

## **Theme: Tocal Convict Accommodation and Work Sites**

*Note: Tocal's thematic history has been prepared as part of the assessment of the site's heritage significance in the 2012 (draft) conservation management plan.*

**Australian heritage theme:** 2. Peopling Australia

**NSW heritage theme:** Convict

The Tocal Homestead precinct contains extensive physical evidence of the lifestyle and work practices of convicts assigned to the estate from 1822 until transportation to NSW ceased and the convict system wound down in the 1840s. Comprehensive documentary and biographical evidence of the 150 convicts who lived and worked on the Tocal estate between 1822 and 1840 is available to complement the physical evidence.

From 1822 the majority of convicts in New South Wales were assigned to private masters rather than to government gangs, but sites of private assignment have received little attention in Australian convict heritage. They have been overshadowed by places of secondary punishment such as the penal settlements of Port Arthur and Norfolk Island, and by other institutional sites such as Hyde Park Barracks.

By the end of Governor Macquarie's term in 1821, the majority of convicts in New South Wales were allocated to government works. From 1819 to 1821 Commissioner Bigge held an inquiry into the penal operations of the Colony and recommended that the majority of convicts be allocated to settlers rather than to government. When Governor Brisbane took over from Macquarie at the end of 1821 he restructured the convict system in accordance with Bigge's recommendations. Brisbane granted land to settlers in proportion to the number of convicts they were prepared to support off the government stores, requiring settlers to support one convict for every 100 acres granted.

Tocal's first land grantee, James Phillips Webber, arrived in the Colony in January 1822, only a few weeks after Governor Brisbane, and was one of the first settlers in the Colony to acquire land under the new policy of extensive private convict assignment. He was also one of the first to take up land in the Hunter Valley when it was opened to wide scale settlement at the end of 1821 following the decision to close the penal settlement at Newcastle and to transfer its function (as a place of secondary punishment) to Port Macquarie.

In late January 1822 Webber agreed to support 15 convicts and applied for 1,500 acres. Within a few months he amended the request to 20 convicts and his initial grant was set at 2,000 acres. James Webber took possession of the Tocal land in March 1822 with his first four convicts and he relied almost entirely on convict labour to develop the estate. The Tocal estate was typical of the pattern of land settlement and rural development in the 1820s and 1830s as the Colony rapidly expanded beyond the Sydney basin.

By 1828 there were 34 convicts living and working on Tocal at any one time and the estate had grown to 3,300 acres. Tocal accurately represents rural estates that constituted the core of the convict assignment system. Usually convicts were assigned to Tocal upon their arrival in New South Wales but the estate also received convicts returning from a term of secondary punishment at a penal settlement or in an iron gang, or those who had been returned to government by other settlers as 'unsatisfactory' and then re-assigned.

The transportation of convicts to New South Wales was suspended in 1840 and assignment of convicts to settlers formally ended in 1841. About half of the 150 convict men and boys who were assigned to Tocal between 1822 and the end of the convict period remained on the estate until they obtained a ticket-of-leave or their sentences expired. Of the others, some were returned as unsatisfactory, some were banished to serve time in an iron gang or a penal settlement, and some died before emancipation (Walsh, 2006). The Tocal estate therefore demonstrates the full gamut of private assignment experience and illustrates the dynamics of private assignment in action.

The estate provides ample evidence of convict living conditions, ranging from crude slab-timber structures to the two-storey brick convict barracks constructed about 1836. The estate is replete with evidence of day to day convict labour including remnants of a sheep-wash in Webber's creek, the mounds of Tocal's first vineyard, a convict quarry and the bell used to summon convicts to work and meals. Evidence of convict-built structures include the

magnificent stone barn constructed in 1830, a blacksmith's shop, underground bottle-shaped brick grain silos, and remnants of timber and stone bridges.

Recent research has provided detailed, exhaustive documentation and interpretation of the deployment, organisation and administration of convict labour on the Tocal estate, along with methods of control, rewards, punishments and behaviour of individual convicts living and working there (Walsh, 2006, 2007, 2008). Tocal's convicts—nearly 150 in total—cleared and ploughed the land, planted, tended and harvested a range of crops including tobacco and wheat, constructed and maintained a variety of fences, huts and sheds, tended Tocal's vineyard and some assisted in wine making.

Most of Tocal's convicts lived in the Homestead precinct but some convict shepherds and watchmen/hutkeepers lived remotely in rough timber huts in the bush. Some of Tocal's convicts were skilled artisans such as coopers, blacksmiths and stonemasons, and Tocal's 1830 stone barn is testament to the skills and pride of workmanship of convict stonemason Dennis Long who was assigned to Tocal at the time.

A detailed survey of the Tocal estate undertaken in 1834 has been found and analysed, providing further interpretative detail for the physical evidence and indicating an untapped potential for substantial archaeological finds relating to convict lifestyle and work practices (Knapp, 1834). Some of the buildings identified in this survey are no longer evident but many key elements, such as the stone barn, have survived. The current layout of the precinct and relationships between the buildings, fences and spaces remain substantially as they were in 1834, thus providing a rich picture of the character and organisation of convict work and life on a rural estate.

The layout of the estate and the extensive surviving physical evidence also clearly demonstrate the social structures associated with a rural estate based predominantly on a convict workforce. The physical structures mirror the social strata, functions and roles operating at the time, ranging from basic convict accommodation, the modest brick overseer's cottage, to the substantial original Tocal Homestead and outbuildings (not extant) and the grand Tocal Homestead constructed at the end of the convict era as a country retreat for the estate's owner.

### **Chronology:**

1822, March	James Webber and his first four convicts arrived at Tocal;
1828, November	34 assigned convicts living and working at Tocal;
1829, November	13 convicts revolted at Tocal due to lack of rewards during harvest;
1834, May	Tocal surveyed by Edward Knapp prior to its sale;
1834, August	Tocal sold to Caleb and Felix Wilson and its convicts transferred to them;
1835	Fire at Tocal destroyed several buildings <sup>1</sup> ;
1837, April	Convict murder at Tocal, one witness hid in the stone barn;
1840	Transportation of convicts to New South Wales suspended;
1841	Private assignment of convicts formally ended;
1844, December	Tocal's last known convict absconded and was arrested at Maitland races.

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<sup>1</sup> *The Australian*, 8 September 1835.

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