear a charmed life. The whole gang were completely awed and the offender was removed separately, sent on board the "Success," where he was confined in the punishment cell (a space about seven feet long by four high, and with the walls coming to a point

below as the form of the hull of the ship bent inward near the stern port) and remained there securely chained in total darkness for seven days, when he was tried and sentenced.

Here a piece of shortsightedness on the part of Price completely turned the tables. Over his wine, when the subject was broached by some brother officers, one remarked that it was touch and go with him that time. The worthy Inspector laughed. "Not at all, my dear fellow, not at all. The pistol was not loaded. I exposed it to the man to let him take it and give them all a lesson. The loaded weapons were under my jacket." When this became known the prisoners to a man, relieved of their superstitious terror, vowed to take his life.

CHAPTER IX.

Death Blows of the Convict System

The fearful death of the Inspector-General roused the politicians from their inaction, and on the 11th September, 1857, after voluminous evidence had been taken, the report of the Select Committee was brought before Parliament and the death blow was dealt to the old hulk system. The agitation resulting from the painful disclosures had borne good fruit. On the 3rd October, 1857, Mr. Blaird, M. P., moved "That the report of the Select Committee on penal discipline, brought up on the 11th September, be adopted." This was seconded by Mr. William Langlauds, M. P., and carried overwhelmingly.

For a few months the old "Success" rode at her moorings absolutely untenanted, save by large flocks of noisy sea-gulls; but shortly afterward she was ordered to be utilized as a prison for refractory seamen. The term "refractory" was often applied by the captain of outward bound ships to those sailors who showed an inclination to desert for the goldfields.

By an order in Council all the hulks were removed from Williamstown to Sandridge in 1857, and from 1860 to 1868 the "Success" was used as a women's prison. A sentence of only a few nights on board had its effect on the most irreclaimable viragos in Victoria.

In 1869 the historic hulk was handed over to the *Sir Harry Smith* and used as a sleeping place for the worst boys of that reformatory.

For many years the "Success" was moored in an out-of-the-way part of the Saltwater River and was employed as a store hulk for the powder and ammunition used by the Defence Department of the Colony of Victoria. Finally the prison hulks one and all (as relics of a convict system offensive to the recollection of all Australians), were ordered to be sold on the express condition that they were to be broken up and their associations lost to the recollection of the residents of Melbourne. By a clerical omission that condition did not appear upon the terms of sale of the "Success," hence she has outlived the other four and is to-day the only Australian convict-ship afloat.

For a time she was on exhibition in Sydney and even in that role her career was fraught with incident. Government was petitioned, influence was brought to bear and large sums were offered privately for her destruction. This failing, she was stealthily boarded one night, maliciously scuttled to disappear, it was hoped, forever. She lay below the picturesque waters of the harbor for nearly five years, but was then raised and being found comparatively uninjured was again placed on exhibition.

Grey with barnacles and bemantled with seaweed, the submersion only served to make the appearance of the centenarian convict-ship still more remarkable and grotesque; and since that time she has, as an exhibition ship fully justified her name by everywhere creating immense interest as a unique relic of convict days. The "Success" serves as an antique and useful reminder of a condition of things that existed prior to the establishment of that high water mark in the history of Australia—the absolute abolition of transportation.

There are some who contend that no tradition attaches to, nor interesting remnants of bygone ages are to

be found in Australasia to reward the research of the historian. Colonial ruins are not, as in older countries, crumbling cathedrals and tottering abbeys which later generations regard with a religious reverance, but Britain's convict prisons in the last stages of decay, moss-grown corridors of cells, the regularity of which is broken by Time's effacing fingers, and half-hidden by wild creeping vines and undergrowth, as if nature herself were anxious to assist in hiding them from sight.

Colonial Governments, have, year after year, expended large sums of money in razing these prisons to the ground. By a special order of the Legislature, a public bonfire at Bathurst, N. S. W., burnt all the incriminating convict records that could be collected at that time; and the abandoned prison hulks that still remained were ordered to be broken up and lost from public view. But why should that leaf in the history of Australia be turned down? Is it not a matter for congratulation that the colonies have risen superior to and outlived the base effects of England's experiment in convict colonization and have gained prestige amongst the nations of the earth?

Convictism presses most hardly upon those whose forefathers' names are written in ineffaceable letters of blood in the early records as despots and tyrants, who were often guilty of the grossest maladministration. In those days cruelty was inflicted both on land and sea, in penitentiary and prison ship, by officers whose distance from headquarters made them practically irresponsible.

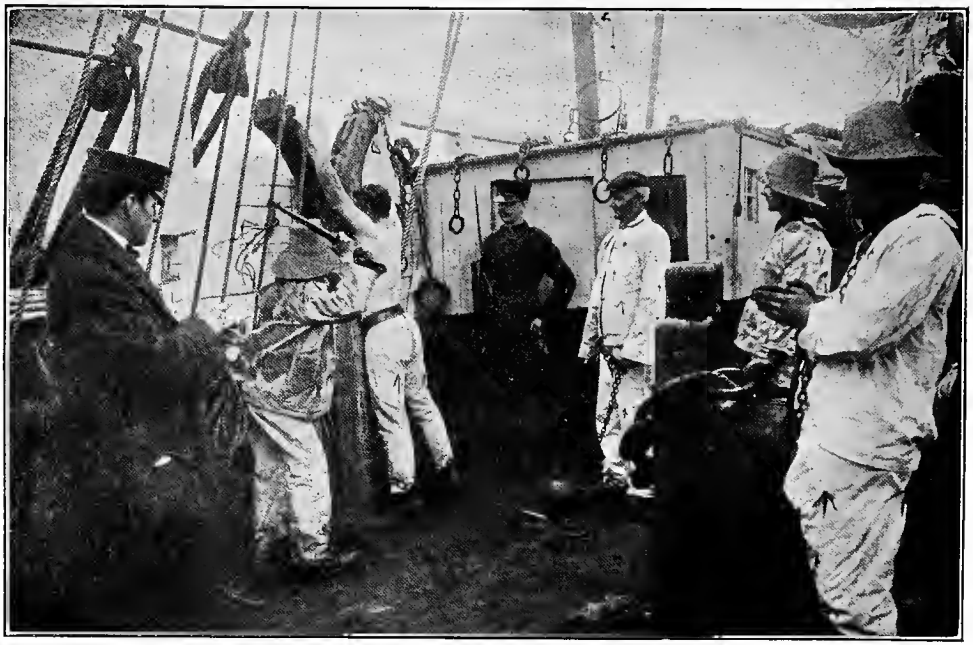
As to the convicts themselves, although the large majority were the offscourings of the British penitentiaries, they were yet not by any means commonplace offenders. Many were men of superior birth and education—revolutionary writers, Irishmen gentle and cultured

who loved their country too well for their English Lords; expatriated preachers, lawyers, lords and sons of noblemen; even a monarch, the ex-King of Iceland, became a convict in Australia, having been transported for publishing a book entitled "The Reign of Christ, the Religion of Nature." No wonder that Barrington himself, but a London pickpocket, felt honored by the company with which he was surrounded in the prison settlement of Sydney: and in humorous verses of his own composition he used to recite:

"True patriots all, for be it understood
We left our country for our country's good;
No private views disgraced our generous zeal,
What urged our travels was our country's weal;
And none will doubt but that our emigration
Has proved most useful to the British nation."

By the criminal code of England, operating as late as 1824, there were one hundred and forty-five different offences for which the penalty was death; branding in the hand and transportation being the penalties for offences of lesser gravity. And in times of political turmoil many of those who crossed the sea in custody were men of advanced opinions, who had spoken out boldly against the wrongs they had seen around them. In point of fact, the very actions that would now give a man a reputation as a labor leader and help him to a seat in Parliament, then branded him as a man who was dangerous to society and whose only fit place was Botany Bay. The chapter on the "Six Men of Dorset" will bring this home forcibly to every reader.

The mortality among them is shown to have been so great that of the second fleet that sailed only fifty per cent of the convicts that left the United Kingdom arrived in Australia. In later years half-a-guinea a head was



Flogging a prisoner on the Triangle with Cat-o'-Nine-Tails
Note Scourger's marks on convict's back and Doctor timing and recording the strokes, which varied from 100 to 1,000.

paid to the surgeon for every prisoner he delivered safe and sound. Still later (transportation to Western Australia did not cease till 1868), these surgeon-superintendents had such inducements held out to them to pay the convicts attention, that a pint of wine and luxuries such as sago, sugar and lime-juice, were often granted to the prisoners. Their leg-irons were unriveted when well out at sea and on Australia being sighted the carpenter of the vessel usually had to invest each prisoner anew with his load of ankle-iron. The sorrowful faces of the prisoners on resuming their chains used to command the sympathy of all those who worked the ship.

The treatment of the prisoners on the coastal transport ships was barbarous in the extreme. En route from Hobart to Norfolk Island the custom was to shackle the whole of the convicts by the heels to an immense cable that ran from stem to stern, passed through the hatchway and was connected with the windlass; so that when there were any signs of disturbance amongst the prisoners a turn or two of the windlass would haul the prisoners' heels uppermost in the air and in this painful position they would be kept till the skipper considered he had given his victims a sufficient lesson.

At the establishment on shore suits of spiked iron were worn, and tortures inconceivable inflicted. The intention of the British Government was possibly, to offer the convicts an opportunity—through their good behavior and industry—of regaining some of the advantages they had forfeited; but this good scheme was stultified by reason of the tyrannical task-masters in whose hands lay the administration of the law they so little regarded.

In that land of lovely lake and waterfall, of sombre mountains towering to the skies, hiding beneath their forest-clad sides a wealth of gold and mineral deposits,

men slept in heavy chains, debarred from every privilege, and envied the very animals which enjoyed a freedom of which the prisoners could only dream. What wonder that the more venturesome amongst them should make a bold dash for freedom and plunge into the unexplored interior?

Freeing themselves from their leg-irons, they crossed the mountain gorges and passing through the dense bush, they scaled the lofty ranges to their very summit. From east to west extended rolling downs, besprinkled with the gorgeous flora with which Nature has decked the dormant solitudes of Australia. Large tracts of fertile plain where the aborigines roamed in undisturbed freedom, were first seen from mountain heights by felons who had lived for years in chains and who finally became inmates of the hulk "Success" at Port Phillip.

Vast changes have taken place since the days of those early criminal explorers. Vast changes have taken place, also, in the treatment of the criminal classes since the scandalous abuses to which we have referred, tarnished England's reputation.

For students of the criminal classes and of that great and difficult problem of prison-reform, the convict-ship "Success" must possess especial interest. The old hulk may be seen to-day practically in the identical condition in which she was when moored off Williamstown.

There are the double rows of dark cells, the "black-holes" and the "tiger's den." There are the mastering barriers, the flogging frame, the compulsory bath, and the various implements of punishment that were used so unsparingly in the past. Yes, and there are the convicts also; but, though lifelike and startling in their prison garb as they appear to gaze at you with their fierce eyes through the aperture in their cell doors, they are as harmless as their own dust that is now mingled with their mother earth in far off Australia.

PART II.

PRISONERS ON THE "SUCCESS"

A brief account of those who through some circumstances became famous or notorious and their connection with the "Success" as a Convict Ship

CHAPTER X.

The "Six Men of Dorset"

Of profound interest to Trade Unionists all over the world is the story of the Six Men of Dorset, to whom in May, 1912, a monument was unveiled in their native village of Tolpuddle, Dorsetshire, England.

These six laborers finding that the time had come when they could no longer keep body and soul together on the miserable pittance which their farmer-masters paid them, asked for a raise of one shilling a week. Such a startlingly impudent demand was flatly refused. The men held an informal meeting to consider their position. This was held to be conspiracy. The men were arrested on that charge and promptly sent into transportation for seven years, to be served on board the "Success."

And now so great is the change in the methods of criminal law and in the spirit of the times, that less than seventy years later a monument was unveiled to the memory of these early martyrs of Trade Unionism. The simple memorial which Arthur Henderson, the labor leader and Member of Parliament, uncovered was not only a monument to the Six Men of Dorset, as these victims of a cruel and barbarous system were called, but to the whole history of the progress of the workers and the progress of humanity.

As told by the leader of the labor party in Great Britain, Mr. Arthur Henderson, M. P., their story is a striking commentary on the gigantic strides made by organized labor in what is really but little more than a generation.

The times in which the events occurred for which these men suffered were very unsettled. In 1832, after much agitation, the great Reform Bill had passed. People were hoping for vast and much needed reforms. The great extension of the franchise had however very little effect in the villages, as the qualification for a vote was still so high that very few workers attained to the dignity of voters. The price of corn (the American wheat) was high, and what exasperated the poor so much was that the farmers, giving a lead to the trusts of a later day, refused to have their ricks thrashed. They withheld their corn for still higher prices. In consequence, some of the hungry people, out of revenge for withholding this corn, set ricks on fire, but no such case can be found against any of these men. Their employers had hired them to watch at night as they knew that they were trustworthy men, and as no rick fire occurred in their village it proved that such trust had not been misplaced.

The six agricultural laborers whose names are honored in the monument, lived at Tolpuddle, a slumbering

hamlet a few miles from Dorchester. Their names were George Loveless, James Loveless (both these men were Wesleyan local preachers), James Hammett, Thomas Stanfield, also a local preacher; John Stanfield, and James Brine. All were described as "honest, industrious God-fearing working men, whose only desire was to obtain better conditions of living for themselves and their neighbors."

Their reward was a cruel sentence of seven years' transportation beyond the seas. How was all this brought about? For many years previous to their arrest the price of food was very high and wages were low. The wages formerly had been nine shillings per week, which was first reduced to eight, and afterward to seven shillings per week. With such low wages, and it must be remembered that even these low wages were not always paid in coin, as the farmers often paid part of their wages in corn, generally of the worst quality, which was called tailings, only fit to feed the fowls with, and yet priced by the farmers to their unfortunate servants at the value of the best grain, they could afford to eat wheat bread only on Sundays, if at all. They could hardly afford to purchase meat unless, as a writer of the times, delicately put it, "a casualty occurred to one of the animals." Their principal food was barley bread, on which they would spread some boiled turnip instead of butter. Many may hardly believe such statements, but these are facts taken from the lips of people concerned.

While all these hardships were being endured it was reported in Tolpuddle that the farmers intended to still further lower the wages of their men from seven shillings to six shillings per week. This was more than human nature could endure. They had heard some talk about trade societies. They agreed to meet and consult. They had no faith in employers, magistrates, or parsons. They

had no vote to influence Parliament. They could not exist long under such conditions. They desired information how to proceed. Two delegates from a friendly society paid them a visit and they agreed to band themselves together and try and improve their lot. These meetings came to the knowledge of the landowners and farmers in the district, who seem to have been thrown into a panic. They met together and decided that this movement on the part of the laborers must be crushed out. Placards were posted containing cautions, signed by magistrates, threatening to punish with seven years' transportation any man who should join a union. The unfortunate laborers had never before heard that it was an offence against the law to act as they had done.

On February 24th, 1834, the Six Men were arrested. So simple were they in their innocence that they willingly accompanied the constable to Dorchester, little thinking that the next time they would pass that way, it would be as convicts in irons; that years would elapse before any of them would appear in his native village again, and that many of their relations and friends would be killed by grief, mourning for those whom they would rather have seen dead and buried than suffering the cruel sentence of transportation, for the horrors of the convict ships had penetrated to every heart in Britain.

In their innocent way these men walked seven miles to Dorchester with the constable, fully believing that after explaining to the magistrate that they did not wish to injure anyone and had no desire to break the law, and perhaps receiving some small punishment, they would soon be back again at Tolpuddle. They were sadly mistaken. As soon as they got within the prison doors they were stripped and searched, had their heads shorn and were locked up. A strange procedure truly, before they had even appeared before the magistrates.

They were then taken before the magistrates on a charge of conspiracy, their only reply being "We are not aware that we have violated any law." The magistrates, who were either landowners or large farmers, and who were the men who had issued the proclamation, made short work of the case, quickly sending them for trial.

The magistrates seemed convinced that some great conspiracy was being hatched, and that these men knew all about it.

The result of the trial before Judge Williams, who had a jury consisting of landowners, farmers, or of those depending on that class for their living, was a foregone conclusion. "This parody of justice, called a trial," wrote George Loveless; "the cowardice and dastardly conduct throughout are better known by all that were present than could be by any description that I can give. Suffice it to say, the most unfair and unjust means were resorted to in order to frame an indictment against us; the grand jury appeared to ransack Heaven and earth to get some clue against us, but in vain. Our characters were investigated from our infancy to the then present moment; our masters were inquired of to know if we were not idle or attended public-houses, or some other fault in us; and so much as they were opposed to us, they had common honesty enough to declare that we were good laboring servants, and that they never heard of any complaint against us; and when nothing whatever could be raked up against us, the unjust, cruel Judge Williams ordered us to be tried for mutiny and conspiracy under Act 37, George III., Cap. 123, for the suppression of mutiny among the marines and seamen a number of years ago at the Nore."

The charge of the Judge deserves notice for his remarks to the common jury when he said: "If they did not find these men guilty, he was certain they would forfeit the opinion of the grand jury."

With such a Judge and jury no mercy need be expected for the six Dorchester laborers. The verdict of "Guilty" was returned, and George Loveless handed to the Judge the following short defence: "My Lord, if we have violated any law we have not done it intentionally. We have injured no man's reputation, character, person or property; we were uniting together to preserve ourselves, our wives and our children from utter degradation and starvation. We challenge any man or any number of men to prove that we have acted, or intend to act, different from the above statement."

Two days after their conviction they received sentence. The judge, in pronouncing sentence, used these remarkable words: *"Not for anything that you have done, or, as I can prove you intend to do, but as an example to others, I consider it my duty to pass the sentence of seven years' transportation across his Majesty's high seas upon each and every one of you."*

George Loveless, one of the prisoners, wrote some verses and threw them to a friend on this occasion. One of the verses ran:

"God is our guide! From field, from wave,
From plough, from anvil, and from loom,
We come our country's right to save,
And speak a tyrant factions' doom;
We raise the watchword Liberty,
We will, we will, we will be free!

God is our guide! No swords we draw,
We kindle not war's battle fires,
By wisdom, union, justice, law,
We claim the birthright of our sires;
We raise the watchword Liberty,
We will, we will, we will be free!"

We now find these six poor laboring men, three of whom were local preachers, of each of whom their employers spoke well, and who had harmed no one, had by an infamous Judge and a subservient jury, "as an example to others," been turned into six convicts and sentenced to transportation and all the horrors that that involved. Their homes desolated and their relations ruined, they now awaited the carrying out of this cruel sentence.

George Loveless wrote a diary of his experiences which relates the horrible and trying ordeal they suffered on the convict ship "Success," then a floating inferno, vile, unspeakable and hideous, a shame and disgrace to the English nation and an affront to all civilization.

There were no trains running to Dorchester in 1834. On April 5th, 1834, with irons on their legs and locked to the coach, Loveless and his companions were taken to Portsmouth to be placed on the hulk "York," to await a convict ship that would carry them and others to Australia. He writes with horror of the sights he saw on the hulk—the clanking of the chains and the men being stripped. When ordered to put on the hulk livery, and when ordered to the smith's shop to have fetters riveted to his legs, his spirits began to sink, but his knowledge of his innocence, he says, kept him up wonderfully under the circumstances. After waiting at Portsmouth and working on the gun wharf until there were enough convicts to make a sufficient cargo, they were on May 17th taken on board the ship "Success" which was lying at Spithead. Her full complement of convicts was 240. Anchor was weighed on May 25th, and the next evening Land's End was passed, and so farewell to England.

The sufferings of convicts on the voyage were as the reader of this history must by this time have realised, always severe. The convicts on this ship found the jour-

ney no exception. Two hundred and forty men were shut down together and locked in prison, the greater part of them cruel monsters. A berth about five feet six inches square was all that was allowed for six men to occupy day and night with the exception of an hour in the morning and an hour in the afternoon each day on deck for air. No one was able to lie down at length to take rest.

The old convict ship "Success," as she stands to-day, gives an intimate and realistic impression of the terrors and horrors of the voyage these unfortunate men suffered. All that human or devilish ingenuity could do was done to make life on board miserable and unendurable to the wretched *deportees*. Heavily ironed, herded together like cattle, only treated with infinitely less consideration, subjected to constant floggings and endless brutalities, half the human cargo were dead or dying before the terrible journey was completed.

Comparatively good time was made on the voyage, as it lasted only four months as against the five or six months usually taken by the "Success" when carrying white slaves to the inhospitable antipodes.

In September, anchor was cast before Hobart Town, Van Diemen's Land, now called Tasmania. After a lot of formalities, Loveless with the other convicts was taken on shore. Here he was sent to work on Government quarries with what was called the chain-gang. He was afterward sent to work on the Government farm. Here the food was bad and accommodation was none of the best. He writes: "In our hut, in fine weather we could lie in bed and view the stars; in foul weather feel the wind and rain; and this added more than a little to increase those rheumatic pains which were first brought on by cold irons around the legs and hard laying: and which in all probability will be my companions until I reach the tomb."

In the meantime, while these men were suffering this martyrdom in the penal settlement at Botany Bay, something was happening in England. In that country there arose a mighty agitation for their release. Meetings were held denouncing the conduct of the Judge and jury. Large demonstrations were held calling on the Government to grant a free pardon. In Copenhagen Fields, London, one of these immense demonstrations was held from which a procession between six and seven miles in length, consisting of nearly 50,000 workmen, proceeded to the official residence of the Prime Minister, Lord Melbourne, for the purpose of presenting a petition with over 266,000 signatures on behalf of these six convicted peasants. Eventually this agitation succeeded in its object and the Government was compelled to grant them not only a free pardon, but also a free passage from Australia back to England.

In those days when there were no submarine electric cables, months were bound to elapse before the good news regarding these free pardons reached Australia and still longer before the men principally concerned, who were separated and up-country, heard of the glad tidings. Imagine the surprise of George Loveless when he accidentally read in an Australian newspaper in its London dispatch that "Orders were forwarded that the Dorchester Trade Unionists were not only to be set at liberty but also to be sent back to England free of expense and with every necessary comfort." He waited three weeks and still hearing nothing from the authorities about his release, wrote an anonymous letter to a newspaper inquiring whether or not what he had read was true. This letter had the desired effect, but it was only after the lapse of several weeks that he eventually received from his Excellency, the Lieutenant-Governor, the pardon to which he was so justly entitled. One difficulty after another now arose, however, before matters could be arranged and he

and his fellow martyrs could find berth on a suitable ship, but on January 30th, 1837, George Loveless and his companions sailed from Hobart Town, Tasmania, for London which city was reached on June 13th following. These men who were sent away as felons in irons were on their return received as heroes and marytrs and now their memory is perpetuated in stone outside the little village chapel in which these poor victims of an iron time worshipped in all sincerity and earnestness.

CHAPTER XI.

Captain Melville

"Captain Melville," whose real name was Frank MacCallum, was transported at the age of eighteen for the trivial offence of stealing a potato pie from a cart in a street of his native village of Paisley, in Scotland. His case impresses upon one very strikingly the fact that men were transported in those days for the most petty misdemeanors. A sentence of death was usual for offences even as trivial as this, well into the Nineteenth Century, and thousands were transported yearly for offences that now would bring a reprimand, or at worst a slight term of imprisonment.

Many of the convicts who served their sentences on the "Success" were transported for no more serious offences than stealing a few geese on a Yorkshire common, forging a tenpenny stamp, or an act of the most petty larceny, as in Melville's case. The description of the offences for which the early convicts were sent out was often purposely omitted from the official records, as can be seen on examining the many original "conditional pardons" shown now in the saloon of the "Success."

Captain Melville arrived at Port Puer, Port Arthur, Tasmania, in the transport ship "Minerva" (originally one of Nelson's old flagships), with one hundred and forty-eight other prisoners. The condition of society, the admixture of bond and free, and the conduct of those in power, gave rise to the remark that at that time there were but two classes in the Colony, viz: "those who were in gaol and those who ought to be." Naturally a bold and

determined man, the cruelty to which he was subjected made Melville a dangerous, designing ruffian. Escaping from the "chain-gang" he lived a lawless life for years in Van Diemen's Land. There, for robbery at Launceston, he was sentenced to seven years' imprisonment, but escaping from custody, he found his way as a stowaway to Port Phillip, where he became the leader of an armed band of bushrangers and brigands. The robbery of the McIvor gold escort gained him much notoriety. He contrived, however, for years to escape the meshes of the law most skillfully.

The following incident will show the daring and softer qualities that were so strangely mixed in the character of this clever rogue. Upon one occasion he made an uninvited appearance at the station of a Mr. Keenan, in the Wimmera District of Victoria. The mother and daughters were dressed in evening attire, ready to start for a musical party at a neighboring farm, but Melville, with many regrets and apologies, said that he must request them to give him the pleasure of their company instead.

With a loaded revolver in his hand, he summoned everyone—servants and all—to the drawing-room, where choosing a seat near the piano from which he commanded the door, he sat himself down to enjoy a musical evening. At his special request, one of the young ladies sang a lullaby, which seemed to rouse the musician's soul within this desperate character. He then sat down at the pianoforte and played an exquisitely soft and dreamy melody that excited the admiration of the whole company. Suddenly a heavy footstep was heard upon the verandah and the next moment an excited sergeant of police stood in the open doorway. Melville sprang to his feet and instantly covered him with his revolver.

"Surrender," demanded the bushranger. The sergeant, taken completely by surprise, darted backward

and banged the door, holding the handle with both hands. He shouted to his men for assistance, but Melville had by this time jumped through the open window and disappeared among the brushwood, just as a red-faced and breathless trooper came too late upon the scene. The officer swore loudly at the constable and fired his rifle at the retreating form of the outlaw, but the shot went wide of its mark. "Secure his horse," shouted the sergeant; but they were again too late. A shrill whistle, which was answered by a whinnying from Melville's black mare was heard, and Melville with a burst of ironical laughter leaped on her back and was gone like a flash.

Of the many hairbreadth escapes and brushes with the police which this extraordinary man had, the following, often told by himself on board when serving on the "Success," will serve as another example.

A reward of £1,000 was offered by the Government for his capture, dead or alive, but for many years he successfully baffled the police. At last he was sighted upon a jaded horse, skirting the spur of a mountain range and five troopers from the "ovens" district immediately started in hot pursuit. The outlaw at once spurred on his horse, and on their gaining the level country the trooper's inferior steeds balked at the country fences and only two were able to follow the bushranger in his flight. Melville's fine black mare was gradually outdistancing his pursuers when, on looking backward to see what progress the police were making, he was suddenly thrown to the ground through coming in contact with the lower branch of a eucalyptus tree, and his horse galloped away. He was rendered insensible by the fall, and on recovering consciousness found that he had been secured, and was bound hand and foot with the new rope halters used by the troopers.

As it was two days' journey to the nearest town where they could place their prisoners safely under lock and key, they made a halt for the night, built a camp fire, as is the custom in Australia and the two constables slept one on each side of their prisoner. Judge then of their surprise at finding on their awakening in the morning that their bird had flown! During the night Melville had crawled stealthily on his hands and knees to the camp fire and holding the ropes that bound his wrists across the smouldering embers, the flax soon parted and his hands were then free to unshackle his limbs.

The daring man stood free in the middle of the sleeping camp; but not content, he robbed the troopers of their very rifles and galloping away on their swiftest horse was once more in his home in the mountains.

It is strange to relate, at a wedding party at Geelong that Melville, the bushranger, was ultimately arrested. In the excitement of the evening's festivities and under the influence of the wine-cup, he incautiously boasted of his powers in baffling the police and so was betrayed by one of the women among the company, who sold Melville, no doubt, to obtain the high Government reward. When arranged for trial, so many charges of highway robbery were preferred against him that he was sentenced, in all, to thirty-two years' imprisonment. It may here be remarked that in the identical cell which bears his name on board the hulk "Success," Melville served several years of his long and severe sentence. His very daring and intrepidity whilst a prisoner brought him under the thumbscrew of authority and each act of insubordination increased the rigor of the methods employed to curb his indomitable spirit.

After he had been some time on board the "Success" the report went around that Melville was converted to religion: his demeanor was that of abject contrition, and

Some of the punishments used on the "Success," including Triangle, Cats-o'-Nine-Tails, Leg-Irons, Punishment Ball, and other abominations used on board.

he prayed that he might yet be made the means of assisting in the conversion of his fellow-prisoners. At his request he was provided by the Chaplain with books for his moral instruction and he actually made a commencement on a translation of the Bible into the tongue of the Australian aborigines, with whose language he was remarkably conversant, having lived for years among the blacks.

The Chaplain was so highly gratified at having made such a remarkable convert that the rigorous punishment was relaxed and Melville gained the privilege of working at the quarries. About five o'clock in the afternoon of the 22nd of October, 1856, forty or fifty prisoners were mustered at the little stone pier for the return to the "Success," and then entered the launch provided for their accommodation, Melville being among them. The convicts were noticed by Mr. Jackson, the keeper of the neighboring convict ship "Lysander," to be crowding toward the bow of the boat, and he ordered four or five of them aft to bring the boat into proper trim. With the towing boat (manned by four or five sailors from the "Lysander," and with Owen Owens as guard) about four yards distant, the barge moved from the landing place. When two hundred yards from the shore, the pious Melville gave a signal, the convicts seized the towline and hauling it up, scrambled into the smaller boat and threw themselves upon its occupants.

The guard Owens was thrown by Melville to the bottom of the boat, and the sailors being ordered to jump overboard, offered no resistance being in their hearts very glad to be quit of such company. Nine convicts, all in irons, commenced rowing vigorously with the insane idea that they could escape from the harbor. A fusillade was promptly opened upon them by the sentries of the "Success," and the convict Hill, the forger, was shot through the neck, his place as oarsman being taken by Harry Power.

Up to this time the guard Owens was clinging to the thwarts of the boat in terror. An attempt was then made to fling him overboard, but he resisted, upon which the ruffian Melville smashed in his skull with three blows from a heavy stone-breaking hammer and then threw him overboard. As the blood-stained body floated by, Melville waved the hammer dripping with blood, over his head, kissed his hand to the unarmed warder in the barge and cried, "Adieu, at last, to Victoria and the old "Success," imagining that he was safe from recapture. But Sergeant Waymand, in charge of the water-police boat, quickly gave chase and when escape seemed impossible and a return to the "Success" inevitable, a convict named Stephens, remembering the tortures to which he had been subjected on board, shouted "I prefer this," and, ironed as he was, jumped overboard and instantly sank.

The affair had thus caused the death of Owen Owens, the warder; John Turner, one of the seamen, who was drowned, and Stevens, the convict. The murderers on being challenged surrendered and were ignominiously taken back to the hulk, manacled and thrust into their cells. The convicts implicated were all long-sentence prisoners: Melville, 32 years; Power, 14 years; Murphy, 12 years; Johnstone, 13 years; Harris, 12 years; Fielder, 15 years; MacDonald, 9 years; and O'Ready, 22 years. Melville, as he was being more heavily ironed, mocked the officials and in dumb show, pointing to his neck, intimated that he expected to be hanged for that day's exploit.

On the 19th of November, 1856, the trial of the nine convicts commenced at the Melbourne Criminal Sessions. They were all charged with the murder of Owen Owens and were separately arraigned, having exercised their individual right to challenge the panel. Melville was tried first and defended himself.

Melville addressed the jury and called to God to witness that he had not struck the blows. He said he had been most cruelly treated on board the hulks and that efforts had been made to provoke an outbreak so that the men might be shot. On first going on board the "Success" he had, he said, been cruelly beaten by thirteen men and thrown in a small dungeon two feet feet six inches wide and there he lay in irons for five days and six nights, his food being placed within his sight but out of his reach. His story was that when attempting to escape after Hill was wounded he was tending him as he lay in the bottom of the boat, when Stevens struck Owens twice and said, "I've done it now," and "I prefer this," and he then jumped overboard. Some others proposed to commit suicide in the same way to escape capture, but he dissuaded them. When he finished what was described by the press as "a very telling address," he called the eight other prisoners, who all swore that it was Stevens that had struck Owens; that O'Ready had endeavored to prevent him; and that at the time Melville was tending the wounded man, Hill.

For the Crown, it was urged that the prisoners had concocted the story, throwing the guilt upon the dead Stevens and that the evidence of convicts should not weigh against the testimony of the Crown witnesses. The jury after deliberating for three-quarters of an hour, found Melville guilty, but were not unanimous as to his being the one who struck the blows. Melville was sentenced to be hanged but as he had been originally sentenced to labor on the roads and as no warrant had been produced for his transfer to the prison hulks, the point was raised as to whether the prisoner was in "legal custody" when attempting to escape. In the following month the full Court upheld the objections and the conviction was finally quashed.

Melville's trial was followed by that of Harris and Fielder, who were defended by Dr. MacKay. They were found guilty, but were strongly recommended to mercy by the jury on the ground that they had not struck the blows which caused the death of Owens. The remaining six accused were arraigned during the following week and tried together. They were defended by R. D. Ireland, with the result that the jury brought in a verdict of "not guilty." This verdict was, no doubt, partly due to the impression that had been made upon the public mind by the disclosures in the previous trials and by the letters which had appeared in the press, showing that the convicts were goaded to desperation.

The following anecdote of this notorious convict shows also the deep plans he laid for escaping from the dull monotony and cruelty of the life on board. On a certain occasion he had expressed a wish to have an interview with a Catholic priest. The request having been duly considered, was very properly acceded to, but as the result showed, no religious motive had prompted this hardened sinner. The clergyman was sent for and every facility was given the purpose of his visit, but scarcely was he left alone with "Captain Melville," than to his infinite surprise he was ordered by the prisoner to strip off his garments and change with the convict. The church, however, proved militant; the reverend gentleman showed a bold front, threatened instant exposure and to give an alarm if the least attempt at violence was made.

The baffled ruffian therefore had to put up with further disappointment. He subsequently found means, however, to communicate again with his visitor and had the extraordinary coolness to ask him to come a second time and to bring with him an extra priestly costume. Needless to say this modest request met with no response.

Melville did not long survive the commutation of his sentence. One morning he was found in his cell strangled to death by his neckerchief. The opinion was held by some at the time that he was strangled by officers of the "Success," who knew that he was possessed of a secret the publication of which would have involved the expulsion of one or more prominent officials. The verdict of "suicide" was declared by those who held this opinion to be merely a screen for the murderers of this unhappy wretch. How far the suspicion of foul play was justified it is, at this disturbance of time, impossible to say. Certain it is that in the absence of direct incriminating evidence, nothing would be more reasonable than to suppose that Melville, seeing the hopelessness of his fate, should prefer self-inflicted death to the hideous future which confronted him.

A most interesting romance might be made out of the career of this remarkable convict. A visitor to the "Success" during its exhibition in London, whose name was Melville stated that he had been for years searching for information on behalf of a female relative, respecting a lad who had left Paisley as a prisoner many years ago and who was transported to the antipodes. A large sum of money to which Melville would have been entitled, was in dispute; and an accomplished London lady who as a child had been sent back from Australia to Scotland, was seeking for information as to her antecedents to aid her in establishing her claim. One of the officials on board remarked that the notorious Melville, of "Success" celebrity, had a marked peculiarity, which was mentioned in the prison records, viz., that the lobes of his ears were strangely formed. The ears of the visitor also had this peculiarity, which seemed to establish a relationship with the dead man. A young clergyman, years ago contracted

an affection for the lady to whom we have referred, and after their marriage he had raised himself to a high position in the denomination of which he is now regarded as one of the leading lights.

The question to be settled is whether Melville, alias "Captain Melville," alias "Thomas MacCallum," alias "Thomas Smith," a ship's carpenter by trade, was the father of the wife of this now distinguished scholar and eminent English divine.

CHAPTER XII.

Hugh Doogan

Quite a large proportion of those who were sent out to Australia in prison-ships were convicted of poaching. From the time of William the Conqueror, when men's eyes were put out for killing a hart, the game laws have always been among the most priceless treasures of British criminal jurisprudence. The young man who shot a hare or partridge was sent to Botany Bay in the same ship with the murderer or the habitual criminal. A love for sport and a borrowed gun have sent more good colonists to New South Wales than any other impelling power save the goldfields. We have now before us the police history of one of those juvenile poachers, drawn up in the Convict Superintendent's office for some purpose of which we have no present indication, in 1851.

The name at the head of the faded document is "Hugh Doogan," and it appears from the record that he was convicted in Dublin, 1838, of snaring pheasants and sentenced to transportation beyond the seas on the "Success" for a term of seven years. God knows what history of domestic woe is summarised in these three or four official lines, but that there was something of the kind we may be certain, for the lad was only 18 years of age. Like thousands more he was huddled below deck out of sight and floated away in due course into what he and the thousands like him doubtless regarded as the veritable underworld. He arrived in 1839, took his place among the working convicts and proceeded to exemplify the working of the system in his own microscopic way.

It may here be remarked as a singular circumstance amply borne out by facts and figures that these young Irish convicts, sent out for petty offences, formed the class out of which the convict system produced its worst and most characteristic results. It is well known that the nationality of these men subjected them to a great deal of harsh treatment and their own impulsive temperament smarting under a sense of injustice both political and personal, seems to have added whatever was necessary to make them promising raw material for the operation for such a system.

This Hugh Doogan was in the colony just nine months—about long enough, we may suppose, to give his fetters time to bite—when we find him, by this record, sentenced to 36 lashes for being absent without leave from the farm to which he had been sent.

After this first step the descent to hell was easy. Six months later we find him sentenced to 50 lashes for disorderly conduct, and 12 months after that to 50 lashes for neglect of work. Six months later he was locked up in the cells for 14 days for drunkenness and as this treatment does not appear to have recommended itself to his capricious approval, we find him absconding as soon as he got out of his exquisite little cell. He was captured and sent to the treadmill for two months and six months after he finished his arduous labors in that capacity he achieved six months in irons for drunkenness and assault.

Six months after his release again—the unfortunate we now have under the lens seems to have generally kept within bounds for six months at a time—he was sent to Cockatoo Island for the remainder of his sentence. There is no reason given in the record for this step, but perhaps the authorities thought it a pity to neglect such a promising instance of the success of the system by leaving its

development to mere chance. He was quiet again for just six months, when the records say he was sentenced to seven days' cells for disorderly conduct; but this does not seem to have discouraged him, for we find him nine days later sentenced to two months at the treadmill, also for disorderly conduct. Two months after that was over he took it into his mind to assault someone—a keeper, perhaps, for he was sentenced to nine months in irons for his little freak. Sent to Blackheath, he ran away from the stockade there when his period was over, and there is no sentence recorded. It would be useless to speculate, why? But at the end of 1846 we find him sentenced to twelve months in irons for repeatedly absconding, which was a bad habit. Six months after that he again ran away, though in what miraculous manner he did so, this time the dry record before us disdains to tell. At all events, he was sentenced to 12 months in irons for his feat a week later, so we may guess that Mr. Doogan did not succeed in running very far away.

Bearing up under his difficulties, he made another attempt to add to his record three months later, when he was sentenced to 14 days' cells for bad and abusive language, which was wrong and no doubt thoroughly inexcusable. But two months later we find him dancing on the treadmill again for two months because he once more tried to run away. He does not appear to have taken the same interest in the experiment of which he was the subject, as the reader does, possibly, but then some allowance must be made for the personal equation in these matters. Bad and abusive language, four months later, sent him for fourteen days to the retirement of his little cell and in two months more we find him at the treadmill again for another eight weeks for absconding.

Then for nine months we hear nothing further of him. We have now brought this specimen up to the end of 1847. His original sentence was for seven years, but

he has already spent nine in penal servitude, so that we may infer that at about this stage Hugh Doogan was released. During the period of his servitude we can connt 16 subordinate sentences recorded against this man, who came to the colony a mere boy whose crime was the snaring of pheasants. One hundred and thirty-six lashes are recorded here, five weeks in the cells, six months at the treadmill, and three years and three months in irons. Add to this the miseries of the ordinary convict's lot when not "under punishment," and we get a fair idea of the educative agencies brought to bear on this poor wretch, who entailed on himself a career of life-long misery for stealing a brace or two of birds.

Turned adrift at the expiration of his term, as we suppose, it is not difficult to realise his position. This item of humanity had no experience whatever of life outside his eighteen years of rustic simple boyhood and his nine years under the convict system. Of the outer world he knew nothing. Had Mr. Doogan been hanged at this point in his career and his mental state diagnosed by an autopsy of the brain—supposing the operation effectual for such a purpose—it would doubtless have been found that the universe for him consisted of a squire and a gamekeeper, a judge and a court of justice, a prison-ship and the chain-gang. This suggests a pretty metaphysical study, which we will not pursue. Only it might be pointed out that whatever the scheme of creation may be, a creature in the position of this Hugh Doogan could have no part or hope in it. Under the circumstances what was he to do—cut adrift, as he was, among people who had nothing in common with him except in one point?

He solved that question in the only way open to him and joined the only people who had anything in common with himself. For in September, 1848, we find him tried at the Maitland Criminal Court for horse-stealing, and

sentenced to 10 years' hard labor on the roads or other public works of the colony. This was a signal triumph for the system as a manufactory of criminals. It was as certain and as sure in its operation as the grinding of the mills of God, and the boy who entered under the yoke emerged at the end of his sentence a graduated and hopeless felon, ripe for the gibbet, and unfit for anything else in the existing state of the criminal law.

And just here occurs a singular entry in the police history before us, which is susceptible of at least one explanation, and we can think of no other. On the same date that the last sentence was recorded, Doogan, who arrived by the convict-ship "Success," was charged in the name of Henry Herbert, per ship "Maugles," and sentenced to 12 lunar months in Sydney Gaol for horse-stealing. Unless Mr. Doogan was imported in sections, in two different ships, there was clearly something wrong here. But in the face of so much that was flagrantly wrong there is no room left for astonishment at any trifling detail of this kind. At any rate, our specimen took his place again among the convicts and one month later we find him going to the cells for 14 days for refusing to work and threatening the overseer. For 12 months he is quiet again, when we find him discharged of an imputation that he had been fighting in the mess-shed. Five months after that he is sentenced to 14 days' cells again for outrageous conduct in the office; and so far as this record shows or is concerned, that is his last appearance on that or any other stage. Whether he died under the system, or was released and reclaimed; or if this ink-faded and patched document bearing date February 11, 1851, was compiled for the information of a judge whose duty it may have been to sentence Hugh Doogan to the last penalty of the law, there is no evidence before the writer to show.

The rest of this man's dismal story is lost among the tens of thousands of life-stories that lost themselves blindly among the horrors of the convict system, as feeble summer creeks in the Australian interior trickle and lose themselves among the desert sands. This, then, is the story of a convict in the forcing-bed of crime which is meant when we speak of the convict system. We have seen him pass through all the stages, just as a college bred youth passes through all his academical degrees to become a doctor of divinity, or a piece of crude ore through its processes to come out a needle or an anchor. And just here as the mechanical processes could not produce a fish, for instance, but must needs result in a needle or an anchor according to the design of the artificer, so even this rustic lad could not emerge from the system from which he was passed in any other form than that of a confirmed criminal. Such a system would have sufficed to barbarise a philosopher; and assuredly this poor pheasant-filcher was not such. His ultimate end, therefore, as to what became of Hugh Doogan, it leaves very little room for speculation on the subject.

So far as essentials are concerned, the system is the same to-day. The criminal chooses his career in the first instance and so far the responsibility rests with circumstances over which he has more or less control. But once his choice is made, there is no escape from it. Even to this very day we have every appliance for punishing and distinguishing those who break the law, but few for reforming them. All authorities on prison discipline admit the fact and their only reason or excuse is based on considerations of expense. By-and-bye someone will discover that this ground is untenable, and that law-breaking may be minimised under an enlightened and philosophic system which will recognise the fact that crime is a necessary evil, but that its propagation is not a necessary state function.

CHAPTER XIII.

Daniel Morgan

Bushranger, Incendiary and Murderer

And now here is a bird of a different plumage. The visitor to the "Success" can hardly fail to be struck by the villainous face of the red-shirted figure standing on the left of "Captain Moonlight." His black, shaggy hair, bushy eyebrows, and fierce, restless eyes mark Daniel Morgan as no ordinary criminal.

One recoils instinctively from this heartless, cold-blooded villain who put so small a value on human life. Morgan's real name was Fuller. He was born at Campbelltown in the year 1830, being the illegitimate offspring of a man named Fuller and a woman named Owens. Her father was a costermonger or hawker, and afterward for many years was a barrow-man in the Haymarket, Sydney. His mother was a well-known character, who was called by her associates "The Gypsy." Like most children born under such circumstances, young Fuller received as the saying goes, "more kicks than ha'pence." An old man who was known by the nickname of "Jack the Welshman," seeing the treatment to which the child was subjected, decided to adopt him and young Morgan remained under his benefactor's roof until he was seventeen years of age. He then migrated to the Murrumbidgee and was employed as a stockman until 1854. One day he announced his intention of proceeding to Bathurst to see his mother, who he had discovered was living in that locality. Two horses, however, also disappeared from the homestead. Accounts now came to hand of daring robberies accompanied by the most brutal violence, which were very soon proved to be

the work of this notorious convict. Unfortunate wayfarers were fastened by him to convenient trees, in which helpless position he would taunt them by holding his loaded revolver close to their fear-stricken faces; after which he would leave them to perish of exposure and starvation.

The districts over which Morgan exercised such terrorism were Albury, Gundagai, Wagga-Wagga, and Narrandera. Morgan "stuck up" a Mr. Gibson at his residence near Piney Ridge and by menaces obtained a check to the value of £90. He next visited Messrs. Stitt Bros.' Station at Wolla-Wolla, and, having ascertained from the servants the manner in which their master treated them, he ordered rum to be brought for the whole company.

He next directed his attentions to a station at Mittagong owned by a gentleman named Vincent, who it appears had given the police information as to the whereabouts of Morgan. Morgan quickly set at rest all doubts as to his still being in the vicinity. A few days later he called upon Mr. Vincent and making him a prisoner, ordered some of his employees to bind him to a fence. This order, although obeyed, was not executed to Morgan's satisfaction; he commanded the men to draw the strands that bound Mr. Vincent "much tighter." The straps were drawn so tight that it almost stopped the circulation of the blood; and Morgan, standing before the hapless settler, mockingly said, "You are the man who gave the police information of my whereabouts. They have not taken me, you see, so it is my turn now; I will give you five minutes to live, and allow you the privilege of communicating any last wish or desire to your wife and family."

Upon the arrival of Mrs. Vincent and her daughters, they took in the situation at a glance. They screamed and almost fainted with fear, and implored Morgan to spare the life of his victim. Their supplications and prayers

seemed to influence the outlaw in favor of sparing Mr. Vincent's life and he then offered the latter his choice, either to be shot, or to have his woolshed and its contents burned. Mr. Vincent urged that he did not want to be shot, but he also did not wish the woolshed to be burned as several brothers and sisters had equal shares in it with him. To these entreaties Morgan turned a deaf ear and promptly ordered a fire-stick to be applied to the hayricks and woolshed. Upon this huge bonfire he bade the shearers to heap a new dogcart and harness, together with all the provisions and account books of the business transacted at the station.

Fiendishly gloating over his cruel work, Morgan then went his way, leaving the unfortunate Mr. Vincent almost roasted alive and suffocated with smoke.

His subsequent deeds showed that robbery was not always the object he had in view. In Albany, at a station called Round Hill, Morgan paid a visit which was accompanied by some sensational incidents. Four persons connected with the station were seated in a room conversing at the time of Morgan's visit. They were Mr. Watson, the Superintendent; Mr. McNeil, the Overseer; Mr. McLean, the Cattle Overseer; and Mr. Heriot, the son of a neighboring farmer. Morgan quietly rode up unobserved, and dismounting leisurely, had the audacity to peer in through the doorway of the bedroom in which Mrs. Watson was putting the finishing touches to her toilet. The lady as if by premonition, turned round and met Morgan's gaze. He proceeded to the room in which Mr. Watson and his three friends were seated and presented his two revolvers at the party. He ordered one of the servants to bring him some spirits. Mr. Watson poured out a glassful, and offered it to Morgan, who, under the impression that it had been drugged compelled his host to

drink it himself. He next ordered his dinner to be served and told a man-servant to take his horse to the stables and feed and groom him.

After his meal was finished he mustered the station hands and gave word for all the available spirits to be brought for them to drink, adding as a reason for his own abstention that he had been drinking excessively for the previous week. This statement was no doubt true for his subsequent behaviour could only be likened to that of a maniac. Ordering his horse to be brought from the stable, the bushranger mounted but in doing so accidentally discharged one of his own revolvers. In his excited condition he imagined the shot was fired by one of the prisoners and fired his revolvers indiscriminately right and left at the stricken party. Young Mr. Heriot had his leg shattered by one of the shots and a bullet went clean through the right hand of Mr. Watson, who had raised it in protest. Morgan galloped round and round in a frantic state of excitement and on perceiving poor young Heriot lying helpless on the ground, dismounted and pressed the muzzle of his still smoking revolver close to the lad's temple. He was about to fire when the wounded boy made an imploring appeal for his life to be spared.

Morgan was moved by the lad's entreaties and even went so far as to consent to Mr. McLean going for a doctor. McLean had not proceeded more than two miles in the direction of Wolla-Wolla when Morgan, fearing that McLean's real object was to inform the police, hastily remounted his horse, overtook McLean and deliberately shot him through the back.

A magisterial enquiry was held as to the cause of McLean's death the result being that a verdict of "Wilful murder" was returned against Morgan.

Washing a Prisoner in salt water after Flogging.

Meanwhile Morgan was still committing the most atrocious outrages, the news of his violence and bloodthirstiness causing widespread terror through the whole countryside. The police used their most strenuous efforts to capture him, but without avail and the Government eventually offered the substantial sum of £1,000 as an incentive for the outlaw's friends to betray him.

A woman, whom the outlaws had found unprotected, was cruelly tortured by being held over a smouldering fire to compel her to tell the whereabouts of some valuables of which she protested she knew nothing. The poor woman a few days later died of her injuries together with the shock to her system.

On another occasion, riding round a spur of the ranges, Morgan deliberately took aim at a man ploughing in a field below and shot him dead—"Just to try a new rifle," as he afterward coolly explained.

From time to time the police had sighted him, but the horses of the police always failed them at the critical moment. Raid after raid was successfully made by the daring outlaw, who planted his spoil in his secret lair among the ranges. Apropos of this, we may mention that some years ago a lad who was exploring in the mountains came across a cave, screened behind luxuriant undergrowth. Inside, to his astonishment he discovered a wide-mouth bottle stuffed full with pulpy and mouldy five-pound notes and tarnished gold, the proceeds, as it was supposed, of one of Morgan's plundering expeditions.

But perhaps the most frightful instance of this incarnate devil's cruelty has yet to be recorded. At Edgeville Run he "tentpegged" a woman who had refused him rations, fixing her directly across a soldier-ant bed, such as are often to be seen in Australia. Her emaciated body

was found days afterward with the sparks of life just lingering, but, alas! all reason had fled. The torturing stings of the great red ants must have caused her excruciating agony.

At last two sergeants of police, named McGinnity and Smyth, succeeded in tracing the outlaw to a town named Tumberumba. After a long and hard chase they rode him down and McGinnity, together with Constable Churchley, exchanged shots with Morgan at short range. In the midst of this unique conflict the horses of the sergeant and the bushranger were shot dead simultaneously. The sergeant rushed forward and tried to grapple with the fugitive, shouting, "Now it's you or I for it." A desperate struggle ensued, both being muscular, powerful men. Every nerve was strained by each in the endeavor to gain the upper hand. As they strove, a loaded revolver in Morgan's belt accidentally went off and the plucky sergeant fell dead to the ground, having been shot through the spine. The other sergeant, Thomas Smyth, now came upon the scene and Morgan turning upon him with flashing eyes sent a bullet through his body. Thus two more tragedies were added to the already long list for which this miscreant was responsible.

Robberies with violence followed in such rapid succession that a few summarised examples culled from the newspapers of the time must suffice. The outlaw "bailed up" fifteen road repairers at Kyamba and set fire to their tents. Five Chinamen were ordered to strip and one was shot, dying in frightful agony. Morgan threw a sovereign and some loose silver into the river, being thoroughly disgusted at not having gained a larger amount. Three miles from there two buggies were stopped and the occupants robbed.

But the day of reckoning was drawing near. In consequence of the many cold-blooded outrages that were committed, the vigilance of the police was redoubled and Morgan finding that the district was getting too hot for him, sought safety across the border in Victoria. There he quickly resumed business by "bailing up" McKinnon's station, situated at Little River. He also subjected numerous carriers to "searching" ordeals, and obtained sums varying from £3 to £50. It seems that not one of these had the pluck to resist the outlaw's audacious demands.

Morgan then passed on to the Peechalba station, where he "bailed up" all the occupants, eight women and four men. A nurse-maid named Alice MacDonald made the excuse that the baby was crying and so managed to leave the room. On Morgan roughly intercepting her, she pluckily smacked his face which action so completely took the outlaw by surprise that he allowed her to pass. The girl then quietly informed one of the station hands who had been overlooked in the mustering. Morgan, happening to hear her talking, said angrily, "Who were you speaking to?" She replied that she was merely calling "Rufus," the dog. Morgan then prepared to enjoy his evening. A substantial meal to which the shearers were also invited to sit down, was served in style in the large room. Morgan sank into an armchair in a position that enabled him to keep his prisoners well in view. He drowsily remarked that he "always slept with one eye open." Toward morning he intimated his intention of taking Mr. McPherson's fastest horse, "Joan of Arc," which had gained a great reputation at the country races.

But the 9th of April, 1865, was destined to be a fateful day in his career. He was walking into the stable to procure the horse he had mentioned during the night, when a rustle in the adjacent thickets reached his quick ear. With an impatient frown he suddenly turned and saw

faces peering at him from all sides. Taking in the situation at a glance, he uttered a wild shout and made a dash for shelter. It was, indeed, a race for life. John Quinlan, a station-hand, stepped from behind a tree, took a sure aim at the retreating figure and fired. Morgan fell. The bullet had struck him at the back of the shoulder and had passed through his neck. As he lay dying, he said reproachfully, "Why didn't you challenge me fair and give me a chance?" He lingered in great agony for some hours and then in a fit of choking sank back and expired.

The £1,000 reward offered by the Government of New South Wales was paid as follows: £300 to John Quinlan, who fired the fatal shot; £250 to Alice MacDonald, the plucky nursemaid; £200 to James Frazer, who rode to Wangaratta for assistance; and the remaining £250 was proportionately divided among the several others who had contributed to bring about Morgan's downfall.

Of him it may be said that he was the most utterly heartless, diabolical demon that ever figured in bushranging annals. He exhibited a fiendish brutality toward his victims that was happily unique. It would be difficult to find in the coarse and bestial ruffian a single redeeming point.

CHAPTER XIV.

Charles Anderson

The Man Who Was Chained to a Stone

The case we now take is that of a transportee named Charles Anderson, and his career will illustrate the working of the old penal system. Charles Anderson was one of the thousands who fell under the merciless penal laws of their country and were sent out to Botany Bay. His father was a sailor who was drowned, leaving a wife and two boys. The mother died and the two children found their way to the workhouse and from that enlightened and painfully benevolent institution they were sent to sea. At the age of nine years Charles was apprenticed to a collier, served his term, and then joined a man-of-war. He was at the battle of Navarino, where he received a wound in the head. Now neither the collier nor the workhouse were good schools for getting a clear grasp of socio-economical questions, and whatever airy perceptions this good fellow had of these matters were further considerably knocked askew by that unkind buffet he got in the service of the King. The consequence of this was that when a little excitement or less rum overset the balance that held him between right and wrong, he incontinently toppled over into evil courses.

He was with a party of drunken sailors in a Devonshire seaport town one evening, and in the street row that naturally followed some shops were broken into. Charles Anderson was arrested, convicted, and sentenced to seven years' transportation to Botany Bay. The wound received in the service of the King was of little avail for him on that or any other occasion. Charles Anderson was now 18

years of age. No one said a word in his favor, and not a step was taken in his behalf. When he recovered from his semi-lunatic state he had no recollection of what had taken place. The judicial proceedings simply dazed him. He perhaps knew of no crime that he had committed, and for a lad whose life had been spent in the workhouse and at sea the action of the Court was likely enough, an absolute mystery. Before he realized what was going on, he was at sea again; not this time wearing the King's uniform but the fetters of a convict ship.

On his arrival at Sydney, after a voyage on the "Success" of which the miseries need not be repeated, he was sent to Goat Island. The unhallowed spot, which has a history of its own in the record of convict discipline, was a place of detention for English or first-convicted prisoners. The mental state of Charles Anderson at this stage is thus described in an article printed in an English magazine some years later: "Doomed to a punishment involving the deepest degradation," says the writer, "for a crime of the committal of which he was not conscious, the bitterest hostility against his kind took possession of his breast." This remark embodies the experience of every observer of the system, which embruted the men it was supposed to reform. "Utterly ignorant both mentally and morally," this article goes on, "he had little idea of patient submission, which, indeed, physical disease rendered impossible. No wonder, then, that violence created violence. His floggings were almost innumerable, but sturdy and staunch for good or evil, punishment had no effect on him. His was no spirit to give in to harshness, and kindness was never dreamt of." Under these conditions, this man may be regarded as having made a fair start. Goat Island kept Anderson two months, when he elected to retire. His views respecting penal discipline did not at all coincide with those of the individuals who held sway in Goat Island. He absconded, therefore, eluded

his keepers, and braving the sharks that were induced by judicious feeding to swarm around the island, swam ashore and made his escape. From this point his real enjoyment of the situation may be said to commence. He was caught, taken to the Sydney Barracks, and presented with 100 lashes for his activity. Then he was sent back to Goat Island where the authorities, scorning to be deprived of the wholesome fun that was justly theirs by any precipitancy on the part of the people at the Barracks, generously gave Charles Anderson 100 more lashes for the same offence and in a spirit of philanthropic reform added a sentence of 12 months in irons—also for the same offence.

During that 12 months he received exactly 100 lashes a month, being 1,200 in all, for offences which are recorded in the register as, "looking round from his work;" "gazing at a boat in the river;" and other such atrocious outrages. At the end of the 12 months he shed his irons and obnoxiously made use of the first chance opportunity to take his chance amongst the sharks once more. He escaped and of course was arrested again. Remember, the original sentence of this 18-year old boy was for seven years.

The Goat Island people acted with splendid decision this time. It is solemnly recorded that they first incontinently gave Charles Anderson 200 lashes for absconding, then had him tried for the same offence, gave him one hundred lashes more and then sentenced him to be chained to a rock on the island for two years. This humorous device was carried out.

"With barely a rag to cover him, he was fastened by his waist to the rock with a chain 26 feet long, and with trumpet irons on his legs. A hollow scooped out in the rock, large enough to admit his body, served for his bed and his only shelter was a wooden lid perforated with

holes which was placed over him and locked in that position at night, being removed in the morning." Chained up like a recalcitrant chimpanzee in this way, the unhappy youth was left such liberty as his 26 feet of linked iron afforded, to feed the aesthetic side of his nature with uninterrupted views of such matchless scenery as the beautiful harbor afforded; the other food he required was "pushed" at him we are told, on the end of a long pole. Sometimes one of the other prisoners would so far close their eyes to the humor of the novel situation that they would be led insanely enough to pity their poor comrade. One brutalised individual who had been a messmate of the chimpanzee, actually gave him a piece of tobacco. For this the good samaritan received 100 lashes at the hands of his gaolers, who could not understand such an abnormal eccentricity of sympathy toward a fellow-creature.

The humanising effects of the system on the general public were finely illustrated by the case of Charles Anderson. The good people made up little picnics and water-parties to see the chimpanzee. They regarded him as a wild beast, we are plainly told, and when they passed in boats would throw bread and biscuit at him as at a bear or a real chimpanzee, to see him bolt the morsels, or to hear the creature swear.

But we had better let an extract tell the rest of this part of the disgusting story. This is what we find in the English magazine we have referred to: "Exposed to all weathers, and without clothing on his back and shoulders which were covered with sores from repeated floggings, the maggots rapidly engendered in a hot climate feeding upon his flesh, he was denied even water to bathe his wounds, such denial being not an infrequent portion of the punishment to which he had been condemned; and when rain fell, or by any other means he could obtain liquid, he

would lie and roll in it in agony." On such occasions doubtless the water-parties would offer extra attractions. No word need be added to this except to remind the reader that this took place not in some remote convict pandemonium on a distant station on the interior, or away on a lonely rock in the vast Pacific, but on an island in the fairway of Port Jackson, almost within a stone's throw of Government House; and not in the time of Governor Phillip or of the New South Wales Corps of which mention has been made earlier in this history, but under the rule of Governor Darling and not much more than seventy years ago!

When Bourke arrived in the colony and heard of this horror, he lost no time in visiting Goat Island and personally enquiring into the circumstances. He saw the chimpanzee and tried to reason with him, offering to release him if he would promise to go back to work. But things had gone too far. Anderson refused to work, for he said that "if he worked he would be punished and if he did not work he would be punished the same." Bourke released him, however, and sent him to work at Port Macquarrie, away from the Goat Island associations. Here the gaolers devised new tortures. He was put to work carrying lime in baskets on his back from the kilns to some Government barges lying off the settlement. His overseer, Anthony, threatened that the lime and salt water should burn the flesh off his back, "and in effect," we learn "it did burn off the skin, causing excruciating agony." Anderson demurred and accepted an early opportunity that presented itself to run fleetly away from the uncongenial society of Mr. Anthony. He travelled several hundred miles on foot, suffering cruel hardships that were endurable to him since they did not come from his fellow-creatures. He

joined some aboriginal tribe, who were pursued by the police for having attacked and killed some settlers. These police captured Anderson and sent him back to Port Macquarrie, where Anthony gave him 200 lashes and returned him to his labor-gang.

But the monotony of these proceedings became simply fatiguing and eventually palled on Anderson. He lost all interest in Mr. Anthony's personal welfare and when a fellow-convict invited him to kill the overseer, Anderson accepted the invitation with effusion. He was tired of life, he said—and no wonder; he said he "would do the deed and be hanged for it." So on a pleasant morning when the sun was bright on the sleeping water, he smote Mr. Anthony on the ear with a spade, and that excellent man expired. The soldiers spitted Anderson with their bayonets and when he was taken to the hospital he was found to be wounded in five places. He was cured, tried in Sydney and sentenced to death, but some meddlesome fellow having most inopportunely made some remark about the case and its circumstances, the man was snatched from the gallows and sent to work in chains on Norfolk Island for the term of his natural life.

Here we lose sight of him, but only for a time. His record shows that during his residence at Norfolk Island he still continued to furnish encouraging results to the working of the system, insomuch that this Charles Anderson may be regarded as one of the best representative types the operation of the penal laws affords.

Captain Macanochie was the next person to interest himself in Anderson, and on his arrival to take charge of Norfolk Island he found his record to be 10 convictions for violent assault, three times scheming to avoid labor, and many charges of insolence and insubordination. Anderson was at this time 24 years of age, but, adds the

record significantly, he looked 40. He was now a desperate character and had been so for some time, in fact. According to official appraisal he was just the kind of a convict for which Norfolk Island was established—that is utterly reprobate and hopelessly beyond reform. The justification for the existence of that island of horror was the phenomenally bad character of the people found there, but the story of Anderson and of hundreds like him shows that these outcasts were regularly and systematically developed by the convict system and cultivated up to the phenomenal pitch of rascality which was the effect of the system and not its reason or cause.

When Captain Maconochie arrived he was told Anderson was "cranky" and his fellow-prisoners amused themselves, after the manner of their gaolers toward themselves, by teasing him and making him vicious. This was stopped and Maconochie took the case in hand. There were some wild bullocks running about the island and Anderson was placed in charge of these. He went by the nickname of "Bony" now, and a good many people thought mad Bony and his bullocks would come to grief. No one was allowed to interfere with him, however, and soon a marked change made itself apparent in the man.

"He became less wild," we read; "felt himself of some value, and won praise for his good conduct and successful management of his bullocks. He and they grew tractable together." But what a contrast between this poor wretch's treatment of his bullocks and his own treatment by his gaolers! Maconochie had heard of his being chained to the rock on Goat Island before he saw Anderson at all, and he humanely resolved to do his best to give him a chance among the rest of humanity; there were occasionally exceptions among the gaolers of the convict system. He watched his lunatic herdsman and "often were the anxious watchers of the experiment amused by

the first insight into criminal discipline which Anderson displayed in the treatment of his charge." The watchers were, "amused"; but the experience of the herdsman that taught him what he knew was probably not of an amusing character. No more blasting censure could be passed on the system than the story of this benighted and God-forsaken creature, thus turned from an honest sailor lad who in his own ignorant way served his country under fire, to a mad herdsman on this far away abode of despair. The experiment went on successfully, however, and it was observed that he and the bullocks seemed to understand each other, and that "he knew instinctively that high and strong tempers will not bend to the lash." Constant occupation strengthened and steadied his mind again and as he improved the old longing for something of his sailor-life came back to him.

Captain Maconochie found that his physical liability to excitement continued, and he was afraid to let him mix with his fellows. His constitution, too, was so shattered as to unfit him for heavy work. It occurred to Maconochie to erect a signal station on Mount Pitt, the highest point of the island, and to place Anderson in charge. Anderson's delight was extreme, for he now felt himself a man again and dressed in sailor's costume he soon regained the bearing of a man-of-war's man. The top of Mount Pitt was cleared, a hut built, and a staff with a complete code of signals provided. Anderson got a little patch of garden ground to till and keep in order. He grew the best potatoes on the island and every giver of a new flower was a benefactor. He showed his gratitude to Captain Maconochie by bringing every day a fresh basketful of potatoes for the use of his dinner-table and the signals were so well attended that the settlement at once knew if a sail was in sight.

There is a story that Sir George Gipps visited Norfolk Island about three years after Maconochie arrived and while driving one day Anderson was seen tripping along in his trim sailor dress, full of importance, with his telescope under his arm. "What smart little fellow may that be?" said Gipps. "Who do you suppose? That is the man that was chained to the rock in Sydney Harbor," came the reply. "Bless my soul, you don't mean to say so!" was the Governor's astonished rejoinder.

We will let an extract tell the rest of this story of Charles Anderson, leaving the reader to look for himself behind the curtain which in this perfectly authentic biographical sketch we have drawn inside for a moment from the vision of horror it covers up and conceals. From this and other instances we have given, the reader may judge of the whole system, and this story of one man's life is not told with any sensational object, but with a view to point a moral that has a direct interest for every unit of the population. The days of the convict system have gone. But our institutions are branded deep with old marks and the story of the past is the explanation of the present and the key and guide to popular action in the future. The extract which follows tells us the last we know of this victim of British laws that were highly approved of in their day, but which have been partially reformed in the light of democratic progress, just as the anomalies of the present will disappear one by one before the intelligence of the future.

"As he regained self-respect, Anderson revealed a noble, generous heart and a gay and sociable disposition; but his excitability eventually became madness, and not long after the benefactor who had restored him and hundreds like him to the feelings and duties of humanity was peremptorily recalled from the scene of his philanthropic labors, Anderson was seen in a lunatic asylum by one

whom he had known as a friend of the captain in Norfolk Island. The poor fellow recognised his visitor and spoke of nothing but Captain Maconochie and his family." Here his story finished, and no more black condemnation of the unspeakable convict system and its agents at Botany Bay could be imagined or found.

CHAPTER XV.

Owen Suffolk

The Prison-Poet of Australia

Owen Henry Suffolk, the son of a London merchant, was a junior post-office clerk who in a moment of temptation opened a money-letter. His character till then had been exemplary; still there was no First Offenders' Act then, so he was sentenced to be transported for seven years. He proved to possess conspicuous ability. His life was a constant struggle between his worse and better natures. In odd moments he wrote poetry. A verse from "The Dream of Freedom," written on board the "Success," will serve as an example:

"In the captive's dream of fancy wild,
He looked no more on the man of care;
His gaze was fixed on a beauteous child
Who knelt at his mother's feet in prayer.
Its little hands were clasped—its eyes
Uplifted were to Paradise;
Its simple words of faith and love
Were registered in Heaven above;
Recorded there with angels' tears
As they wept o'er the hopes the mother built.
For they looked through the vista of coming years
And saw it fettered to future guilt."

Yet he robbed the Ballarat and Bendigo mail coaches, stole horses, and being arrested, escaped again from gaol and became a notorious bushranger. The following lines were written while in the company and under the influence of highwaymen, association with whom only hastened his

downward career; he always expressed regret that they had ever appeared in print:

"It is not in a prison drear
Where all around is gloom,
That I would end life's wild career
And sink into the tomb.
For though my spirit's ever bold
Each tyrant to defy,
Still, still, within a dungeon cold
I could not calmly die.

It is not that my cheek would pale
Within a lonely cell;
It is not that my heart would quail
To bid this world farewell;
For if oppressed by tyrant foe
I'd freely be the first
To give my life and strike the blow
To lay him in the dust.

But place me in a forest glen
Unfettered, wild and free,
With fifty tried and chosen men,
A bandit chief to be;
'Tis there when fighting with my foes
Amidst my trusty band,
I'd freely leave this world of woes,
And die with sword in hand."

Yet Suffolk would be melted to tears at any recollection of his early life and home. By chance he saw in the "Missing Friends" column of the Melbourne Age, an appealing advertisement from his heartbroken mother in England imploring him to make his whereabouts known. He never answered the advertisement, but the following lines (discovered in his camp) will show his true feelings toward her:

Method of Branding Convicts. This was done on the Triangle with a red-hot iron by a warder who burnt the letter "M" (denoting malefactor) on the palm of the prisoner's hand.

"Mother! darling mother, you are seeking me, I know
And I feel thy love will follow through the world where'er I go;
But I cannot come, dear mother; I am sadly altered now:
The once fair wreath of innocence that garlanded my brow
Has faded ne'er to bloom again; and from the things of yore—
The fair, the good, the beautiful—I'm severed evermore.
My onward way must be a path of darkness and of pain,
But I must tread it all alone—I cannot come again.

Of all the changes that have come, I know that this will be,
Where all the changes have been sad, the saddest change to thee.
I know how much thou'lt weep, mother, for thy dear boy so lost,
And 'tis the sorrow thou must feel that makes me sorrow most.
I strove against this darker fate, I struggled, mother, long;
I starved and suffered months, mother, ere I was linked to wrong;
And even now good angels plead to win me—but in vain!
Once fallen is forever lost—I cannot come again.

I'm severed from thee by my sin, but cannot say "forget;"
Thy love is such a hallowed thing, I ask it even yet;
But let it be a memory that images all fair
The child that with uplifted hands in faith knelt by thy chair.
Think of me, mother, as I was when joy lit up my brow
And my young heart was innocent, but not as I am now.
Pray for me. This I know thou'lt do! but seek me not, 'tis vain;
I'd throw a shadow on thy home—I cannot come again.

They say that in the desert drear some greenness may be found,
Some oasis in contrast strange to all the waste around;
And even thus, within my heart, guilt-darkened though it be,
There is a love all beautiful that lies and clings to thee.
I'm weeping very bitterly, I cannot help these tears,
They are the tribute memory pays to joys of fleeted years.
Good-bye! God bless thee, mother dear! I sorrow for thy pain.
Oh! if I were but innocent, I'd gladly come again."

He served seven years of his numerous sentences on board the "Success." After all that dreadful discipline of darkness mostly, the natural course of time brought about his day of release. As he stepped free, his appreciation of the brightness of everything is well conveyed in the following lines:

I FEEL THAT I AM FREE.

"To me the sky looks bluer,
And the green grass greener still;
And earth's flowers seem more lovely
As they bloom on heath and hill.
There's a beauty breathing round me
Like a newborn Eden now,
And forgotten are the furrows
Grief has graven on my brow.

There is gladness in the sunshine
As its gold light gilds the trees,
And I hear a voice of music
Singing to me in the breeze.
There is in my heart a lightness
That seemeth not of me,
For to-day I've burst from bondage,
And I feel that I am free.

Free in the golden sunshine,
  Free in the fresh pure air,
Where the flowers of the forest
  In their wild homes flourish fair;
Free to thought, to give expression,
  To sing, to dance, and show
That the stern world has not crushed me
  With its weary weight of woe.
Are the years of care and sorrow
  But a dark dream of the past,
Or this new life but a vision
  That is all too bright to last?
How exultingly my spirit
  Flashes forth its newborn glee,
As amid rejoicing nature
  I can feel that I am free.

I have neither friend nor loved one
  To welcome me, nor home;
And lonely through the wide world
  As a stranger I must roam;
I know not where to-morrow
  To procure my daily bread,
And to-night the waving branches
  Must canopy my head.
But if I had a place,
  If of friends a gladsome throng,
If some darling one were near me
  To cheer with love and song,
If I'd riches which were boundless,
  No more joyous could I be
Than what I am, exulting
  In the thought that I am free.

Free in the bright glad sunshine,
  Free in the fresh pure air,
My heart with gladness throbbing,
  And on my brow no care.
There's the blue sky all above me—
  Not a prison-roof between—
And at my feet the flowers
  Nestle in the verdure green.
Hark! I hear the breezes singing—
  'Lift thy heart to God on high,
Who hath brought thee back from sorrow
  To this world of hope and joy.'
And the little nodding flowers
  In a chorus sing to me—
'If thy God from sin shall free thee,
  Then thou shalt indeed be free.' "

When the hulks were abolished and the prisoners were taken ashore, the Melbourne Argus offered a £100 prize in open competition, for the best essay on "Crime."

Under a nom-de-plume, Owen Suffolk won the prize with his "Days of Crime and Years of Sufferance," a really fine literary performance.

CHAPTER XVI.

Harry Power

" 'Power,' alias 'Johnston,' was arrested this morning at 7:30 A. M., in the King River Ranges, on the Glenmore run, by Superintendents Nicholson and Hare and is now lodged in the Wangaratta Watch-house. (Signed) C. H. Nicholson."

Thus ran the telegram notifying the Victorian public of the fact that Power, the Pentridge absconder, was at last made a prisoner. As an armed bushranger he had held the countryside in terror for many years, the good traits he occasionally displayed to some extent redeeming his character, being like glints of sunshine in an otherwise dark and misspent life. Women were always treated by Power with the greatest respect. Upon one occasion, when he was "bailing up" a mail coach full of passengers, a young lady who was greatly terrified at the sight of firearms, was handing Power her gold watch and trinkets with expressions of great grief, as the trinkets were a keepsake from her dead mother. Power politely touched his broad-brimmed hat and at once returned the trinkets to their owner, with the courteous wish that she would live long to wear them. This incident was truly characteristic of the man in his dealings with the gentler sex.

On another occasion a Scotchman named Hartley, on being "bailed up" on the road near Seymour, absolutely refused though at the point of the rifle, to part with his money. It was a boast with Power that despite his lawless life he had never shed blood, although as he afterward remarked, he feared this time that some might think

he was afraid to shoot a man. Without arguing the point Power stepped aside with the remark: "I'll give you just five minutes to think over the matter, and if, after that time you still refuse, I shall have to shoot you."

Power then knelt down behind a tree and fervently prayed to God to soften the heart of the obdurate Scot, so that the shedding of blood might be avoided. At the end of the allotted time Power again demanded the money, which to his relief was then handed over without a murmur. The story is endorsed by some engaged on board the "Success" at the present time, who heard it from the bushranger's own lips.

Power originally was transported for poaching and injuring the squire's keeper in the scuffle which ensued. As an early convict he escaped from Van Dieman's Land in 1848 and for horse-stealing and shooting with intent, was sentenced to 14 years' imprisonment upon the "Success." He was one of the gang that seized the boats when a warder and a sailor were murdered at the "Melville Rush." Having on his release adopted his old mode of life, he was again arrested after a great deal of difficulty, at Beechworth and lodged in the Pentridge Stockade on an eight years' sentence.

In 1869 he escaped through a bold trick, which may be worth recording. For his good behaviour he had been allowed to join a gang of prisoners and assist in hauling a go-cart filled with rubbish, from the inside of the gaol to some heaps in the surrounding grounds. As one of the loads which he had helped to draw was being emptied, Power, unperceived by the sentries, slid under the falling rubbish and became part of the heap. The other prisoners drew the cart back, leaving Power concealed beneath the rubbish, and moved off for another load, the sentries being ignorant of the fact that Power was missing

from the team. The convict anxiously listened till they had entered the gaol; then shaking himself free from the rubbish and making sure that the coast was clear, he made off as fast as he could into the brushwood.

Upon gaining the open country Power's convict garb branded with broad arrows, greatly terrified a country dame who was turning a churn, and her fears were not allayed by Power's imperative demand for an immediate change of clothes. Some weapon of defence was needed as well as clothes, so as a temporary expedient he fixed the blade of a pair of old shears into a cleft stick and armed with this rudely made lance, he startled an elderly prospector with the call to "bail up." He soon relieved his victim of his revolver and his money and then allowed him to pursue his journey in peace.

Power was the tutor of young Ned Kelly, who afterward played such a prominent part in Australasian outlawry. Indeed, at Mount Battery Station Kelly was very nearly arrested in Power's company. They were sighted by the police and several shots were exchanged. Kelly wanted to surrender, but Power scouted the idea and the pair galloped away together, Power's steed receiving an ugly flesh wound during the melee.

On another occasion Power was caught by the owner (Dr. Rowe) as he was in the act of skinning one of his lambs.

"Who are you?" the doctor demanded, "and what the devil do you mean by killing my lamb?"

"I'll —— soon let you know who I am,—get off those horses!" roared the bushranger, assuming an upright position and presenting his revolver.

"Oh!" exclaimed Dr. Rowe, rather crestfallen. "I suppose you are Power. I should advise you to give up this mode of life."

Power promptly replied, "I want you to give me a check on the bank at Mansfield for £200. You can send your man for it." And it was done. Power then mounted the doctor's superb horse and rode off. He coverved a distance of seventy miles the following day, his swift flight effectually baffling the police.

At last the officers received information which made them sanguine of tracing the escaped convict to his lair. A man, whose name was never disclosed, but who was referred to in official correspondence as "I—," volunteered to betray Power's secret hiding place. It seems that the outlaw had robbed a squatter of a valuable gold presentation watch, richly chased. Power sent the message to his victim to the effect, that he could have the watch back on condition that he forwarded the sum of £15. The police, with the assistance of their informant who was himself an old convict, proceeded to a lonely and mountainous part of the country. They were armed to the teeth and accompanied by a company of black trackers.

After undergoing great privations and a wearisome search, they succeeded in running Power to earth in a gunyah, in a lonely part of the ranges at the head of King River, Victoria. He was captured after a desperate struggle.

As he was taken to prison in a cart, he assumed a deal of bravado and held his handcuffed hands aloft to attract attention. He told the Judge in open court that if the Judge did not "draw it mild," he would return the compliments if they ever met in the "bush." At the Beechwood Assizes he received a sentence of 15 years' imprisonment.

Some years afterward influential ladies in Melbourne, notably Lady Clarke, remembering Power's chivalry to women, petitioned the authorities to reprieve the aged prisoner. They were finally successful and Sir W. J. Clarke offered him a home on one of his country stations. Power kept the station for several years, but becoming restless he visited Sandridge, near Melbourne, where the old "Success" was at that time creating a sensation as an exhibition. He told his story to the management and pointed out the very cell in which he had been incarcerated for so many years, the result being that he was offered the position of attendant on board. Power occupied a comfortable cabin just under the poop, where "he fought all his battles o'er again," much to the interest of visitors to the historic ship.

He was engaged to come to London, but the prison life on board the "Success" had ruined his health (his life had been one of intense hardship both as a free man and as a prisoner), and in a fit of despondency he wandered into the rural parts of Victoria and committed suicide in the Murray River, near Swan Hill, on November 7th, 1891—a sad end to a checkered career which had not been without its promise of better things.

CHAPTER XVII.

Gipsy Smith

This old inmate of the "Success" was nicknamed Gipsy on account of the swarthy complexion which is so marked a characteristic of those picturesque people who used to roam through England in caravans. The place and date of his birth and all particulars of the early part of his career, are wrapped in obscurity. He became intensely excited by the revolutionary utterances of the Chartist leaders delivered at a meeting held on Kennington Common. Several of the crowd were so carried away by the inflammatory appeals of one of the speakers that they rushed off in the direction of Southampton Street, Camberwell, and looted a large pawnbroker's shop. Gipsy Smith was one of the excited mob and most probably was one of its ringleaders. He literally loaded himself with as many watches and other portable valuables as he could conveniently carry. Upon being pursued, Smith plunged into the Grand Surrey Canal, which runs close by.

By "treading water" he was smoothly gaining the opposite bank. But the wary constables had anticipated the thief's manœuvre and quickly crossing, left several of their number on the other side of the canal, so that Gipsy Smith was "between the devil and the deep sea." Perceiving escape to be impossible, he surrendered and for this, his first known robbery, he was sentenced to 12 years' transportation to Van Diemen's Land. He escaped from prison by some means, but he was quickly recaptured and sent to Norfolk Island. Here, in the year 1854, he again eluded the vigilance of his captors and made his way to Victoria, where he resorted to bushranging, but he was recaptured at Ballarat.

A curious instance of the practice of wearing charms, often affected by the gipsy element, was shown to have existed in his case. His faith rested upon a simple battered coin, which he prized with a superstitious regard. A visitor to the "Success" made an interesting entry in the Visitors' Book bearing upon this matter, as follows:

> "John A. Lewis, late Inspector of Police. I am now in possession of Gipsy Smith's crooked sixpence, which I took from him when he was arrested. He said at the time he did not expect further luck as it had been his talisman."

Gipsy was handed over to a mounted trooper who was to escort him to Melbourne. He was already handcuffed and the precaution had been taken of tying his feet beneath the horse's stomach. They arrived at a small roadside hostelry and Smith, who was exceedingly affable, earnestly begged the trooper to allow him to have a drink. His custodian at first refused, but at length consented. He unfastened the ropes that bound Smith's legs and even helped him to dismount, when Smith had the further audacity to plead for the removal of his handcuffs, that he might raise the liquor to his lips. Smith pleaded so long and earnestly that in the end the officer foolishly complied with this second request.

In an instant Smith had seized the trooper's sword and had drawn it from its scabbard. He then commenced a murderous onslaught upon the unfortunate trooper, who pluckily defended himself with the empty steel scabbard. The trooper parried the furious lunges of his antagonist with admirable dexterity and after a protracted and desperate hand-to-hand encounter, Smith was finally overmatched and throwing down the trooper's sword, took to his heels. The officer returned minus his prisoner and was severely punished for freeing Smith from the handcuffs and leg-ropes.

No news of Smith's whereabouts reached the police for about two months, when an important clue came to hand and was promptly acted upon. A cordon of men was drawn round a tent in which Smith and a newly-found companion were rumored to be sleeping. A constable named Moore boldly entered the tent to effect the recapture of Gipsy, but the latter and his mate were on the alert and poured a deadly fire in the ranks of the police by which Constable McNalty was killed on the spot, while Moore was severely wounded in the arm.

The police having been taken aback by the suddenness of the volley, allowed the two bushrangers to again make their escape. Smith and his mate, it was found, traveled all night and made their way to the "diggings" near Daisy Hill. A digger who was acquainted with them saw Gipsy's mate go into a store to obtain provisions. When he reappeared the digger acted the spy and followed the outlaw to a hut, situated on the outskirts of the diggings. He then gave this welcome information to the police who immediately took steps to ensure this time the success of their raid. They surrounded the hut and two of their number cautiously creeping closely and peering through one of the chinks, saw a man asleep, with saddle and firearms close at hand. He evidently had made all needful arrangements for bolting quickly, if necessary. His mate was softly moving about the hut. Several police were stationed round the hut with the muzzles of their rifles through the chinks. At a given signal from their chief they made a splendid rush and the two convicts, taken completely by surprise, were easily secured.

Gipsy Smith was tried for robbery with violence and attempted murder, and received a sentence of 16 years on board the "Success." During the course of his trial Smith confessed that the severest thrashing he ever had in his

life was the one he received with the scabbard at the hands of the careless but brave trooper whose confidence he abused so scandalously.

While undergoing his sentence on the "Success" Smith earned the unenviable reputation of being the sneak and spy of Inspector Price. He was always ready to do any of the more offensive duties on board, in recognition of which he was allowed certain privileges. Under the influence of Mr. Champ, the Inspector General who succeeded Mr. Price, he became so changed as to obtain his discharge on ticket-of-leave. He was then employed by Mr. Lang, son of Rev. Dr. Lang, of Sydney, who often entrusted him with large sums of money, and to Gipsy's credit be it said, he never forfeited the confidence reposed in him. Returning to the Ovens district he married, but living unhappily with his wife, he drowned her one night in an adjacent dam.

For this crime he was tried and sentenced to death. The night preceding the day fixed for his execution, he attempted to destroy himself with a piece of jagged razor that he had concealed in his boot. As Smith was lying and pretending to be asleep, with his head wrapped in a rug, the warder at his side suddenly felt the prisoner's arm fall heavily upon him. He immediately raised an alarm and Smith's determined effort to evade the carrying out of the sentence was thwarted. The execution of this callous criminal took place on the 22nd of April, 1861.

CHAPTER XVIII.

Henry Garrett

Henry Garrett, the subject of this chapter, played many roles and donned many diguises. He was tall and finely built, remarkably handsome and most affable in manner. He looked his best in his accustomed broadcloth and even went so far as to affect spectacles in order to add to his sedate appearance. His partiality was very marked for the rich and religious among the influential circle in which he moved. He spoke frequently at the meetings of the New Zealand Young Men's Christian Association, but subsequent events plainly proved that he was a wolf in sheep's clothing, for he used to preach industriously by day and rob still more industriously by night. To him Shakespeare's words most aptly apply:

"With this I clothe my naked villiany
With odd ends stolen out of Holy Writ,
And seem a saint when most I play the devil."

Garrett succeeded in ingratiating himself into the most select society in Dunedin, but on being found by a policeman one morning in a store, fully equipped with burglar's tools such as a dark lantern, silent matches, etc., matters assumed a very different aspect. This startling discovery was soon noised about and the society that had lionised him now gave him the cold shoulder.

For this burglary Garrett was sentenced to five years. Records proved that this was not his first step on the downward path, as it was ascertained that at the age of fifteen he had acted as "useful boy" to a gang of skilled cracksmen in London. In the year 1855, he "stuck up"

the Bank of Ballarat in broad daylight to the tune of £16,000. He first terrorised the teller by presenting a six-chambered revolver at his head, and locked him in the strong room. Then, with the greatest unconcern he pinned a notice in bold letters on the door of the bank as follows:

"BANK CLOSED FOR HALF-AN-HOUR."

By Order.

Customers came and went, expressing no suspicion, while the daring robber inside systematically looted the safes and left by the side door. He got safely to Melbourne and shipped on board a mail boat bound for London. The detectives followed him by the next ship and one morning when proceeding through the Strand, they thought they saw their "suspect" a little ahead of them. One constable, more astute than the rest, hurried on until he got within a hundred yards of the suspected man and then gave a low "coo-ee." Garrett, for it was he, turned sharply around upon hearing this familiar call, and being recognized, was promptly arrested. Upon his return he was sentenced to 10 years' imprisonment on board the hulk "Success," and a few years later, for his good behaviour, he was granted a ticket-of-leave for New Zealand. There he returned to his life of crime and robbery under arms. Dressed in a red-check shirt, wide-brimmed sombrero hat and top boots, with a brace of revolvers ornamenting his belt, he looked the ideal bushranger. For years he roamed the country, accompanied by a female confederate and succeeded in "bailing up" no less than twenty-five persons in one day!

At Dunedin he served a term of imprisonment and avowed his intention of taking his revenge upon Mr. John Pender, the chief-magistrate, by poisoning him. Being suspected, he was traced and caught red-handed in an attempt to poison the entire population of Dunedin by placing a quantity of strychnine in the public reservoir.

For this diabolical act he served four years' imprisonment.

Finally, as head of a gang of horse-stealers and bush-rangers, he received the severe sentence of twenty-two years. While working in different gaols throughout the country he became an expert cooper.

Mr. Caldwell, the Governor of the gaol at Dunedin, who was at one time a warder on the prison hulk "Success," stated that Garrett invariably had a "C" placed opposite his name, denoting good conduct in gaol.

Garrett wrote and published an "Essay on Crime," a subject with which his long and varied criminal career eminently entitled him to deal. The pamphlet showed good reasoning powers and considerable literary ability. As a prisoner he had acquired a considerable aptitude in the practice of shorthand writing. The instruction books of the system had been procured for him at his request by a friendly warder in New Zealand.

Garrett, the versatile rogue, might well be quoted as an illustration of the saying, "Once a criminal, always a criminal." As years went on he driftetd farther and farther into crime and "did time" in most of the gaols in the colony. At last, as a white-haired decrepit old man, when infirm through age and severity of prison life, he met with a street accident at Dunedin. He was carried in a dying state to a hospital, where in the very face of death he boasted of having spent no less than fifty-two Christmas day in gaol, a statement which was proved by the records to be perfectly true. Garrett passed away at the ripe age of seventy-one years. He was well favored in many respects, but instead of using his gifts in a manner to win for him the admiration of his fellowmen, he followed the crooked path of crime that must inevitably end in shame and obloqny.

CHAPTER XIX.

The Kelly Gang

The Last of the Australian Highwaymen

It will be interesting here to give some account of this notorious gang of outlaws as they and the lawless spirit that they represented were a direct outcome of the crime-breeding conditions that obtained on the Convict Ships. They were bred in crime and to crime they succeeded. That was the heritage left them by their father, an old "Success" convict. Among the numerous relics of lawless life in Australia now shown on board the "Success," none is more interesting than the ingenious suit of shot-resisting steel which formed the impenetrable armor of Ned Kelly, the leader of this notorious "Kelly Gang." This rusty relic of the hunted outlaw swings to and fro on the deck, suspended by a rope, a position which is strongly suggestive of the after-fate of the original wearer. The suit consists of breastplate, shoulder-guards, back-plate and vizor, complete. Indentations made by well-aimed bullets may be seen in clusters, showing that the bushranger was at one time subjected to a hot fire, and that if it had not been for this protection he must have met with instant death. Ned Kelly, Dan Kelly, Steve Hart and Joe Byrne were a daring and murderous quartet, whose acts of brigandage and highway robbery in Australia form a story as sensational and exciting as any to be found in fiction.

The Kelly brothers were descendants of convict stock, the father, "Red" Kelly, having arrived in Van Diemen's Land whither he had been transported on the "Success," when the excitement of the gold-fever gave every facility to the vultures of society to prey upon the well-to-do emigrants. The accommodations provided then in Melbourne

was quite inadequate and an auxiliary encampment of white canvas tents dotted the primitive scrub and picturesque slopes that fringed the Yarra Yarra. At night the lights within these frail dwellings reflected the moving shadows of their occupants upon the walls. Murders and robberies with violence were of constant occurrence. "Red" Kelly, on his arrival lived in that part of "Canvas Town," as it was called, just on the rise overlooking the river, a spot then known as Emerald Hill. He had gained the reputation of being a violent and cruel man and more than one suspected him of being able to throw some light on the mysterious disappearance of a young Englishman named Emery, who was known to have been possessed of considerable means. He took up a large plot of land at Donnybrook, a few miles out of Melbourne. Here he lived a rough, wild life, raising cattle year after year, withdrawing himself further and further from the encroachment of civilization.

"Red" Kelly conceived a violent attachment to the eldest daughter of an adjoining settler named Quinn. Her father viewed the match with much disfavor but the daughter overlooked his faults and went with him to Melbourne to be married. The Quinns were known for miles around as "horse lifters" and cattle stealers, and from this marriage sprang the family whose names achieved a world-wide notoriety. There were three sons and four daughters, the two unmarried ones, Kate and Grace, also coming much before the public as time went on.

On the death of their father, the eldest son, James, a steady fellow, took control of the selection, though the younger brothers very quickly graduated in the school of crime. As a lad of fifteen young Edward Kelly was charged as an assistant to the notorious Harry Power, with horse-stealing and afterward served short sentences for various breaches of the law. He was a flash, bold and daring rider, and a good bushman.

The other brother, Dan, had for years been known as a determined, passionate man, although he was seven years younger than the leader. He had all the recklessness of youth and a lack of self-control that was characteristic of a lad brought up by his mother to regard the police as his natural enemies.

Steve Hart was born in 1860 and was one of the Kelly's most early acquaintances. He grew up to be a good type of an athletic country lad. He could run like a deer and outride even the proverbial trooper. In transposing and defacing the brands on stolen horses and cattle he was without an equal among the whole fraternity and woe betide the carrier or traveler who neglected due precautions in fastening his animals in camp when young Steve Hart, the horse thief, was in the locality.

Joe Byrne, the fourth member of the gang, was a Beechworth native, having been born in 1857.

In March, 1878, Dan Kelly, the younger brother, was "wanted" for cattle stealing and a constable named Fitzpatrick, who was afterward suspended for misconduct, went to the house of Mrs. Kelly at Greta, to arrest her son. Mrs. Kelly pleaded with the constable to allow Dan to take a meal before starting for Benalla. As no resistance was offered, the constable at last consented.

A horseman then rode up to the house and hastily flung the reins over the post at the gateway. Sharply pushing the door open, he confronted the astonished constable with a question as to whether he had a warrant for the arrest of his prisoner. Fitzpatrick said he had not, and recognizing his questioner as Ned Kelly, drew his revolver to prevent Dan's escape in the event of a rescue being attempted. Nettled by this display of fireams, Ned, who was a tall, powerful fellow, reached down his rifle that was slung over the mantlepiece and dared

the constable to take the prisoner without a warrant. A scuffle ensued which resulted in a bullet being lodged in Fitzpatrick's wrist, but it is an open question whether the ball was from Kelly's rifle or the constable's own weapon.

The wounded constable was made prisoner and detained until he gave a pledge that the shooting episode would not be reported at Benalla. A promise made under such conditions was not considered binding. Fitzpatrick on reaching Benalla got warrants immediately issued for the arrest of Ned Kelly for "shooting with intent to murder," and of the others, mother included, as abettors and accomplices. The Kellys at once disappeared from Greta and commenced a life of open crime.

The brothers were both well mounted, Ned riding a large grey mare and Dan a chestnut that was famed for its flying leaps over the huge logs and fallen timber in the forest. The police on one occasion apparently were hot upon the scent, following the tracks of the Kelly's horses, but it was afterward proved that the sagacious Ned had had the horses' shoes reversed, so that the faster the tracks were followed by the police the wider the distance between the pursuers and the pursued became.

At last, acting on certain information, a plan of campaign was arranged whereby the robbers who were reported to have been sighted in the Wombat Ranges, would be surrounded and their retreat or escape rendered impossible. Two parties of well-mounted police, eager to bring the gang to justice, simultaneously approached the ranges from opposite directions. Sergeant Kennedy and three constables named Scanlan, Lonigan and McIntyre, started from Mansfield, while Sergeant Steele and his men approached from the town of Greta. At nightfall on the 25th of October, Kennedy and his party camped in the Stringy Bark Creek, about twenty miles distant and on the following day, just as morning dawned, two of the troopers went to reconnoitre down the gorge.

They remained away for the best part of the day; Constables Lonigan and McIntyre remaining in the camp. The latter being an excellent cook, busied himself in preparing a meal for the party on the return of their comrades. During his work he imagined he heard an unusual noise in the bush and left the camp, rifle in hand to satisfy himself. In returning he thoughtlessly discharged a shot at a couple of chattering parrots. The report resounded through the mountains and the Kellys, who were in ambush, seem to have traveled immediately toward the firing. Through the dense forest they stealthily crept unseen and, watching their opportunity, sprang suddenly from the bush and stood by the side of McIntyre with the command: "Bail up! Throw up your hands!"

The surprise was complete. The constable's revolver was some distance away in the tent, and Lonigan, disregarding the bushranger's command, rushed toward the tent for his rifle. When the smoke had cleared, the unfortunate constable was dead. McIntyre was then ordered to a position close to a fallen log. Dan Kelly suggested that McIntyre should be handcuffed with the handcuffs they had found in the tent, but Ned Kelly, tapping his rifle, said, "No, never mind! I've something safer here."

Just at that moment Kennedy and Scanlan returned to the camp quite unexpectedly, but Ned Kelly's call to "Bail up" was drowned by the instant firing of the rifles of the younger members of the gang. Kennedy fired, and after having emptied his revolver, cried out, "It's all right, stop it, stop it!" The brave constable, Scanlan, was killed on the spot. Kennedy, then on foot, engaged in a terrible fight and as his horse, which became startled by the firing, raced past the log where McIntyre was standing that trooper, with marvelous agility, vaulted into the saddle, and, bending forward, raced down the banks of the creek.

Bullets whistled round him, his hat being pierced by a ball, while his horse received a wound from which it soon afterward fell exhausted from loss of blood.

Sergeant Kennedy ran from tree to tree, firing meanwhile and at last being seriously wounded, threw up his hands as a sign that he surrendered. But scarcely had he done so than he fell heavily to the ground from the injuries he had sustained. The bushranger, carrying his rifle slung loosely under his arm, muzzle downward, bent over his fallen foe. The wounded sergeant gasped with evident difficulty, "Ned Kelly, I am dying; but I beg of you for the love of God, to give me what little chance I may have to linger for a short time, so that I may perhaps still be able to say good bye to my dear wife and children. I would scorn to beg for my own life; but, oh! it is hard to die without one look from those I love."

The outlaw was moved by the dying man's appeal. "I always admired you, Kennedy," he said, "and as you have acted like a brave man in a fair fight, I'll pass a message by one of the lads, so that before sundown your wife can be with you."

"God bless you, Kelly! God bless you!" faltered poor Kennedy; but as the last words left his lips there was a flash, a report, and the body of the unfortunate sergeant writhed in its death agony.

McIntyre reported at Benalla the sensational encounter; but the work of following up the trail was difficult and dangerous as the gang were surrounded by sympathisers who contrived to lead the troopers on false scents.

On the 18th day of December, 1878, just as the station hands were at dinner, a man who had the appearance of a tired-traveller sauntered to the door of Young-

husband's Station, about three miles from the township of Euroa. He was asked what his business was and replied that it was "of no consequence," and, thrusting his hands into his pockets, walked slowly away. The occupants little thought that their strange visitor was the notorious Ned Kelly, reconnoitering in disguise. The following day, however, four mounted men fully armed, drew rein in front of the house and made all persons that they found there prisoners in the store room. Joe Byrne with a rifle in his hand and revolvers in his belt, mounted guard while his companions made preparations for another raid. They hauled out the buggy and a covered cart, and having harnessed the horses, started on an expedition to Euroa.

Ned Kelly, in clothes stolen from a traveling draper they had robbed a few days before, drew up at the National Bank and stepped lightly from the buggy. He appeared to be drawing his check book from his inside breast pocket and then, quick as lightning, presented his revolver at the head of the affrighted cashier.

At that moment Dan Kelly and Hart, who had drawn the cart into the back yard and fastened up the horses made their appearance in the office, having entered from the back of the house. Mr. Scot, the manager of the bank, whose feelings may be imagined, was ready dressed to attend the funeral of a resident in the town. Mrs. Scot, with her mother and seven children, were about to go for a walk through the township, when the bushranger entered the room, smiling. The lady exhibited great tact and presence of mind and told Ned Kelly that he was a much better looking man than she had understood him to be.

Kelly directed that they should all take seats in the vehicles that were in waiting, and honor him with their

company in a drive toward the mountains. Dan Kelly and Hart then accepted the responsibility of the safe custody of the gaily-dressed party; and Ned insisted on perfect silence being maintained while he, in company with the manager and accountant, made a careful examination of the bank.

The opening of the safes revealed a considerable amount of retorted gold that had been purchased that afternoon from miners working in the surrounding gullies, and also rolls of notes and about £500 in gold and silver. As the robber poured the glittering stream into bags that he had found in the office, the banker must have thought that for one day in a country bank the drawings were very considerable.

Ordering the officials to precede him to the cart, Ned Kelly placed the proceeds of the robbery, a weighty parcel, at his feet and the banker's family party were then driven in the various vehicles out of the town, with the robbers at the reins. Arriving at the homestead the visitors brought from Euroa were placed with the other prisoners in the storeroom.

The division of the spoils was next proceeded with, the stolen gold was shared and papers considered useless or incriminating were scattered broadcast by Ned Kelly as he sat upon his tall gray mare directing operations.

The bolts on the storehouse door were then withdrawn by Byrne and the prisoners were compelled to promise to remain within the precincts of the station for fully three hours. The gang then put spurs to their horses and galloped wildly round and round the homestead, so that the tracks of their horses in the turf could give no clue to the direction of their flight, and finaly they made off toward the Strathbogie Ranges. The reward was then

raised considerably and an old schoolmate of the Kellys, named Aaron Sherritt, himself a doubtful character, volunteered the information that the outlaws' next exploit would be in the adjoining colony, probably at the town of Goulburn. He had, he said, been asked to join the gang but had refused.

The information proved, in a measure, correct, for about three weeks afterward the gang "bailed up" the whole of the inhabitants of Jerilderie ,a country town in New South Wales, about fifty miles from the border. Instead of avoiding the local watchhouse as one would have expected, they gave it their first attention. In the front were the constable's quarters, a two-story building with rather a pretentious appearance. By the light of the lamp that hung in the porch, the robbers read—with mingled feelings of interest and affected derision—this startling proclamation:

V.  R.

£8,000 REWARD

WHEREAS, Edward Kelly, Daniel Kelly, Stephen Hart, and Joseph Bryne have been declared outlaws in the Colonies of Victoria and New South Wales; and WHEREAS, the above-named offenders are still at large, hereby notify with this, my proclamation that the above Reward will be paid for the apprehension of the above-named four men, etc., etc.

But the outlaws had no inclination to read through the mass of printing, in which the word "whereas," in great black capitals, occurred with needless frequence. Signalling to the others to leave him in the entrance, Ned Kelly shouted, "Help! Murder! Murder! Police!" and knocked repeatedly at the door with his revolver. The village sergeant, who had retired for the night, jumped up in a fright and groped down stairs, but before opening the street door, demanded, "Who is there?"

Kelly replied: "A man is being murdered at the rear of Cox's Hotel."

The door was no sooner opened than a revolver was thrust in the face of the half-dressed sergeant, and he was immediately handed over as a prisoner to Byrne. The brothers Kelly and Steve Hart ordered the other constables on the premises to be locked in the cells of the watch-house adjoining.

The following morning their audacity reached its climax. Dan Kelly and Steve Hart donned the helmets and uniforms of the Jerilderie Police and posing as relief constables, perambulated the town. They made inquiries as to the security of the bank and all such information was gladly afforded the pseudo-guardians of the peace.

Next door to the hotel was the Bank of New South Wales. The manager, Mr. Tarleton, had just returned from a long and dusty ride, and feeling fatigued, was in the act of enjoying a bath. He was forced to dress and give the gang assistance and was ordered to explain the working of the secret combination lock upon the treasure drawer. Kelly collected £1,450, which he wrapped in a small parcel. Jerelderie was in a stage of siege and plunder for two days, saddlery and provisions being taken from the shops and stores while Dan Kelly and Steve Hart

amused themselves by galloping up and down the main thoroughfare, shouting, "Hurrah for the good old times of Morgan and Ben Hall!" Ned Kelly released the townspeople, but in a parting harangue he warned them that the local constables were to remain prisoners till nightfall. If his orders were disobeyed he would surely be avenged.

The rest of the gang then disappeared, and their hiding place remained a mystery. Relays of police returned from the mountains disgusted and fatigued and the "Kelly scare" had lost its interest in Melbourne through the absence of information. But a fresh sensation and tragic occurrence showed that the gang had not relinquished operations.

One Saturday night four troopers were in the house of Aaron Sherritt, the man to whom we have already alluded. The supper had just been prepared when a loud knock was heard at the door. Sheritt called out, "Who's there?" The reply came, "I say, Sherritt, I've lost my way." Aaron immediately recognized the voice as that of Antonio Wicks, an inoffensive neighbor, and opened the door. There was a flash, the report of a rifle, and Aaron Sherritt fell back into the hut, shot dead on the spot. Upon recovering from their first alarm the inmates of the hut found Wicks standing handcuffed, pale and trembling. He had, it seemed, been compelled by the gang to play the part of decoy in order to gain for them an entrance to the hut.

Ned Kelly and Steve Hart had preceded the others to Clenrowan to carry out a diabolical design. The rails were wrenched from the sleepers at a dangerous curve in the mountain where the railroad line crosses a trestle bridge spanning a ravine. As the ruffians had anticipated, the murder of Sherritt was soon flashed along the telegraphic wires from town to town and a special train was

promptly started from Melbourne. The train contained the most distinguished of the Victorian troopers, sergeants and superintendents, and also picked reporters from the Melbourne dailies, who became war correspondents for the nonce.

While they are traveling cautiously toward Beechworth, via Glenrowan, we must give our readers an account of the movement of the "Kelly gang" at the latter place. Glenrowan is a small and sleepy village and Sundays were naturally very quiet and uneventful days. But Sunday, the 28th June, 1880, was a memorable exception. As the day advanced each passer-by was made a prisoner by one or other of the outlaws and taken to Jones's Hotel.

The Kellys promised that no injury would be done to those who offered no resistance. Byrne now assumed a new role and took up his post as barman at the hotel, where beer and spirits were freely provided for the involuntary customers. Others relieved the tedium of their captivity by athletic competitions.

Ned Kelly stood for some time an interested spectator and after seeing the local wheelwright make a good jump, he joined in the sport, his remarkable jumping powers astonishing everyone.

Although Kelly carried his revolvers in his hands as weights, the wheelwright eventually leaped far in advance of the outlaw's best effort, and Ned's failure to reach the same mark called forth the remark from Byrne, who had also become an onlooker, "You seem a bit off to-day, Ned." Whereupon Kelly, throwing off his tunic, exposed a sheet of iron, curved so as to fit and thoroughly protect the body.

But the massacre of the police by the wrecking of the "special" was not to be. Kelly's murderous design was

frustated by the bravery of a man whose name deserves to figure on the list of heroes. That man was Curnow, the village schoolmaster. In order to escape from the hotel he pretended to join in the merriment and even danced with Dan Kelly. Gaining the confidence of the outlaws, he was allowed to leave. Snatching up a red llama shawl belonging to his sister, he procured a candle and a box of matches and after persuading his wife and sister to take the children to their mother's house for safety, he started out to stop the special and save human life.

On gaining the railway he ran at top speed along the track in the direction of Benalla, haunted by the double fear of being overtaken by the watchful Ned Kelly and of being too late to avert the impending catastrophe. Suddenly he came upon the devilish handiwork of the gang—a wide, staring gap barring his way and causing him an inward shudder as he pictured to himself the terrible fate that must await the train if he failed in his efforts to warn the driver. Curnow darted down the steep embankment, across the deeply rutted road below and then climbed the embankment on the other side, where the line continued from the dangerous curve. Presently he discerned the headlight of the pilot engine, and as his breath came quick and fast, he heard the brakes applied. He shouted, "The Kellys have torn up the track," and bolted through the bush back to his anxious wife and family.

There was still no news of the expected train and the outlaw began to suspect that all his plans had been defeated. He anxiously watched the proceedings at the hotel where the young outlaws seemed utterly reckless and lost all sense of fear. Dancing, card-playing, and singing were the order of the evening. The ne'er-do-wells and even some of the townfolks of Glenrowan clinked

glasses with the young ruffians and feigned a conviviality they could scarcely have felt.

In an interval between the dances, Dan Kelly mounted a chair amid loud applause, and announced that he would contribute to the "harmony" of the evening by giving them a song. Verse after verse was reeled off recounting the exploits of the "gang," and even their future plans were poetically outlined. But the party was suddenly and completely disorganized by the sound of a shrill whistle from a locomotive, and the festivities came to an abrupt termination. The train with its formidable company of armed police had escaped the pitfall and had safely drawn upon the further side. The outlaws on finding that their schemes had failed, retreated to a special room in the hotel which till then had been kept closely locked. Here they protected themselves with suits of armor, cursing loudly when the fittings gave them any trouble. The helmets were of a most primitive description, and all save Ned Kelly discarded that portion of the equipment. The armor was concealed at first by an overcoat.

He boldly advanced to the front of the building and on seeing the police, who had by this time approached the hotel, he rattled the muzzle of his revolver upon his rough breastplate and in a loud voice challenged them to "come on."

The police simultaneously fired a heavy volley, the force of which caused Ned to stagger backward, but quickly recovering himself he unslung his rifle and blazed away at his opponents, with the result that Superintendent Hare's wrist was completely shattered. Hare was forced to retire to have his wound dressed and eventually he had to return to Benalla to procure surgical aid.

The police were in a very perplexing situation, for after firing the first volley into the building a succession

of women's shrieks plainly told them that they had either killed or perhaps wounded innocent persons. Joe Byrne, who notwithstanding the determined attack of the police was leaning against the bar of the hotel quite unconcernedly drinking, was shot in the groin and, after lingering some time in excruciating agony, he gradually sank and died.

The police followed up the attack and Ned Kelly showed a courage that was worthy of a better cause. This conflict was carried on for upward of half an hour; then Sergeant Steele, getting to within ten yards of Kelly, fired two shots which striking him in the legs brought him down with a crash. Kelly's eyes flashed with anger and he cursed and roared with brute-like ferocity. He was bound hand and foot and sent to Melbourne in a special train. Volley after volley was then poured into the building, but there was no response from the outlaws, who, with their few prisoners that had refused from timidity to leave the hotel, must have passed a terrible time.

The firing by the outlaws having ceased and darkness approaching, the constables adopted a desperate plan to exterminate the bushrangers that were located in the hotel. Constable Johnson cautiously crept to the side of the wooden structure, placed straw against the boards, saturated it with kerosene and ignited it. The flames shot up round the building, which was soon burning fiercely with its doomed occupants within.

Just after the fire was kindled a thrilling incident occurred. Father Gibney, a Catholic priest who was in the locality, heard Ned Kelly's confession and having annointed him, hastily made his way to the scene of the tragedy. Just then a voice among the crowd cried out, "Old Martin Cherry is lying wounded in the hotel!" Cherry, it appeared, had been too severely wounded in

the affray to leave the hotel when the others had, and lay helpless in one of the apartments on the ground floor. Without a moment's hesitation the reverend gentleman ran toward the part of the building where Cherry was surmised to be lying. The crowd, upon perceiving his intention gave the brave priest a rousing cheer and then, in breathless suspense, waited for his reappearance. Several policemen also rushed forward to the rescue and soon afterward were seen with Father Gibney in their midst, bearing the dying form of poor old Cherry and the corpse of Joseph Byrne, terribly scorched by the fire.

When the fire had spent itself the police discovered the charred remains of Dan Kelly and Steve Hart in the midst of the smoking debris, their armor, twisted by the heat, lying alongside them.

The trial of Ned Kelly was held in Melbourne, Judge Barry presiding. A verdict of guilty was returned. The Judge then proceeded to pass sentence of death. After he had concluded with the usual words "And may the Lord have mercy on your soul," Kelly drew himself up to his full height and assuming a defiant air, said: "I will go a little further than that, and say, I will see you where I go."

The day preceding the execution, his mother paid Ned a farewell visit. The mother's last words to her son were, "Mind you die like a Kelly, Ned!"

As Kelly stepped upon the scaffold, he exclaimed: "Ah, well, it's come to this at last! Such is life." On November 12th, 1880, the grim process of law was carried out, death being instantaneous. The extermination of this gang had cost the Victorian Government the stupendous sum of £115,000.

Kate Kelly, the younger sister, with the outlaw's grey mare, formed the principal attraction at the Melbourne

music-halls for a time, but the exhibition was promptly stopped by the police. Hundreds of sympathisers and admirers flocked to see her, and regarded her in the light of a heroine; and in the height of the "Kelly-scare" an enterprising Melbourne publican engaged her at the remuneration of £50 per week in capacity of barmaid, though she afterward married a settler named Seymour, at Gippsland.

With the advancement of the Colonies and the greatly improved organization of the police, a repetition of the humiliating failures to bring these criminals to justice would be impossible. The uncouth suit of iron armor that is now the only momento of the bold and reckless robber, belongs as much to another age as do these shapely suits of burnished steel that fill the niches of baronial halls. They alike speak of lawless days when might usurped the place of right, and when murderers masqueraded in the garb of heroes. The Kellys and their comrades ruled by force and intimidation and for years defied the vast machinery of the law to encompass their capture. But the triumph of the law was at last complete, the high purpose of law was maintained.

A Final Word

Within the limits of the space at my disposal I have now set down as much of the history of the Convict Ship and its times as it is possible to tell. Volumes more might be written on the subject and even then the worst that could be said of the convict system of England in the days of the "Success" would be true. Had mere sensationalism been my object much that has been carefully omitted would probably have been retained. No limit exists to the horrors of England's Australian penal system, and if this history stops here it is because its purpose is as well served by the incidents that have been related as it would by the thousand others equally cruel and horrible that occurred on the "Success" and her sister "ocean hells."

The convict system was radically and abominably cruel and bad, and everything in our own penal system of to-day that cries out for revision and improvement is but an inheritance from those bad old times. Here then is the value of this old Convict Ship as an educational force as a living sign-mark of the progression and civilisation of the race. It has been through the mute accusation of the "Success" and her awful record of oppression, cruelty and death that much of whatever change we have experienced has been brought about. No one can wander over the decks of this ship, decks worn by the tread of thousands of convicts, and grooved by the heavy punishment balls dragged by men made desperate by cruelty and injustice, without feeling this and more. No one can gaze at the thick wooden doors of the cells in the gloomy hold without a feeling of wonder that men and women could exist year after year in these damp, cold holes without light, without air and without hope. The careless pleasure-

seeker shudders with more than the chill of the ship at the sight of the "black holes" or punishment cells with their massive ring-bolts to which the men awaiting execution were chained. Well might the beneficient government that permitted all these abuses have placed above the gangway through which prisoners entered the line which Dante quotes as from the gates of Hell: "Abandon hope, all ye that enter here!"

Could those who lived through those times, callous and careless because it was the spirit of their age, revisit this the last existing visible and tangible evidence of their inhumanity to their fellow men they would have then that gift for which Burns prayed: the power to see themselves as others see them now. Let us consider our feelings—and they can be but those of horror and reprobation—toward the monstrocities and barbarities of that cruel time and system, and then sit down in impartial inspection of our own times, our own systems and our own principles. Will the enlightened race that is following us consider that we have done well, that we have learnt our lesson from the preceding century, that we have eliminated the brutal and the vindictive from our methods of reformation? We are beginning to realize that crime is a disease and is curable! Does our present system then aim to effect the cure of crime, or, is it still, to a degree, animated by the instinct of punishment and revenge? Do we want to maim and kill the criminal because he has offended our code of social conduct, or, do we really desire to elevate him to what we consider our own good and moral social plane? These questions are simple and their possible answers are endless, but whatever be the answer or answers we can only build on a foundation of experience of the past.

The survival of the "Success" through her century and a quarter of life brings to us vividly that knowledge and experience of the past. The only remaining link be-

tween the old and the new, the Convict Ship now serves a purpose of good where it long signified oppression. In reminding man of what he once countenanced and once suffered in the name of law and justice, it serves the noble purpose of arousing the civic conscience to the realization that even in this Twentieth Century the forms of justice and the conduct of prisons may be improved. It has brought home this lesson in the Antipodes, it has taught it in that England which was so slow to abandon the "Success" as a floating prison and what she stood for, and now it is pointing out this lesson in this newer England, these great United States whose correctional institutions lead all others.

And lest the lessons that this ship and her history teach be slighted, I must again repeat that this book has been written with restraint. The "Success" was but one of many ships engaged in that ghastly convict transport, and on every one of them horror was piled on horror to an unspeakable degree. Incidents similar to those related in it could be multiplied a thousand-fold. For example, out of the unused material now on my desk I pick this extract from a contemporary history:—

"When Dr. Ullathorne visited the ship to prepare some of the condemned men for the death that awaited them, he went into the crowded cell to announce his mission, and read the names of those who were finally adjudged to die. No scene in the whole history of the convict-times is more apalling than the one that good man describes as taking place in that miserable abode on that occasion. One by one the condemned men fell upon their knees as their names were read out for death and deliberately and calmly thanked God that the gallows was about to deliver them from that horrible and unspeakable place."

What a subject for an historical picture by some artist of the future when men's minds are free to feel a natural horror at these triumphs of civilisation and law.

Could such a scene be enacted to-day? Possibly not. But who knows of the hidden horrors and cruelties of our present penal systems; who knows anything of the hideous mental anguish, of the heart-breaking agonies of thousands of our fellow-beings in prisons and petitentiaries to-day? Who can estimate the proportion of undoubtedly innocent men and women convicted of crimes of which they are guiltless, who are lying in prison cells at this moment, carrying in their breasts a hell equal to any ever borne in the blackest hole in the blackest days of the "Success"?

Have we progressed at all or is it merely that we have substituted a refined cruelty for a coarse and vicious brutality? Even if I could give the answer I should refrain from doing so as it is a problem for you to solve for yourself.

What the Press Thinks

ENGLAND

Northern Echo, February 23, 1912:—"The most historic ship in the world braving the breeze today."

Lloyds Shipping Gazette, April 4, 1912:—"The departure of this remarkable vessel will remove from this country an unique relic."

Illustrated London News, April 6, 1912:—"As a relic of the days when a man would be transported for stealing a twopenny pie and hanged for very little more she is of remarkable interest."

The Bystander, April 10, 1912:—"An interesting relic of bygone barbarity."

Star, April 16, 1912:—"Associated with some of the most horrible episodes of penal life."

Daily Chronicle, May 13, 1912:—"This wooden vessel, built in 1790, with her antiquated hull, bluff bow, square stern and high quarter deck, is typical in many respects of the ancient caravel of Columbus." "

Pall Mall Gazette, May 28, 1912:—"In all the world it would be difficult to find a craft with a more interesting history than the old teak-built barquentine 'Success'."

Cork Examiner, May 3, 1912:—"Her story is the most extraordinary one that could be told of the real life of a ship; it exceeds in weirdness the legend of Vanderdicken's 'Flying Dutchman' and vies in horrors with the wondrous phantasy of Coleridge's 'The Ancient Mariner'."

AMERICA

The New York American, May 5, 1912:—Mr. Arthur Brisbane, the distinguished editor of the New York American, in a full-page editorial in that paper, which was reproduced in ten other leading daily papers throughout the States, devoted his brilliant pen to a picture of the Convict Ship "Success" as a vivid and striking

object lesson in the progress of humanity and civilization. Describing the Convict Ship as a sad but valuable lesson to the people of America he wrote:—

"When you study these scenes of cruelty and atrocious torture, when you realize that they have disappeared forever from this earth, except in isolated savage corners of the world, where men revert to animalism, and when you realize that these scenes of cruelty, brutal as they are, were as nothing as compared with what preceded them, you realize that this world DOES advance.

. . . . "It shows what government did to the poor, the ignorant, the helpless—making them infinitely worse than they were at first, even though they were the worst of criminals.

. . . But don't forget how much REMAINS TO BE DONE. Don't forget that the long drawn out torture of hunger, anxiety and overwork, to which millions of mothers and fathers and children are subjected is as brutal as the brutalities of a prison ship in the long run, and as disgraceful to the human race."

New York Herald, March 30, 1912:—"America has captured one of England's most historic ships, one of the most interesting vessels braving the breeze at the present day."

Record-Herald, Chicago, May 15, 1912:—"The Convict Ship is the bearer of many records and historic interests.

Christian Science Monitor, May 30, 1912:—"A history so varied as to savor of romance."

Cleveland Plain Dealer, May 19, 1912:—"A terrible reminder, in these days of enlightened prison reform, of the cruel barbarities of England's over-seas penal system."

Commercial Appeal, June 8, 1912:—"A ship which has carried more sorrow and shame than any vessel afloat."

New York Evening Sun, April 23, 1912:—"One of the strangest ships in the world—a strange ship because it is hard to realize that the inhumanity of which she is a floating reminder could exist under the rule of any nation calling itself civilized."

Boston Traveller, June 16, 1912:—"The 'Success', today, is as the hulks they (John Boyle O'Reilly and James Jeffery Roche) pictured; the same in her barred cells, the same in her gibbet-halter, the same in all ways except that the prisoners are not inside her to clutch the gratings which close her hatchways and cry out to the square patch of sky above them."

Boston Globe, July 19, 1912:—"The 'Success' has created a record in Atlantic voyaging. No other ship of anything approaching her great age could even have attempted the task and it certainly speaks wonders for the builders of the wooden walls of olden days. It is undoubtedly the most noteworthy feat of seamanship since Christopher Columbus sailed his gallant little fleet to fame in 1492."

Boston Record, August 7, 1912:—"The weird old hulk with its rows of gloomy dungeons and its paraphernalia of punishment and torture is deeply impressive."

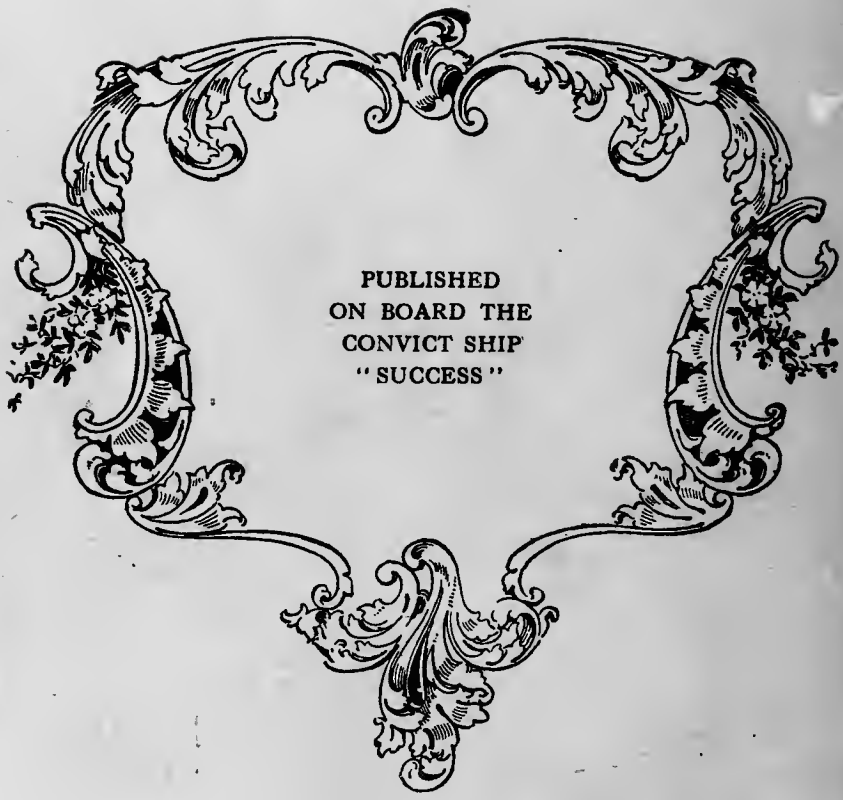
Congregationalist, August 8, 1912:—"The old ship, like the dungeons of the Doge's Palace in Venice, the escurial of Philip II., and the corridors of London Tower, when compared with the average penal institution of today, is a real link in the Christian logic which leads to the Conviction that the world is growing better."

St. Louis Post Dispatch, August 25, 1912:—"When the 'Success' was launched in 1790 the United States as an independent government was only 14 years old. It was not until 13 years later, in 1803, that St. Louis became a part of the United States, and when St. Louis was incorporated as a city in 1809 the 'Success' had already earned for herself the graphic title of 'Ocean Hell'."

Boston Transcript, October 26, 1912:—"Let us send this convict hulk, this eloquent rebuke to penal systems, around the world. She is a floating parable of the crimes of man against man. And when she has finished her mission search out the deepest soundings in the Pacific and there sink her and the thing she signifies in a thousand fathoms of dishonored oblivion."

WHEN the Convict Ship was overhauled and fitted out for her memorable voyage across the Atlantic, in Glasson Dock, England, in 1912, the British Board of Trade ordered a quantity of the copper bottom to be removed and replaced. This metal is portion of that first placed upon her when built at Moulmain, India, in 1790 and was carefully preserved by the owners of the "Success." It has now been made into **Handsome and Artistic Souvenirs** of various and charming designs. Each one bears the stamp of the ship. Your inspection of them is invited and they may be purchased at exceptionally moderate prices as a memento of your visit to this wonderful and unique old vessel.

The supply is limited and cannot be replaced. You should secure one immediately as their scarcity makes them daily of increasing value.



PUBLISHED
ON BOARD THE
CONVICT SHIP
"SUCCESS"