

If the walls could talk: Oatlands Court House



Figure 1: Satin-ground French wallpaper ca 1841, Judge's Chamber (detail). Before being damaged by woodsmoke, UV light and 17 subsequent layers, the white component of this paper (the flowers and foliage) would have sparkled and reflected light as if back-lit. This was achieved by applying multiple layers of the 'ground' colour and then polishing it with French chalk and steel rollers to provide a glossy, reflective surface. The brown and cream layers were then woodblock printed onto the white, giving the illusion that the background colour is the foreground.

What you are looking at is the first layer of wallpaper (layer 1 of 18) in the Judge's Chamber at the Oatlands Court House. This amazing paper (see above) was installed in 1841 as part of a major upgrade to the courthouse. The reason behind the upgrade was simple: starting in June 1841, Oatlands was to become a venue for quarterly Supreme Court sittings. Prior to this, the most serious cases (rape, arson, murder, theft above 5 pounds) were sent to the Supreme Court in Hobart for adjudication. But with sittings scheduled in Oatlands, offenders could be housed in the Oatlands Gaol to await the next trial date, rather than undertaking the risky and expensive practice of sending them under armed escort to Hobart Town.

All court proceedings are essentially theatre, but none more so than Supreme Court sittings, where judges had the ability to sentence offenders to death. In the case of Oatlands, the Court House was fitted with new 'accoutrements' – Judge's Bench, Witness Box, Jury Box, etc (see Fig. 2). At the rear, two new rooms were added – a Jury Room and the Judge's Chamber or Robing Room. The architecture of this room was carefully considered; one door allows the Judge a private entrance into the Court House, the other door opened directly onto the Judge's Bench. This meant that the visiting Supreme Court Judges could arrive unseen, don their robes and wigs, and descend into the Court House at exactly the right moment for maximum dramatic effect.

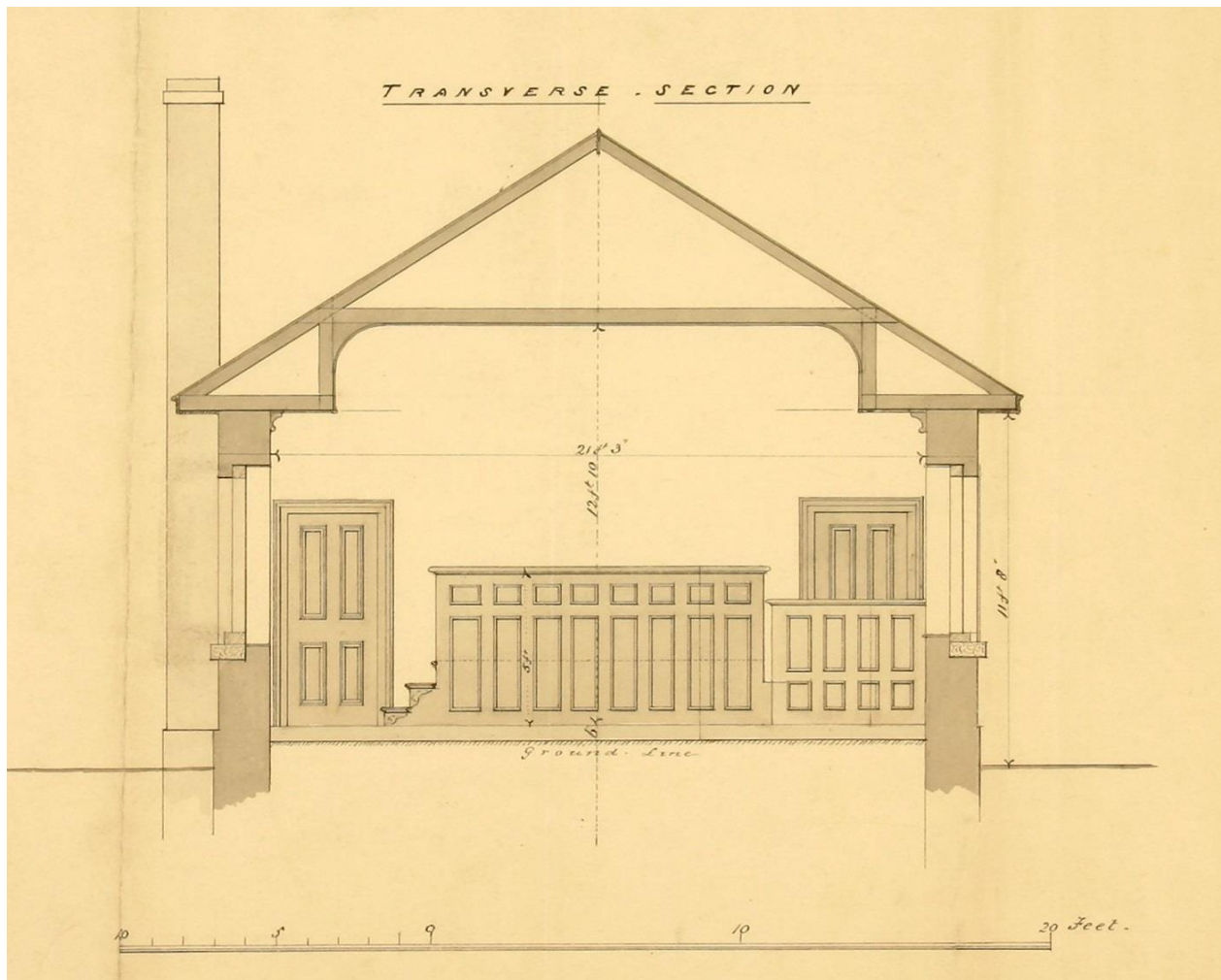


Figure 2: Detail from PWD266/1539 showing Supreme Court fit-out ca 1841, Judge's Chamber on left, steps leading to Judge's Bench

The Judge's Chamber also had a much more somber purpose. Juries were in place as triers of fact (guided on matters of law by the Judge), but it was the Judge alone who decided the sentence when a guilty verdict was delivered. The Judge's Chamber was the place where Supreme Court judges could take a little time to consider the gravity of the offence, and in

capital cases, whether a death sentence was justified. At Oatlands, the death penalty was carried out eighteen times, and - circling back a bit here – that is what makes the wallpaper in the Judge’s Chamber so significant. It is what judges were looking at when making life or death decisions. In fact, it is what Justice Thomas Horne was looking at when deciding whether or not a brutal and brutalized convict named William Henry Stevens should meet his fate at the end of a rope.

William Henry Stevens, ‘A Very Bad Boy’

William Henry Stevens was just 17 years old when transported in September 1840 for stealing a watch. This was not his first offence, far from it. His conduct record shows that he had already been convicted several times previously on stealing charges, and by his own statement, he ‘had been in prison 20 times’. Even allowing for the exaggeration of youthful bravado, it seems reasonable to conclude that Stevens was following the career path of Dickens’ ‘Artful Dodger’, and like the Dodger, got transported for stealing a ‘ticker’, probably the last of a great many. Hardly surprising, then, that his Gaol Report notes him ‘A very bad boy’...¹

That Stevens was no stranger to the criminal world is reinforced by the impressive list of tattoos meticulously noted on his conduct record. Adorned with so many tattoos that the list barely fits into the ‘Remarks’ column, Stevens must have resembled a human canvas, decorated with – among others – skull and crossbones, a mermaid, a man with a pistol, ‘Health Love and Liberty’, a man with fetters, numerous pistols, anchors, Brittania, and a ‘man with Pot’ (presumably a tankard).²

Stevens arrived in Van Diemens Land in February 1841 and was assigned to the Prisoners Barracks in Hobart Town. He attracted brief spells at the tread wheel and solitary confinement for absconding, but managed to complete his period of probation in October 1842. Two months later, still at the Prisoners Barracks, he was charged with being ‘absent from his gang and having a quantity of green gosseberries and apples in his possession under suspicious circumstances’ and sentenced to three months hard labour at the Bridgewater Road Station. After Bridgewater he was sent to the Salt Water Creek Probation Station, where he was charged with ‘misconduct in having a large fire on the hut floor’, sentenced to 36 Lashes and removed to the Coal Mines.³

In February 1844, whilst in Longford Gaol, Stevens was charged with misconduct for ‘making a Hole in the Partition between his Cell and that of a Female’, and sentenced to three months

¹ Archives Office of Tasmania (AOT), Convict Department (CON) CON 33/1/5 Conduct Record, Henry William Stevens

² AOT CON 35/1/2 p.140 Supplementary conduct record, William Stephens

³ Ibid

hard labour at Fingal. It is at this point that Stevens' offences take on a more violent nature; by now 21 years old, Stevens began to graduate to more adult crimes. The first of these occurred during his time at Fingal, when he was charged with 'Highway Robbery' against John Smith. Found guilty at the Launceston Supreme Court in July, Stevens was sentenced to be transported for 15 years, commuted by the Governor to 3 years at Port Arthur.⁴

If Stevens' 3 years in the penal system had not already brutalised him, there is every reason to believe that his time at Port Arthur did, producing a very violent individual. Within a few months of arrival at the penal settlement (of which he had already had a foretaste at the Coal Mines), Stevens was given 100 lashes for absconding and another 3 months hard labour for 'wilfully setting fire to the Bush'. In July 1845, following yet another period in chains for theft, he was sentenced to a further 2 months hard labour in chains for 'Assaulting John Gillingham by striking him on the head with a Billet of wood'.

An offence-free period of 18 months was broken in February 1847 when Stevens was charged with 'disorderly conduct in fighting on the works', but a far more serious charge was only months away: 'Unlawfully cutting & wounding Thomas Shard with intent to kill &c.'⁵ Stevens was brought before the Hobart Supreme Court with co-defendent William Bennet for hacking Thomas Shand with an axe, consequent on Shand's having informed the authorities about Bennett's secret store of tobacco.⁶ Stevens escaped conviction, but Bennet was found guilty, and when brought to the gallows, 'showed little concern at his execution and hastened to place himself over the drop'.⁷

Having escaped 'Mr Dogherty's patent neck-tie' doesn't seem to have had a salutary effect on Stevens, for his next violent offence occurred whilst being returned from the Supreme Court to Port Arthur. Just four days after the trial, where he had seen his comrade sentenced to death, an incident occurred which implies the desperation Stevens must have felt at the prospect of a return to Port Arthur. Whilst on board the Government schooner 'Swallow', Stevens assaulted Nathan Field and James Wood by 'striking him on the head with a billet of wood'. For the two assaults he was given another 24 months hard labour in chains. Later that year, the sentence was extended an additional 18 months for absconding.

In March 1848, Stevens was sent to Norfolk Island to serve out the remainder of his sentence of hard labour, and remained there until October 1850. On his return to the mainland, he was sent to Antill Ponds, under orders not to enter service in Hobart or Launceston. Less than a month later, he absconded again, but time was running out for William Henry Stevens.

Having taken to the bush, Stevens' first move was to rob the hut of a shepherd in the employ of Dennis Bacon, landlord of the Half-way House at Antill Ponds. Several days later, on New Years

⁴ Ibid

⁵ AOT Minutes of Proceedings in Supreme Court SC 3/1/2 p.8

⁶ Richard P. Davis, *The Tasmanian Gallows* (Hobart 1974), p.55

⁷ Ibid (Davis)

Eve 1850, he used a gun taken from the hut to stick up 'a poor man named [James] Moore, on the high road between Antill Ponds and Tunbridge', threatening to shoot him if he did not take off his boots and give them up. Stevens

'then proceeded to Ellenthorp Hall, and represented himself as a constable. Constable Hunt, who is stationed there, suspecting all was not right, invited him to a cup of tea, and watched an opportunity of snatching the gun away, and discharging the contents, he then took him into custody'

The *Courier* went on to describe Stevens as 'one of the most notorious fellows that ever traversed this island'.⁸



Figure 3: Justice Thomas Horne, before whom Stevens' case was heard

Stevens was taken to the Campbelltown Gaol, and from there to the Oatlands Gaol to await trial at the next sitting of the Supreme Court at Oatlands. On 28 March 1851, he was found guilty of 'Assaulting being armed with a Gun, one Jas. Moore, putting him in bodily fear & stealing one pair of boots, val. 2s, from his person, the ppty. of sd. Js. Moore'⁹. Sentence: to be hanged.

The Last Days of William Henry Stevens

⁸ *The Courier*, 8 Jan 1851 p.2

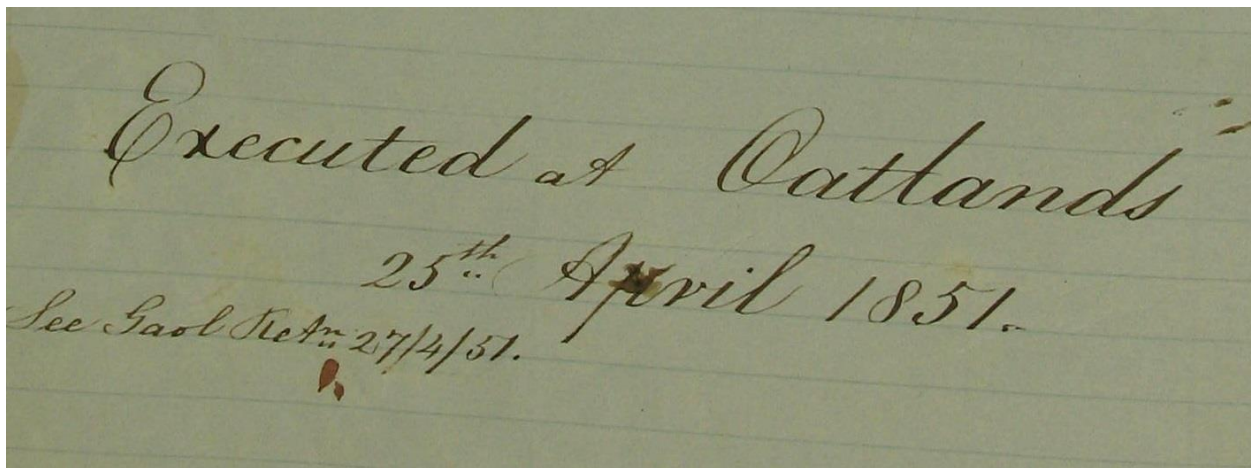
⁹ AOT SC 32/1/6, p.198

Stevens would spend the next month in the condemned cells at Oatlands Gaol, purpose built several years before to hold condemned men and allow them to 'receive religious consolation without being exposed to the gaze or annoyance of their fellow prisoners'¹⁰. During this time he may well have entertained hope of a reprieve; if so, he was to be disappointed. When his case came before the Executive Council on 16 April, his fate was sealed by the comments of the Puisne Judge, Algernon Montagu, who described Stevens as:
*'a very desperate character, ...[who had] on a previous occasion cruelly assaulted one of his fellow prisoners and drunk his blood, declaring it was the Sweetest draught he had ever tasted in his life.'*¹¹

On the morning of the 25th April 1851, Stevens was led to the scaffold erected in front of the gaol gates. His would be one of the last public executions at Oatlands, and provided the kind of grim spectacle that would soon be cited as grounds for the change to 'private executions' inside the gaol walls.¹² According to the Courier:

*'A great many people were present at the awful spectacle, amongst them three females. One had two children, one of which was in arms. He was very penitent, and, after the halter had been adjusted, requested the removal of the cap from his face. His request being acceded to, he solicited the prayers of the population...'*¹³

At the time of his execution Stephens was 27 years old.



¹⁰ AOT CSO 24/48/1649 p.107

¹¹ AOT Executive Council Minutes, EC 4/1/8 16 April 1851

¹² See, for example, *The Courier* 14 Feb 53 p.2

¹³ *The Courier*, 30 April 1851, p.2