# Convict Biographies

## Before The Convicts

## The Typical Convict

## Convict Biographies:

- Joseph Lucas Horrocks
- Moondyne Joe
- James Walsh
- Thomas Bushell
- Thomas ‘Satan’ Browne
- Patrick Gibbons
- John Boyle O’Reilly

## Convict Administrators:

- Edmund Henderson
- Superintendent Thomas Dixon
- Captain Henry Wray
- Surgeon George Attfield
- Pensioner Guards

---

© Government of Western Australia 2009

Published by Fremantle Prison, Department of Treasury and Finance – Building Management and Works, Government of Western Australia

The Terrace, Fremantle, Western Australia, 6160, Australia

All rights reserved. This publication is copyright. Apart from any fair dealing for the purposes of private study, classroom teaching, research, criticism or review, as permitted under the Copyright Act, no part of this publication may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording or any other information storage and retrieval system, without prior written permission from the publisher. No image in this publication may be reproduced without the permission of the copyright owners.

Fremantle Prison’s Key to Knowledge resources have been produced by Fremantle Prison for general classroom use. Teachers may duplicate the resources for education purposes only.

Research and Text: Luke Donegan

Design: Axiom Design Partners

Text editing: Maia Frewer, Oonagh Quigley

Acknowledgements:

Fremantle Prison would like to thank the following organisations and individuals who have made significant contributions to the development of this resource – State Records Office of Western Australia, State Library of Western Australia, National Library of Australia, Western Australian Museum, History Teachers Association of Western Australia, City of Fremantle - Local History Collection, St Patrick’s Primary School, Margaret McPherson, Maree Whitely

Front cover illustration:

Joseph Bolitho Johns 1830-1900, better known as the Western Australian bushranger Moondyne Joe - detail 1880

Hesperian Press and Ian Elliot
The Swan River was first settled in 1829. Life was tough and the growth of the colony was very slow. For many years the future of the Swan River Colony looked bleak.

Desperate to save their farms the York Agricultural Society sent a letter to the government in 1847 asking for convicts to be sent to the colony. They argued that convict labour would help the economy and open up the state to farming and development.

Other settlers, particularly those who lived in Perth and Fremantle, were worried that convicts would bring crime and violence to the colony. English prisons however were overcrowded and the British Government quickly agreed to send 100 prisoners to Fremantle. On 6 November 1849 the *West Australian Government Gazette* reported that the Swan River Colony had become a penal settlement.

Between 1850 and 1868 nearly 10,000 convicts were sent to Western Australia. At first the colony only received men convicted of non-violent crimes such as theft. This changed and by the late 1850s convicts convicted of violent crimes including murder, manslaughter, assault, sexual offences and kidnapping began arriving at Fremantle.

**THE TYPICAL CONVICT**

Most convicts came from poor backgrounds. In general they were convicted of crimes such as pick pocketing and burglary, although 13% were convicted of violent crimes against other people. Most were between 20 and 30 years old and were unmarried. All of the convicts sent to Western Australia were men.

Some convicts once released from prison went on to live constructive and productive lives. A number became colony school teachers. Others ended their days in the Lunatic Asylum, in homes for the poor or in drunken misery. Some convicts were unable to live peaceful lives and spent the rest of their days in prison.
Convict Number 1014: JOSEPH LUCAS HORROCKS

Horrocks was convicted of forgery in London in 1851. Sentenced to fourteen years transportation he arrived at Fremantle on the Marion in 1852. Horrocks differed from most of the other convicts. He was well educated and could read and write. He was also much older than the other convicts at 35 years.

During the first year of his sentence he worked on the construction of the Convict Establishment. By 1853 he earned his ticket of leave and travelled north to the convict depot at Port Gregory where he worked as a doctor.

When the Lynton depot at Port Gregory was abandoned in 1857, Horrocks received his conditional pardon and settled in the district of Wanerenooka north of Geraldton. There he started a copper mine which he named Gwalla. The copper mine was successful and between 1862 and 1865 he employed sixty ticket of leave men. Very soon a community sprang up around the mine.

Horrocks encouraged the settlers to grow wheat and he built a mill powered by a steam engine which drew ore from the Gwalla mine. He built the Gwalla Church between 1861 and 1864, and had carved on the foundation stone a quote from Isaiah, ‘My house shall be called a house of Prayer for all People.’

Many newly released convicts headed north to the mine with the hope of employment. The community with its ‘curving stone-walled road, its neat row of cottages and carefully tended gardens’ was named Northampton in 1864.

Despite failing health, Joseph Horrocks continued working to build the community. He successfully applied for a government grant to set up a schoolhouse in 1863. He asked the government to build the State’s first public railway between his mine and Geraldton port, thirty miles to the south. While he did not live to see the railway built, his request was accepted and the railway opened in 1879.

Horrocks died on 7 October 1865 and was buried in the Gwalla Cemetery near his church.

‘Not all convicts were inherently villainous or hapless vagabonds. In time many of them commanded respect and even admiration for their achievements.’ Joseph Lucas Horrocks is an example of a convict who made the most of being transported across the world.

1 Erickson, R. The Brand on his Coat – Biographies of some Western Australian convicts, University of Western Australia Press, 1983, p 224.

2 Ibid., p 226.
Convict Number 1790: MOONDYNE JOE

One of Fremantle Prison’s most famous inmates was Joseph Bolitho Johns, known as Moondyne Joe. Moondyne Joe was celebrated by Perth and Fremantle newspapers at the time for his many escape attempts as well as his ability to embarrass Governor Hampton.

When Joseph Johns arrived at Fremantle on the Pyrenees in 1853, he was immediately granted his ticket of leave. He worked as an animal tracker near Toodyay until 1861 when he was accused of stealing a horse. This earned him a three year sentence in the Convict Establishment. It was not long before he received another ticket of leave. He returned to the Moondyne Springs area near Toodyay, but only four years later in 1865 he went back to prison after stealing an ox. He escaped from a work party in that year but was recaptured and another year was added to his sentence. A year later he managed to escape once again but was again recaptured and a further five years were added to his sentence. By this time the newspapers were writing about Moondyne Joe and he became well known in the colony.

Frustrated by Joe’s escapes, Governor Hampton ordered an escape proof cell to be built in the establishment for Moondyne Joe. The cell was reinforced with wood panelling and long nails to prevent Joe from digging his way out. Inspecting this cell Governor Hampton told Moondyne Joe sarcastically, “If you get out again, I’ll forgive you.”

Joe’s health got worse. To give him fresh air and exercise, he was put to work breaking rocks in the Parade Ground in 1867. Under strict supervision Joe broke rocks daily until a large pile of rubble had built up near the front wall of the prison. Now, partially hidden behind the pile, Joe quickly dug a hole through the prison wall with his pickaxe and emerged into the Superintendent’s yard. He escaped through a gate and disappeared into nearby bushland.

Moondyne Joe was at large for the next two years. In 1869 he broke into the cellar of Houghton’s Vineyard in the Swan Valley intending to steal some wine. Bad timing saw a group of policemen led into the cellars for a social drink and Joe, attempting to flee, literally ran into their arms.

He was returned to the Establishment. This time Joe behaved himself and did not try to escape again. He earned his ticket of leave in 1871 and became a free man in 1873. He stayed out of trouble for the rest of his life.

Pictured Left: Joseph Bolitho Johns 1830-1900, better known as the Western Australian bushranger Moondyne Joe 1880 Hesperian Press and Ian Elliot

The cellar at Houghton’s Winery as it looks today
James Walsh was born in England in 1833 and worked as a labourer, a clerk and then a jeweller. In 1852 he was convicted in the Old Bailey for forging a request for goods and sentenced to 15 years transportation to Fremantle. He arrived on the Ramillies on 10 August 1854 and spent the next two years at the Convict Establishment. On 25 March 1856 he was granted his ticket of leave and on 11 June 1859 his conditional pardon. After being released for the second time, Walsh managed to stay out of prison and found work as a colonial artist. He painted landscapes documenting the colony including two views of Perth from Mount Eliza dated 1864. He also produced a series of twelve pencil and watercolour sketches of Aboriginal people engaged in traditional activities, held in the Art Gallery of Western Australia.

He only remained a free man for four months before he was again convicted for forgery. This time he was sentenced to eight years as convict 5569. He regained his ticket of leave on 23 September 1863, and his conditional pardon on 14 October 1867. After 1867 he worked as a clerk and a painter in both Perth and Fremantle. He died of tuberculosis only a few years later on 27 May 1871. The history of Walsh’s incarceration, freedom and reconviction in the prison does not differ greatly from hundreds of other convicts who passed through the Establishment. What makes Walsh unique is the record he left of himself on the walls of his cell.

In 1964, almost 100 years after Walsh’s death, some whitewash was accidentally removed from the wall of a cell that was used as a storeroom. This accident revealed a cell decorated with artworks. The pictures included a range of religious figures such as angels and demons, scenes from the Bible, a picture of Queen Victoria as a young woman, a fountain covered with angels, a kangaroo hunt and a self-portrait. An inscription under one picture reads, ‘J Walsh left this cell 9 Mar.’
Thomas Bushell was sentenced to life imprisonment and transportation for striking a superior officer while serving in the British Army in Malta. He arrived in Fremantle on the *Edwin Fox* in 1858. Working in the kitchen the following year he wrecked some kitchen tools and was sent to the Refractory Block. While locked in a dark cell he attempted to hang himself using a cord pulled from the lining of his jacket.

From this point on Bushell was constantly in trouble, threatening warders, refusing to work, and attempting to escape. He was flogged, spent weeks on bread and water, and spent weeks on end in solitary. At one point he was sentenced to hard labour in leg irons and worked on the Fremantle Bridge building site. Later on while working from the Guildford Convict Depot he threatened to kill a co-worker. He was sentenced to 100 lashes and two weeks on bread and water in solitary.

In 1863 Bushell attempted to escape another three times and was sent to work on Rottnest Island. Five months later he was returned to Fremantle for disobedience and placed in irons. He was again put to work on the Fremantle Bridge and kept in irons for eight months. Finally in 1865, Bushell went too far and attacked a warder with a knife. After working in the Prison Bakehouse on Sunday Bushell smuggled a 13-inch dough knife back to his cell. That afternoon as Warder Hollis was mustering the convicts for the church service, Bushell came up behind and stabbed him in the shoulder. He immediately gave himself up to the warders and told them he had attacked Hollis.

Bushell was tried on the charge of ‘feloniously and maliciously stabbing Warder Hollis with the intent to Murder’. Bushell pleaded not guilty. While not denying he had attacked Hollis, he tried to explain why he had done so:

*I am sorry for what I have done. I was urged to it by my fellow prisoners. I have been in Her Majesty’s service and suffered much as a soldier. I was in the Russian campaign and was wounded there. I was drunk at the time I committed the offence; but I say again I did not intend to kill Warder Hollis.*

Perth Gazette, 8 September 1865

Warder Hollis actually spoke in defence of Bushell, explaining to the Chief Justice and the jury that the prisoners ‘consider it most disgraceful to tell tales on one another … (and he) did not believe the prisoner intended to harm him.’ Despite Hollis’ defence of the man who had attacked him, the jury found Bushell guilty.

Three days later while the prisoners at the Convict Establishment were being lectured by a visiting magistrate on the ‘sad consequences that follow violence and wrong’, Thomas Bushell was hanged at the Perth Gaol. He was twenty-nine years old.
Thomas Browne was an architect and engineer in London with experience in building railways. Convicted of forging a money order he was transported to Western Australia on the Lord Dalhousie and arrived in Fremantle in 1863. While a prisoner at the Convict Establishment his skills were used for building projects in the colony.

Browne received his ticket of leave in June 1865 and found work as a schoolmaster in the township of Ferguson near Bunbury. Four years later he received his conditional pardon and moved to Fremantle to work as an architect. Because of his black hair, and pale and thin face, Browne was given the nickname ‘Satan’.

Browne was a skilled artist and produced a number of paintings depicting buildings around Fremantle including the Convict Establishment.

Browne was granted a Certificate of Freedom in 1872. He married Mary Ann Lecht (known as Polly) in 1875. They had a daughter in May 1876 who unfortunately died six months later.

While his personal life was marred with tragedy, Browne’s public life suffered because of his convict background and he found it difficult to find employment. In 1879, after many failed attempts to find work Browne leased the Old Mill at South Perth and proceeded to develop it as a pleasure resort. Brown transformed the mill into a hotel with a refreshment bar on the ground floor, a dining and supper room on the first floor with a wide circular balcony, a smoking room for gentlemen on the second floor, and a viewing gallery at the top of the tower which boasted views across the river to Mount Eliza and Perth. Alta Gardens opened on 21 April 1880 and quickly became the place to be seen.

Satan Browne’s bad luck soon returned and by 1881 he was in debt for 42 Pounds. The law dealt harshly with ex-convicts. Realising he would be sent back to Fremantle Prison, Browne gave way to despair and swallowed a lethal dose of strychnine. In his dying moments he scrawled a final message: “I wish to lay against my child”.

The beautiful and famous Alta Gardens also came to a sad end. The building was leased within a week or two of Satan Browne’s death and turned into a chicken farm. The mill became derelict after years of neglect and would have been demolished if not for the concerted efforts of local residents.
Patrick Gibbons was an illiterate, unskilled and violent man who was constantly in trouble with the law and a regular prisoner at the establishment.

Patrick Gibbons was originally sentenced to fourteen years transportation in 1862 for striking a superior officer in the army. His ticket of leave was granted in December 1868 but in less than one month he was brought before the Magistrate’s Court in Vasse charged with drunkenness. To make matters worse he assaulted the Resident Magistrate in the courtroom and was returned to Fremantle for fifteen months hard labour. After being released in 1870, Gibbons moved to Toodyay where over the course of the year he was brought before the court eight times for drunkenness, fighting and breach of ticket of leave regulations. He moved to York and over the next few years continued his unruly behaviour with charges for drunkenness, fighting, obscene language. On 3 October 1877 he was arrested in Beverley for maliciously assaulting a fellow ticketer in what was described as a ‘cannibal act’.

This earned Gibbons another year at Fremantle. Released in 1879 he was returned again to Fremantle in 1881 for stealing a hat. In December 1881 he was charged with robbing and biting another ex-convict. He stayed out of trouble for a few years until 1886 when he was arrested four times for drunken and disorderly conduct. In 1890 he was charged with trying to burn down the York Hotel. Later that year he was found lying in a ditch outside of York very drunk. A father and son who were riding past lifted him onto their cart to take him into town. As the cart bumped over a rough patch of road Gibbons was jolted off and the fall to the ground killed him.

**M. Brady T. L. reported at station at 3:30pm that last night when he was at Harden York’s at Beverley he happened to have a few words with Patrick Gibbons T. L. and that while he was asleep at about 11pm he felt a sharp pang and upon awaking found his lower lip gone, and saw Gibbons standing in front of him with the piece in his mouth. The whole bottom lip had been bitten off from the chin leaving only the corners.**

---

8 Bentley M. in *The Brand on his Coat – Biographies of some Western Australian convicts*, Erickson, R. (ed) University of Western Australia Press, 1983, p 206.

11 Ibid.
The Fenian movement or Irish Republican Brotherhood was an organisation opposed to British rule in Ireland during the 1800s. An unsuccessful rebellion against the British in 1865 led to the arrest of hundreds of Fenians. The British Government sent 62 Fenians on the last transport ship, the *Hougoumont*, to Fremantle. The Fenians were different from the usual convicts in that they were generally well educated.

Together they planned O’Reilly’s escape and organised passage for him on an American whaler, the *Vigilant*. In February 1869 O’Reilly escaped from his work party, met up with Maguire and rode to a secluded beach where a rowboat waited. They rowed out into Geographe Bay but unfortunately the *Vigilant* failed to see them and sailed away.

By this time the police and Aboriginal trackers were chasing him. O’Reilly was forced to hide in the sand dunes in the scorching summer sun with little fresh water for weeks while McCabe and Maguire organised another rescue. Eventually McCabe found another whaler the *Gazelle* to carry O’Reilly to safety. On 2 March 1869 he again rowed out into Geographe Bay, was picked up by the whaler and sailed to freedom.

This was not the end of O’Reilly’s involvement with the Fenian prisoners of Fremantle Prison. Once he arrived in America he moved to Boston where he found work on a local newspaper. With John Devoy, the head of the Fenian Brotherhood in America, he worked on a plan to rescue the six military Fenians still remaining in Western Australia. O’Reilly’s plans eventually led to the *Catalpa* rescue.

---

The Comptroller-General was in charge of all aspects of convict life. Sir Edmund Henderson was born on 19 April 1821 in Hampshire, England, into a military family. After quickly rising through the ranks of the Royal Engineers (a command in the British Army commonly referred to as the Sappers), he was appointed the Swan River Colony's first Comptroller-General of Convicts.

Henderson was ‘a kindly and just man, moderate and understanding, opposed to the harsher forms of discipline. He thought that flogging did more harm than good, and that putting men in chains was useless and aggravating.’13 Henderson often disagreed with the colony’s governors. For example, when designing the Convict Establishment, he argued that a solitary confinement block was unnecessary – he believed that the cramped conditions of the cells in the main cell block would be punishment enough. However, Governor Fitzgerald ordered Henderson to build the Refractory Block, a place of secondary punishment for those convicts who broke the rules.

In 1855 Henderson’s wife Mary died while the new prison was still being built and in February the following year Henderson returned to England for an extended period of absence. Henderson returned to Australia two years later in 1858 with a new wife to oversee the final stages of the prison building project.

Henderson was popular amongst the free settlers for his good management of the convicts and his positive approach towards prisoner reform. However, this changed in 1862 when Governor Kennedy was replaced by John Hampton. Governor Hampton’s strong belief in strict discipline clashed with Henderson’s more humane approach. Henderson resigned from his position and left the colony with his family on 7 February 1863.

---

Thomas Dixon arrived at Fremantle with Captain Henderson and the first convicts on the Scindian in 1850. Dixon was the Superintendent of convicts during the construction phase of the Establishment between 1851 and 1859 and ‘served with distinction as a reforming and humane superintendent.’14 His personal life was troubled and he had continual financial and marital problems. Dixon believed that the role of the prison was to reform criminals. During his nine years at the Establishment, Dixon began a series of programs that helped reform convicts, including rewards for good behaviour and educational opportunities. One idea was a series of lectures organised in 1853, given by and for convicts, on a number of subjects including philosophy, geology, poetry, astronomy, chemistry, and human anatomy. Dixon demonstrated his trust in the convicts by allowing his own daughters to attend the lectures.

Dixon set up a marks system where points could be earned for good behaviour, hard work and study, and taken away for misbehaviour. Points went towards the reduction of a convict’s sentence, allowing convicts to work towards their release.

Like Henry Wray, Superintendent Thomas Dixon initially showed the beginnings of a promising career. Unlike Wray however, he ended up fleeing the colony with his reputation in tatters. Dixon, who had arrived in the colony with debts of more than 300 pounds, was caught depositing money used for paying warders into his personal bank account. The case was very embarrassing to Henderson who had considered Dixon to be his ‘right hand man’. Dixon was charged with stealing 89 pounds, and taken into custody. While awaiting trial Dixon decided to run away. On 11 July 1859 he boarded a transport bound for Singapore and escaped the colony. Dixon spent many years travelling the British Colonies under pseudonyms before finally returning to Western Australia as an old man and living with his daughter.

CAPTAIN HENRY WRAY

At the youthful age of twenty-five Captain Henry Wray was given command of the Twentieth Company of Royal Engineers and sent to Western Australia to assist with the construction of the Convict Establishment. Wray, his wife Mary and his men disembarked from the Anna Robertson on 18 December 1851.

Wray had the job of managing the prison building site and constructing the prison according to Henderson’s plans. Under Wray’s direction the Royal Engineers were responsible for teaching the convicts the basic skills they needed to build the establishment, including stonemasonry, carpentry and metalwork. Wray himself designed a number of buildings, bridges and roads which were subsequently built by convict labour in the Swan River area.

In 1856 Wray designed the impressive Wray Gates that separate the entry complex from the Parade Ground. The gate was inscribed with three names: Henry Wray who designed the gate, J. Manning who as Clerk of Works supervised its construction, and Joseph Nelson, the blacksmith who wrought the metal. Few architectural details in the prison are named or claimed by their makers, suggesting that Wray was proud of this work.

Wray was an extremely practical man, as his description of the completed gates suggests:

_A pair of iron gates with small side gates have been prepared and fixed at the entrance leading from the outer yard to the prison. These gates have been made principally from the iron from convict ships, which from its generally inferior quality is unfit for ordinary purposes, where welding is required. They have been so constructed as not to require welding, and, as finished, present a good appearance, and are a substantial as well as economical piece of work._

---

Henry Wray 1856
In 1856 Henry Wray became Acting Comptroller-General in charge of the Establishment while Henderson returned to England for an extended stay. Wray was described in a letter written by Governor Kennedy to the Secretary of State for the Colonies as ‘a most exemplary and industrious officer who has for many months done the work of several’.15

On 30 May 1856, just a few months after his promotion, Wray witnessed one of the more unusual incidents in the prison’s history:

*About 5:30pm yesterday, a whirlwind passed over the prison premises from, north to south-east and has done damage to a large extent ... tearing off branches from the trees and carrying everything it came across up to a great height in its vortex. As soon as it reached the prison wall, nearly the whole of the northern boundary 150 yards long, 20 feet high and in some places two feet six inches thick, was laid perfectly flat, turning over on its side like a hinge.*

Apart from his organisational and engineering talents, Wray was also an accomplished artist. His two watercolours of the Convict Establishment painted after completion of the building project are the earliest pictures of the prison as well as that of Western Australian convict life.

Henry Wray left the colony on 2 January 1858 with high commendations and a healthy reputation.

---

15 Quoted by James, R. E. in *The Royal Engineers Journal*, Obituary Notice: The Late Lieut.-General H. Wray, C.M.G., R.E., June 1, 1900, p. 129.
The surgeon, responsible for the physical and mental health of the convicts, was one of the most important positions in the prison. The Convict Establishment’s first surgeon, Doctor Rennie was not in the job for long. In 1855 he became immensely unpopular when he reduced the convicts’ rations and attempted to cut out meat altogether. He believed that meat was poorly digested in warm climates and that it turned men into savages. He was replaced by George Attfield who arrived on the *Dolphin* in 1857.

As the establishment’s chief medical officer, Attfield attended to almost 1000 men. The conditions at the establishment were unhygienic and disease was common amongst the convicts. Attfield also tended to convicts injured quarrying stone or who had fallen from scaffolding on building works. Unfortunately for these prisoners he could offer no pain relief before resetting bones or performing surgery.

Attfield was also responsible for the convicts’ diet. He designed a special diet for convicts, including gruel – a type of watery porridge - for breakfast, and tea and bread for dinner. He believed that fresh bread was unhealthy so the bread was left out for a day to harden before being served.

Attfield supervised floggings and it was his role to monitor the prisoner’s vital signs and to intervene if he thought the prisoner was in danger of dying. Once the prisoner was freed from the flogging post, Attfield rubbed salt into the wounds on the prisoner’s back to prevent infection.

Surgeon Attfield’s responsibilities also included the care of mentally ill convicts. A lunatic asylum was constructed with convict labour between 1861 and 1865 and Attfield was given responsibility for looking after the asylum’s patients.

In 1878 Dr. Attfield resigned from Colonial service, and returned to England with his wife Alice. There he remained for another 40 years until he died at the age of 101 in 1923.
Most Pensioner Guards found private work in the colony, but they were always available to help in case of an outbreak among the prisoners.

The Enrolled Pensioner Guard uniform consisted of dark greyish-brown trousers with a scarlet stripe down the leg, knee length dark blue surcoats with facings of red and yellow, and a tall, regulation hat.

To encourage them to stay in the colony, they were offered an allotment of ten acres of land which they could select and lease for seven years and then own.

As an extra incentive, a bonus of ten pounds was given to each of them and they were promised the use of convict labour to help clear the land. Nearly all of the Pensioners accepted this offer and many pensioner blocks were still owned by their descendants at the beginning of the First World War.

By 1863 the Pensioner Guards replaced the Queen's troops as the colony's military force. They were used to protect the colony and control civil unrest. At one time the Enrolled Pensioner Force numbered over 600 men. The Pensioner Guards were dissolved in 1904 and their duties assumed by the Western Australian Police.

The Pensioner Guards were retired soldiers recruited in England to accompany convicts on their voyages to Western Australia. The Pensioner Guards were not retained as permanent convict guards after the voyages, however a number were employed as Assistant Warders at the Convict Establishment. They were also used to supervise convict work parties working in the community.