

CHARLES FLEURTY

(Researched and written by Kathy Evans, Historian)

Charles Fleurty was a convict sawyer who arrived in Tasmania in the early years of British settlement. He was associated with the Government sawing establishment that operated at Birch's Bay in the 1820s. A number of local features have been named after him, including Fleurty's Point and Fleurty's Creek.

Charles Fleurty is an elusive character – little is known about his life, his exploits at Birch's Bay and his many misdemeanours. We are not even sure of his real name. When Fleurty arrived in the colony in 1812 he had several aliases, including Pierre Charles Flaherte and Francis Quce or Quec. The spelling of his name, as found in early historical documents, includes such variations as Fluette, Fleuty, Fluerty, Fleurte, Flearte and Fluertie. Occasionally we catch glimpses into the life of Charles Fleurty from the official records, usually at times when he has fallen on the wrong side of the law.

Charles Fleurty was a native of Bologna, Italy, and was tried in County Down, Northern Ireland at the age of 45. He was transported to Van Diemens Land (as Tasmania was then called) for 7 years. The crime for which he was banished remains a mystery, as it is not stated on his official papers.¹ Fleurty arrived in Hobart Town in October 1812 aboard the *Indefatigable* (the first convict ship to arrive in Van Diemens Land directly from England). At the time of his arrival the British settlement at Sullivan's Cove on the Derwent River had only been established for nine years and was little more than a small, struggling township. William Thornley described Hobart Town at this time:

*The town had a straggling, irregular appearance, a good house here and there, and the intervening spaces either were unbuilt on or occupied by mean little dwellings, little better than huts.*²

Government policy in the early years of the colony was for convicts to be assigned to work for free settlers as farmhands, domestic servants and labourers. Only those who were unable to be assigned, whose skills were required for Government work or who committed further crimes in the colony were kept in the Government work gangs, road stations, gaols or penal settlements.

In 1817 it appears that Fleurty was living in the Tea Tree area (near Richmond). In July of that year he aided Serjeant McCarthy and the local constable, Mr Staples, in capturing a party of bushrangers. The Lieutenant Governor applauded his actions, upholding him as an 'excellent example to settlers'.³ Such praise was not to last long – by the 1820s he was constantly getting himself into trouble with the law.

By 1822 Charles Fleurty was living in Hobart with his wife, Mary. Altogether they had 5 children (one of whom died in infancy). The surviving children were named Charles, Edelina, John and Joseph.⁴ By 1821 he had gained a conditional pardon – a

¹ CON23/1

² W. Thornley, *The Adventures of an Emigrant in Van Diemens Land*, (1840s), Rigby Ltd, 1973.

³ *Hobart Town Gazette* 12/7/1817, p. 1, col. 2.

⁴ CSO1/122a p. 9, 10, 40 (1828) and RGD34 re burial of infant, Elizabeth Fluerty 1826.

status that gave him greater freedoms and privileges, including the right to work in the colony for wages. Despite this new freedom, he had several run-ins with the law in the early 1820s, including charges of selling liquor without a licence and being drunk and disorderly.

Being a sawyer by trade it is most likely that Fleurty was offered employment at the Government Birch's Bay sawing establishment, which began operations in 1824. We know that he was working in the area in 1829.⁵ The Birch's Bay station was the largest employer of men in the Engineer's Department, outside Hobart and Launceston. A team of 62 men were stationed there, including 30 sawyers, 24 labourers, a blacksmith, a carpenter and two overseers. The men, mostly convicts, worked in the bush in small, detached parties. Ships regularly called in to Birch's Bay to load the timber and transport it to Hobart and to offload supplies.⁶

At first the work at Birch's Bay was done by task work – this meant that the men worked for the Government 5 days a week, but could work on their own behalf on Saturdays, selling the timber that they cut on that day back to the Government. It was believed that such a system would offer incentives for the skilled men to work for the Government rather than privately for wages. John Lakeland (the Principal Superintendent of Convicts) recognised 'the necessity of something more than coercion to keep men in orderly and industrious behaviour in so remote a situation, so remote from inspection'. However, such trust was unjustified – in 1828 a Government report into the establishment found that more than half of the timber cut was in the men's own time. They were clearly cutting the bare minimum required for 5 days a week and reserving their 'great exertion' for their own day.⁷

During 1829 and 1830 it was found that timber was being stolen or illegally sold by the men at Birch's Bay and the convict shingle-splitters based at nearby Peppermint Hill. The timber was generally stacked on beaches before shipping, and a number of small schooners were seen illegally plundering the timber supplies.⁸ Charles Fleurty, by now a free man, was implicated in this racket. In July 1829 he was held on suspicion of stealing the government timber.⁹ Whilst on this occasion Fleurty seems to have escaped further punishment, the following decade was a tumultuous one in which he repeatedly finds himself appearing before the police magistrates.

The Birch's Bay sawing establishment was closed in 1830, due to ongoing problems with security. Port Arthur was chosen as an alternative site for a sawing party and penal settlement.¹⁰

From 1830 to 1832 Fleurty committed numerous offences, including fighting on the public wharf in Hobart, drunkenness and repeatedly assaulting his wife.¹¹ In 1832 – 1833 Charles Fleurty was employed as a crew member on the ship *Hetty* (owned by

⁵ CON31/13, p. 6

⁶ MacFie, P. 2002, 'Government sawing establishments in Van Diemens Land, 1817-1832', *Australia's Ever Changing Forests*, vol. 5.

⁷ *ibid*

⁸ *ibid*

⁹ CON31/13

¹⁰ MacFie, P. 2002.

¹¹ CON31/13

whaling captains James Kelly and Thomas Lucas). His voyages included trips to the whaling grounds and Sydney.¹² He may have fallen into bad company during these voyages - whalers were notorious for their drunken bouts when they came to town after months at sea.

In October 1833 Charles Fleurty, in company with two others, James Batten and John Turner, was discovered stealing salt from casks laying at Sandy Bay Beach, the property of James Kelly. They were first noticed at three o'clock in the morning by the night watchman who followed their boat to the old jetty in Hobart. Charles Fleurty was committed to face trial in the Supreme Court in November 1833 and was subsequently sentenced to a further 7 years. It was also directed that he be sent to hard labour in chains at the Bridgewater chain gang.¹³ The chain gang at Bridgewater (north of Hobart) was employed on the unrelenting, back-breaking work of quarrying stone, breaking it and carting it to the causeway across the Derwent River - all done whilst fettered in iron chains! Capt. Boyes, who visited the Bridgewater gang, found a situation which he considered 'to men not entirely callous to bodily suffering nor lost to a sense of human degradation, must be one of exquisite moral and physical misery'.¹⁴

After serving some months at Bridgewater chain gang, Fleurty was transferred to a government party working at New Norfolk. He was soon in trouble again - for neglect of duty, repeated drunkenness and improper conduct. In November 1836 he was sent to hard labour (this time out of chains) for three months at a party working on the road at Constitution Hill on the main line of road between Hobart and Launceston. The following year, whilst being employed by a Mr Murdoch, Fleurty continued to misbehave. He was charged with disobeying orders, being out after hours and representing himself to be free. In June 1837 he was charged with absconding and losing or making away with 17 shillings of his masters property. For these offences, he mostly ended up with a few days in the solitary cells on bread and water. For the petty stealing offence, however, Fleurty was sentenced to a further 9 months hard labour in chains, this time at the Grass Tree Hill Chain Gang, which was employed building the road to Richmond.¹⁵

After his stint in the Grass Tree Hill Chain Gang, Fleurty was sent to work at a party of assignable convicts at New Norfolk, before being removed to the Marine Department. Here his misdemeanours continued, with drunkenness and being absent from duty being the most common charges. For his offences he received 6 days working on the treadwheel at the Hobart Penitentiary, a few periods of solitary confinement and a further three months of hard labour at the Spring Hill road party.¹⁶

Finally, in 1840 (and aged 73!) Charles Fleurty received a conditional pardon.¹⁷ His wife, Mary, who had resided in Brisbane Street with their children during his absence, had died the previous year. She was buried on the 1st of October 1839 in the parish of

¹² Archives office of Tasmania, Shipping Departures Index.

¹³ MM71/8

¹⁴ Evans, K. 1996, *Convict Sites Tasmania Historical Research Project*, Parks and Wildlife Service, Occ. paper no. 38, pp.51-52.

¹⁵ CON31/13

¹⁶ CON 31/13

¹⁷ CON31/13

Trinity, Hobart.¹⁸ Fleurty, however, was not going to let his age be a barrier to finding a new wife. In January 1841 he applied to the government for permission to marry the convict, Catherine Martin, a widow in her 40s.¹⁹ They were married the following month at the Catholic Chapel in Hobart.²⁰

In 1841 a Charles Fluerty is listed as being employed as a coxswain in the Commandant's Department, Port Arthur.²¹ It is most likely however, that this relates to Charles' eldest son of the same name. Another of his son's, Joseph, became a ship's captain. The *Creole*, under his command, was shipwrecked in 1863 whilst *enroute* from Launceston to New Zealand.²²

Charles Fleurty's newfound love and liberty were only to be enjoyed for a short time. He died in April 1842 at the Colonial Hospital in Hobart, aged 74. The official cause of death is listed as 'decay', perhaps another term for old age.²³ He was buried on the 16th April 1842 in the parish of Trinity, Hobart.²⁴

¹⁸ RGD34/2

¹⁹ CON52/2, p.55

²⁰ RGD37/2

²¹ Archives Office of Tasmania, General index.

²² *Tasmanian Ancestry* Dec. 1994, p. 136.

²³ RGD35/1

²⁴ RGD34/2