

## Andrew Bent and the Birth of the Free Press in the Australian Colonies

By Craig Collins

Writing his editorial for the *Hobart Town Gazette* of 10 December 1824, Evan Henry Thomas observed:

The hour that gives existence in a British Colony to a Free Press, requires not the aid of our feeble pen to extol its worth, or magnify its importance. That hour is pregnant with the embryo virtues of countless worthies yet unborn. And those who love light rather than darkness, must worship it as the dawn of mental glory (Thomas 1824).

Thomas was not known as a master of understatement. His ‘peculiar style’ was easily recognised by his contemporaries but not always so readily understood (*R v Bent* (1826) *CT* 21 April 1826). The news from Sydney which so excited Thomas was, that on 14 October 1824, the *Australian* newspaper had published its first number as a private concern and ‘with an avowal of independence’ (Thomas 1824). Dr Robert Wardell had brought out from England his own printing press and, with William Charles Wentworth, had established the paper. Thomas also rejoiced the removal of official censorship from the *Sydney Gazette* just one week later.

Van Diemen’s Land still fell within the jurisdiction of New South Wales (and would remain so until June 1825), although Thomas saw the two as different British colonies. In Hobart Town, mainland New South Wales had come to be known as ‘Australia’ - a place separate and distinct from the island of Van Diemen’s Land (Atkinson 2004 p.36). Thomas (1824) refers to ‘Australia’ as a sister colony of that for whom he speaks, when he goes on to say: ‘Australia may indeed rejoice! We fraternally congratulate her! We view her as high and mighty even amongst nations now!’.

From the other side of Bass Strait, Governor Brisbane had a similarly confined conception of place when advising Lord Bathurst of the emergence of the *Australian* and the unshackling of the *Sydney Gazette* as an ‘experiment of the full latitude of the freedom of the Press’ (Brisbane to Bathurst, 12 January 1825, *HRA*, ser. 1, vol. 11, pp. 470-1). One can

see how contemporary discussion of the birth of the free press in ‘Australia’ or ‘New South Wales’ – used in different senses - might create a tendency to overlook the earlier birth pains felt in Van Diemen’s Land. For, whether Van Diemen’s Land is viewed at the time as part of a single British colony of New South Wales or from the present distance as a place within the federated nation of Australia, that ‘pregnant hour’ in which a free press was born can be located some little distance apart from the intersection of time and place celebrated by Thomas. With a wider conception of place, Thomas needed to look no further than the platform from which he spoke so freely.

This paper argues, with an attempt at horoscopic precision, that the birth moment of the free press in the Australian colonies (in the widest sense) occurred in Hobart Town on Friday, 4 June 1824 at about 20 minutes before two o’clock in the afternoon, four months before the *Australian’s* first issue. It will further argue that this defining moment carried within it the seeds by which the flavour of speech falling from the Van Diemen’s Land press was rapidly transformed from benign idealism into a lethal weapon and, in time, fragmented invective.

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At that moment, Henry Emmett, the appointed editor and Government censor of the *Hobart Town Gazette*, gave up waiting for the printer to bring over the proofs of edition number 422 for approval. Some two hours earlier, Emmett had received intelligence from an assigned convict working in the printing office that ‘two proofs had been already run off and that the printer was correcting them’. Ample time having elapsed for that process by 20 minutes to two, Emmett at that moment had ‘no doubt that the proofs are purposefully withheld’ (Emmett to Arthur, 4 June 1824, AOT CSO 1/198/4725). The printer, Andrew Bent, had nothing to hide in the proofs. Rather, this was a battle for ownership and control of the newspaper, including the right to appoint and dismiss the editor.

Bent established the *Hobart Town Gazette* in 1816, soon after his appointment as Government Printer. He had been transported to Sydney and then sent down to Hobart Town four years earlier having, it seems, acquired his craft as an apprentice printer at the *Times* in London (Wayne Index AOT) prior to his conviction for burglary. With the early editions of the *Gazette*, it was no easy task to combine ink and paper. There was no supply of printing ink, so Bent made his own from such ingredients as he could find about him – perhaps collecting gallnuts or gum from native wattles and eucalypts. He only had common Chinese

paper, half the size of foolscap, so he had to paste two sheets together for every copy of the *Gazette* printed. His type was so limited that it would not have been sufficient to compose a single column of the 1824 *Gazette*. He was especially short of small letter 'a's' – presumably offering a weekly challenge to say the same thing in different words omitting that letter. There was little news 'where the only intelligence bore reference to crime' and his entire readership could be found in some thirty or forty dwellings (*HTG*, 7 January 1825). These were the fledgling efforts by the printed word to gain a foothold within a predominantly oral culture.

In time, the paper built up its circulation. As Herbert Heaton (1916 p.8) noted, Bent used it as a vehicle to push his aspirations for a 'Big Tasmania' - with the effect that 'the *Gazette*... strove to exert a powerful influence for material and moral progress' in the colony. Lieutenant Governor Sorell took a direct interest in vetting the *Gazette* soon after his arrival in April 1817, although the proofs were usually corrected by his convict clerk, Thomas Wells (Bigge examination of Bent, 24 May 1820, *HRA*, ser. 3, vol. 3, pp. 316-7). Bent's aspirations for a 'Big Tasmania' were so much in unison with those of Sorell, that Bent exercised a measure of self-censorship against criticism of Sorell's government, although 'it is doubtful if there were a dozen settlers in the island sufficiently dissatisfied with his rule to pen a letter' (Heaton 1916, p.13). Sorell was seen as a benevolent father figure who 'charmed with his affability and kindness' (West 1852 pp. 76-8).

In August 1821, Governor Macquarie granted a full pardon to Bent soon after his tour of inspection of Van Diemen's Land. For Bent, this full meant full restoration of his rights and liberties as a free-born Briton. Within two years Bent was to construct new printing premises in Elizabeth Street that he thought 'sufficiently large and commodious enough to allow of almost any extent of [printing] business being carried on for perhaps a century to come' (*HTG* 8 November 1823). Next door he was to build a home, 'containing some of the largest and most commodious rooms of any house in town' (*The Courier* 10 August 1838), and adjoining stables. He acquired a country property of 1,000 acres, at Cross Marsh, called 'Bentfield', and was one of the foundation proprietors of the Bank of Van Diemen's Land (Woodberry 1972). By 1824 he had, with his wife Mary, seven children under eight years of age (and three more would follow in quick succession). Bent acquired a measure of respectability sufficient for his family to have their own permanent pew at St David's Church. In Bent's view of the world, 'the greatest blessing a man can enjoy' is the 'self-earned independence' achieved through honest industry (*HTG* 7 May 1824).

From 1823, Henry Emmett, a gentleman, became the clerk responsible for supplying Government notices and orders for the *Gazette* (Woodberry 1972 p.158). With the paper running smoothly, Sorell gave Emmett formal responsibility and the title of ‘Editor’ as a government sinecure. Sorell obtained Bent’s consent to pay Emmett £100 per annum in that capacity. Although Emmett was in the habit of checking the newspaper proofs on the morning of publication, only rarely did this involve any significant intervention (Emmett to Arthur, 4 June 1824, AOT CSO 1/198/4725). In or about late 1823, Sorell allowed Bent to purchase the Government press and type by way of a Government loan.

Bent began 1824 with a heightened sense of optimism. In the *Gazette* of 2 January 1824, now expanded from two pages to four, he invited ‘the well-informed part of the community... to fill up a leisure hour in communicating through the Colonial Press, the result of their knowledge, observation, or practice, on subjects important to the interests and pursuits of the Colony’. The first letters to respond to this invitation concerned matters of botany and agriculture. Spurred on by a depressed grain market, the press was applied to furthering useful knowledge and sharing the results of experiment. Using the pseudonym, ‘A Colonist’, we find Robert Murray (an imposing, gentleman ex-convict) advocating tobacco crops while responding to another correspondent’s idea for making soap from indigenous plants (*HTG* 27 February 1824). In March and April, a dispute between George Thomson JP and his solicitor, Hugh Ross, as to the circumstances by which the sheriff had come to seize some of Thomson’s property is played out in the *Gazette*. In April and May, we find exchanges by paid advertisements, between a group of respectable colonists (led by George Meredith) – who advocated the separation of Van Diemen’s Land from New South Wales - and their self-styled lone opponent, Robert Murray. So, the colonists very quickly acquired a taste for using the expanded pages of the *Gazette* as a stage for public debate. The quality of speech was robust with a touch of self-conscious flourish and wit. Bent, though, preserved a careful neutrality.

Joan Woodberry (1972 p.21) has observed that, ‘to read some of these early papers is to be impressed with their naïve charm... Few papers in Australia have shown such unmercenary idealism as Bent’s *Gazette*’. So what led to the falling out between Bent and Emmett – the individual who would stop waiting at 20 to two? The sequence of events suggests that the opening of the new Supreme Court of Van Diemen’s Land on 10 May 1824 was the immediate trigger. To this point, the colony had been bereft of such a grand, public stage, with important cases referred to Sydney. It seems that Bent felt compelled, perhaps by that

same sense of ‘unmercenary idealism’, to publish comprehensive legal reports through the expanded pages of his *Gazette*. The problem was that Bent ‘could no longer sustain’ having ‘the sole fatigue of correcting and arranging its contents’, quite apart from taking notes all day in Court (Bent to Emmett, 29 May 1824, AOT CSO 1/198/4725). Emmett had neither the capacity nor desire to assist – he was employed full-time as a Government clerk. Bent needed the assistance of a real full-time editor, rather than have the editorial province treated as a Government sinecure. At about this time, Evan Henry Thomas - just 23 years old but professing ‘elocution, stenography and the Classics’ (*HTG* 24 August 1822) - offered to assist as a court reporter and editor. Bent needed to use Emmett’s stipend to pay Thomas. Since Bent’s consent had been sought to Emmett’s payment, he now felt empowered to withdraw this, should it come to that.

Bent tried to raise his difficulty directly with Captain Montagu, who had held the office of Colonial Secretary for just two weeks, only to be told that the printer and editor should sort it out between themselves (Sorell to Arthur, 9 June 1824, AOT CSO 1/198/4725). Montagu’s advice prompted an exchange of correspondence between Bent and Emmett which destroyed their relationship. Emmett was ‘not disposed to relinquish [his appointment as editor] unless ordered to do so’ by the Lieutenant Governor (Emmett to Bent, 31 May 1824, AOT CSO 1/198/4725). He also raised the stakes by seeking a pay rise without offering any further contribution. Bent had the withering last word to Emmett:

...as you never performed, nor until now by your own confession understood the duties of an Editor to the Hobart Town Gazette, you will not by me either be expected to attempt, or paid for continuing to neglect them (Bent to Emmett, 2 June 1824, AOT CSO 1/198/4725).

The printer and editor reached a deadlock. And so, at 20 minutes before two o’clock in the afternoon of 4 June 1824, with the *Gazette* print run underway unsighted by the censor, Emmett finished writing an account of his dispute with Bent and was arranging for it to be laid before the new Lieutenant Governor, George Arthur, as a matter of urgency.

It is one of those ironies of history, as may soon become apparent, that the first newspaper to fall from a free press in the Australian colonies should publish a warm welcome addressed to Lieutenant Governor George Arthur (*HTG* 4 June 1824). Nevertheless, with Emmett's complaint before him and his focus behind-the-scenes, Arthur grasped immediately the 'embrio' possibilities – none of them 'virtues' - of allowing the only printing press for 630 nautical miles to be conducted freely by an ex-convict, within a place he conceived of as 'One Big Gaol' (Atkinson 1999).

On 12 May 1824, as the government barge carrying Arthur detached from his official transport, the *Adrian*, a vast gulf in mentalities – as to what Van Diemen's Land was and might soon become – lay submerged between the collective psyche of those waiting on land and the particular mind of the new Lieutenant Governor. This was to be not so much a landing as a collision. Within the realm of ideas, one might go so far as to say that Arthur's arrival was an invasion. With the colonists following a 'Big Tasmania' trajectory of rapid growth, prosperity and opportunities for free settlers and capital (to which convict labour was loosely applied in aid), Arthur represented the pointy end of an altogether different trajectory propelled from London – with the colony a depository capable of processing, with bureaucratic efficiency, tens of thousands of convicts through various gradations of punishment and reform. Arthur's first public act, loaded with symbolism, was to divert the course of the barge away from the expectant colonists and land privately at the back of Government House, contrary to the established custom for 'all such public occasions' (*Bent's News*, 5 November 1836).

In stepping ashore, Arthur carried some fixed conceptions about the place and its inhabitants together with an unclouded view of his mission there. It may be that no British officer was so fully briefed and instructed in taking up a post at the head of a British colony as was Arthur before setting off for Van Diemen's Land in 1823. James Stephen, the principal law officer in the Colonial Office and a friend, later reflected in a letter to Arthur, 'I congratulate myself on the fullness and particularity of the instructions which you received before you left England' (Stephen to Arthur, 31 July 1824, ML Arthur Papers, vol. 4). Arthur was also present in England as Commissioner Bigge's three reports were published (the product of a five year investigation of New South Wales and Van Diemen's Land from 1817 to 1822) and as the House of Commons debated the New South Wales Jurisdiction Bill in July 1823. In the months after he was offered the posting to Van Diemen's Land and prior to his

departure, Arthur immersed himself in the wealth of freshly minted detail about the place, now framed by a more decided line of official thinking.

The problem probed by Bigge was that, for many in England, the bitterness of exile had transformed into a sweet temptation – a ticket to opportunity and so no punishment at all (Ritchie 1970). Arthur's instructions were to create in Van Diemen's Land a system of convict management and restraint, and a place of dread. While free settlement could continue, the wants and needs of the colonists would always be a secondary consideration. However, far from seeing their colony as a convenient means for alleviating a crime epidemic in England, the colonists were under the delusion that its growing importance was a product of their own exertions and achievements and that official interest reflected a desire to further those achievements (*HTG* 30 April 1824).

Under Arthur's new regime, Bent's status as an ex-convict would count against him more than it had ever done before. By instructions sent to Governor Brisbane, but copied to Arthur before his embarkation, Lord Bathurst described the treatment of ex-convicts as 'a delicate point'. While, at law, ex-convicts had the same substantive rights as free settlers, if those in authority failed to distinguish between them, he said, then 'the danger may be incurred of disgusting the better part of the community, by shewing them that persons just removed from a state of punishment can at once be placed upon a complete par with themselves' (Bathurst to Brisbane, 29 July 1823, *HRA* ser. 1, vol. 11, pp. 91-2, Bathurst to Arthur, 1 September 1823, *HRA* ser. 3, vol. 4, p. 86).

Arthur's hostility towards Bent was virtually instantaneous with Emmett's complaint of Friday, 4 June 1824. Arthur's first step was to send a message to Sorell, noting an apparent 'anomaly' in Bent's attempt to reverse 'the usual order of precedence' with the editor and seeking clarification as to how Emmett stood with respect to the printer (Arthur to Sorell, 4 June 1824, AOT CSO 1/198/4725). Drawing from his briefings, one can see how an adverse stereotype readily crystallised around Arthur's image of Bent over the weekend of 5-6 June 1824. For Arthur, convicts had for too long been treated far too leniently in this place – something which was about to change. Pardons had been dispensed too freely by Governor Macquarie (Bent was one such recipient). Though pardoned, Bent could not be treated by authority as if the stain was wiped clean. Arthur was obliged to positively discourage Bent's ambitious feelings, he would have to demand the 'submission and conciliation' from which New South Wales emancipists had been allowed to escape and

which, according to Bigge, now required so painful an adjustment. Arthur needed to act before the growing class of Vandemonian ex-convicts gathered strength. And, in tone and language, Bent's last note to Emmett must have jarred in Arthur's ears. This was no acceptable way for an ex-convict printer to address his gentleman editor.

By the following Monday, without having heard back from Sorell, Arthur sent a note to Montagu (7 June 1824, AOT CSO 1/198/4725). He referred to Bent's status as, 'a situation in life which he seems to forget'. Referring to Bent's office as Government Printer, Arthur laid down that, "[t]he Government decidedly objects to persons in his station holding any responsible office...immediately under the Government', before concluding that he would need 'to take some steps to prevent the *Gazette* from being at a stand still'.

Responding to Arthur, Sorell seemed puzzled by the discrepancy between Bent's apparent behaviour and his known character: 'Mr Bent certainly has turned contumacious most abruptly – he had always been very humble, and seems to have totally changed his Character'. Sorell confirmed that Bent owned the press and type, having repaid a loan from government (Sorell to Arthur, 8 June 1824, AOT CSO 1/198/4725). Perhaps feeling some responsibility for the dispute and exposed about the lack of written records, Sorell met with Bent the following day. After an exchange of reasons and attempts at persuasion both ways, Sorell 'admonished [Bent] very strongly then concluded by recommending him to wait upon Captain Montagu tomorrow, and place himself in his proper station as the Government Printer' (Sorell to Arthur, 9 June 1824, AOT CSO 1/198/4725).

Following this encounter, Bent must have been under no illusions about the official displeasure towards his actions. Sorell's advice was sound. Even newspapers in England were licensed. Any ambition to conduct a press – free and beyond Government control, unlicensed and within a penal colony - must surely fail. And if the future security and prosperity of his family was important, then continuing his printing monopoly under the patronage of Government would certainly achieve that. Yet Bent must have felt that he had paid a fair price for his 'self-earned independence' – and that this justified casting off the last vestige of official control over his *Gazette*. In the end, in the face of Sorell's admonishment, Bent refused to buckle. Whether seen as a foolish or a brave decision, he declined to wait upon Montagu the following morning.

Thomas made his first appearance as editor of the *Gazette* on 18 June 1824 (the third edition after Bent asserted control). He was relatively restrained in his editorial. Emmett looked on from the sidelines, threatening litigation and stating that he was ‘ready, willing and able’ to resume his duties as editor (Emmett to Bent, 10 August 1824, AOT CSO 1/198/4725). By this time, Bent still had a far superior network of intelligence than anything yet established in the colony by Arthur – who later explained that, ‘the Government was obliged to employ in the public offices “convict writers”; and...[i]n this way [Bent] picked up with information ready prepared for publication’ (Arthur to Glenelg, 13 June 1837, AOT CSO 1/198/4725). Within a few weeks, Bent was alerted that Arthur was about to ‘assert his authority over the *Gazette*, by claiming it as Government property’ (Heaton 1916 p.15) and ‘bereave’ him of his press. Bent responded by gathering affidavit evidence in support of his claim, and sending Thomas as his agent to lay the material before Governor Brisbane in Sydney. With Thomas away, Arthur’s hand was stayed and the *Gazette* also maintained a kind of holding pattern. In early September 1824, after taking two days to consider his decision, Brisbane ‘was pleased to consider Mr Bent’s claim to publish his said Paper, on his own account, completely indisputable’ (*Sydney Gazette*, 10 September 1824). Over Arthur’s head, Bent’s action of 4 June 1824 was now vindicated – and his free *Gazette* a legitimate child.

Thomas must have found it hard to contain himself, as the bearer of this news, while approaching Hobart Town aboard the *Prince Regent* on 4 October 1824. His urgency to unload must have been bottled by the frustrations of ‘a tedious passage of 18 days’ combined with the stench of thousands of rotting oranges aboard the vessel (*HTG* 8 October 1824). And so, on 8 October 1824, for the first time the surface print of the *Gazette* was fully ruptured - as the underlying tensions gushed through. Thomas’ ‘feeble pen’ was again beyond all hope of containment:

...thanks most profoundly permanent to that hallowed spirit of British justice, which animates Sir Thomas Brisbane, our resistance has been consecrated by a perfect triumph. We knew, yes! well we knew, by confident, serene and cloudless anticipation, that our legally indefeasible title would be confirmed and held intangible at Head Quarters... .

Thomas then introduced an extract from the *Sydney Gazette* reporting Brisbane's decision as something which would "speak volumes" to the prejudiced, and invest our tremulous adherents with a pleasing confidence, that *even yet* the sling of an outraged "*weak one*", when brandished against the Gideonite of tyranny, must be *Laus deo*, irresistible...?.

One week later, *The Australian* initiated the free press in mainland New South Wales.

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Within an hour or two after the Gideonite of tyranny article hit the streets, Attorney General Gellibrand advised Arthur 'to file a criminal Information against Mr Bent forthwith, which I think will make obscure "his serene and cloudless anticipation"!' (Gellibrand to Arthur, 8 October 1824, AOT CSO 1/198/4725). For the moment, Arthur said he could see no danger in the article and, besides, plans were afoot for finding another press as a vehicle for the Government (Arthur to Gellibrand, 9 October 1824, ML letter from Bent to Hume, 23 November 1836, p. 6). Still, it seems that Thomas was stung by criticism from some quarters about over-stepping the 'modesty of nature'. In his defence, Thomas said that he failed to see how praising Brisbane, 'would allow even a professor of refraction to cast one ray of insult on another whom, "as being placed in authority over us", we are bound by our Religion and Laws to honour!' (*HTG* 15 October 1824).

The battle for the press to this point had only been framed as the preservation of Bent's private property rights in the face of arbitrary power. The consequences for speech were always implicit, although so far unrealised. But, given the gulf in mentalities already described, it was always only a matter of time before the robust criticism acceptable within a 'Big Tasmania' would transgress the lines of subordination within 'One Big Gaol'. In flavour, the transformation of speech from benign idealism to lethal weapon was slow at first, although it escalated rapidly, with Murray the principal propellant.

For all their idealism and puffery, Bent and Thomas soon found themselves in a place where, closing in upon them from two sides with inexorable motion, were the continental plates of a powerful authority and a disaffected population. In his final editorial for 1824, Thomas struggled to articulate a path by which the *Gazette* would neither 'strive by *undue* means to cloud the star of illustrious rank', nor act as 'slaves' to authority. Thomas offered respect for 'the mandates of legitimate authority' but only 'so long as they are just, patriotic and rational' (*HTG* 31 December 1824). In the *Gazette* of 14 January 1825, the mildest

suggestion to authority for reinstating former measures was prefaced by the words, '[w]e respectfully desire with all possible delicacy to state...'. Yet correspondents were clamouring to ventilate grievances and, when rejected for using immoderate language, the paper faced accusations of bias and abuse of its public function as an open forum (*HTG* 21 January 1825). In the edition of 21 January 1824, 'A Colonist' baited the editor for his timidity, mocking his referral of all complainants to the Supreme Court. There was a more appropriate Tribunal, said Murray, for ventilating 'pitiful and annoying exercises of official power', namely 'the Press!'. He added, 'it is to be anxiously hoped the public expectations of your freedom and independence will not have been excited in vain'. The following week (*HTG* 28 January 1825), 'A Colonist' wrote about a rumoured new measure of the new Naval Officer, sincerely hoping to receive 'immediate and direct contradiction'. In this way, public officials were being called upon to account to the colonists, and before the court of public opinion, over and beyond the chain of command.

By March 1825, Thomas observed that, for all the 'personal combat between...typographic satirists' (including government officials under the cloak of anonymity), any public purposes were becoming ever more obscure (*HTG* 11 March 1825). Notably, Murray's odium was concentrated upon Arthur's advisors rather than Arthur himself, following the 'time-honoured' tradition which preserved the fiction that the king (in this case, the king's representative) 'could do no wrong' (Schama 2003 p.55). Even where Arthur's actions were criticised, it was allowed that his intentions were good.

Arthur failed to respond in the traditional way by disposing of some officer or advisor as a scapegoat or by making concessionary gestures to the colonists in an effort to defuse pressure and allow a working relationship with the people to be restored (Schama 2003 pp. 38 & 54). Instead, he gave full public support to his officials, condemning as 'vexatious' the criticisms of his Naval Officer. Increasingly, the focus of complaint shifted to Arthur himself. By April 1825, the letters of 'A Colonist', now running to three or four columns, were addressed not to the editor but directly to 'His Honor Lieutenant-Governor Arthur'. By May 1825, Thomas exceeded even Murray with this unrestrained attack:

...it is much better that a few supine, ignorant, and extravagantly-hired Public Officers should be galled for their misconduct, than that a whole community should be crushed, enslaved and subjugated. Had the former administration of this Colony been

anti-commercial, anti-agricultural, and anti-local in every sense, perhaps by this time our necks would have been seasoned to the yoke...(HTG 20 May 1825).

As an indication of the new power of the press, 'A Colonist' was moved to comment to the editor that, '[i]t is quite delightful to see the panic and dismay, with which your spirited and manly conduct, in giving utterance to the public voice, has overwhelmed the whole cabal!' (HTG 11 March 1825). Arthur expressed 'great perplexity' at finding 'the Official Gazette of the Island converted into a powerful engine against the Government' (Arthur to Bathurst, 17 January 1826, *HRA* ser. 3, vol. 5. p. 54). Arthur identified Murray as the chief protagonist, describing his 'literary talents' as 'of the first order, but his moral character and principles of the very worst' (Arthur to Bathurst, 17 January 1826, *HRA* ser. 3, vol. 5. p. 52).

By June 1825, Arthur was ready to unleash his counter-offensive to kill off the free press in Van Diemen's Land. None of his measures would entirely succeed in driving home the stake. And, with every non-fatal wound, the free press was revived, more noisily and virulent than ever before. In time, by this process, the flavour of the press was transformed from a lethal weapon into fragmented invective.

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When he awoke on the morning of 25 June 1825, Andrew Bent could not have anticipated just how much of a bad day lay before him. It had been designed as such well in advance. Having published and delivered edition number 477 of his *Gazette* the previous day, Bent must soon have been alerted to the delivery around town of another version of the *Hobart Town Gazette*, of the same size and column width as his own paper and also bearing edition number 477. The new version, published secretly on Arthur's instructions, was full of praise for Arthur and his measures. It also carried a Government notice announcing that Bent had been sacked and replaced as Government printer. Arthur's second measure was to instigate a string of charges for criminal libel against Bent – one of which related to the 'Gideonite of tyranny' article of 8 October 1824 - to be heard in the Supreme Court before a military jury under Arthur's command.

The next edition of Bent's *Hobart Town Gazette* (1 July 1825) – which coincided with Bent's first court appearance - brooded that 'our present situation is so undeservedly painful' and referred to the piracy as 'an act unprecedented, in design no less cruel and repugnant to justice, than unconstitutional and impolitic'. The 'war of words' was fully engaged:

Our resentment is, we own, more than slightly excited, and were we to address our local State Authority, we should say "You have wakened in us *thoughts that breathe*; but pause we pray you, in prudence pause, before you compel us to use *words that burn*".

For nine weeks, two identically presented and numbered *Hobart Town Gazettes* were published weekly, although the content could not have differed more widely, causing endless confusion for the public. Bent eventually re-named his paper, the *Colonial Times*, on 19 August 1825. Murray took over as editor of Bent's paper and, surveying the battlefield, stated that, '[i]t is a fearful struggle in which we are now to contend, opposed to the whole weight of a powerful Government...the more strenuous are the efforts of our enemies to stifle our humble exertions; the more we hope to receive the generous protection of our countrymen' (*HTG Bent* 8 July 1825). Both newspapers, constantly at swordplay, became preoccupied with what the other was saying and misrepresenting. From this point, the attention of the colonists started to turn in upon itself.

Arthur pursued a policy of 'divide and rule' in his management of both convicts and colonists. Major Douglas would later complain to Arthur about, 'the numerous body who live by your patronage and who from fear of your power, and hopes of your favour, are at all times submissive to your will' (Petrow 2001 p.66). One way or another, both Murray and Thomas were bought off by the Government and avoided prosecution for their writings. Bent alone was left behind as the 'sitting duck'. He was inevitably found guilty of criminal defamation and punished by 6 months gaol together with fines and costs totalling £518.

Arthur's third measure was a stamp and licensing Act for newspapers (known by the Government lawyers as 'Bent's Act'). Not only was Bent refused a license to conduct his newspaper but so was anyone else to whom Bent might seek to sell his paper or for whom he might be retained as printer. When Bent moved to convert his printing office into a

tavern, he was refused a publican's license as well. From October 1827, Bent persisted in running the *Colonial Times* for the advertisements, initially with the news columns left blank – symbolising their suppression. He was still charged for breaching the Act and was fined and again sent to prison. Late in the evening on Christmas Eve, 1828, soon after his release, Bent sat down and composed an advertisement for selling the whole of his printing plant and equipment by public auction when, 'at this very moment, a Gentleman entered the Printing office, and, almost out of breath' conveyed news from England that Arthur's *Newspaper Licensing Act* would have to be repealed as contrary to the laws of England (Bent to Hume, 23 November 1836, ML). The *Colonial Times* was revived and, in Bent's view, the free press had once more shaken off the intrusions of arbitrary power.

By about 1830, the atmosphere in Hobart Town was poisonous and the collective psyche was immersed within a sea of paranoia. According to Murray, 'malice in society (aided by constructive lawyers) had spread like a plague':

As to ordinary acquaintance, or accidental conversation, either a cold and chilling reserve, or a guarded system of careful reply, is what every one *now* arms himself with, as the only means of defence against treachery! In the most ordinary affairs of *ordinary* life, no man ventures to act without half-a-dozen witnesses...Such a state of society is dreadful! The feelings of hatred which generally prevail are beyond all description! (Murray 1830).

To a large extent, this was a natural consequence of Arthur's mode of rule – the system of 'fear and favours' described by Major Douglas – which encompassed an invasive system of espionage and the deep-seated injustice felt by those targeted for oppression. But the press both reflected and fuelled this state of affairs. Bent's revived *Colonial Times* published weekly extracts from an anonymous observer known as 'The Hermit in Van Diemen's Land'. It would later be deduced that this was the gentleman convict, Henry Savery. He composed pen portraits of people, far more penetrating than any modern day paparazzo - even with the longest telephoto lens - and captured in print snippets of conversations and incidents from the daily life of Hobart Town. He warned readers that he was 'here, there, and everywhere' and thoroughly invisible (Murray 1830). No-one was actually named in the

accounts – although descriptors such as ‘Mrs Doubtmuch’, the ‘Great Invisible’, ‘Mr Cockatrice’ and ‘The Spunger’ applied - and readers relished the puzzle of identifying the characters until, that is, striking the horror of finding oneself portrayed. Having barely survived Arthur’s court prosecutions, Bent now faced civil libel actions brought by lawyers – a favourite target of Savery’s - outraged at so gross an invasion of their privacy. In the end, the damages and costs forced Bent to sell the *Colonial Times* to Henry Melville.

The middle path plotted by Thomas in December 1824 as his editorial line for the *Hobart Town Gazette* was no longer attempted. In its place, the Van Diemen’s Land press was polarised, occupying the separate continental plates of slavish adulation and blind criticism of authority. Arthur’s supporters were James Ross (*Hobart Town Courier*) and Robert Murray (*Tasmanian*). His critics were Melville (*Colonial Times*) and, on the radical fringe, Gilbert Robertson (*True Colonist* - also known as the ‘Weekly Sewer’). With his diminished means, from 1836 Bent conducted a cheap little paper, *Bent’s News*, composed largely of extracts drawn from all of the other papers, although with a definite oppositionist inclination. The free press at this time was described as ‘vile’ and there was very little ‘mental glory’ about it (*Bent’s News* 12 November 1836). As artefacts, the newspapers of these times represent two distinct and competing versions of reality.

Nowhere was this polarity more evident than in the competing accounts surrounding Arthur’s departure from Van Diemen’s Land in October 1836. Arthur’s farewell address, introduced with sentiments of affection in the *Courier*, acknowledged ‘the cordial sentiments...so generally expressed towards him’; feeling that ‘the kind relation which has so long subsisted between himself and this Community, can never cease’ (*Bent’s News* 5 November 1836). By contrast, the *Colonial Times* purported to give an action-based account of Arthur’s embarkation:

He was dressed as a plain private Gentleman – his countenance betokened dejection and disappointment...He walked composedly, like a lamb to the altar, and wishing the scene over, hurried with a few of his friends into the boat, hooted and hissed by the whole of the people, who roared out the most discordant groans ever heard (*Bent’s News* 5 November 1836).

With the sound of the guns at Mulgrave Battery firing in the distance, Bent and his family stayed home, deciding not to attend the embarkation, 'lest the ebullition of our feelings might lead us to give vent to conduct that would perhaps be considered indecorous upon such an occasion' (*Bent's News* 5 November 1836). Arthur would be welcomed back to England with the offer of a knighthood and, before long, a promotion to another British post in Upper Canada. In the end, though, Bent's legacy survived. And the first paper to fall from a free press in the Australian colonies lives to this day as the Hobart *Mercury*.

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