

THE CONVICT-BUILT 'FENCE' IN THE CANNING RIVER

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ABSTRACT

A long row of piles in sections of the Canning River has long been known as the 'Convict Fence'. In 1974 the Canning Town Council applied to the Interim Committee for the National Estate for a grant to conserve the 'fence' or part of it. The Interim Committee made a grant to the Western Australian Museum to investigate the proposal. This paper is the result of research into conflicting claims about the origins of the 'fence'. That part of it was built by convicts in 1866 is demonstrated. However, owing to considerable reconstruction since, it is impossible to identify parts of the convict-built section which may survive.

INTRODUCTION

In 1973 the Canning Town Council proposed to increase the recreational use of the Shelley Basin, part of the Canning River. The Council commissioned the engineering firm of Halpern and Glick to report on dredging and reclamation work which might be necessary to improve the environmental and recreational qualities of the Basin. A feature of the Basin is a long chain of piles, long known as the 'Convict-built Fence'. The Canning Districts Historical Society had recommended in 1972 the retention and restoration of part of the 'fence', 'the middle section off both sides of Mum's Point', because of the historical significance of the structure. The Society also asked the Town Council if it would 'provide labour to assist, under the direction

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of the Canning Districts Historical Society or a Western Australian Museum representative, in the excavation and restoration of the remains of the "Fig Trees" convict camp on Mum's Point'. The National Trust of Australia (W.A. Branch) had also recommended retention of the fence on two grounds: its historical significance and its possible role in the ecology of the river. It had been claimed that the rotting piles provided havens for young fish.

In 1974 the Canning Town Council applied to the Interim Committee for the National Estate for a grant to conserve the 'fence' or part of it. Because there was opposition to the claim that the 'fence' was built by convicts, and because of doubts about the practicability of conserving the piles, the Interim Committee of the National Estate, on the recommendation of the Western Australian State Policy Group on the National Estate, made a grant of \$5,000 to the Western Australian Museum. The grant was 'to assist with study of the means of restoration and preservation of a portion of the Canning River "Convict Fence", built during the 1860s, with a view to long-term re-erection of the old convict camp and establishing it as a local convict museum'.

Hutchison reviewed the evidence for the claim that the 'fence' was built by convicts in the 1860s or 1870s, including the booklet published by the Canning District Historical Society, Occasional Paper No. 1, n.d. He reported that, although there was prima facie case for preservation of the 'fence', further research was necessary, Davidson (formerly Sholl) was appointed as temporary graduate assistant in the History Department of the Western Australian Museum to conduct this research. Her appointment was funded by the I.C.N.E. grant. The reports by Hutchison and Sholl were distributed to interested parties and were also published as a booklet by the Riverton Library (Sholl & Hutchison, 1977).

THE CASE FOR PRESERVATION OF THE 'FENCE'

The case for preservation of the 'fence' was based primarily on the researches of members of the Canning Districts Historical Society into the history of the Mason and Bird Timber Company. This was an enterprise which played a major role in the early settlement of the Canning Districts. Mason, who started his business in 1862, transported logs from his saw mill to Mason's Landing on the Canning River. Shallow-draught barges carried the timber down river. They were poled through the shallows to the deeper water near Salter's Point, there to be taken in tow by a steamer for transport to Fremantle. In summer time even the shallow-draught barges often grounded in the shallows and Mason found it difficult to meet export contracts. He conceived the idea of employing convict labour to dredge a channel in the shallow section between Mason's Landing and the deeper water downstream.

The Governor approved the plan and capital was obtained by Mason entering into partnership with Francis Bird. It appeared that the channel was dredged in 1872, but this was not substantiated fully by research. Davidson's research shows that a section of the 'fence' was first erected in 1866.

It was claimed that the 'fence' was needed to hold back mud thrown up by the channel-diggers. The term 'fence' was really a misnomer, 'barrier'¹ being more appropriate. If the structure or a section of it is retained it is hoped that the term 'barrier' will be used in future. The 'fence' was reported to have been constructed of jarrah poles backed by casuarina logs and boughs felled on the nearby banks. The tops of the piles were linked by a 10 cm x 10 cm planking, but no trace of the planking remains. Insufficient evidence was produced for these claims, and no accounts of the methods of construction were reported.

Halpern and Glick (1975) were sceptical of these claims and commented:

The report goes on to say that the prisoners were required to form a channel along-side the fence by digging mud up in buckets and throwing it over the fence. If this report is correct the fence is a memorial to one of the grosser acts of inhumanity of pioneer days.

An attempt by a member of the Consultant's staff (an English migrant) to move mud with a bucket proved that even with the inducement of an overseer's whip his daily output would have been negligible. Working conditions would have been intolerable since there is 3 ft of water over most of the mud even at low tide and the bottom is too soft to walk on.

A merchant as astute as Mr Mason could easily have found out that a dredge called a 'mud mill' was powered by men walking a treadmill in Holland in the 16th Century and that similar bucket dredges driven by man-power (and later by horses) were in use throughout Europe until men and horses were replaced by the steam engine. He would not have wasted rations on convicts dabbling in the mire. It seems much more likely that the posts were driven to support a walk-way for men pulling tow ropes or to provide purchase for the barge hands to pole the boat along. Punt poles would obviously not work in the mud. An old photograph shows a plank walk-way fixed to the top of the posts.

The prisoners did excavate a channel through sand at the northern end of Mum's Point. The channel was filled by the 1965 reclamation but the trees which grew on the spoil banks on either side are still there.

It is reported that the dredge the 'Black Swan' arrived in the basin about the same time as the 'Convict Fence' was built but there is no evidence that it did any useful work. The wreck of barge is still against the fence.

Hutchison (Sholl & Hutchison, 1977) claimed that 'the suggestion that men with tow ropes walked along this walk-way is less convincing than the

¹ However, the use of the term 'fence' during the construction of it may justify the retention of this name.

use of the barrier to provide purchase for poling the barges'. It is doubtful if the 10 cm x 10 cm planking, given the span between piles, would have provided a firm enough platform for men to walk along towing barges. Hutchison also averred that 'historical archaeological research could verify whether casuarina logs and boughs were laid behind the piles. He suggested that the barrier may have been built to encourage scouring of a channel by winter flow. The use of the 'fence' to encourage scouring was in fact suggested by Mason, as will be shown. It was at least partially successful for this purpose.

It had been reported that there were plans in the Public Works Department showing that the barrier had been erected by that Department in 1897. Although the various claims and counter-claims had not been verified by research to that date, Hutchison suggested that the historical significance of the 'fence' rested on several factors:

- 1 It was part of a major enterprise in the early period of Canning Districts settlement,
- 2 It appeared to be a unique civil engineering structure from the colonial period,
- 3 The association of the fence with the convict period, and
- 4 It was a visual reminder of the importance of river barge transport in the nineteenth century.

Davidson was therefore commissioned to try to determine:

- 1 Whether the so-called 'fence' or 'barrier' in the Canning River was in fact erected by convict labour and, if so, when.
- 2 Whether the existing piles were erected by the Public Works Department at a later date, and, if so, whether any of the existing piles were part of any original convict-built structure.
- 3 Whether, if the convicts were employed on the original structure, sites of convict encampments could be identified.

Supplementary to these main enquiries Davidson was also asked to determine whether information could be discovered about the material and methods used in the construction of the 'fence'.

ORIGIN OF THE 'FENCE'

The history of the Canning River barrier is very closely linked with the development of the Canning Districts. The early 1860s saw the establishment of a timber industry on the banks of the Canning, and this development led to special attention being given to the navigability of the river. Between

Salter's Point and Mason's Landing the river was very shallow, especially in summer; barges carrying timber for export frequently got stuck on the sand banks and failed to connect with the steam tugs which were waiting to take them in tow at Mt Henry where the water was deeper.

In December 1863 George Randell, owner of a steamboat service which provided transport between Perth and Fremantle, wrote to the Colonial Secretary complaining about the condition of the Canning, and persuaded the Government to send out a party of convicts to excavate some of the sand and mud which had collected in the river (CSLS 19/1/1864: 1350). However, after a little more than a year sand and mud banks were interfering with river traffic once more. In March and April 1865 letters appeared in the *Inquirer* newspaper from George Randell and Benjamin Mason, proprietor of the recently established Mason Timber Company on the Canning. These letters set out in detail the trading problems which timber dealers faced because of shipping difficulties caused by the condition of the river, and requested the Government to take immediate steps to ensure that the Canning remained navigable throughout the year (*Inquirer* 15/3/1865, letter from B. Mason; 5/4/1865, letter from G. Randell). In August 1865 Mason followed this up with a letter to the Colonial Secretary repeating their request for Government action. F.P. Barlee, the Colonial Secretary, replied on 21 September 1865:

With reference to your letter of the 30th ultimo in regard to improving the navigation of the Canning River, I am directed to inform you that it is not intended, in the first instance, that the Government shall do more than perform the work mentioned hereafter, such work to be commenced about the middle of next month, viz.

To stop the upper mouths of the Channel round the several small Islands, and throw all the water into the main Channel, whereby the current in winter would be strengthened, and the Channel in summer would to a certain extent be deepened.

To clear a sufficient width for summer traffic by means of scoop or otherwise, and to cut the oyster beds deeper and wider; and

To clear the River of snags and branches as far as Hester's Rapids, to which point there is an abundance of water.

(CSLS 21/9/1865: 426)

Apparently these interim measures were not satisfactory. By late 1866 silt had accumulated in the river again to such an extent that navigation was completely stopped. This time the Government was evidently prepared to do some construction work in the river as well as having the channel dug out yet again. Unfortunately a crucial letter from Benjamin Mason and George Randell, which apparently contained detailed suggestions about the nature of the construction work which they felt needed to be undertaken, is missing

from the Colonial Secretary's letterbook, although its receipt on 15 September 1866 was noted in the Correspondence Register. (CSOCR, 1866)

The letter is important because the suggestions outlined in it by Mason and Randell were approved by the Governor and the Clerk of Works of the Convict Department was instructed to proceed with the work. In the absence of this letter no clear details of the work are available other than that a convict party was sent to the Canning River and ordered to start preparing stakes and wattling. (CR 1867, C. 2: 197, 199, 219, 227, 248)

However, some idea of the nature and location of the work performed by this convict party can be gained from later correspondence between the Colonial Secretary, Benjamin Mason and George Randell. On 26 August 1869 Mason and Randell wrote to the Colonial Secretary referring to the work carried out in 1866:

Sir:

We the undersigned respectfully beg again through you to draw the attention of His Excellency the Governor to the State of the Canning River, so that some steps may be taken to facilitate the transit of Timber and other produce from the various stations South-East of Perth, the Sound road, and the Timber Stations in the darling range north of the Canning River.

We are glad to observe the works executed thro the oyster beds and sand flat as far as they have gone answered expectations formed concerning them, and that the stakes driven in Muddy Reach have stood much better than could have been anticipated; but we now beg to call attention to sundry repairs which require to be effected in the wattling and the banks of the canals formed through the oyster beds and to the urgent necessity of wattling the lines marked out by stakes in Muddy Reach so as to confine the current of the river in narrower limits and also the necessity of deepening the Channel thus marked out in the shallower part of Muddy Reach.

We earnestly trust you will urge upon his Excel^{cy} the Governor the great importance of the beforementioned works; from the fact that there are large orders for timber the greater portion of which will require to be brought by this route and should this fail or delays occur through these improvements not being effected, these contracts or a large portion of them at least cannot be complied with except at a loss.

We therefore beg to request His Excellency the Governor will be pleased to direct the convict party may be at once placed at these works.

We will be willing to render such assistance as may be in our power, such as the use of a boat for the conveyance of Stakes, Wattling etc. or the Steamer to agitate the Channel in Muddy Reach thus enabling the current confined as it will be by the Stakes and Wattling to carry the soil so disturbed into deeper water below.

Should it be necessary to let the work by Contract we will be prepared to give all the assistance in our power.

The work to be done in Muddy Reach will be about one mile of Wattling, repairing the Staking and strengthening at various places, and to continue it

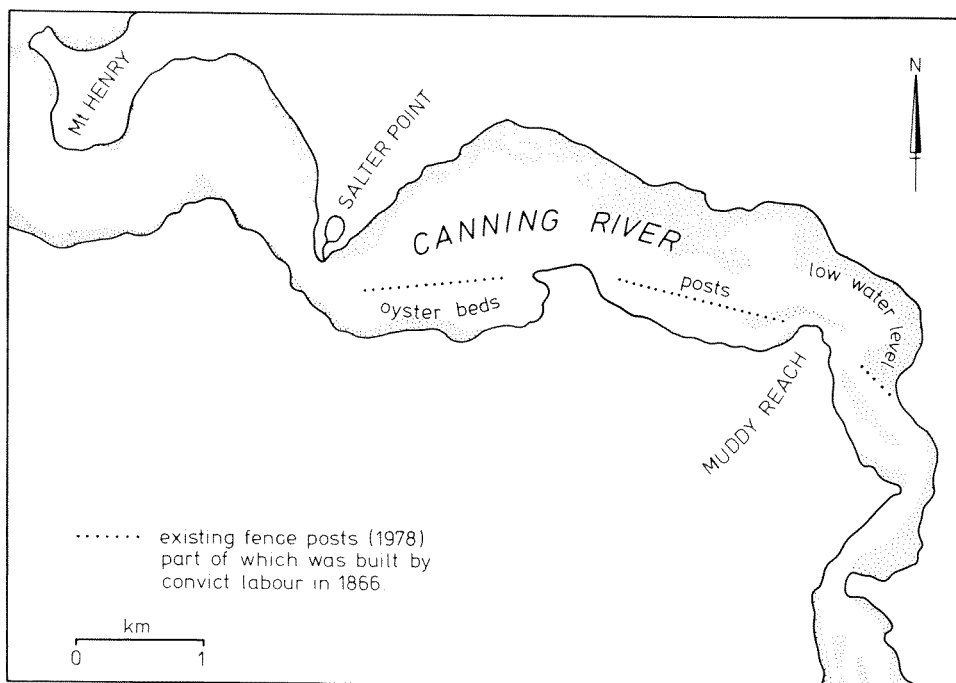
from its highest point to a point of the River known as Watts Point dredge this distance also and repair sundry beaches in the banks of the Canal and deepening lower portion of oyster beds.

Hoping a favourable notice and reply.

P.S. In the event of the government not being able to supply a convict party for the above work, we beg to annex an offer for its performance.

(CSO 1869, Public Works)

It is clear from this letter that the convict party had erected stakes in the stretch from Muddy Reach to the oyster beds at least, and that the oyster beds section had also been wattled (see **Map 1**). (The location of Muddy Reach and the oyster beds was pointed out by Mr Charlie McIntosh, an 84-year-old resident of the Canning Districts.)



MAP 1

It can therefore be confidently stated that at least part of the 'fence' in the Canning River was originally built by convict labour in late 1866. However, the original structure, the precise dimensions of which are in any case not ascertainable, has undergone a great deal of repair and extension since it was first erected. As early as 1869 Benjamin Mason and George Randell were complaining about the state of navigation on the Canning, and pointing

out that the existing fence had fallen into disrepair and needed attention. This time the Government decided against using convict labour to perform the work necessary, and called instead for tenders (*Government Gazette*, 31/8/1869). The successful contractors were Mason and Randell, who described the work they expected to carry out:

Sir:

We the undersigned would be willing to perform the following works for the improvement of the Canning River.

Viz.

To complete the Staking and Wattling already commenced in Muddy Reach from the land on the north side of the river, to the point shown us by the Clerk of Works, about one mile in length to agitate the mud to form a channel along the same to a depth of one foot by means of the steamer.

To repair the breaches in the banks of canal at the oyster beds, and continue the staking and wattling down to Watts Point for the Sum of Two Hundred Fifty Pounds.

(CSO, 1869, Public Works)

At least one other settler, Wallace Bickley, had found the 'fence' to be a mixed blessing. He wrote to the Colonial Secretary on 27 August 1869 (CSO 27/8/1869: 643):

I have pointed out over and over again that the very method adopted and adhered to so pertinaciously [*sic*] by Mr Mason to improve the navigation cannot possibly have any other effect than that of impeding it, and even before the first stake was cut to wattle the Flats channel, I stated to Governor Hampton that the inevitable result of forcing the water and silt into one confined channel would be the formation of silt banks in those parts heretofore free.

That this has been the result cannot be denied — year after year . . . Mischievous meddling has occurred, labor has been thrown away and money expended in the endeavour to remedy a blunder which no man with the slightest pretence to engineering skill would ever have perpetrated . . . I now beg most respectfully to protest against any continuation of the system which has already nearly destroyed the navigation of the river . . .

Barlee, the Colonial Secretary, inspected the works on September 9 and reported (CSO 9/9/1869: 643):

We heard all Mr Bickley's objections and propositions, that work requires to be done is apparent from the fact that it was with the utmost difficulty we forced our way by steam power up the river in an empty flat bottomed steamer drawing only 12 inches water . . .

Mr Bickley did not seem to be fully aware of the extent of work already done. To carry out his plan (which, had no work been done, would be well worth consideration) would involve the undoing all hitherto done, and considerable outlay. This, looking at the fact that what is wanted is immediate possible

transit up and down the river, did not meet any support, and it was thought better to continue the work in progress, which to a certain extent, has had a satisfactory result . . . It was arranged (subject, of course, to approval) that one half the portion [of stakes along 'Muddy Reach'] should be wattled, and the remaining portion not wattled, and that thus, some reliable information would be gained.

The only contractors (Messrs Randell and Mason) whose tender is recommended, understood fully the alteration suggested, and bind themselves to wattle the portion not wattled at any time they may be called upon to do so.

Apparently by the end of 1872 more repairs were required, as floods had seriously damaged the wattling in the fence at Muddy Reach. In October of that year Mason, Bird & Co. wrote to the Colonial Secretary asking that convicts be sent to carry out this work, and in response to this request the Clerk of Works was despatched to report on the state of the fence and on navigation in the river generally (CSO 1872, Public Works). On his recommendation a party of convicts was despatched to the Canning on 10 December 1872 with the following instructions:

Memo for guidance of the Warder in charge of the party on the Canning River.

You will commence to deepen and widen the canals above Muddy Reach so as to open the passage for traffic as soon as possible.

Also open the passage through the sand bank at the head of Muddy Reach.

When these are opened you will cut stakes and wattle to repair the several gaps in the wattle fencing.

After which you will alter the direction of the fencing at the head of Muddy Reach as will be pointed out to you, and extend the fencing at the lower end of the Muddy Reach giving more room to enter the channel.

(CR 10/12/1872: C 9)

Yet another repair job on the 'fence' was found to be necessary in 1887-88, when a petition was forwarded to the Chairman of the Canning Roads Board by fifteen Canning settlers (the names of Benjamin Mason, his partner Francis Bird or George Randell do not appear on this petition). The Canning Roads Board duly arranged for this work to be carried out; sections of the 'fence' in Muddy Reach were again replaced and extra stakes were added and fastened with wire along the whole structure. This operation required 120 cart loads of wattling and 1,200 new stakes, so clearly the work was fairly extensive (CSO File 4019/87).

Finally, in 1892, the Public Works Department decided to carry out major dredging and structural work in the Canning River. The entire old channel was redredged and extended, and piles with spearwood wattling in between were erected to hold back the dredged river spoil. (Public Works Department Plans No. 3852 and 2653 show the extent of the new work as

well as the position of the old piles in the river. See also Printed Papers, Reports, etc. of the Parliament, 1893-1897 Public Works Department Annual Statements of Work carried out.)

According to Public Works Department Plan No. 3852 the piles which were already in the river were to be incorporated into the new structure except for 'all old work in the way of new work' — unfortunately no more specific information is provided.

It seems clear that the old convict-built 'fence' in the Canning River does form part of the existing structure. Unfortunately it is not possible to identify precisely which sections of the present barrier were constructed by convicts in 1866 and which were added during the repairs of 1869 and 1887-88 when convict labour was not used; nor is it possible to discover just how much of the earlier structure was incorporated into the Public Works Department project of 1892-97.

METHODS OF CONSTRUCTION

There is virtually no direct information available about methods of construction employed in the erection of the posts, nor about materials used in the construction. Both the stakes and wattling seem to have been cut locally and taken out by boat to the point where they were to be installed, as indicated in the letter written by Mason and Randell to the Colonial Secretary in 1869 (see above).

Some information is available, however, on the nature of the work done by convicts to deepen the channel of the river. Documents contained in the Convict Records lodged with the State Archives indicate that convicts were required to stand waist-deep in water digging up the mud with spades and pitching it over to the shore side of the 'fence'. The following memorandum, for example, was forwarded by the Clerk of Works Office to the Warder in Charge of the Canning River convict party:

15th December 1873

Warder Feltham, Canning River Party.

Memorandum.

In reference to the work to be done in clearing out the canals, repairing the wattle fencing, and deepening the various channels on the Canning River, the following instructions are forwarded for Warder Feltham's guidance.

The entrance to the first canal from Mason's landing requires deepening, the silt in all cases to be put on the shore side of the fencing, and not left on the canal side; if possible, after the deepening has been done, the fence is to be carried on from the bed of shells on the right side ascending the river to the tuft of rushes near the entrance to the Blind Creek. Also remove all the

hummocks in the passage down the stream, and all the snags wherever they in any way impede the navigation, particularly at the spot where the boats were struck on Friday last. Also, deepen down to where the old flat is sunk, and renew the cross wattling near this spot, some of the fencing is also gone here and requires renewing. Deepen the sand bank between the two lines of fencing — in a work of this nature a great deal must be left to the discretion of the Officer in Charge; the Clerk of Works has full confidence in Warder Feltham employing his men to the best advantage.

The Clerk of Works has recommended that the men be allowed the extras usual for men working in the water, and a ration of tobacco, but not the same as the rations allowed on the dredge which is made special on account of the filthy nature of the stuff the dredge party is employed in removing.

(CR 1873, C 9: 973)

The arduous nature of the work involved was clearly recognized by Government officials. Even though tasks of this kind were allotted only to reconvicted prisoners who were generally treated with considerable severity, the Superintendent of Fremantle Prison, H.M. Lefroy, was moved to write to the Comptroller General requesting special treatment for the convicts employed on one of the earlier channel clearing assignments:

29.2.1864

Sir, I have the honor to submit that the party of Eight Reconvicted Prisoners Employed under Warder Corp in deepening the centre of the Channel of the Canning River be allowed a Ration of Tobacco each without deduction of any of their food on account of the same.

These men are working in the water the entire day frequently up to their Waist and from the nature of their work digging the mud up with spades their whole bodies must be wet the whole working day. This sort of work requires the support of a large quantity of food which is practically proved by these men having declined to take Tobacco on the regulated condition of a reduction of Bread being made on account of it. At the same time I think the constant immersion of the body in water creates a necessity for the support of a more stimulating ration than the ordinary Prison Ration and therefore that in such a case Reconvicted Prisoners should be allowed the ration of tobacco which is ordinarily allowed to Probation Prisoners.

(CR 1864, C 8: 397)

By the 1890s the lot of prisoners employed on channel clearing work had obviously improved. For the 1892-97 project the Public Works Department used a dredge, the *Black Swan* to deepen the channel. The work was still performed by prison labour, but evidently conditions were not nearly as primitive as they had been twenty or thirty years earlier. (PP 1896, No. 25)

CONVICT ENCAMPMENT SITES

There seems to be almost no evidence available to assist in identifying sites of convict camps, nor is any information to be found on the kinds of shelter

used. The only reference to camp sites which could be located in the Convict Records relates to the 1872-73 repair job on the fence and mentions that 'This party will be encamped on the Perth side of the Canning at the head of a place called Muddy Reach near W. Thomas Saw's and distant from Perth about eight miles.' (CR 1873, C 42: 217)

This information seems rather puzzling, since Mr McIntosh's identification of Muddy Reach locates it on the other side of the river; although it is possible, of course, that the whole area was known in this early period as Muddy Reach. The reference to W. Thomas Saw seemed promising, but unfortunately the Lands and Surveys Department records held by the State Archives contain no reference to land owned by anyone of this name on the banks of the Canning.

CONCLUSION

On the evidence currently available there appears to be little justification for regarding the entire 'fence' or barrier in the Canning River as a genuine relic of the convict era, in view of the extensive repairs and additions made to it since it was originally erected in 1866. It is possible that there may still exist some sections of the work carried out by convicts. The barrier constitutes an important part of the history of the Canning Districts, however, since its erection and maintenance were obviously matters of great and continuing interest and concern to the settlers on the Canning throughout the last half of the nineteenth century.

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- Colonial Secretary's Letterbook to Settlers (Battye Library Accession no. S49) [CSLS in text]
- Published Papers of the Parliament of Western Australia (Battye Library) [PP in text]
- Colonial Secretary's Office Correspondence Register, November 1865-January 1872 (Battye Library Accession no. 488) [CSOCR in text]

Convict Records (CR in text) :

Vol. C 2: Letterbook — Comptroller-General to various officials, 2 June 1866-24 February 1867 (Battye Library Accession no. 1156)

Vol. C 8: Letterbook — Superintendent of Fremantle Prison to Comptroller-General, 3 October 1861-9 July 1865 (Battye Library Accession no. 1156)

Vol. C 9: Clerk of Works Letterbook 17 November 1871-30 June 1874 (Battye Library Accession no. 1156)

Vol. C 42: Comptroller-General to various officials, 11 March 1872-27 November 1873 (Battye Library Accession no. 1156)

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