South Australian HERITAGE COUNCIL

BETTER HERITAGE INFORMATION SUMMARY OF STATE HERITAGE PLACE

COMMENTARY ON THE LISTING

Description and notes with respect to a place entered in the South Australian Heritage Register in accordance with either the South Australian Heritage Act 1978 or the Heritage Places Act 1993.

The information contained in this document is provided in accordance with \$14(6) of the Heritage Places Act 1993.

NAME: Gaol Ruins PLACE NO.: 10262

KNOWN AS: Former Robe Gaol (Ruins)

ADDRESS: Bunganditi Country

3 Obelisk Road, Robe SA 5276

CR 6128/656

Hundred of Waterhouse

CONFIRMED IN THE SOUTH AUSTRALIAN HERITAGE REGISTER:

24 JULY 1980

STATEMENT OF HERITAGE SIGNIFICANCE

The Gaol Ruins at Cape Dombey, Robe, demonstrates the development of regional South Australia, as the colony grew and, in particular, the decentralisation of law and order. Commissioned in 1859 and opened in 1861, the Robe Gaol operated in conjunction with the circulating court. The gaol was closed in 1881, after the Colonial Government decided to concentrate criminal justice operations for the South East at Mount Gambier and Naracoorte.

RELEVANT/INDICATIVE CRITERIA (under section 16 of the Heritage Places Act 1993)

(a) it demonstrates important aspects of the evolution or pattern of the State's history

Robe was established as a seaport and village in 1846, quickly becoming the administrative centre of the South East when a Government Resident was situated in the town that same year. The Robe Gaol (now Gaol Ruins) was the first purpose-built gaol in the South East and was commissioned by the Colonial Government in 1859 to assist with administering criminal justice in the region. Prior to its opening in 1861, prisoners, police officers, witnesses, and others associated with criminal prosecutions had to travel to Adelaide. Given the distance between the two locations, this resulted in considerable logistical considerations and financial expense. The gaol was viewed as a solution and was intended to operate in conjunction with the circuit court, established in the early 1860s, likely 1862, and which operated from Robe, Mount Gambier and, later, Naracoorte.

The opening of the Mount Gambier Gaol in 1866, challenged Robe's position as the centre of law and order in the South East. While the circulating court operated in both towns the decision was ultimately taken to operate exclusively from Mount Gambier and Naracoorte resulting in the closure of the Robe Gaol in 1881.

SITE PLAN

Gaol Ruins PLACE NO.: 10262

Obelisk Road, Robe SA



Location of the Gaol Ruins on Cape Dombey, Robe. SHP 10262, CR 6128/656 Hundred of Waterhouse.

N↑

LEGEND



SITE PLAN

Gaol Ruins PLACE NO.: 10262

Obelisk Road, Robe SA



Gaol Ruins, Obelisk Road, showing the internal layout and main rooms, (CR 6128/656 Hundred of Waterhouse).

N↑

LEGEND

Outline of Elements of Significance for State Heritage Place

PHYSICAL DESCRIPTION

The Gaol Ruins consists primarily of low walls made from random and to a lesser extent dressed mortared limestone, with rendering to top of the walls to provide coping. The walls are generally less than a metre in height, although they are higher in places, notably at the corners, creating a pier effect, and to the 'Gaolers' Rooms'. These walls form the outer perimeter of the goal as well as denoting its internal layout including three cell blocks, a storage room, a kitchen, gaolers' rooms, a receiving yard including the site of an underground tank, and an earth closet (see site plan). Some of the walls appear to retain original limestone, however, most were reconstructed in 1995. One cell wall features iron sheeting resembling the original sheets used to reinforce the cell walls, reputedly boilerplates from the wreck of the Admella. There is some brickwork on the remains of a window at the main Gaoler's Room. The floor consists of gravel, while some stone flooring remains in the gaolers' rooms.

Elements of Significance:

Elements of heritage significance include (but are not necessarily limited to):

- Layout of the Gaol Ruins
- Shallow walls marking the perimeter and internal layout of the gaol,
- Brickwork to the Gaolers' Rooms,
- Iron sheeting reputedly boilerplates from the Admella between the storage room and first cell,
- Underground tank,
- Remnant stone flooring.

Elements not considered to contribute to significance of place include (but are not necessarily limited to):

- Wooden signage detailing the history of the Gaol Ruins,
- Gravel,
- Native grasses and vegetation,
- Graffiti (non-historic).

HISTORY OF THE PLACE

Guichen Bay in the South East of South Australia forms part of the traditional lands of the Bungandidj people, whom had been present in the larger area for at least 30,000 years. Europeans first charted the coastline of the region in 1802 during the Baudin and Flinders expeditions and sealers established a presence at Guichen Bay in 1831.

European exploration of the South East took place from 1839 and settlement began as early as 1840.³ Much of the South East was initially settled by pastoralists and by 1847, approximately half of the region was held under pastoral licence. As primary production expanded, the Colonial Government began to provide a series of

government towns as service and staging centres. The provision of ports to ship goods to market was also viewed as essential.⁴ Robe was established in 1846 to provide a port for the burgeoning wool clip then being obtained from the South East. It was officially declared as a port by the government in 1847.

From the outset, the town at Robe was established as the administrative centre of the South East and a Government Resident was appointed in 1846.⁵ Shortly thereafter, a police station and courthouse were built in 1847 and 1848 respectively.⁶ Despite the development of these facilities related to law and its enforcement, Robe lacked a means to prosecute criminal defendants or secure prisoners. Accordingly, criminal hearings and imprisonment took place in Adelaide. This arrangement necessitated the transportation of prisoners, police officers, witnesses, and others associated with the case between the South East and Adelaide. Given the distance between the two locations and the time it took to travel between them, even by sea, the monetary and logistical costs associated with this arrangement were high.⁷

Eventually conceding this fact, the government determined that the South East needed its own means to administer criminal justice, including a circulating court and a gaol to secure prisoners, both before and after trial.⁸ In 1859, the Commissioner of Public Works announced that a gaol would be built at Robe and estimated £3,000 for the construction of a facility with four cells, a receiving yard, and a keeper's residence.⁹ It was anticipated that the gaol would be enlarged at a later date. The Adelaide Observer welcomed this decision, commenting that:

Though late, this is unquestionably sound and absolutely necessary policy on part of the Government, and ought years ago to have been adopted, whether regarded on the plan of economy, or the still more important social one the suppression of vice. The expenses for conveyance of police witnesses, prisoners, &c., from the South-Eastern District to the metropolis during the past three years must have amounted to a considerable sum; and many a felony in this part, I fear, has been overlooked, or not unlikely compromised, from a natural unwillingness on the part of prosecutors to incur the vexatious loss of time attendant upon a visit to Adelaide.¹⁰

In 1860, the Colonial Architect permitted the use of stone rather than brick in government buildings if the stone was deemed to be economical and structurally sound.¹¹ The government commissioned James McEnhill to build the gaol, located on Cape Dombey, for £1959 and construction began the same year. McEnhill employed local masons including George Hailes, Levi Cooper, and Sandy Park.¹² All three men had previously worked on the Cape Dombey Obelisk and Hailes and Cooper had helped build the wall at the local cemetery. Paying close attention to the gaol's development, the Observer noted in October that year that it was 'fast approaching completion' and appeared to be an 'extensive establishment'. Admiring the apparent robustness of its appearance, it went on to state that the 'whole is finished

in a very substantial manner'. ¹³ Construction was completed by 1861 and the Gaol was opened on 4 March. ¹⁴

The final layout of the gaol indicates that it was a simple design, albeit one predicated on prolonged incarceration and social seclusion, which was the dominant form of criminal punishment in the second half of the nineteenth century, although capital and corporal punishment persisted well into the twentieth century. The Observer's comments regarding the 'suppression of vice' and the gaol's 'substantial manner' suggest that its imposing structure, including the high perimeter walls, may have been designed to intimidate prospective felons and to deter crime.

A later description from 1871 referred to the gaol as a 'reformatory'.¹6 Criminal deterrence and reform were guiding penal philosophies throughout the nineteenth century and thus may well have been embedded in the gaol's design. However, unlike the Adelaide Gaol, which was opened in 1841 and modelled on Pentonville Prison in London,¹¹ the gaol at Robe was not built to accord with the 'Victorian prison' model, which segregated criminals by 'age, gender, and type of crime' and kept individual prisoners apart in separate cells.¹8 It did not have enough cells to always isolate prisoners from each other and lacked facilities explicitly for solitary confinement.

George Tims was appointed as its first keeper in 1861 and was succeeded by Bradshaw Young in 1866. Under their guard, prisoners were held for various offences ranging in severity from murder to petty theft. Ut also appears that the gaol served as a prison for debtors. There were at most eight detainees held at the gaol at any one time, including men and women. Although the gaol lacked gendered wards, it is certain that male and female inmates would have been held in different cells. Although the gaol did house prisoners guilty of crimes that could warrant capital punishment, no one was executed at the site, although an execution almost took place before the sentence was commuted to life imprisonment on the grounds of insanity.

Not much is known about the daily operations or life at the gaol. The layout of the goal, including a kitchen, earth closet, receiving yard, underground tank, storage room, and keeper's room indicate that the gaol was relatively self-sufficient. Chimneys were commissioned in 1863.²⁴ It appears that at least some prisoners were subjected to a routine of hard labour, though the strenuousness of that work was questioned at least on one occasion by a newspaper correspondent who in 1867 'saw little use in maintaining the gaol at Robe at all'.²⁵

The gaol's history offers a glimpse into colonial race relations. From the outset, South Australian colonial administrators sought to advance the 'rule of law'. This approach was intended to demonstrate that crimes committed by any British subjects, whether

colonists or Aboriginal people, were intolerable and would be treated alike. Still, the 'rule of law' was used to advance British sovereignty and was applied inconsistently.²⁶

Gerard Butler, the first Government Resident at Robe, attempted to instate the 'rule of law' and apply justice equally. However, while Butler pursued pastoralist James Brown in 1849 for the massacre of nine Aboriginal people, 27 violence towards First Nations people otherwise appears to have been treated lightly. Two prisoners at the gaol, for instance, were convicted of murdering an Aboriginal person but were 'dealt with very leniently'. 28 It is noteworthy, too, that among the first prisoners were two Indigenous men named Rietund and Pontowin (known also as Long Jimmy and Sailor Tommy), who had been charged with assaulting a First Nations woman. 29 A reporter later noted in September 1867 that the only prisoners at that time were six Aboriginal people. 30

While infrequent, escapes from the gaol did occur. The first happened the very year it was opened. Rietund and Pontowin knocked over the gaol keeper and ran away while chopping firewood outside of the gaol. Both men were recaptured.³¹ In 1863, William Brown and George Aitken escaped from the gaol by chiselling through the mortar of their cell wall with a window shutter.³² Over a decade later in 1873, George Catacola, a Greek immigrant, escaped from custody, also while chopping firewood. His body was later discovered in Lake Eliza, having been preserved by the high salt content of the water.³³

Such incidents contributed to debates over the gaol's security and its utility. Even before the gaol was opened, questions were raised about the workmanship and the quality of the materials used.³⁴ In 1862, the government considered closing the gaol in favour of building a new facility in Mount Gambier. Locals successfully campaigned against the closure, but the government went ahead with the gaol at Mount Gambier, which was later opened in 1866.³⁵

Following the 1863 escape, iron sheets were used to reinforce the cell walls. Folklore has it that these sheets derived from boilerplates off a shipwreck, possibly the Admella, which sank in 1859.36 The veracity of this legend is uncertain. It appears that further additions may have been added to the gaol over the years to increase its size and utility, such as the aforementioned chimneys and additional gaolers' rooms.37 In 1864, the Colonial Architect recommended the construction of another ward so that the gaol could be divided into male and female sections.38 Over a decade later in 1874, the Colonial Architect highlighted that the building was 'very insecure for the safe custody of prisoners' and that it was 'absolutely necessary that [the] building be completed'.39 It does not appear that the intended second phase of construction was ever commenced.

The gaol was closed briefly from 1870 but was reopened in 1872.⁴⁰ Around the same time, the circuit court at Robe had also been abolished and then restored.⁴¹ The initial

closure of both occurred due to the government's attempt to administer criminal justice in the South East from Mount Gambier. Local agitation at first prevented this objective from being realised,⁴² but the circuit court at Robe was eventually abolished altogether in 1878 and conducted exclusively in Mount Gambier and Naracoorte,⁴³ which appears to have commenced hosting the court in 1877.⁴⁴ This decision meant that detainees awaiting trial in Robe had to be transported to Mount Gambier or Naracoorte.

Despite the gaol's reopening, Robe lost its position as one of the Colony's major ports during the 1870s. Its decline began early in the decade owing to various factors, but was primarily due to the rise of competition from other port towns, such as Kingston, and the emergence of railways in the region.⁴⁵ Reflecting this downturn, the population dwindled from about 600 residents in the late 1860s and early 1870s to 170 in 1891.⁴⁶ In the midst of this decline, the government closed the gaol again in 1881, this time permanently.⁴⁷ It did so on the grounds that too few prisoners were being held at Robe to justify maintaining two regional gaols.⁴⁸

Following its closure, the building was soon abandoned and left to deteriorate. The gaol's destruction was exacerbated by the removal of stone from its walls. Residents complained about its purposeful destruction, and in 1929 Dr. Cormack, a local, urged the District Council of Robe to protect the gaol, which was being demolished by a man named Mr. Rackham. The Council resolved to offer Rackham £2 for the rights to the gaol on the condition that no further materials were removed from the site. Rackham agreed to sell the rights but sought to ensure that he could still sell the material that had already been acquired and even offered to sell it to the council at a discounted price.⁴⁹ Such requests to protect the site do not appear to have amounted to much, as more material was removed over the years, including for use in local roadworks.⁵⁰ Over time, the gaol was left in near total ruin.

Based upon these early preservation requests, the gaol has long been recognised as iconic and, like other sites in Robe, has become a popular location for tourists and visitors. The site was cleared of thorny shrubs and a road was built past the site in the 1950s.⁵¹ Later, the gaol was confirmed as a State Heritage Place in 1980. Photographs taken just beforehand in 1979 show that the stone walls and brick-framed windows forming part of the entrance and gaoler's rooms were still standing.⁵² Part of the main gaoler's room collapsed in 1981. The District Council of Robe proposed to preserve and reconstruct the gaol as early as 1980. In 1995, the gaol's footprint was reconstructed by building shallow walls and adding historical signage.⁵³ The site has remained essentially the same since.

CHRONOLOGY

Year	Event					
1841	Adelaide Gaol is built.					
c.1842	Port Lincoln Gaol is built.					
1846	Counties of Grey and Robe are proclaimed by the Colonial Government and are opened to claim under pastoral license.					
	Government of South Australia establishes Robe as the administrative centre of the South East; Captain Gerard Villiers Butler is appointed as the first Government Resident.					
1847	Robe is officially gazetted as a port by the government.					
1850	Captain Charles Philip Brewer replaces Captain Butler as Government Resident and serves for fourteen years.					
1854	Yatala Labour Prison (previously Dry Creek Labour Prison) at Northfield is built.					
1854	Redruth Gaol at Burra is built.					
1859	Commissioner of Public Works determines that a gaol should be erected at Robe so that local assizes can be held at the courthouse; an estimate of £3000 is made for its partial construction, comprising of a receiving yard, four cells, and a keeper's residence; tenders are sought to build the goal, the first for the region.					
1860	Construction of the gaol begins and is built by James McEnhill for £1959; local masons including George Hailes, Levi Cooper, and Sandy Park participate in the gaol's construction; Colonial Architect permits the use of stone rather than brick in places if economical and structurally sound.					
1861	Construction of initial portion of gaol completed and the gaol is opened on 4 March 1861; George Tims is appointed as the Gaol's first Keeper.					
1861	Two Indigenous inmates escape from the gaol.					
1863	Another two prisoners escape; questions arise over the security of the gaol; Colonial Architect deems the present building to be unsafe and inadequate and later orders that the chimneys and rooms for gaolers be completed immediately; at some point the walls behind the cells are reinforced with iron boilerplates, possibly from the 1859 wreckage of the Admella.					
1864	Two sides had been tendered for but only one had thus far been built; Colonial Architect recommends that the other side should be built so that gendered wards can be created.					
1866	Mount Gambier Gaol opens					

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- 1867 Wallaroo Gaol is built.
- The Magill Youth Training Centre is built.Port Augusta Gaol is built.
- 1870 The gaol closes for the first time.
- 1872 The government reopens the gaol.
- 1875 Report on the gaol concludes that it is insecure and that the building needs to be completed in full.
- 1876 Another prisoner escapes.
- 1881 Gaol closes permanently; inmates are transferred to Mount Gambier Gaol; the building is left to deteriorate and is gradually demolished for resources.

 Gladstone Gaol is built.
- District Council of Robe attempts to prevent further destruction of the gaol, which was being gradually demolished for its stone; over the years, the stone is excavated and repurposed, including for roadworks.
- A new road leading to the Cape Dombey Obelisk and passing the gaol is built for tourists and visitors; by this time, the ruins have been 'cleared of boxthorn and boobialla'.
- 1980 The Gaol Ruins is listed as a State Heritage Place
- 1981 A section of the main gaoler's room collapses.
- 1995 District Council of Robe rebuilds portions of the lower walls, effectively outlining the footprint of the building and its internal layout; Cape Dombey walking trail branches off to the gaol from both sides of the coast and a car park off Cape Dombey Road is situated at the site for tourists.

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SITE DETAILS

Gaol Ruins PLACE NO.: 10262

Obelisk Road, Robe SA

DESCRIPTION OF PLACE: Ruins of nineteenth century gaol comprising a

combination of original and reconstructed limestone

walls defining the layout.

DATE OF CONSTRUCTION: 4 March 1861 (opened)

REGISTER STATUS: Confirmed 24 July 1980

CURRENT USE: Tourist attraction

1995 –

Ruins

PREVIOUS USE(S): Regional gaol

Rogional gaoi

1881 - 1995

ARCHITECT: William Hanson

1860-1861

BUILDER: James McEnhill, George Hailes, Levi Cooper, and

1861-1870; 1872-1881

Sandy Park

1861

LOCAL GOVERNMENT

AREA:

District Council of Robe

LOCATION: Street No.: 3

Street Name: Obelisk Road

Town/Suburb: Robe

Post Code: 5276

LAND DESCRIPTION: Title CR/6128/656 D92419 A300

Reference:

Hundred: Waterhouse

PHOTOS

Gaol Ruins PLACE NO.:10262

Obelisk Road, Robe SA



The Gaol Ruins, 1918. Much of the site remains relatively intact; note the chimneys are still standing and the site is largely unvegetated.

Source: State Library of South Australia, B 322



The Gaol Ruins in 1924. A portion of the perimeter walls are still standing, however, the chimneys, roof and wall (mid left) appear to have fallen in or been removed.

Source: State Library of South Australia, B 2207

Gaol Ruins PLACE NO.:10262

Obelisk Road, Robe SA



The Gaol Ruins February 1979. These walls are all that remain of the Gaoler's Room. The perimeter walls have been removed due to demolition and reuse of the stone earlier in the twentieth century.

Source: Heritage Survey ID Sheet R6 ROB: 004



Gaol Ruins, c.1980, showing the remnants of the walls to the Gaolers' Room.

Source: DEW Files

Obelisk Road, Robe SA



Distant view of the Gaol Ruins showing remains of the structure, c.1980.

Source: DEW Files



View of the remains of the Gaolers' Room, c.1980.

Source: DEW Files

Obelisk Road, Robe SA



Gaol Ruins, c.1980, showing the walls from 'inside' the building. Part of this structure collapsed in 1981.

Source: DEW Files



The Gaol Ruins, c.2012 after the remaining walls were stabilised and partially rebuilt in 1995 to assist in interpreting the site. Note the Cape Dombey Obelisk in the background.

Source: District Council of Robe (photograph by Liz Harfull)

Gaol Ruins PLACE NO.:10262

Obelisk Road, Robe SA



View of the Gaol Ruins, 2020.

Source: Google Maps

¹ Liz Harfull, Almost an Island: The Story of Robe, reprinted edition (2013; Mile End: Wakefield press, 2015), 12-14; Susan Marsden, A Glimpse of Golden Days (Robe: District Council of Robe, 1985), 11-12.

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- ⁹ Bermingham, Gateway to the South East, 175; Harfull, Almost an Island, 18; Colonial Architect Out Letter Book, State Archives of South Australia, 871, 205/59 in 'Ruins of Robe Gaol', Heritage Survey Item Identification Sheet, Region 6: South East, Item No. ROB: 004 [Research packet].
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- 11 Colonial Architect Out Letter Book, 258/60 in 'Ruins of Robe Gaol'.
- 12 Bermingham, Gateway to the South East, 176.
- ¹³ 'Guichen Bay', Adelaide Observer, 27 Oct 1860, 2.
- ¹⁴ Bermingham, Gateway to the South East, 176; Harfull, Almost an Island, 18.
- ¹⁵ See Elizabeth Grant and Yvonne Jewkes, 'Finally Fit for Purpose: The Evolution of Australian Prison Architecture', *The Prison Journal* 95:2 (2015): 224-225.
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- ²⁰ 'Robe Gaol', Evening Journal (Adelaide), 9 August 1879, 2.
- ²¹ The gaol was also described as a 'House of Correction, and Prison for Debtors' in 'Robe Gaol', Evening Journal, 3.
- ²² 'Closing Guichen Bay Gaol', Adelaide Observer, 15 January 1870, 4.
- ²³ 'When Stone Walls Did Not a Prison Make: Romantic History of Old Robe Gaol', *Chronicle* (Adelaide), 4 February 1937, 2.
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- ²⁵ 'The South-Eastern District: Robe and its Institutions', South Australian Weekly Chronicle, 21 September 1867, 4.
- ²⁶ See Julie Evans, 'Colonialism and the Rule of Law: The Case of South Australia' in *Crime and Empire*, 1840-1940, Barry Godfrey and Graeme Dunstall, eds. (Uffculme: Willan Publishing, 2005), 57-75.
- ²⁷ A. H. Barrowman, *Souvenir of Historic Robe*, reprinted edition (1979; Millicent: Millicent Print, 1980), 5 [page numbers are not present; actual page number of booklet]; 'Avenue Range Station, near Guichen Bay' in Lyndall Ryan, Jennifer Debenham, Bill Pascoe, et al., Colonial Frontier Massacres in Australia 1788-1930 Newcastle: University of Newcastle, 2017-2022. https://c21ch.newcastle.edu.au/colonialmassacres/map.php. Accessed 23 May 2023.
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- ²⁹ 'Guichen Bay', South Australian Register, 17 August 1861, 3; Harfull, Almost an Island, 18.
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- ³² Harfull, Almost an Island, 18; 'When Stone Walls Did Not a Prison Make', 2.
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- ³⁸ Colonial Architect Out Letter Book, 336/63 in 'Ruins of Robe Gaol'.
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- ⁴⁰ 'Closing Guichen Bay Gaol', 4; 'The Commissioner of Public Works in the South-East', South Australian Advertiser, 19 March 1872, 3; Bermingham, Gateway to the South East, 176.
- ⁴¹ 'The Circuit Court [letter to the editor]', Adelaide Observer, 15 April 1871, 3; 'Government Gazette', South Australian Advertiser, 20 December 1872, 3.
- ⁴² 'Closing Guichen Bay Gaol', 4; 'The Circuit Court [letter to the editor]', 3.
- ⁴³ 'Government Gazette', Border Watch (Mount Gambier), 30 March 1878, 2.
- ⁴⁴ 'South-Eastern Circuit Courts', Narracoorte Herald, 27 March 1877, 2.
- ⁴⁵ Dallwitz and Marsden, Robe Historical Interpretation, 19-21.
- 46 Harfull, Almost an Island, 42.
- ⁴⁷ Harfull, Almost an Island, 18.
- ⁴⁸ 'The Robe Gaol', Border Watch (Mount Gambier), 8 June 1881, 3; Commissioner of Public Work, House of Assembly, 9 June 1881 in 'House of Assembly', Narracoorte Herald, 14 June 1881, 2.
- ⁴⁹ 'Robe District Council', Narracoorte Herald, 3 December 1929, 4.
- ⁵⁰ Harfull, Almost an Island, 18; 'When Stone Walls Did Not a Prison Make', 2.
- ⁵¹ 'New Road to Robe Obelisk', South Eastern Times, 26 November 1954, 1.
- ⁵² 'Gaol Ruins', Film 43, No. 9, 6823_10262, 19 February 1979 in Heritage Survey Item Identification Sheet [Research packet].
- 53 'Robe Gaol Ruins', Mount Gambier Point. https://www.mountgambierpoint.com.au/ attractions/robe-gaol-ruins/. Accessed 23 May 2023.