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Acknowledgements

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The Department of Corrective Services Historical Committee for their advice and access to prints of disciplinary implements.
PRISONERS
FROM
THE PAST

By
JUDITH E. HART

OLD
GEORGE ST. GAOL

Illustrations
ELEN M. KIRKAUNE

DOCLIS
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INTRODUCTION

In the early days of Sydney Town few respectable citizens dared go near “The Rocks”, for fear of the violence associated with that area. The Rocks was considered at that time to be the centre of crime in all its forms, and a place where the criminal element resided or frequented.

Only when a hanging or mass hanging was to be held did ordinary citizens visit the notorious Rocks. They would assemble on the hill, and wait there until they saw the condemned plunge to their deaths from the gallows, that towered high above the stone walls of George Street Gaol. (1)

The Gaol itself was situated at the foot of Gallows Hill, the southern boundary was Essex Street, and Harrington Street was behind it. The Old Sydney Gaol has been described by many writers as “a cesspool of humanity”, accommodating felons of both sexes for crimes ranging from mere pranks to murders. However, this gaol was far better than Sydney’s original gaol, a tent, which was soon replaced by one of logs, prior to the construction of the Stone Gaol.
THE LOG GAOL

The construction of the Log Gaol in George Street illustrates some interesting aspects of the early colonisation of Sydney. Apparently Governor Hunter was determined to erect in each of the towns (Sydney and Parramatta) "a strong log building for the security of all from those of idle and worthless characters". For the completion of this task, the Governor ordered the inhabitants (free population) to supply 10 logs weekly, being nine feet long and seven inches in diameter; furthermore the officers, who were provided with labourers, were to supply 20 logs each. (2)

On the 19th May, 1797 through want of further assistance in the completion of the gaol, the inhabitants were ordered to supply 24 bundles of grass, and officers (Civil and Military, having servants), to provide 50 bundles. While from its description, the Log Gaol would thus appear to have been entirely constructed with logs, this was not quite the case; an apartment of bricks was also constructed in the yard of the gaol for debtors, containing three rooms. (3)

However, at midnight on the 11th February, 1799, the public gaol was "wilfully and maliciously destroyed by fire" but the imprisoned (some twenty prisoners), although hobbled with irons, were rescued. (4)
THE STONE GAOL

Following the destruction of the Log Gaol a stronger and more permanent building of stone was to be erected, but again it was evident that funds were insufficient (a majority of the officers had already contributed £40 each). Therefore it was ordered that each person pay a tax of sixpence on every bushel of wheat. (5)

However, several districts declined to contribute the tax, so on further consideration this tax was transferred to a "luxury" item, alcohol i.e. a tax on landed spirits, wine and beer.

George Street in 1826, looking North. The building on the left was the main Guard-House. The white wall where the street curves out of sight was the front wall of the gaol.
Payments of one shilling per gallon of spirits, sixpence per gallon of wine and threepence per gallon of porter (strong beer) were imposed. These taxes were then allotted to the funds for the construction of the gaol. (6)

The George Street Gaol was described as an 80 foot long building, having accommodation for 200 prisoners. The two principal rooms for male felons were approximately 32 by 22 feet and contained wooden platforms upon which prisoners slept. In these rooms no fewer than 112 prisoners were berthed together; some sleeping between the legs of others (even sleeping in relays, was mentioned), as there was not enough floor space available. (7)

The prisoners comprised convicts for trial, witnesses, convicts under sentence for transportation to Coal River and frequently sailors sentenced to work in the chain gang or to confinement in the gaol. (8)

The female prisoners’ room was approximately 27 by 22 feet and was described as housing at least 62 females and some eight to 10 children. A room for persons under sentence of confinement was approximately 27 by 20 feet where, also, the warden and assistant executioner slept. Another room was used for a hospital approximately 27 by 17 feet, but was very poorly ventilated.

There were six condemned cells, about 10 by six feet, and another room, approximately 22 feet square, used for the confinement of refractory prisoners and aboriginals. The treatment was often brutal and executions were frequent. Needless to say, attempts to escape were numerous. (9)

The upper yard contained five small rooms for debtor prisoners and this upper yard opened into another, in which the gallows was erected. The gallows were visible from the Rocks behind the gaol; evidently the “Old Skip Inn” was an advantage point for onlookers.

The lower debtors’ yard contained one room for debtors and a cookhouse. In the main entrance yard to the prison, a lean-to was built against the front wall. This contained in all six rooms; one to accommodate the principal turnkey, another was used as a receiving room, two for clerks’ offices, one for the gaolers (namely John Weston, Daniel McKay and Daniel Cubitt) and the last as a general cookhouse.
Although this building was constructed to detain some 200 prisoners, it was known to have accommodated at least 345 prisoners on occasion. As a result of this crowding, most prisoners were continually engaged in petty arguments and fights.

In 1822 Commissioner Bigge, concerned at the outcome of his enquiries (and having learned that criminals, their accomplices and witnesses for trial were herded together in a cramped cell) recommended that they should be separated in order to prevent connivance in the cases to be heard and to safeguard the men against violence and intimidation. For this to be achieved, the Commissioner considered a new gaol was essential. The establishment of a new gaol was envisaged to be an improvement on the George Street Gaol, and steps were taken to ensure that this would be so. However, the attitude of those in direct contact with prisoners remained unchanged. A Captain Steel (then in charge of George Street Gaol) in a blood-chilling comment stated: "An improvement, yes, we could bang seven together at a push at Darlinghurst (the proposed name of the new gaol), and we could bang six comfortably." (10)

Further investigations in 1835 of Police activities and Gaols only stressed the ruinous and insecure state of the George Street Gaol, and how inadequate it was for the number of prisoners held at that time.
ADMINISTRATION

In 1777 John Howard, Sheriff of Bedfordshire in England, put forward four principles of gaol administration which were to win general acceptance. They were:

(1) The provision of structurally sound, roomy and sanitary prisons.

(2) The transformation of the gaoler from an independent profit maker into a salaried servant of the public authority.

(3) The subjection of all prisoners to a reformatory regime which included work and religious exercises.

(4) The systematic inspection of the prison by an outside public authority.

However, the British Penitentiary Act of 1779 introduced as a rigorous punishment “cellular confinement” both day and night. Various combinations of cellular confinement and work, with a rule of silence applied, were developed in the “reformed” local prisons. But in general, the enormous capital cost discouraged its spread and the British Act of 1823 turned away from cellular confinement and relied upon classification as a principle of management. (11)

From what records that are available, the George Street Gaol was far from either of the descriptions that appear above. Instead it was an establishment of “indiscriminate berthing together of prisoners of both sexes, of all ages, conditions of health and degrees of villainy” (12); and continued in this manner until its closing down in 1841, after having been in operation for approximately 42 years.
In evidence given on the 29th July, 1835 to the Committee on Police and Gaols, a principal gaoler, Mr. John Weston, supplied some details of the conditions and administration of that gaol. He stated that:

"In consequence of the very confined area of the prison and its generally crowded state, the necessaries* are found to be very great nuisance to all within the gaol, and to the neighbourhood in general.

"The gaol affords no means of classifying the prisoners. I did at one time attempt to classify them in some measure, by confining the boys and free persons for trial in the room appropriated to confinees, but this was so very insecure that five boys broke out of it in one night, and I was in consequence compelled to discontinue the attempt. Felons are necessarily confined at one time in gaol as before trial."

He further said:

"Without a military guard there would be no security whatever in it; five sentinels are required to guard it by day, and six by night, as there is no guardhouse in the prison, the sentinels are furnished by the main guard at the Commissarial Store, which is about 300 yards distant.

"The Civil establishment of the gaol now consists of one gaoler, one head turnkey, and 12 constables or assistants. In 1829, one under-gaoler and one turnkey were taken off the establishment. The principal turnkey wacks charge of the prison during my frequent absences when attending the Courts. One half of the assistants are always on duty, those who are relieved are compelled to leave the gaol, as there is no accommodation for them within its walls. Four prisoners of the Crown are always employed as messengers and sweepers, but without pay; the insecurity of the gaol is so great, that whenever it is necessary to send an assistant turnkey to take prisoners up for bail, or any such purpose, outside the walls, I am obliged to place one of these prisoners at his post during his absence.

* normal bodily functions.
"Prisoners (except females) were locked up at 3.00 o'clock in the afternoon until six the following morning. This early lock-up hour applied because the felons' yard was the only place in the prison where the female prisoners could take exercise, which they were allowed to do from about four o'clock, by which time the yard was cleared, until dusk." (3)

It would appear from the evidence that some consideration was given to women prisoners, although their living conditions, it seems, were just as appalling, if not worse, than those of males; and no doubt the women were exploited as was the case later disclosed within Darlington Gaol.

The food for convicts appears to have consisted of a pound of bread per day and this was possibly supplemented by the 'black-market' activities existing within the gaol (i.e. some prisoners sold tobacco, sugar and tea to fellow inmates).
DISCIPLINE

Discipline, by order, consisted of locking up and unlocking, but much of it was maintained by barber means. Such treatment was common in the George Street establishment. Flogging with the cat o’nine tails could cause great pain and severe mutilation; for every stroke, nine lashes would hit the victim. Another device was called spreadeagling. “A prisoner was handcuffed with his arms outstretched to ring bolts on the wall of the cell, the binding up of a man by his wrists with his feet not quite resting on the ground.”

Another punishment was to place a prisoner in one of the dark underground cells, and often irons were used. Furthermore, in 1826 Governor Darling developed the chain - gang system, which was soon to be known for its hard and brutal treatment. The system required prisoners to be locked up at night in ‘Prisoner Boxes’ (mounted on wheels) which forced the prisoners to sleep in cramped and uncomfortable conditions while on the work site.
By day they worked in heavy chains (including a neck collar) and were punished on the spot for trivial offences. Such gangs (consisting of George Street inmates, in the main) were used in the quarrying of stone for Darlinghurst Gaol.

The Gag, another form of discipline “was a piece of wood three inches long and three quarters of an inch thick. From it, projected a conical tube about one and one eighths of an inch at base, tapering to three quarters of an inch and about two inches long. The cone was inserted in the prisoner’s mouth and straps buckled the base behind his head.”

Finally there was the scaffold. As mentioned earlier, George Street Gaol was the place of numerous hangings. One of these victims was a young man, 26 years of age, originally from Nottingham, England, named Charles Crump. He was charged with having stolen from the brig “Harrington” nine pieces of chintze and calico valued at 4 shillings and 10 pence. The Reverend Samuel Marsden* attended young Crump, who after being given to the executioner, “ascended the cart, and in a few moments was left suspended.” (14)

Perhaps a more deserving case was that of “the redoubtable Currin”; heavily ironed he took precedence over his fellow cutthroats, robbers, bushrangers and violators of women. On the 7th June, 1841, Currin was among the first intake (of George Street inmates) to be received at Darlinghurst Gaol and only a few months later was transferred and executed at Berrima Gaol (15) (refer documents pertaining to Currin).

It was said that, after sentence, “Currin took remarkable turns, at times used the most horrible expressions, and at others engaging in sincere prayer.

* The Reverend S. Marsden played a significant role in the early developments of the colony.
While waiting for sentence to be carried out,Currin was attended by the
Reverend Father Gould, of Goulburn and sometimes by the Reverend
Father McGrath of Campbelltown. Both of these gentlemen were often
thrown out of the cell by Currin. On the night before he was hung, he
became very penitent, and the two Reverend Fathers were able to spend
the night in prayer with him. On the scaffold Currin was attended by the two
priests. Mr Keeb Jnr. (son of the Governor) acted as sheriff. (refer doc.)
Just before the end, Currin admitted the murder of a Mr. Fuller, for which
a man named Bright was sent to “that bell, Norfolk Island.” (16)

THE TRANSFERENCE

On the 7th June, 1841 a pitiful procession of 119 men in convict garb,
chained together and under a strong police escort proceeded from the
old George Street Gaol to the new gaol. According to records and,
although chain gangs were a normal occurrence, the sight was so appalling
that the local residents were shocked and “stopped in silence to survey
the depravity and human wretchedness making its way through the city.”
The procession was said to consist of a large part of the felon population
of Sydney and representing the whole gamut of crime.

The women followed later that same day and were described “as a dowdy
company to the number of fifty” as they made their progress through the
streets. All these prisoners (including the men) were colonial offenders,
quite distinct from the imperial or imported variety of convicts housed
nightly in Hyde Park Barracks, at the top of King Street. (17)

“Convicts, shivering and miserable in clanking irons, guarded by armed
police and warders, shambled along from the old prison to the new ....”
LAST DAYS

George Street Gaol was in such a ruinous condition at the time of the “transference” that the buildings were subsequently demolished.

Apart from the reference made to the site by F. Clune in his book “Serenade to Sydney”, where he noted that the site was occupied by three shops by the early 1900’s, very little popular interest has been shown in the George Street Gaol.

However, in recent years this has changed; Old Sydney Town is in the process of building a replica of the gaol and in 1979 an archaeological team organised by the Heritage Council of New South Wales unearthed evidence of the Old Stone Gaol.*

The team uncovered during the dig three site stages: the first was from the construction and occupation of the Stone Gaol (i.e. approximately 1800 - 1841) where they found a leg iron, a 1799 farthing coin and a well which, it is assumed, was part of the old gaol (refer prints).

* The Heritage Council will shortly publish a booklet on this research.
In the second stage, from 1841 to 1905, the site was divided into plots and developed for rent or sale and by 1856 a row of cottages had been built. During the third period, from 1905 to 1927, the site was quarried, Vernon Terrace was laid and in 1927 Conservation House was built and still stands on the site today. (18)
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(2) Historical Records. Page 139.
(3) Historical Records. Page 209.
(7) The Truth, 13th December, 1914.
(9) The Truth, 13th December, 1914.
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Hon. Mr. JUSTICE NAGLE
            Report on the Royal Commission

Australian Historical Records Vol. 25.

Police & Migration
1835-1837. Sect. Minutes taken from the
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NEWSPAPER ARTICLES
“The Truth”, 13th December, 1914.
“University of Sydney News” Vol. 11/20,
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SKETCH-PLAN
OF
OLD STONE GAOL.

SECTION

STONE WALLS
STONE TERRACE
STAIRCASE

ELEVATION

FUTURE WARD

WARD

HALL

WARD

FLAGGED FLOORS THROUGHOUT

FLAGGED

TERRACE

STREET

PLAN

STONE FENCE 20" THICK TO GROUND LEVEL.
1'6" THICK ABOVE HEIGHT - NOMINAL 4'0" IN 12' CRB.
ULTIMATE HEIGHT 15'0".

SCALE OF FEET, APPROX. 1" = 20'
20' = 6.10m

BY COURTESY OF OLD SYDNEY TOWN
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**Grand Total:** 30.50
WHEREAS His Majesty, having been advised of the rebellion in the Territory of New South Wales in the year 1806, and having determined to take immediate steps for its suppression, has issued a Proclamation for the calling out of all such forces as may be necessary for that purpose.

NOW, THEREFORE, in virtue of the power and authority vested in me by His Majesty, I hereby grant to the person named herein the conditional pardon under the provisions of the said Proclamation, subject to the conditions thereunto annexed.

I certify that His Majesty's Majesty's approval and assent have been given to this pardon.

Given under my hand at Government House, Sydney, the day of the year, 1806.

[Signature]

Registrar in the Colonial Secretary's Office.
Archaeological Evidence

F

G

H

I

J