Memorands by James Martin

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Introduction

At dawn on Sunday 13 May 1787 an unusual convoy of 11 ships departed from Portsmouth. Within a few hours they had sailed into the Channel, intending to run down the western coasts of France and Spain, and to then head out into the Atlantic. The convoy’s final destination had long been a mirage in the European imagination, a land so odd that the ancient Greeks (only half-jokingly) believed its inhabitants walked on their hands. The First Fleet, as it became known, reached Tenerife on 3 June 1787, then sailed on to Rio de Janeiro. It arrived there in early August and remained for a month to take on supplies, reaching the Cape of Good Hope on 13 October 1787, five months to the day after leaving England.

However, when it departed from the Cape a month later the Fleet and its passengers headed out into the unknown. There would be nothing to see for weeks on end but the emptiness of the Indian and Southern Oceans, until the ships rounded the southern tip of Van Diemen’s Land (Tasmania) and continued north, up the eastern coast of the Australian continent, until they reached Botany Bay on 18 January 1788 (Fig.1). Eight days later the Fleet relocated to Sydney Cove in Port Jackson – described by Governor Arthur Phillip (Fig.2) as ‘the finest harbour in the world’ – and began to disembark its cargo of people. Among these people were officials, headed by Phillip, a force of marines and approximately 750 to 775 male and female prisoners, sent to serve out their sentences on an unfamiliar shore. The indigenous people of the region, the Eora, had seen European ships come and go, but now boat-loads of myall – strangers – had landed in their Country and remained. The initial encounters between the Eora and this fresh group of incomers were often marked by mutual ‘goodwill and friendliness’ and fascination, though the violence and killing would come soon enough.

A number of the First Fleet’s officers kept journals or wrote and published accounts of the penal colony’s first few years. However, no narrative written by a convict transported by the First Fleet is known to be extant.
Nothing, that is, save for a few pages in the archive of one of Britain’s great philosophers, Jeremy Bentham,⁸ one of the earliest and most implacable enemies of transportation to New South Wales and the colony itself. Somewhat incongruously, amid the philosophical treatises in the voluminous Bentham Papers in UCL Library’s Special Collections,⁹ is the earliest Australian convict narrative, Memorandoms by James Martin. This document also happens to be the only first-hand account of the most famous, and most mythologised, escape from Australia by transported convicts.

The Bryant party’s escape and convict absconding in early New South Wales

Among those transported by the First Fleet was the supposed author of the Memorandoms, James Martin of Ballymena, County Antrim.¹⁰ At the Cornwall Assizes of 20 March 1786 he had been sentenced to seven years’ transportation for stealing 11 iron screw bolts valued at two shillings and sixpence, and other goods valued at two shillings, from Powderham Castle.¹¹ Given that Martin was a bricklayer and stonemason by trade, it is a reasonable supposition that this was a workplace theft.
He was subsequently detained on the Dunkirk prison hulk at Plymouth, where his conduct was described as ‘tolerably decent and orderly’, before being embarked, on 11 March 1787, upon the Charlotte for transportation to New South Wales. In a return of escaped convicts sent to England by Governor Phillip in November 1791, Martin was described as standing at five feet and seven inches (170 cm), having a dark complexion and of ‘lisp[ing] in his speech’.

By what seems a remarkable coincidence, convicted on the same day at the same assizes as Martin was a future confederate in escape, Mary Broad of Fowey, Cornwall. Broad had, together with Catherine Prior and Mary Hayden alias Shepherd, robbed and violently assaulted Agnes Lakeman on a road in Plymouth – ‘putting her in corporal fear and danger of her life’, as the assize record puts it. Broad, Fryer and Hayden stole from Lakeman a silk bonnet valued at 12 pence and other goods valued at £1 and 11 shillings. All three were condemned to death, but on 13 April 1786 this sentence was commuted to transportation for seven years. On 26 September 1786 Broad was detained in the Dunkirk hulk
where her behaviour, like that of Martin, was described as ‘tolerably
decent and orderly’. Broad was about three months pregnant when she
was embarked upon the Charlotte on 11 March 1787. She gave birth to
a daughter on 8 September 1787, not long after the ship had left Rio de
Janeiro, and the child was baptised Charlotte Spence at Cape Town on
28 September. It has not been possible to identify Charlotte’s father. In
the 1791 return of escaped convicts, Mary Broad was described as being
‘marked with the small pox’. She was ‘of a middle stature’, walked ‘with
one knee bent inwards, but is not lame’, and spoke ‘with the strong west
country accent’. Her height was not recorded in this document, but the
Newgate criminal register for 1792 noted that she was five feet and four
inches (162 cm) tall.

In a further coincidence, also transported aboard the Charlotte was
Mary Broad’s future husband, the Cornishman William Bryant, described
in the 1791 return of absconders as being five feet seven inches (170 cm)
in height and of a dark complexion. He had been committed at Bodmin
by the Mayor of St Ives for ‘personating and assuming the names’ of two
Royal Navy sailors ‘and in their names feloniously receiving’ some of their
wages. Bryant was convicted at the Cornwall Assizes of 20 March 1784
and sentenced to death, subsequently commuted on condition of his
being transported to America for seven years.

Yet America had not been a viable destination for Britain’s convicts for
almost a decade. Between 1615 and 1776 some 50,000 men, women and
children were transported from the British Isles to the North American colonies, though only in significant numbers after the
passage of the Transportation Act of 1717. The shipping of convicts to
America was privately contracted to merchants who received, as the
Transportation Act put it, ‘Property in their Service’; the contractors duly
sold this ‘Property’ as indentured labour to colonists. After the prisoner’s period of indentured servitude expired he or she was then released.
Despite the American Revolutionary Wars (1776–83) putting a stop to
convicts being sent there, British courts continued to pass sentences of
transportation. Convicts so sentenced were held in gaols or prison hulks –
decommissioned warships moored on the Thames, at Portsmouth and
at Plymouth – while the government looked for an alternative place
to which prisoners could be transported (Fig.3). The government
experimented in 1781 and 1782 with sending around 200 convicts to
Senegambia, a British slaving outpost on the west African coast. In the
first instance they were dragooned as soldiers into the so-called 101st
and 102nd ‘Independent Companies’ to fight the Dutch and serve the
interests of the Company of Merchants Trading to Africa; a later group
was sent as labourers. In both cases the mortality rate was ferocious, and the idea of sending more convicts there was abandoned.\(^{25}\)

William Bryant was one of the convicts left languishing in the hulks before the decision was taken to found the New South Wales penal colony. He spent just a few weeks short of three years on board the *Dunkirk* hulk at Plymouth, and it may indeed have come as something of a relief to leave it behind and board the *Charlotte* on 11 March 1787.

The *Charlotte* also carried the carpenter James Cox to New South Wales.\(^{26}\) By the time he left England Cox had been sentenced to death, and reprieved from it, twice. He was brought before the bar at the Old Bailey on 11 September 1782 and indicted for ‘feloniously and burglariously breaking and entering the dwelling-house’ of Henry and Francis Thompson, haberdashers on Oxford Street, London, and for stealing 12 yards of thread lace valued at £4 and two pairs of cotton stockings valued at four shillings. In evidence Francis Thompson recalled how, at ten in the evening on 27 July, he heard the smashing of glass. Upon checking one of the shop’s windows, he found it broken and cleared of stock. In the shop at the time were George Baily and Mr Dickey, who rushed out into the street and dragged Cox – who was ‘dabbing his hands’ with a handkerchief, having ‘cut the fleshy part of his hand and all his knuckles’ while apparently thrusting his hand through the window – back inside. Though

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Fig.3  ‘The *Discovery*. Convict-Ship (lying at Deptford)’, unknown artist, 1829
Thompson had Cox literally red-handed, he admitted to the court that none of his property was found on Cox’s person.

In his defence, Cox stated that he had been on his way to Wapping and had merely ‘stopped to look at some buckles in a window’ when he was suddenly seized by several people who ‘used me very ill’. Only Dickey swore to seeing Cox steal the goods. No-one saw him palm them off to anyone else, and though Francis Thompson admitted to having seen other people pass by at the time of the theft, he admitted: ‘I had not the presence of mind to lay hold of them.’ Cox was found guilty and sentenced to death, subsequently commuted to transportation for life. On 10 September 1783 he was sent to a hulk on the River Thames.27

Cox was one of 179 prisoners who, on 26 March 1784, were embarked upon the Mercury, the dispatching of which was, as historian Emma Christopher suggests, the second part of a ‘madcap attempt to resume convict transportation to America’.28 During the previous year the then Home Secretary Lord North29 had contracted the London merchant George Moore to ship prisoners to America in return for £500 and the profit of selling the convicts’ indentures. Moore had already dispatched one shipload of prisoners in an endeavour covered in subterfuge: his ship, the George, had been renamed the Swift, the convicts were described in the departure notices as indentured servants and the Swift’s destination was listed as Nova Scotia. When it put to sea, however, the captain made instead for Baltimore, where George Salmon, Moore’s business partner, was to organise the sale.

However, shortly after passing out of the Thames in August 1783 the Swift was seized by a group of convicts. They had been allowed on deck, out of their irons, by the captain in consideration of their health. The ship was run aground at Rye in Sussex and, although about one-fifth of the convicts escaped into the countryside, most were subsequently recaptured.30 A similar fate befell the Mercury when, early on the morning of 8 April 1784, some of the prisoners – who had smuggled on board small saws and nitric acid to remove their irons – seized control of the ship near the Scilly Isles. In this case bad weather forced the mutineers to put in at Torbay in Devon on 13 April, where 66 mutinous convicts were apprehended on board the Mercury by the crew of HMS Helena. A further 24, including Cox, were later arrested in locations throughout Devon.31

A Special Commission was held at Exeter Castle on 24 May 1784, chaired by John Heath,32 to try the convict mutineers. Under the Transportation Act of 1768 there was a reward of £20 per head for any individual who apprehended a person ‘at large within this Kingdom’ while under a sentence of transportation and was subsequently
convicted of returning from transportation.\textsuperscript{33} As the crew of the *Helena* had captured 66 convicts, they stood to share quite a windfall.\textsuperscript{34} However, Mr Justice Heath refused to try these 66 since, having been captured aboard the *Mercury* at sea, they ‘could not be said to be at large within the kingdom’; the convicts were simply ordered to remain on their previous sentences. A local journalist covering the trial expressed sympathy towards the *Helena*’s crew for having been deprived of their ‘merited reward’.\textsuperscript{35} For the 24 convicts arrested on land, there was no such exemption. All were sentenced to death for returning from transportation, though all were later reprieved and two were eventually acquitted. Cox, now under a second sentence of transportation for life, was sent to the *Dunkirk* hulk at Plymouth, where he behaved ‘remarkably well’ until being embarked on the *Charlotte* on 11 March 1787.\textsuperscript{36} In the 1791 return of absconders, Cox was described as being five feet eight inches in height (172 cm), of a dark complexion and with black hair.\textsuperscript{37}

The other First Fleeter who would later join the escapees was the waterman Samuel Bird.\textsuperscript{38} He had been sentenced to transportation for seven years at the Surrey Assizes on 20 July 1785 for stealing 1000lbs (453 kg) of saltpetre from a warehouse in Wandsworth. He was convicted with a James Bird, who may have been an elder brother or cousin.\textsuperscript{39} On 24 October 1785 Samuel Bird was sent onto the *Justitia* hulk at Woolwich before being embarked on the *Alexander* on 6 January 1787. In the return of absconders of November 1791 he was said to be five feet seven inches (170 cm) in height, ‘a stout man of a dark complexion’ and with dark hair.\textsuperscript{40}

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From the earliest establishment of the penal colony of New South Wales, transportees sought to devise ways to escape from it. Escape could take many forms and need not involve physical departure: a convict could attempt to evade work by feigning sickness or by breaking their tools, or seek metaphorical escape through recreation, like the prisoners of the Norfolk Island penal station during the late 1840s, for example, who sought escapism in the penny magazines of the Island’s well-stocked library.\textsuperscript{41} But it was through absconding, the removing of one’s self from the place of lawful confinement – if ‘confinement’ is the correct term for the situation of convicts in a continent-sized open gaol – that prisoners made their greatest challenge to the authority of the convict system. Punishments for absconding, particularly in New South Wales’s early years, could be savage. On 5 June 1788 Edward Cormick\textsuperscript{42} took to the bush and remained at large for 18 days, subsisting on – according to Judge-Advocate Lieutenant David Collins (Fig.4)\textsuperscript{43} – ‘what he was
able to procure by nocturnal depredations among the huts and stock of individuals'. Cormick surrendered, half-starved, on 23 June; he was tried the next day and hanged the day after that. John 'Black' Caesar absconded to the bush in May 1789, a fortnight after being convicted at the Sydney Criminal Court of theft and receiving a second sentence of re-transportation for life. He was recaptured on 6 June and sent to work in irons on Garden Island in Sydney Harbour.

Exemplary punishments had a limited effect. The authorities in New South Wales were well aware that the availability of even a glimmer of hope of getting away successfully was a significant encouragement to convicts to attempt it. This was a particular problem in a place where, if they were so minded, a transportee could simply wander off into the bush, notwithstanding the dangers that posed. For example, many scoffed at the ignorance of Irish convicts for believing that there was a society of free white people living several hundred miles south of Sydney, on the other side of the Blue Mountains, where there was no need to work and plenty of food. Governor John Hunter (Fig.5) took the effect of these rumours seriously, however, particularly when a ‘depraved set of transports’ from Ireland attempted to drive stolen cattle overland to this far-off country.

During January 1798 around 20 Irish convicts were arrested when they gathered to set out for the ‘fancied paradise, or to China’, armed with two pieces of paper as their guide: one contained written directions,
while on the second someone had drawn a picture of a compass. Hunter was aghast at the ‘obstinacy and ignorance’ of these people, and though a number of them were flogged he thought that ‘nothing but experience’ would ever convince the Irish of the falsity of their belief. Out of ‘humanity, and a strong desire to save these men, worthless as they are, from impending death’ in attempts to escape, Hunter included four Irish convicts in an exploration party led by John Wilson, named Bun-bo-e by the Dharug people. He hoped that first-hand accounts from such an expedition would put paid to belief in this far-off Arcadia. The soldiers and three of the four convicts turned back when the party reached the Mount Hunter district, approximately 43 miles (70 km) from Sydney. Wilson, the remaining convict and Governor Hunter’s servant John Price continued; they travelled as far as the Wingecarribee river, about 80 miles (130 km) to the south-west of Sydney, before turning back. However, as David Levell points out, the Irish convicts regarded the expedition as a ‘transparent’ ploy on Hunter’s part, believing that ‘the results of his authorised bush escapade’ were ‘not worth waiting for’. They, and others, continued to escape, whether in search of the mythical land or simply somewhere – anywhere – that was not New South Wales.

Colonial officials such as Hunter regularly characterised convict escapes such as these as impulsive, quixotic, doomed plunges into the darkness of the bush or the violent waters of the Pacific. This was a reflex response even when the authorities had no idea what actually happened to absconders, and one which was still evident 40 years after
James Martin and company left New South Wales. In 1830 the Sydney Gazette reassured its concerned readers that 11 men who stole a boat and escaped from Norfolk Island – almost 1000 miles (1600 km) east of Sydney – had undoubtedly perished; they must either have drowned or met death ‘in a more terrific form…either from being destroyed by the cannibals of New Zealand, or from starvation in being driven about the wide ocean at such a season’.51 Yet this strategy could be undermined by even the most imprecise and vague of rumours. The Van Diemonian colonist David Burn recounted a story that one of this group of escapees from Norfolk Island had been ‘elected Chief’ by the ‘natives’ of Pleasant Island (present-day Nauru), but had been expelled owing to his having committed ‘murders and barbarities’. The last Burn had heard of this unnamed man was of his being ‘worked in irons at Manila’.53

Contrary to public declamations of stupidity, historian Grace Karskens notes that ‘convicts were not as geographically ignorant as their superiors liked to believe’.54 They knew of James Cook’s exploration of the Pacific through popular literature and newspapers, and of the extraordinary survival of Captain William Bligh of HMS Bounty (Fig.6).56 Bligh had sailed from England in December 1787 with a commission to transport breadfruit and other crops from the Pacific to the West Indies, where

Fig.6 ‘Cap’. Bligh’ from William Bligh, 1792. A Voyage to the South Sea. London: George Nicol
they were to be introduced and cultivated as food for plantation slaves. At the end of October 1788 the *Bounty* reached Tahiti, where it took on board 1000 young breadfruit plants. The ship departed for the Caribbean at the start of April 1789. On 28 April part of the crew, led by Fletcher Christian,\(^57\) mutinied. Bligh and the crew members who remained loyal to him were set adrift in the ship’s 23-foot launch. They managed to travel around 3200 miles (c.5000 km) to Kupang in West Timor in little more than two months, and suffered only one death among them – a tribute to Bligh’s exceptional navigational skills.\(^58\) As Captain Watkin Tench of the Marines, who travelled to New South Wales on the First Fleet, put it, after Bligh’s survival ‘no length of passage, or hazard of navigation, seemed above human accomplishment’.\(^59\)

Some transportees were more than accomplished, bringing to New South Wales skills both vital to the fledgling colony and in themselves useful for absconding.\(^60\) Among those transported by the First Fleet were stonemasons, weavers, carpenters, farmers and blacksmiths, as well as sailors and fishermen – people who had worked the seas and currents for much of their adult lives. In addition, given the demographics of the colony, skilled convicts were of necessity appointed to positions of responsibility. Judge-Advocate Collins complained of having to place ‘a confidence in these people’, but ‘unfortunately, to fill many of those offices to which free people alone should have been appointed in the colony, there were none but convicts’. Though some transportees had given ‘proofs, or strong indications of returning dispositions to honest industry’, there were others ‘who had no claim to this praise’.\(^61\) Among those for whom Collins had no praise was William Bryant, whose seamanship and fishing skills, learnt in his native Cornwall, saw him placed in charge of managing the colony’s fishing enterprise. This was a job of particular importance in the colony’s early years when food was scarce: the ration in the colony was subjected to repeated reductions to the point where, in April 1790 all hands were placed upon a subsistence ration. As Collins put it, the dire state of the colony’s food stores meant that ‘it was determined to reduce still lower what was already too low’.\(^62\)

Bryant’s role gave him and his family a relatively privileged position. He and Mary Broad had married on 10 February 1788 and they, together with young Charlotte, were provided with the privacy of their own hut. Bryant was also allowed to keep some of his catch by way of an incentive, but he was caught abusing this indulgence: on 4 February 1789 he was brought before magistrates Collins and Augustus Alt\(^63\) and charged with ‘secreting and selling large quantities of fish’.\(^64\) The main witness for the prosecution was the convict Joseph Paget,\(^65\) who worked
in Bryant’s fishing boat and acted as a sort of servant to his family. Bryant would use Paget as an intermediary to pass on fish in exchange for spirits or other services rendered. For the defence, John White— who, as surgeon aboard the Charlotte, had employed Bryant to issue rations to the other convicts— testified as to Bryant’s honesty, but to no avail. Bryant was found guilty. Theft of provisions was often punished with particular ferocity at this time: for example, on 27 March 1789 Marine Privates Richard Askew, James Baker, James Brown, Richard Dukes or Lukes, Thomas Jones and Luke Hines or Haines were hanged for having repeatedly plundered the government store. By comparison Bryant got away lightly (though it undoubtedly did not feel that way to him): he received 100 lashes from the cat o’nine-tails and was dismissed from his post. In addition he and his family were also evicted from their accommodation. Bryant did continue to work in the colony’s fishing boats, however, though he was no longer in charge of their operation and was (theoretically) under close supervision. As Collins acidly put it, ‘notwithstanding his villainy, [Bryant] was too useful a person to part with and send to a brick cart’. In her study of successful convict escapes, Karskens found that such endeavours were ‘overwhelmingly a collective rather than an individualist enterprise’; they were ‘carefully organised’ and setting out to sea offered the greatest chance of getting away. The escape led by William Bryant perfectly fits the Karskens model, though a precedent for escaping by sea had been set by others. Collins reported on a ‘desertion of an extraordinary nature’ on 26 September 1790, when five men working at the government farm at Rose Hill, around 12 miles (20 km) from Sydney, rowed undetected down the Parramatta river in a small boat. Once in Sydney they stole a larger and more seaworthy vessel with a sail, apparently aiming for Tahiti. Led by the ‘daring, desperate’ John Turwood, the group of men – George Lee, George Connoway, John Watson and Joseph Sutton – sailed out of Port Jackson and disappeared. Demonstrating the automatic response to a convict escape, Collins comforted himself in thinking that ‘from the wretched state of the boat wherein they trusted themselves, [it] must have proved their grave’. He was wrong: the men were driven ashore at Port Stephens, around 130 miles (210 km) to the north of Sydney. There they lived among the Worimi people until 26 August 1795, when Turwood, Lee, Connoway and Watson – Sutton having died in the meantime – were picked up by Captain William Broughton of HMS Providence. They were returned to Sydney, where David Collins described their telling ‘a melancholy tale of their sufferings in the boat’ to the ‘crowds both of black and white people
which attended them their adventures in Port Stephens’. Turwood and company described ‘in high terms’ the ‘pacific disposition and gentle manners of the natives’ and spoke of the ceremonies which granted them tribal names. They were ‘allotted’ wives and ‘one or two had children’, though Collins mocked their ‘ridiculous story, that the natives appeared to worship them’ and believed them to be ‘the ancestors of some of them who had fallen in battle and had returned from the sea to visit them again’.78

There is no record of any of the Turwood group having been punished for absconding. Though Bryant and the others could not have known the fate of this party when they escaped in March 1791, the very fact that it had been possible to sail unchallenged out of the harbour could only have been an encouragement to Bryant and the others (Fig. 7).

We might well add to the Karskens model the importance of trust and comradeship, and in this respect the Turwood group was also a prototype for Bryant’s. All five of Turwood’s party were transported to New South Wales by the Second Fleet: Sutton arrived in the *Surprize* on 26 June 1790 and Watson in the *Neptune* a day later, while the core of the

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Fig. 7  ‘Sketch & description of the settlement at Sydney Cove Port Jackson in the County of Cumberland taken by a transported Convict on the 16th of April, 1788, which was not quite 3 Months after Commodore Phillips’s [sic] Landing there’, attributed to Francis Fowkes
group, Lee, Connoway and Turwood himself, arrived in the *Scarborough* on 28 June. It is not outside the realms of possibility that the three shipmates formed an association during the *Scarborough*’s journey south. The ties between Lee and Connoway ran even deeper. They, along with Alexander Seaton, had been sentenced to death together at the Old Bailey on 30 August 1786 for stealing two bullocks, valued at £20, at Poplar.79 Sutton had already made a vain attempt to leave New South Wales in August 1790 by stowing away on the *Neptune*; he was discovered hiding under a pile of firewood, and it was only as part of a collective that he successfully got away.80 Turwood and Lee evidently learned the lesson of co-operation when they and several others put into action their plan to hijack successfully the government boat *Cumberland* on 5 September 1797, while it was ferrying goods between Sydney and the Hawkesbury river farms. Though Governor Hunter sent an armed whaleboat in pursuit of the pirates, the *Cumberland* – and those who seized it – were never heard of again.81

Similarly, a core of the Bryant party spent a good deal of time in the same place. James Martin and Mary Bryant were convicted at the same assizes and they, along with William Bryant and James Cox, were all confined in the *Dunkirk* hulk at Plymouth. In due course all four were transported to New South Wales by the *Charlotte*. While it can only be an assumption that they knew each other closely or were – as writer Judith Cook supposed, ‘close friends’ – it is not unlikely that the four had at least met or knew of one another prior to landing in New South Wales, particularly during the eight months spent in the *Charlotte*’s floating community.82 In addition, as we shall see, three more members of Bryant’s party arrived in New South Wales in 1790 in the same ship. Familiarity, in this instance, may have contributed to members of the group being comfortable with and trusting in one another.

We do not know when William Bryant determined to make his escape, though it might be reasonably supposed that the flogging he endured in February 1789 focused his mind. As to why he sought to escape, David Collins thought that since in March 1791 Bryant’s ‘term of transportation, according to his own account, had recently expired’ he may have felt entitled to take his leave, since the government was not about to provide a return voyage for him.83 According to the London newspapers, at the Bow Street hearing of 30 June 1792 the surviving escapees stated that they absconded owing to the entire colony being put on short rations for an extended period, and from fear of ‘being starved to death’ decided to ‘risk their lives on the sea, [rather] than drag out a miserable existence on an inhospitable shore’.84 This was no idle fear: by
mid-April 1790 there was only enough salt pork and beef in New South Wales to last another four and a half months, enough rice and peas for five months and enough flour and biscuit for eight months. On top of that, the quantity of barley and wheat sown that year was insufficient to meet the colony’s needs. The harvest had failed to meet expectations and some crops had to be retained for sowing in the following season. In short, New South Wales was clinging on, in desperate need of supplies. Collins remarked on the effects of ‘the miserable allowance’ of food upon the health of the labouring convicts and was particularly struck by the fate of one unnamed elderly prisoner who, on 12 May 1790, fainted with hunger at the government store while waiting for his daily ration. The man, ‘unable with age to hold up any longer’, was carried to hospital where he died the following morning. Here, after an autopsy, ‘his stomach was found quite empty’. Collins noted that the man had no cooking utensils of his own; he either gave away part of his ration in return for use of a pan or, failing that, ate his rice raw.

During this ‘season of general distress’ Collins found that even the most severe punishments failed to dissuade people from committing robberies. ‘While there was a vegetable to steal’, he wrote, ‘there were those who would steal it.’ Supplies had, in fact, been sent from England in mid-1789 in the Lady Juliana and the Guardian, but the latter ship – carrying about three times as much in the way of provisions as the former – struck an iceberg near Marion Island, some 1000 miles (1700 km) from Port Elizabeth on Christmas Eve 1789. It took a crew of 60 men, including 21 convicts, to steer the floundering Guardian towards the Cape of Good Hope, where it was towed into Table Bay, condemned and broken up. The arrival of the Lady Juliana at Port Jackson on 3 June 1790 did bring some provisions, and 221 female convicts, but Governor Phillip admitted that the loss of the Guardian and the ‘very liberal supplies’ it carried had ‘thrown the settlement back’ in a very severe manner. Within three weeks the colony’s situation took an even more serious turn.

Though the colonists were overjoyed at the arrival of the store-ship Justinian on 20 June 1790, following close behind were three convict ships – the Surprize, the Neptune and the Scarborough, the remainder of the Second Fleet – bringing hundreds more prisoners to the colony. Those who watched the disembarkation of the ships were horror-struck at the state of the convicts brought ashore. Of the 1017 prisoners embarked aboard the three transports in England, 267 – just over one-quarter – died during the voyage; according to Governor Phillip, a further 488 required immediate medical treatment on being landed. Collins described the ‘lean and emaciated’ condition of the sick: ‘both the living and the dead
exhibit[ed] more horrid spectacles than had ever been witnessed in this country'.
Perhaps the most harrowing account of the Second Fleet’s arrival was given by Reverend Richard Johnson, the colony’s chaplain who had travelled to New South Wales with the First Fleet. He recorded how some of the deceased were ‘thrown into the harbour, and their dead bodies cast upon the shore, and were seen laying naked upon the rocks’, while

The landing of these people was truly affecting and shocking; great numbers were not able to walk, nor to move hand or foot; such were slung over the ship side in the same manner as they would sling a cask, a box, or anything of that nature. Upon their being brought up to the open air some fainted, some died upon deck, and others in the boat before they reached the shore. When come on shore many were not able to walk or stand, or to stir themselves in the least, hence some were led by others. Some creeped upon their hands and knees, and some were carried upon the backs of others.

Hospital tents were erected, and Johnson saw ‘unexpressible’ suffering as the sick endured scurvy, fever and dysentery, ‘covered over almost with their own nastiness, their heads, bodies, cloths, blanket, all full of filth and lice’. It was a sight, in summary, ‘truly shocking to the feelings of humanity’.

How had this horror come to pass? The government had contracted the fitting out of the Second Fleet to the London shipping and slaving firm of Camden, Calvert and King, and the whole endeavour was marked by corruption and wilful neglect. The Neptune, for instance, had the greatest number of deaths of any convict ship sent to Australia – nearly one in three of the prisoners died on the voyage – and it appeared that rations were withheld and the prisoners routinely kept in irons below decks by the ship’s master, Donald Trail. Such was the hunger aboard the Neptune that the convicts had been driven to eating the ship’s five cats. The treatment of the Second Fleet’s prisoners drove Governor Phillip into a fury. He placed the blame firmly with Camden, Calvert and King and the convict transports’ masters for crowding the ships with too many prisoners and denying them access to fresh air on deck. He also turned his anger towards the government for paying no attention to who was being transported, being merely concerned with ‘sending out the disordered and helpless’ and clearing out the gaols. Should this course be maintained, Phillip declared, he expected that New South Wales would ‘remain for years a burthen to the mother country’.
An inquiry into the Second Fleet commenced in London during November 1791. Witnesses testified that Trail and the *Neptune*'s first mate, William Ellerington, had not only kept the convicts on short rations, but had also opened a shop in Sydney to sell to colonists, at an inflated price, the convict provisions they had stockpiled. At some point in the proceedings Trail absconded, presumably to escape prosecution, but he was apprehended. Trail and Ellerington were brought to trial in June 1792, charged with having murdered Andrew Anderson, a sailor on the *Neptune*, and John Joseph, the ship's cook, in a private prosecution brought by the lawyer Thomas Evans. Though further damning evidence of the conditions aboard the *Neptune* emerged, including floggings, wanton disregard for the prisoners' health and an incident in which Trail punched the convict Jane Haly full in the face, the jury took three hours to clear both defendants of murder. Trail later resumed service in the Royal Navy and held commercial interests at the Cape of Good Hope. When he died he had amassed considerable wealth – most likely acquired from his dealing in slaves and convicts.

The arrival of the Second Fleet, and the illness, chaos and misery which it brought, may have been an additional spur to William Bryant and his fellows to put their escape plan into action. If they had intended to leave during mid-1790, the plan may have been somewhat complicated by the arrival of William and Mary Bryant’s son Emanuel, who was baptised in Sydney on 4 April 1790. The prospect of absconding with a babe in arms and a mother recovering from childbirth was far from ideal. Collins hypothesised that Bryant only planned to take his wife (and, by inference, the children) with him as a result of his ‘dread of her defeating his plan by discovery if she was not made personally interested in his escape’. Collins reported that Bryant ‘had been frequently heard to express, what was indeed the general sentiment among the people of his description [i.e. convicts], that he did not consider his marriage in this country as binding’. In Collins’ view, this belief was so widespread that Governor Phillip issued a government order stating that no expiree would be allowed to depart from New South Wales if in so doing they left behind a family incapable of supporting themselves. Collins’ explanation as to why the escape did not take place in mid-1790 is not all that convincing, and there is a far more prosaic reason as to why the group did not abscond in the wake of the arrival of the Second Fleet: they had simply not yet acquired the necessary equipment or expertise.

Much of this missing expertise was provided by four Second Fleet survivors who were recruited into Bryant’s gang. Not the least of these was William Allen of Kingston-upon-Hull, an experienced
mariner who was aged about 54 when he arrived in New South Wales. He claimed to have served in ‘both [of] the last wars in His Majesty’s fleet under Captain Moutray in the Ramilies and after she was broke Captain Marotter and Admiral Graves’. John Moutray had received command of the Ramilies in March 1779, and Allen was aboard in July 1780 when Moutray was ordered to escort a sizeable convoy of merchant ships and their valuable cargo to America and the East and West Indies. Early on in the voyage Moutray ignored a reported sighting of sails, and on 8 August the Ramilies, the Thetis and the Southampton sailed right into the entire Franco-Spanish fleet then blockading Gibraltar. The loss to the merchant fleet’s insurers was an astonishing £1,500,000. Moutray was court-martialed at Jamaica during January 1781 and removed from his command, though he later resumed service. Allen also served under Rear-Admiral Thomas Graves, presumably when Graves was the commander-in-chief of the North American Squadron during 1781. Allen was again aboard the Ramilies, the flagship of Graves’s fleet, in September 1782 when the squadron was hit by a severe storm off the coast of Newfoundland while escorting to Britain a convoy of merchantmen, French prizes and damaged British ships in need of repair. Several ships and many lives were lost, and the foundering Ramilies was dismantled and set alight by its crew, who escaped to the Belle, one of the merchant ships. Allen was presumably aboard the Belle when it reached Cork on 10 October 1782.

Allen was firmly back on dry land when he was convicted at the City of Norwich Assizes on 30 July 1787 of stealing 49 linen handkerchiefs, valued at 35 shillings, from a shop owned by Leyson Lewis and James Hayward. He was found not guilty of stealing privately in a shop – a capital offence – but guilty of theft, and was sentenced to seven years’ transportation. He was held in Norwich Castle until mid-October 1787 when he was sent to the Stanislaus hulk at Woolwich, transferring in April 1788 to the Lion hulk at Portsmouth. Allen was embarked upon the Scarborough on 29 November 1789, and in New South Wales became the assigned servant of Captain James Campbell. He was described in the 1791 return of absconders as being a shoemaker by trade, of five feet and nine inches (175 cm) in height, of a dark complexion and with dark hair, and ‘was ruptured’.

Also transported on the Scarborough was Samuel Broom. He had been convicted at the Shropshire Assizes on 26 July 1788 of stealing three pigs belonging to John Asprey on 19 April 1788. Broom was sentenced to seven years’ transportation, and by mid-August 1788 was aboard the Fortune hulk at Langstone Harbour in Portsmouth. In May
1789 a report described him as infirm but fit enough to be transported, and he was embarked upon the *Scarborough* on 30 November 1789.\textsuperscript{115} He was described in the 1791 return of absconders as being six feet (182 cm) tall, of a fair complexion, and that ‘he walks lame’.\textsuperscript{116}

Joining Allen and Broom aboard the *Scarborough* was the weaver Nathaniel Lillie\textsuperscript{117} who, at around one in the morning on 11 January 1788, burgled the house of Benjamin Summerset, a baker in Sudbury. From here he took, among other things, a silver-cased watch, two silver tablespoons and a fishnet. Lillie was convicted at the Suffolk Assizes on 19 March 1788 and sentenced to death, subsequently commuted to transportation to life. In August 1788 he was sent to the *Lion* hulk at Portsmouth, and on 29 November 1789 was embarked aboard the *Scarborough*.\textsuperscript{118} Lillie was described in the 1791 return of absconders as being five feet six inches (167 cm) in height, of a dark complexion, and, like Allen, ‘was ruptured’.\textsuperscript{119}

Rounding out the Second Fleet quartet was William Morton\textsuperscript{120} who, as the navigator of the escapees’ boat, was perhaps the most important member of the group.\textsuperscript{121} Morton was convicted of obtaining money by false pretences at the Newcastle-upon-Tyne Quarter Sessions on 24 April 1789. He was sentenced to transportation for seven years and sent to the *Justitia* hulk on the River Thames on 4 July. From here he was embarked on the *Neptune* on 12 November 1789 for transportation to New South Wales.\textsuperscript{122} The 1791 return described Morton as being five feet and nine inches (175 cm) in height, ‘a thin man of a dark complexion’; it also noted that he had served as second mate aboard an East India Company ship.\textsuperscript{123}

William Bryant chose extremely well in recruiting his crew. David Collins’ grudging recognition that Morton knew ‘something of navigation’ was a masterful piece of understatement, given the boat’s safe passage to Timor with the survival of all on board.\textsuperscript{124} Mary Bryant, who grew up in the fishing community of Fowey and whose father was a mariner, could presumably handle a boat. Bird ‘knew perfectly well how to manage a boat’, according to Collins, and Allen, as we have seen, had significant naval experience. Again according to Collins, James Cox had ‘endeavoured to acquire such information on the subject [of navigation] as might serve him whenever a fit occasion should present itself’.\textsuperscript{125} Cox’s carpentry and Lillie’s weaving skills would also have been useful in effecting repairs to the boat, sails and the escapees’ clothing. It is also worth noting that the escapees were all above the average height of transported convicts: five feet and six inches (167 cm) for men and five feet and one inch (156 cm) for women between 1724 and 1789.\textsuperscript{126} At six feet tall, Samuel Broom in particular would have towered over most other transportees.
During late February 1791 the escape plan was clearly well advanced. So well advanced, in fact, that it had already been brought to the attention of the authorities. Collins wrote that Bryant had been ‘overheard consulting in his hut after dark, with five other convicts, on the practicability of carrying off the boat in which he was employed’. This was reported to Governor Phillip, who ordered that Bryant should be ‘narrowly watched, and any scheme of that nature counteracted’. This observation smacks of being wise after the event; surely Bryant would have been put under rather closer surveillance than the evidently inadequate level of observation to which he was subjected? However, the day after the plot was reported to Phillip, Bryant had an accident while burdened with a full catch when returning from the fishing grounds. According to Collins, ‘the hook of the fore tack’ gave way in ‘a squall of wind, the boat got stern-way, and filled, by which the execution of his project was for the present prevented’.

A sister of the Eora warrior Bennelong, Carangarang, and three of her children were in the boat when it was swamped (Figs 8 and 9). All reached the shore safely, with Carangarang apparently ‘swimming to the nearest point with the youngest child upon her shoulders’. Several Eora, seeing the accident, ‘paddled off in their canoes, and were of great service in saving the oars, mast etc’ of Bryant’s boat and helping to tow it to shore.

While the presence of Carangarang and her children in the boat was never adequately explained by Collins, modern authors have seized upon it to make a number of unsupported claims. It is variously suggested that the Bryants were close friends with Bennelong and his family, that both families taught each other their respective fishing techniques and that Bennelong even assisted Bryant and company in getting out of Port Jackson. For instance, author Judith Cook asserted that the Bryants ‘continually made contact with the natives’, claiming that Bennelong and his family paid frequent visits to the Bryants’ hut and that Carangarang and her sister ‘would take their children to play with Charlotte Bryant and the two native women would sit and do their best to communicate with Mary’. This is only one example of the unevidenced embroidering and embellishment of the historical record when it comes to telling the story of this escape, to be discussed more fully later in this introduction.

The accident may or may not have delayed the convicts’ flight, but it certainly proved fortuitous, possibly lulling the watching authorities into a false sense of security. Certainly it gave Bryant and company the opportunity and cover to repair and modify the boat for a sea journey without arousing too much suspicion. In the event they waited only
Fig. 8 ‘First interview with the Native Women at Port Jackson, New South Wales’ by William Bradley, c.1802

Fig. 9 ‘Native name Ben-nel-long, as painted when angry after Botany Bay Colebee was wounded’ by ‘Port Jackson Painter’, 1790 or 1797(?)
a few weeks before putting their plan into operation. On 22 March 1791 the Supply sailed for Norfolk Island, and on the morning of 28 March the Dutch snow Waaksamheyd also departed Port Jackson.\textsuperscript{135} There was now no ship in the harbour capable of outrunning the fishing boat. Under cover of darkness on the night of 28 March, Bryant and his comrades loaded the vessel with supplies and rowed their way out of the harbour and into the Pacific Ocean (Fig.10). They were long gone by the time the alarm was raised the following morning.\textsuperscript{136}

The extraordinary degree of preparation on the part of Bryant and company thoroughly undermined the assumption that convict absconders were unprepared fools. They had dug out cavities underneath the floorboards of the Bryants’ hut, which the family had presumably been allowed back into by the authorities, in which to store equipment they had acquired from Detmer Smit,\textsuperscript{137} master of the Waaksamheyd. Smit had sold Bryant a compass, quadrant, map and information about the journey north, all of which were vital for the navigator William Morton; it seems that funds were raised by Bryant having returned to selling fish illicitly.\textsuperscript{138} In addition they had stockpiled provisions, with Private John Easty reporting that they had gathered ‘a large quantuty of Carpinters tools of all Sorts for Enlargeing the Boat with beds’, bedding, sails, firearms and ammunition, material to effect repairs to the boat when needed and a fishing net.\textsuperscript{139} It is stated in the Memorandoms that when the party sailed they had with them a hundredweight of flour and rice, 14 pounds of pork and eight gallons of water, which almost precisely matches the account given in newspaper reports after the survivors returned to England.\textsuperscript{140} When the escapees told their story at Bow Street in June 1792, one newspaper report stated that William Bryant and the others had made all of these preparations without telling Mary, and that Bryant only ‘acquainted his wife his determination’ to escape a few days before they absconded.\textsuperscript{141} Given that the provisions would have taken some time to collect, and were stored underneath the Bryants’ hut, this seems unlikely to say the least.

Private Easty believed that the escapees intended to sail for ‘Bativee’ – Batavia, present-day Jakarta. Easty’s description of the absconders in his diary was sympathetic: he thought it a ‘very Desparate attempt to go in an open Boat for a run of about 16 or 17 hundred Leags and in pertucular for a woman and 2 Small Children’, and believed that they must have been driven to it by ‘the thoughts of Liberty from Such a place as this is Enoufh to induce any Convicts to try all Skeemes to obtain it’. Easty considered convicts to be ‘the Same as Slaves all the time thay are in this Country’, and that even if their sentences had expired ‘by Law thare is no difference between them and a Convict that is jest Cast for
transportation’.\textsuperscript{142} Easy was, of course, incorrect about the absconders’ intended destination. Collins had it right, though, when conjecturing that there was ‘little reason to doubt their [successfully] reaching Timor’, providing ‘no dissension prevailed among them, and they had but prudence to guard against the natives wherever they might land’.\textsuperscript{143} Collins even eschewed the usual assumptions about the fate and skill of escapees, betraying here an implicit respect for the seamanship of Bryant, Morton and the others – a respect he did not have for the group led by John Turwood.

Bryant and his company left behind consternated colonial officials, and a note from James Cox to his partner and fellow convict Sarah Young.\textsuperscript{144} The letter has not survived but Collins saw it, and described how Cox impressed upon Young the importance of

relinquish\[ing\] the pursuit of those vices which, he told her, prevailed in the settlement, leaving her what little property he did not take with him, and assigning as a reason for his flight the severity of his situation, being transported for life, without the prospect of any mitigation, or hope of ever quitting the country, but by the means that he was about to adopt.\textsuperscript{145}

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The journey to Timor and the escapees’ recapture

Within two days of putting to sea – so on or around 30 March 1791 – the escapees (Fig.11) reached a small inlet approximately 138 miles (222 km) to the north of Sydney, which they named Fortunate Creek. There they found a ‘Quantity of fine Burng Coal’, a ‘Varse Quantty of Cabage tree’ and ‘avarse Quantity of fish’. Bryant and his companions also had their first encounter of the journey with Indigenous Australians, to whom they gave some ‘Cloaths & other articles and they went away very much satisfied’. Warwick Hirst suggests that ‘Fortunate Creek’ was Glenrock Lagoon, south of present-day Newcastle, and that to the escapees ‘can be attributed the discovery of coal in Australia’. It was a discovery which impressed William Bligh, who had returned to Timor in 1792, in rather less straitened circumstances than on his previous visit. He was now in command of HMS Providence, having again been employed to transport breadfruit from Tahiti to the West Indies. The Governor of Kupang, Timotheus Wanjon, presented Bligh with William Bryant’s written account of his party’s voyage, entitled ‘Rem[ark]s on a Voyage from

Fig.11 ‘Description of Convicts who have absconded from Sydney’, enclosure no.4 in Governor Arthur Philip to Lord Grenville, 5 November 1791. This report carried a physical description of those convicts who had absconded from New South Wales and who were, as far as Phillip knew, still at large
Sydney Cove New South Wales to Timor’. Bligh’s brief summary of the journal closely corresponds with the account given in the *Memorandoms*, and on the subject of the coal Bligh quoted Bryant:

> Walking along shore towards the entrance of the Creek we found several large pieces of Coal – seeing so many pieces we thought it was not unlikely to find a Mine, and searching about a little, we found a place where we picked up with an Ax as good Coals as any in England—took some to the fire and they burned exceedingly well.\(^{150}\)

This quotation is the only occasion on which we can read William Bryant’s own words, as his apparently rather lengthy account of the escape has not survived. (In 1814, when Kupang was under British control, the records held in the government archives were used to make paper bullet cartridges prior to an expedition against the rajah of Amanuban – pieces of Bryant’s journal may have ended up being fired from British rifles.)\(^{151}\) Bligh thought that Bryant’s account was important, if only for the ‘Circumstance of the Coals being found’, and recorded this paragraph in the hope that someone might be able to identify the location of the seam. Bligh wrote that he was too ill, suffering from a ‘violent head ach’ and a recurring fever which left his brain feeling ‘as if in a state of boiling’, to copy the entire journal himself. Though he paid a copyist to do it for him, this man ‘did not get a fourth part through it’.\(^{152}\) Bligh did, however, find the journal ‘clear and distinct’, and thought that Bryant ‘must have been a determined and enterprising man’.\(^{153}\) George Tobin,\(^{154}\) third lieutenant of the *Providence*, also saw Bryant’s ‘interesting account of his various distresses and escapes from the natives’. He, too, remarked upon the escapees’ discovery of the coal, but in ‘what latitude [it was found] I cannot charge my memory’.\(^{155}\)

The escapees left Fortunate Creek and put out to sea again on or around 1 April. They proceeded north until, on approximately 3 April, they entered a ‘very fine harbour Seeming to Run up they Country for Many miles’.\(^{156}\) Hirst suggests that this was Port Stephens, a harbour of some 51 square miles (134 sq. km) where the Myall and Karuah rivers meet.\(^{157}\) Here the escapees took on fresh water and made repairs to their leaking boat during the day, but at night they were ‘Drove of by they Natives – which meant to Destroy us’. They continued up the coast in search of a safe haven, and were about to put ashore when ‘there Came they natives in Varse numbers with Spears and Sheilds &c’.\(^{158}\)

Several of the escapees – exactly who is not indicated in the *Memorandoms* – attempted to approach and tried ‘By signes to pasifie
them. But they not taking they least notice accordingly we fired a Musket thinking to afright them’, but this had no effect.\textsuperscript{159} As the Aboriginal people advanced towards the shore, the escapees felt ‘forced to take to our Boat and to get out of their reach as fast as we Could’.\textsuperscript{160} The party then rowed a further 10 miles (16 km) up the harbour until they reached a ‘little white Sandy Isl’d’. Here they were able to land and repair the boat’s hull without any ‘Interuption from they Natives’.\textsuperscript{161} The party remained on this islet for two days, before continuing their journey north.

On or around the night of 6 April the wind forced the boat ‘Quite out of sight of Land’. Although they managed to struggle close to land again during the following day, the ocean was so rough that Bryant and his companions were unable to make landfall for almost three weeks. They were left ‘much Distressed for water and wood’ during this time. When the seas finally calmed on or around 28 April, an attempt by two of the escapees to get some fresh water and wood was interrupted by the appearance of a group of Indigenous people on the shore.\textsuperscript{162}

The escapees were now also struggling to keep the leaking boat above water. They were relieved to find and enter a small river, which enabled them to put ashore for the first time in weeks and set about repairing the seams of the boat. The group returned to sea on or around 30 April, travelling a further 20 miles (32 km) north in search of a ‘Harbor to get some Refreshment’, but were unable to find anywhere to put in. Next their survival was imperilled by an oncoming storm.\textsuperscript{163} With the ‘Sea Breaking over us Quite Rapid’, the party found themselves ‘Obliged to trow all our Cloathing over Board they Better to lighten our Boat’ and prevent it from being swamped. They managed to reach a bay during the night, but the darkness and the violence of the sea made them fearful of ‘Staving our Boat to Pieces’ if they attempted to land. They laid anchor in the hope of riding out the storm, but disaster struck at around two in the morning of approximately 1 May when the anchor cable snapped. The \textit{Memorandoms} records that: ‘we were drove in the Middle of the Surf Expecting every Moment that our Boat wou’d be Staved to Pieces & every Soul Perish but as God wou’d have we Got our Boat save on Shore without any Loss or Damage’ – apart from the loss of an oar.\textsuperscript{164}

Fortunate to have survived this terrifying storm, and now safe on land, the soaked party eventually got a fire going, caught some shell-fish for food and topped up their water supplies. They were taken a little by surprise when ‘the Natives Came down in great Numbers’, but ‘we Discharged a Musquet over their Heads & they dispersed immediately & we saw no more of them’. The escapees stayed for a further two days and
two nights and returned to sea on or around 3 May. They endured two or three days of further heavy weather, ‘our Boat Shipping many heavy Seas, so that One Man was always Employed in Bailing out the Water to keep her up’.

The party next made landfall at a place they named ‘White Bay’, which Hirst suggests was Moreton Bay. They sailed down the Bay for around six to nine miles (10 to 14 km) and found a suitable landing place, where they spotted ‘two [Indigenous] Women & 2 Children with a Fire Brand’ on shore. The escapees landed, but the two women ‘being Frightened Ran away but we made Signs that we wanted a Light which they Gave us Crying at the same Time in their Way’. The Bryant party then spent the night undisturbed in two of these huts, but at about 11 the following morning ‘a great Number of the Natives Came towards us’. The escapees once again fired their musket into the air, and the Indigenous people disappeared into the woods.

The escapees departed White Bay on or around 9 May. That night they were driven out to sea by a strong gale and expected ‘every Moment to go to the Bottom’. When daylight finally came they could see nothing but the sea ‘running Mountains high’. Though they employed a drogue (a piece of equipment used in a storm) throughout the day and following night to keep the boat upright, that did not stop those on board from expecting ‘every Moment to be the Last the sea Coming in so heavy upon us every now & then that two Hands was Obliged to keep Bailing out’. They hauled landward throughout the following day but the coastline remained stubbornly out of view, the boat was too sodden to light a fire and they had nothing to eat but raw rice. The Memorandoms left it to the reader ‘to Consider what distress we must be in the Woman & the two little Babies was in a bad Condition’. On or around 12 May they found salvation, landing on a small Island about ‘30 Leagues’ – or about 103 miles (165 km) from the mainland, having concluded that if they ‘kept out to Sea that we shou’d every Soul Perish’.

According to Hirst, this was Lady Elliot Island. The vague description in the Memorandoms seems to confirm this, although Lady Elliot Island is only approximately 53 miles (85 km) from the Australian mainland. The island was described as being about ‘one Mile in Circumference’ and surrounded by a beach and a coral reef, and was populated by ‘very fine Large Turtles’. By the time the escapees left the island on or around 18 May they had killed 12 of these turtles, and dried the meat to sustain them during the next stage of the voyage.

The escapees made the mainland that evening, passing by ‘a great Number of Small Islands’ – possibly those in and around the vicinity of
the Great Barrier Reef, though the imprecise description makes it impossible to be certain. They were disappointed in their search for more turtles on these islands, and though the ‘great Quantity of Shell Fish did not look particularly appetising ‘being very Hungred we were glad to Eat them & Thank God for it’. Had it not been for these shellfish and the remainder of the dried turtle meat, then the escapees would most likely have starved.¹⁷¹

Fairly soon afterwards the party rounded Cape York Peninsula and entered the Gulf of Carpentaria. Though the shallow Gulf stretches for 366 miles (590 km) at its mouth – from Cape York in the east to Cape Arnhem in the west – the escapees seem to have sought initially to take a longer, theoretically safer, route by hugging the coastline. At one point they saw on shore ‘several of the Natives in two Canoes’. They steered towards these men who appeared ‘very Stout & fat & Blacker [than] they were in other Parts we seen before’, noticing that ‘there was One which we took to be the Chief with some Shells Around his Shoulders’. These people were most likely Torres Strait Islanders and they ‘seemed to stand in a posture of Defence’ against the escapees. Though one of the party resorted to the tried-and-trusted tactic of firing their musket into the air, the Torres Strait Islanders ‘began Firing their Bows & Arrows’, causing the escapees hurriedly to hoist their sails and row away as quickly as possible.¹⁷²

After escaping from this group and travelling further along the coast, the party spotted ‘a small Town’ comprised of about 20 huts, with a fresh water supply nearby. Since there was no-one around the escapees took the chance of landing to fill up their water casks, but did not tarry for long, being ‘Afraid of Staying on Shore for fear of the Natives’. Instead they spent the night at anchor a few miles offshore.¹⁷³ Bryant and the others had planned to return to the village in the morning to collect more water, but the sight of two large canoes heading their way caused them to reconsider. There were about ‘30 or 40 Men in each Canoe’, and when one hoisted its sails and made to give chase the escapees promptly determined to take what water they had and to cross the Gulf in an attempt to outrun their pursuers.¹⁷⁴

The escapees were successful on both counts. They managed to shake off their pursuers, no mean feat given the seamanship for which Torres Strait Islanders were renowned, and to cross the Gulf in four and a half days. They then took on more water and set out for Timor, crossing the Arafura and Timor Seas inside three days with no further recorded incident. They reached West Timor on 5 June 1791, after a 69-day
voyage. Every one of the party had survived the punishing journey from Port Jackson.

When they put in at Kupang, the main Dutch settlement in the west of Timor, the escapees were greeted by Governor Wanjon. According to William Bligh, Bryant ‘represented himself as a Mate of a Whale Fisher that was lost’, and his ‘very ingenuous [sic] account of their misfortunes’ during the voyage ‘gained them protection’.\(^{175}\) Bligh described Bryant’s missing journal as an ‘account of everything as it really happened’ on the voyage, and learnt from Wanjon how Bryant had apparently adapted it to form the tall tale which deceived the Dutch authorities.\(^{176}\) As is described in the *Memorandoms*, they were taken to Wanjon’s home where he ‘behaved extremely well to us filld our Bellies & Cloathed Double with every[thing] that was wore on the Island’.\(^{177}\)

Though the group were now at liberty of a sort, they were constrained by their lie to Wanjon and had to watch their step. They gained employment to support themselves and, according to a later newspaper report, Martin earned $200, of which he gave $56 to Wanjon for subsistence.\(^{178}\) However, after two months of living in relative freedom in Kupang their precarious existence came to an abrupt end. According to the *Memorandoms*, William Bryant ‘had words with his wife went and Informed against himself wife & Children and all of us’, and they were immediately arrested and confined in ‘the Castle’.\(^{179}\) It seems hard to believe that after everything Bryant would have given up himself, his family and his shipmates so willingly. Carolly Erickson speculates that William and Mary Bryant had become estranged, based on David Collins’ observation that transportees such as William Bryant did not consider their marriages in New South Wales ‘as binding’, and that he may have been seeking his independence through such a drastic manoeuvre.\(^{180}\) This is not a convincing explanation, given that Bryant must have known that returning from transportation was a capital offence. Erickson (and others) invented narratives of marital strife between the Bryants, based upon nothing more than a few sentences written by Collins and the mention in the *Memorandoms* of there having been ‘words’ between the Bryants. The most egregious example of this concoction is from Judith Cook, who observes that William Bryant had become tired ‘of the esteem in which [Mary] was held by his colleagues’; he had ‘always believed that women should know their place, and Mary had got well above hers’, so planned to find a berth on a ship away from Kupang and leave his family behind.\(^{181}\) There is no evidence whatsoever that Bryant held this attitude, and against such speculation might be set historian Alan Atkinson’s suggestion that
William and Mary Bryant’s escaping together was ‘a dramatic demonstration of married love’. Moreover, according to Lieutenant George Tobin, William Bryant wrote admiringly in his lost journal that while at sea his wife ‘bore their sufferings with more fortitude than most among them’.

The available primary sources provide other, conflicting explanations of the discovery of the escapees’ true identities. William Bligh was told by Governor Wanjon that one unnamed member of the group spitefully informed on the rest as a result of ‘not being taken so much notice of as the next’, which again might be considered sceptically given the potential penalty for being at large. David Collins, writing at some distance, physically and temporally, suggested that the escapees’ inherent criminality must have given them away; by ‘practising the tricks of their former profession, [they] gave room for suspicion’, were arrested and, under questioning, ‘their true characters and the circumstances of their escape were divulged’.

Perhaps the most plausible explanation was that given by Watkin Tench. He knew the escapees – some better than others, having travelled to New South Wales aboard the Charlotte with William and Mary Bryant, James Cox and James Martin – and later encountered some of them again aboard HMS Gorgon on the voyage back to Britain (see pp.34–6). It is entirely possible that Tench’s account was derived from speaking with the surviving escapees aboard the Gorgon on the return voyage to Britain. Tench described how the Dutch received Bryant and his companions ‘with kindness and treated them with hospitality’, but that their behaviour gave rise to suspicion. They were put under surveillance ‘and one of them at last, in a moment of intoxication’ betrayed the secret.

Modern writers have named William Bryant as the one who drunkenly blabbed the truth, but Tench does not, and there is no evidence for claiming this beyond the statement in the Memorandoms about Bryant having ‘words with his wife’.

Whatever the truth of it, the escapees had been imprisoned for several weeks when, on 16 September 1791, a group of genuine shipwreck survivors pulled into Kupang in four open boats. They were led by Captain Edward Edwards, who, in August 1790, had been commissioned by the Admiralty to travel to the South Pacific in HMS Pandora; he was to search for and arrest any surviving Bounty mutineers he could find and return them to Britain for trial. The Pandora reached Tahiti in March 1791, where Edwards and his crew captured 14 of the mutineers; he had them confined in irons in the ship’s temporary prison, otherwise known as ‘Pandora’s Box’. After spending another five months fruitlessly searching the region for the Bounty and the remaining mutineers, the
Pandora set out again for Britain, but on 28 August the ship struck an outcrop of the Great Barrier Reef and quickly sank (Fig. 12). The survivors of the shipwreck, 89 crewmen and 10 mutineers, fled to the Pandora’s four boats. Like Bligh and the Bryant party before them, they began the long voyage to Kupang.  

One of the survivors was George Hamilton, the Pandora’s surgeon, and his account provides yet another explanation of how the escapees’ identities were discovered. Hamilton claimed that when the survivors of the wrecking of the Pandora appeared, a ‘Captain of [a] Dutch East Indiamen’ went to the Bryant party to proclaim ‘the glad tidings of their captain having arrived’. One of the escapees – unnamed, of course – started up ‘in surprise, [and] said “What Captain! Dam’me, we have no Captain;” for they had reported that the Captain and the remainder of the crew had separated from them at sea in another boat’. The reaction led to ‘a suspicion of their being impostors’, and Hamilton added that Mary Bryant and one of the men ‘fled into the woods; but were soon taken’. They then ‘confessed they were English convicts, and that they had made their escape from Botany Bay’. Hamilton’s story cannot be true (although several present-day writers have accepted it as so.

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**Fig. 12** ‘H.M.S. Pandora in the act of foundering’ by Lt-Col. Batty, after a sketch by Peter Heywood, from John Barrow, 1831, *The Eventful History of the Mutiny and Piratical Seizure of H.M.S Bounty*. London: John Murray
Presumably the colourful detail of Mary Bryant’s bold dash for freedom was too seductive to resist). As the Memorandoms, Bligh’s log and other primary sources make clear, the escapees had already confessed their true identities to Wanjon; they had been arrested and imprisoned for about a month before the bedraggled survivors of the Pandora arrived in Timor. The Memorandoms does state that in the period between being imprisoned and Edwards’ arrival they were allowed ‘out of the Castle 2 at a time’ each day, but there is no mention there, or elsewhere, of any of the group making a run for it.

Edwards took formal charge of the prisoners on 5 October 1791. The following day the escapees, the Bounty mutineers and the surviving crew of the Pandora were embarked upon the Rembang, a Dutch East India Company (VOC) ship contracted by Edwards to carry them to Batavia. The voyage proved calm enough until 12 October when, according to Surgeon Hamilton, ‘a tremendous storm arose’. Within ‘a few minutes every sail of the ship was shivered to pieces; the pumps [were] all choaked, and useless’, and the ship was driven towards shore. The storm was ‘attended with the most dreadful thunder and lightning we had ever experienced’. Possibly succumbing to patriotic prejudice, Hamilton described how the terrified Dutch sailors rushed below decks, and that the Rembang was only ‘preserved from destruction by the manly exertion of our English tars, whose souls seemed to catch redoubled ardour from the tempest’s rage’. Hamilton did add, however, that he did not mean to ‘throw any stigma on the Dutch, who I believe would fight the devil, should he appear in any other shape to them but that of thunder and lightning’.

The Rembang reached Batavia on 7 November 1791, a place at which Captain James Cook had advised visitors to make their stay ‘as short as possible, otherwise they will soon feel the effects of the unwholesome air of Batavia, which, I firmly believe, is the Death of more Europeans than any other place upon the Globe of the same extent’. When the Rembang arrived many of those on board were evidently already sick, and Surgeon Hamilton’s ‘first care’ was to send to hospital the ‘sickly remains of our unfortunate crew’. He remarked upon how several corpses, having flowed ‘down the canal struck our boat, which had a very disagreeable effect on the minds of our brave fellows, whose nerves were reduced to a very weak state from sickness’. Hamilton may not have held out much in the way of hope for the ailing, memorably describing Batavia as a ‘painted sepulchre, this golgotha of Europe, which buries its whole settlement every five years’ (Fig.13). He did not blame the climate for the fearful mortality there, but the ‘leech a Dutchman has for stagnant mud’;
Hamilton hoped his readers would ‘pardon my spleen, when I tell them professionally, that all the mortality of that place originates from marsh effluvia, arising from their stagnant canals and pleasure-grounds’.199

‘Golgotha’ soon claimed more victims. The Bryant party were imprisoned in irons on a hulk but, on 1 December, barely three weeks after arriving, little Emanuel Bryant died in the VOC hospital, five months short of his second birthday.200 It is stated in the Memorandoms that ‘we lost the Child’ first, and that six days later William Bryant was ‘taken Bad’.201 He died on 22 December, and father and son were buried together in Batavia.202 Though the description of their deaths in the Memorandoms is very matter-of-fact, the use of ‘we lost’ is revealing, perhaps indicative of the bonding experience of the voyage and the pain that the loss of the two male Bryants inflicted upon the group – none more so than upon Mary Bryant. It is a rather dark irony that the group all survived the perilous journey from Port Jackson to Timor, only suffering deaths among their number when back in British custody.

Edwards had in the meantime secured a passage to the Cape for those in his charge, and they were embarked upon three Dutch ships. Edwards, some of his crew and the ten Bounty mutineers travelled on the Vreedenberg. Surgeon Hamilton, more of the Pandora’s crew and half of the escapees went on the Horssen, while the remainder of the crew and the escapees were embarked on the Hoornwey.203 This leg of the voyage

Fig.13 ‘Vue de l’isle et de la ville de Batavia appartenant aux Hollandois, pour la Compagnie des Indes’, c.1780
was described by Surgeon Hamilton as ‘tedious’, though it was marked by ‘great death and sickness going through the Straits of Sunda’ (Fig. 14).\textsuperscript{204} The Bryant party lost another member when, between the islands of Java and Sumatra, James Cox either drowned after falling overboard (according to Captain Edwards) or ‘jumped overboard in the night, and swam to the Dutch arsenal at Honroost’ (according to Hamilton).\textsuperscript{205} Cox may have twice escaped the gallows, but it seems unlikely that he would have survived falling into the sea while in chains. Either way Cox was never heard of again: the Memorandoms simply states ‘James Cox Died’.\textsuperscript{206} Samuel Bird and the navigator William Morton, without whom the escapees would probably never have made it safely to Kupang, also died aboard the Hornwey before it reached the Cape.\textsuperscript{207}

Edwards and his rag-tag group reached the Cape on 18 March 1792. Here they found HMS Gorgon under anchor, having recently arrived from Sydney en route for Britain. The surviving escapees were put on board the Gorgon for the voyage home. They found that the ship carried a detachment of the Marines who gone to New South Wales with the First Fleet and, as is recorded in the Memorandoms, ‘we was known well by all the marine officers which was all Glad that we had not perished at sea’.\textsuperscript{208}

Fig. 14  ‘Batavia and Onrust in Batavia Bay’ by William Bradley, c.1802
One of these officers was Watkin Tench (Fig.15), who was evidently amazed to be travelling with ‘this little band of adventurers’ again:

I confess that I never looked at these people, without pity and astonishment. They had miscarried in a heroic struggle for liberty; after having combated every hardship, and conquered every difficulty. The woman [Mary Bryant] and one of the men [James Martin], had gone out to Port Jackson in the ship which had transported me thither [the Charlotte]. They had both of them been always distinguished for good behaviour. And I could not but reflect with admiration, at the strange combination of circumstances which had again brought us together, to baffle human foresight, and confound human speculation.209

The Gorgon left the Cape for Britain during early April 1792. However, there was to be one more death among the group on this final leg of the voyage. During early May Lieutenant Ralph Clark210 wrote of the deaths of several of the soldiers’ children, noting that they were ‘going very fast—the hot weather is the reason of it’. On 6 May Clark recorded that ‘the child beloning [sic] to Mary Broad the convict woman who went a way in
the fishing Boat from Port Jackson last year died about four oClock’. The body of four-year-old Charlotte Bryant, who had spent much of her short life at sea, was ‘committed . . . to the deep’ that same day.211

The Gorgon reached Portsmouth on 18 June 1792. According to the Memorandoms William Allen, Samuel Broom (now seemingly adopting the alias of ‘John Butcher’), Mary Bryant, Nathaniel Lillie and James Martin were first taken to Purfleet. From there they were ‘Conveyed by the Constables to Bow st office London’ and were then ‘taken before Justice Bond and . . . fully committed to Newgate’.212

Back in Britain: James Boswell and the fate of the surviving escapees

The Memorandoms ends here, but the fates of the survivors can be pieced together from other sources, at least up to a point. On 30 June 1792 they were brought before the Bow Street Police Magistrate Nicholas Bond,213 where they told their story of hardship, escape and recapture. When they were finished, Bond remarked that he had ‘never experienced so disagreeable a task as being obliged to commit them to prison, and assured them as far as [it] lay in his power he would assist them’.214 The prisoners declared that ‘they would sooner suffer death than return to Botany Bay’ and, as the London Chronicle’s reporter put it, ‘His Majesty, who is ever willing to extend his mercy, surely never had objects more worthy of it’ than these escapees from New South Wales. After the hearing some in the crowd collected and gave money to the ‘destitute’ prisoners.215 They appear to have been admitted to Newgate on 5 July and were brought to the bar at the Old Bailey two days later. No doubt they would have been relieved when the judge ordered them to ‘remain on their former sentence, until they should be discharged by due course of law’, rather than being taken to the gallows or potentially being re-transported.216 The escapees were then returned to Newgate to serve out their respective terms (Fig.16)217 – all but Lillie, who had been transported for life, were under seven year sentences.

While Allen, Broom, Bryant, Lillie and Martin languished in Newgate, a well-known figure began to make intercessions on their behalf. The lawyer and biographer James Boswell218 had taken an interest in their case (Fig.17), and in August 1792 he wrote to the Home Secretary, Henry Dundas,219 imploring his former schoolmate to ensure that ‘nothing harsh shall be done to the unfortunate adventurers from New South Wales, for whom I interest myself, and whose very
extraordinary case surely will not found a precedent’. Boswell also visited the influential Evan Nepean at the Home Office during November 1792 to discuss the ‘poor people who escaped from Botany Bay’, an interview in which Nepean apparently told Boswell that the ‘Government would not treat them with harshness, but at the same time would not do a kind thing to them, as that might give encouragement to others to escape’. Encouragement and precedent were precisely what concerned David Collins when he recorded that 15 convicts had absconded, in two separate groups, from Sydney by sea during September and October 1797. Collins believed that had the Bryant party instead of meeting with the compassion and lenity which were expressed in England for their sufferings, been sent back and tried in New South Wales, for taking away the boat, and other thefts which they had committed, it was probable that others might have been deterred from following their example.

Those in New South Wales fully expected the weight of the law to be brought to bear upon the escapees. When the news of their arrest in Timor and subsequent despatch to England reached Sydney in June 1792, Private John Easty thought it ‘Likely they will be all Executed’.

The caution called for by Nepean meant that the group had to wait for their freedom. Mary Bryant was the first to be released, receiving
an unconditional pardon on 2 May 1793 – although her sentence had expired in March – and she moved into lodgings in Titchfield Street. It is worth remarking on the fact that Mary Bryant was pardoned and released, but the others remained in gaol. There is no evidence of an outpouring of sympathy or a concerted press campaign on behalf of Mary Bryant after she was sent to Newgate, contrary to the impression given in the modern literature. The newspapers carried no updates on her condition in gaol, and it appears that she and the others were forgotten, as the press does not appear to mention them again until Mary Bryant was pardoned in May 1793 (Fig.18).

When the pardon did come, the reports were perfunctory, indicating a residual interest in the case, but nothing approaching a sensation. As was noted in the London St James’s Chronicle of 14 May 1793, ‘His Majesty has granted a free pardon to Mary Bryant, who accompanied by several male convicts, escaped from Botany Bay, and traversed upwards of 3000 miles by sea in an open boat, exposed to tempestuous weather’. This notice was repeated verbatim in a number of regional newspapers. One slightly longer exception, which treated Mary Bryant’s story in gendered terms, was the wildly unreliable report of her release in the Dublin Chronicle of 4 June 1793. She was referred to dismissively, without name, as ‘The female convict who made her escape from Botany Bay’. The author of the account invented a story that Mary Bryant’s pardon had been secured one day by ‘a gentleman of high rank in the army’, who returned to Newgate the following day ‘with his carriage, and took the
poor woman, who almost expired with the excess of gratitude'. 229 It has not been possible to determine why Mary Bryant alone received a pardon, or whether Boswell’s lobbying was the determining factor in one being granted.

Fig. 18 Pardon for Mary Bryant, 1793
Boswell had heard from Mary Bryant’s family by mid-1793, and on 14 August he wrote a letter on her behalf to her sister, Elizabeth Puckey:

Your sister Mary is much gratified by the contents of your letter to me and she will be happy to return to her native place and be among her relations, since she has the satisfaction to know that she will be received kindly. In the meantime, she will be much obliged to you, if you will again write to me, mentioning how her Father is and how many of the Family are alive in your neighbourhood. She desires me to mention to you that she one day met her brother Joseph who now resides in London, but as he had used her ill, she did not speak to him. She sends her love to you all, and you may be assured that she is well.230

Four days later Boswell was approached by a Mr Kestle, ‘a native of Fowey’ who claimed to know ‘all the relations of Mary Broad very well, and had received a letter from one of them directing him to me’. Kestle claimed that a ludicrously large sum of money – ‘no less than three hundred thousand pounds’ – had been left to Mary Bryant’s father, though Boswell was rightly suspicious of this fanciful story and warned her not to put much store in it. Kestle’s acquaintance with Mary Bryant’s family was genuine, however: he brought Mary’s sister Dolly and they had an emotional reunion at her lodgings where Dolly ‘cried and held her sister’s hand’.231 Overcome with gratitude for how he had cared for Mary, Dolly promised Boswell that if ‘she got money as was said, she would give me a thousand pounds’.232

Boswell arranged for Mary Bryant’s voyage back to Fowey and her family, paying for her passage aboard the Ann and Elizabeth which sailed from London on 13 October 1793. He refused two invitations to dinner on the previous night to ensure that he could accompany her on 12 October to Beal’s Wharf, Southwark, where the boat was moored. Earlier that day, with Mary’s direction, he had written ‘two sheets of paper of her curious account of the escape from Botany Bay’ – but, like the journal of her late husband, they have not survived. Boswell stayed with Mary for two hours at the pub on the wharf, sharing a bowl of punch with her and the landlord and the captain of the Ann and Elizabeth. Despite the prospect of returning to her family, Boswell found that ‘her spirits were low; she was sorry to leave me; [and] she was sure her relations would not treat her well’. As they parted Boswell promised Mary a gift of £10 per year ‘as long as she behaved well, being resolved to make it up to her myself in so far as subscriptions should fail’.233 He did attempt to raise a public subscription for this allowance, and made enquiries through his friend William Johnson Temple234 about potentially securing donations in Cornwall. Temple thought there was not much prospect of success for that after he discovered
that the family of Boswell’s ‘heroine’ were considered ‘eminent for Sheep-stealing’ in the area.\textsuperscript{235} Nor were Boswell’s fund-raising attempts in London necessarily any more successful. When he called upon Baron Thurlow,\textsuperscript{236} the former Lord Chancellor, in December 1793, Boswell asked him ‘to give something to Mary Broad’. Thurlow replied, ‘Damn her blood, let her go to a day’s work’. But when Boswell ‘described her hardships and heroism, he owned I was a good advocate for her, and said he would give something if I desired it’.\textsuperscript{237} In the end Boswell paid for the allowance himself until his death, sending it to her through the Reverend John Baron of Lostwithiel.\textsuperscript{238}

Although the enormous inheritance – an approximate £17 million in today’s money – described by the mysterious Mr Kestle did not exist, it appeared there was at least the prospect of a more modest, but still substantial sum. This had been left to Mary Bryant’s brother-in-law Edward Puckey, who lived in Fowey; he sent a letter to Boswell in February 1794 about this money, but unravelling the matter is far from straightforward, owing to Puckey’s terrible handwriting, apparently limited literacy and idiomatic expression. He told Boswell that a notice in the \textit{London Chronicle} of 19–22 March 1791 announced that there were 44 unreceived dividends in the Bank of England in the name of the late Isaac Barrett, a wax Chandler who lived at Haymarket in London.\textsuperscript{239} According to Puckey this money belonged to the Popes, ‘of wich we are of the same famely’. Puckey had found the will of James Pope, which stated that Pope had given ‘most of his welth to yong barett’, a relation of the deceased Isaac Barrett and a nephew of his wife Elizabeth, and that if the younger Barrett should die ‘befor he Came of age it [the money] was to return to his family the poopes’. A Mr Redstone had ‘goot all perticklers and all the Regesters Concing this matter’ and had given the Puckeys ‘ever incougment we Could wish for and has provd James poope to be our Relation’. Since both Barretts were now dead, there was apparently hope that the Puckeys might be due the money. As far as it can be understood from the confusing letter, a Mr Rosewear had the relevant documents to prove that the younger Barrett had died aged seven, but he ‘now daylays’ and the Puckeys had not heard from him for five months. Mr Redstone had also disappeared. The Puckeys were suspicious and Edward implored Boswell to ‘see us rited if possepel you Can’.\textsuperscript{240}

It is little wonder that, in reply, Boswell stated that Puckey’s story was ‘not distinct enough to enable me to be of any service to you’. However, he did offer, with typical kindness, that if Puckey let him know of ‘any person of the profession of the Law with whom I can converse or correspond on the subject you may depend on my best assistance’.\textsuperscript{241} There is no subsequent reply from Puckey to Boswell, nor does there appear to be any record of whether or not the family were successful in
tracking down this dividend or if Mary Bryant stood to gain any money by it – or indeed whether Puckey’s story should even be believed.

Puckey’s letter ended on a happier note. ‘Sir my sister in law is now with me,’ he declared, and she ‘rembers to you with thanks for the favours shee hath receved from you’. Next to his own signature Puckey had written ‘Mary Brion Broad’ and she had made her mark of ‘M B’ (Fig.19). Boswell was delighted to read of her having arrived safely and finding an ‘agreeable reception among her relations’, and he hoped ‘her behaviour will always be such as to deserve their kindness’. He had just ‘received very favourable accounts’ of Mary Bryant from Reverend Baron, who had sent Boswell’s five pounds to her on 1 May 1794. Boswell asked Puckey to tell her of the impending arrival of the money and to ‘tell her that I expect to hear from her every half year’. The payment in late 1794 was the last, as Boswell died in London on 19 May 1795.

Boswell was notorious for his sexual proclivities. His journals candidly recount affairs with society ladies, actresses and innumerable encounters with prostitutes, as well as the almost inevitable suffering from painful venereal disease, complications from which are thought to have caused his death (Boswell used contraception, but evidently not frequently or successfully enough). It appears that Boswell’s reputation and habits were a source of amusement to his friends, and his interest in Mary

Fig.19 Mary Bryant’s mark at the end of her brother-in-law Edward Puckey’s letter to James Boswell, 16 February 1794
Bryant’s case saw the poet William Parsons⁴⁴⁴ imagine her parting from Boswell on a London dock:

Though every night the Strand’s soft virgins prove
On bulks and thresholds thy Herculean love,
Was it for this I braved the ocean’s roar,
And plied those thousand leagues the lab’ring oar;
Oh, rather had I stayed, the willing prey
Of grief and famine in the direful bay!
Or perished, welmed in the Atlantic tide!
Or, home returned, in air suspended died!
For thou, relenting, shalt consent at last
To feel more perfect joy than all the past;
Great in our lives, and in our deaths as great,
Embracing and embraced, we’ll meet our fate:
A happy pair, whom in supreme delight
One love, one cord, one joy, one death unite!
Let crowds behold with tender sympathy!
Love’s true sublime in our last agony!
First let our weight the trembling scaffold bear,
Till we consummate the last bliss in air…⁴⁴⁵

Parsons’ doggerel was grossly unfair to Boswell on this occasion, and there is no evidence of a sexual relationship between him and Mary Bryant. Moreover, this was not the first occasion on which Boswell had exerted himself in the cause of someone suffering under the law. In 1774 he was unsuccessful both in defending his client, John Reid, against a capital charge of sheep-stealing at the High Court of Justiciary in Edinburgh and in preventing Reid from being hanged for the offence. Boswell’s biographer Frank Brady suggests that Reid’s execution was ‘a naked demonstration of [Boswell’s] powerlessness in a struggle with public authority’, and that the failure haunted him.⁴⁴⁶ Boswell’s lobbying on behalf of Mary Bryant and the other surviving escap-ees was entirely in character, and his vigour in pursuing their cause may have been influenced by his having been unable to help Reid.

Though Allen, Broom, Lillie and Martin remained in Newgate when Mary Bryant sailed home, Boswell had not forgotten them. As early as 14 May 1793 he had drafted a petition to Nepean on their behalf, pointing out that:

Not one of these poor men has been either a highwayman or a housebreaker.⁴⁴⁷ Their offences, though justly punishable, have been
of a slighter degree of malignity. For this they have atoned: by an imprisonment before trial—by confinement on board the hulks at Portsmouth—by a severe passage to New South Wales—by servitude and almost starvation there—by a series of most distressful sufferings in the course of making their escape—by imprisonment since, in the gaol of Newgate. They did certainly in the impatience of misery subscribe a petition praying to have their wretched captivity exchanged for a situation on board His Majesty’s fleet. But it is humbly submitted to Government whether, all things considered, they should not have a second chance to be good members of society and be permitted to do the best they can for themselves and their families. It should seem to be of the genius of our Constitution to act with mildness and compassion when there is no obvious call for severity. . . . It is therefore earnestly requested that in this extraordinary case the clemency of the Crown might be benignantly exercised.248

He continued to lobby Henry Dundas, even writing to Lady Jane Dundas in May 1793 to beg, unsuccessfully, for her ‘humane intercession with my old friend your husband in favour of four unfortunate men (by no means gross offenders) who made their escape from Botany Bay’.249 Boswell concluded by observing that her husband was aware of the particulars of the matter, and since that was the case Lady Jane assured Boswell (somewhat curtly) that ‘any intercession or interference from her would be very unnecessary & could have no effect in influencing Mr Dundas in the discharge of his public duty even if she had not laid down a rule of never mentioning those things to him’.251

Boswell’s efforts on behalf of the men ceased for a period during June and July 1793. On the night of 5 June 1793, while walking home drunk, he was knocked down and robbed in Titchfield Street.252 The injuries Boswell suffered were so severe that they confined him to bed for a while, but he was again well enough to visit the men in Newgate during mid-August, where he ‘comforted’ and ‘assure[d] them personally that I was doing all in my power for them’.253 Evan Nepean had apparently written a letter in their favour, but nothing had been done by the time Boswell addressed Nepean on 13 September 1793 to express ‘great uneasiness on account of the three poor men who escaped from Botany Bay’. He reported that ‘the unfortunate men who rely upon me’ were ‘miserable in Newgate, and I am afraid think that I have betrayed or neglected them’, and requested to be informed ‘by a note tonight or tomorrow morning whether the humanity of government will be shewn by pardoning them’.254
Matters were moving behind the scenes. Nepean received a memorandum from the government solicitor Joseph White, dated 1 November 1793, which appears to have been the catalyst for the prisoners’ release. White noted that the convicts themselves had ‘intimated an intention of moving to be discharged [from Newgate] on the Ground that the time for which they were respectively transportd is now Expired’. When they had been committed to Newgate the previous year, White observed, there was ‘little disposition [from the government] that these People shou’d be prosecuted’. Now that their sentences had expired White thought it ‘possible that such prosecu may not be necessary’ and asked ‘whether it is your pleasure we approve their being discharged?’ White was mistaken about their sentences: only Martin’s had in fact expired. Allen’s term ran until July 1794 and Broom’s until July 1795, while Lillie was under a life sentence.

The convicts’ ‘intimation’ appeared to have been made without Boswell’s knowledge or assistance. On 2 November Boswell visited Newgate, and then the Mr Pollock, the first clerk in Dundas’s office, to again apply on behalf of ‘the men who had escaped from Botany Bay’. When he returned home he was astonished to find Allen, Broom, Lillie and Martin waiting at his front door on Great Portland Street. On 3 November Boswell discovered that they had been discharged from Newgate by proclamation, that is, a notice was issued to state that the men would go free unless anyone came forward wishing to prosecute them. No one did. Boswell met Lillie and Broom later that afternoon, but did not see Allen and Martin who ‘had gone to take a walk’ about town. The survivors of this most remarkable of escapes were all, at last, free.

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The fate of the surviving escapees, especially in the case of Mary Bryant, has been the subject of much speculation and invention. In the search for a happy ending, some writers have suggested that after returning to Fowey she later remarried. Frederick A. Pottle was the first to note that a Mary Bryant married a Richard Thomas in 1807 in the parish of St Breage in Cornwall, though he was very sceptical that this was the absconder Mary Bryant. Judith Cook seemed more convinced that this was the Mary Bryant, but did admit that she had nothing on which to hang her supposition other than wishful thinking. In his largely fictional account of the escape, Jonathan King invented the story that Mary Bryant and Richard Thomas were childhood sweethearts separated by her transportation, but reunited upon her return to Cornwall. Carolly Erickson was more sceptical on the matter, with her doubts based on the fact that the Mary Bryant who married in 1807 gave birth in both 1811 and 1812; the transported Mary Bryant would have
been approximately 47 years old in 1811 and, as Erickson claimed, ‘most women in eighteenth- and early nineteenth-century England did not live that long, let alone bear children at such an advanced age’.261 (According to the study of J. P. Griffin, the life expectancy of women aged 15 between 1680 and 1779 – like Mary Bryant – was 56.6 years.)262

Another factor to note is that we cannot be entirely sure under which name Mary Bryant lived after returning to England. The Newgate criminal register named her as ‘Mary Briant alias Broad’, but Boswell always referred to her as ‘Mary Broad’. A search of subsequent criminal registers finds that a Mary Broad was committed to Newgate for trial at the Old Bailey in September 1806 and acquitted of stealing four sheets valued at 21 shillings, two table cloths valued at nine shillings, an apron valued at a shilling and a handkerchief also valued at a shilling, all the property of one Thomas Middlebrook.263 The defendant was 40 years of age when tried, which puts her around the age of the escapee Mary Broad/Bryant. However, if this was the same woman then, although 14 years had passed, surely at least one London journalist would have recognised the supposedly famous escapee from Botany Bay? Regrettably there is no physical description of the woman in the 1806 Newgate register for comparison, so this can only be additional speculation as to the subsequent detail of Mary Bryant’s life. The same can be said about the 80 year-old Mary Bryant who, according to the 1841 census, lived in the Bodmin Union Workhouse.264 Though this woman was born in Cornwall and was approximately of the right age, the evidence that she is the woman we are looking for – like that for the assumption that the transportee Mary Bryant married Richard Thomas in 1807 – remains inconclusive.

The fate of the four male survivors is also unclear. William Allen, Samuel Broom, Nathaniel Lillie and James Martin largely disappear from the record, though Boswell’s draft petition of 14 May 1793 on their behalf does at least provide some supplementary information. William Allen, then 56 according to Boswell, apparently had a wife at Beccles in Suffolk ‘from whom he has heard since he came home’.265 According to a newspaper report of their hearing before Justice Nicholas Bond, Allen was ‘bred to the Sea’. He gave Boswell a hint as to his future: ‘“Water I must follow” are his words, but [he] would rather go where he can get most by it; viz., in a merchantman: “I have the world to begin again.”’266 Where Allen began again, we cannot be certain.

Samuel Broom alias John Butcher was unmarried and a husbandsman by trade.267 He had heard from a Mr Woodward, the landlord of the Lion pub in Broom’s native Kidderminster, stating that he would ‘be kindly received and get his bread in his own country’.268 Broom may have had other ideas, having sent a petition under the name of John Butcher to Home Secretary Henry Dundas on 23 January 1793, in which he stated
that though he had ‘suffered a great deal in going and Coming from Botany Bay’, he was willing to go back to New South Wales to assist with farming there. He claimed that having been ‘brought up in the thorough Knowledge of all kinds of land’ he was ‘Capable of bringing Indifferent Lands to perfection’, and that he had received ‘an offer some time ago of going to Botany Bay to endeavour to make that Land more fertile than it has ever appeared to be’. Broom expected ‘Nothing for my Trouble’, but hoped Dundas would ‘Condescend to Indulge me with an answer’.269 Dundas does not appear to have condescended to even answer the petition, let alone indulge his request – and nor does anyone else.

Nevertheless, a series of present-day writers have claimed that not only was the petition agreed to, but that Broom alias Butcher enlisted in the New South Wales Corps and returned to Sydney, where in September 1795 he was granted 25 acres of land in the Petersham Hill district.270 Thomas Keneally even suggests that Broom alias Butcher was ‘an early instance of an ordinary man seeing New South Wales as quite habitable under conditions of freedom’, while Jonathan King claimed that he ‘farmed the land [in New South Wales] for the rest of his life’, married a former convict and ‘together they raised a family of free children in the colony in whose future he so firmly believed’.271 But none of this is true. It is one of the myths pertaining to the Bryant group which originate with Louis Becke and Walter Jeffery’s novel, A First Fleet Family (1896) – myths which have become accepted through repetition. Becke and Jeffery had evidently done their research to the extent of quoting the petition in full, but the claim that Broom alias Butcher enlisted in the military, returned to New South Wales and ‘became a flourishing settler’ is entirely their embellishment.272

Samuel Broom alias John Butcher did not, and could not, have returned to the Antipodes with the New South Wales Corps. In the first instance, information in the historical record immediately draws these claims into doubt. His age and seemingly imperfect health would have precluded him from military service: he was at least 50 years old in 1793 and, as we have seen, he was described as ‘infirm’ prior to being transported to New South Wales, while the 1791 return of absconders reported him to be lame.273 But the key evidence is that the only John Butcher to join the New South Wales Corps and settle in the colony was born in Bedfield, Suffolk in approximately 1764. He enlisted as a private in the Corps from the Savoy military prison, transferring from the 1st Dragoon Guards, on 11 May 1792 – a date when the escapee Broom alias Butcher was a prisoner aboard HMS Gorgon, still weeks away from returning to Britain. Private Butcher travelled to New South Wales in the Boddingtons. The ship sailed from Cork, with 125 male and 20 female convicts aboard,274 on 15 February 1793, at a time when Samuel Broom
alias John Butcher was confined to Newgate Gaol. After arriving in New South Wales, Private Butcher served in detachments at Parramatta and at the Hawkesbury river. When the 73rd Regiment arrived in 1810 to replace the New South Wales Corps, he opted to transfer to the 73rd and remain in the colony. He appears to have worked as a district constable in Sydney, and to have been granted or leased some land: the 1822 New South Wales Land and Stock Muster recorded that Butcher lived on 30 acres at Parramatta. In February 1824 Butcher married the Irish convict Eliza Stewart, who had arrived in the colony in the Woodman the previous June. The Butchers do not appear to have had any children: the 1828 New South Wales Census listed only John and Eliza Butcher, aged about 60 and 27 respectively, living at Clarence Street in Sydney; presumably the residence at Parramatta had either been sold or the lease had ended by this time. While it is not clear when the couple died, what is evident is that the escapee Samuel Broom alias John Butcher did not return to New South Wales. Instead he, like William Allen, simply disappears from view after being released from Newgate in November 1793.

Nathaniel Lillie was born in Sudbury in Suffolk and, according to Boswell, had a wife and four children. He had been contacted by his uncle Richard Wardel, a cabinet-maker and joiner living at Gatney Street, Pimlico and also by his brother Robert Angus, a waiter based in Old Russell Street, Bloomsbury. Boswell believed that Lillie would be supported by these relatives, who would help him ‘get a livelihood by his own trade’. Lillie had already given ample evidence of his capacity for hard work by having laboured ‘night and day in gaol as a net-maker to support his family’, who were living in London as early as July 1792. Presumably after Nathaniel was released, he was reunited with his wife Deborah and their children.

In the summer of 1813 a Nathaniel and Deborah Lilley were charged with burgling the house of Robert Andrews at Stanstead and of stealing a cotton gown, a woollen waistcoat, two silver teaspoons, and a pound note. Only Nathaniel was brought to trial: he was convicted on 12 August 1813 at the Suffolk assizes at Bury St Edmunds and sentenced to death. The sentence was commuted to transportation for life, but rather than being shipped to New South Wales he was instead sent to the Captivity hulk at Portsmouth. Nathaniel served seven years on the hulks before receiving a free pardon on 4 November 1820. The Nathaniel Lilley convicted in 1813 was 54 years of age, around the age that the escapee Nathaniel Lillie would have been in 1813, and the likelihood is that the men were one and the same. Both were burglars and both were convicted in Suffolk; they shared the same distinctive name and both had a wife named Deborah. It appears that Nathaniel Lillie had run afoul of the law once again, 22 years after escaping from New South Wales. His fate after November 1820 is unclear.
 Appropriately enough we come, last of all, to James Martin, who according to Boswell was aged 36 in 1793. He reported that Martin had a wife and son in Exeter, and expected that he could earn ‘a guinea a week, being a very good workman as he proved when at Botany Bay, where he worked a great deal for the settlement’. Martin had heard from his mother, brother and sister in Ireland, and was willing to return there or to seek work in London. Whether he took either, or neither, of these options, or if he was ever reunited with his wife and child, will probably remain a mystery.

Aside from the Memorandoms, there exists another tangible remnant of the Bryant party’s astonishing journey. Within James Boswell’s papers, now at the Beinecke Rare Books and Manuscript Library at Yale University, is a folded piece of paper on which he wrote ‘Leaves from Botany Bay used as Tea’ (Fig. 20). Inside were several dried wild sarsaparilla leaves, from which the escapees made tea to ward off scurvy. Boswell presumably acquired these from the five survivors and, given that he so carefully preserved their gift, they and their story had evidently made a lasting impression.

* * *

When Jeremy Bentham mentioned, in passing, the escape of the Bryant party in his work on convict transportation, Panopticon versus New South Wales, he made a prediction:

Fig. 20 ‘Leaves from Botany Bay used as Tea’, belonging to James Boswell. It seems likely that he may have been given them as a souvenir by the surviving escapees.
One of these days, as stations multiply, and the [Australian] coasts become more and more difficult to guard, we may expect to see better boats, stolen or even built, for voyages of escape to Otaheite or some other of the many shorter voyages, with the help of a seaman or two to each of them, to command it.  

This was remarkably prescient. In his 1822 report on New South Wales and Van Diemen’s Land, Commissioner John Thomas Bigge came to a similar conclusion:

The necessity of the regulations that more particularly apply to the prevention of the escape of convicts in ships, appears to me to be greater at this moment than at former periods, and will continue to increase with the trade of the colony, and until the convicts shall be entirely withdrawn from those parts of it that are frequented by merchant vessels.

Though no official record had been kept of how many convicts absconded from the penal colonies, Bigge estimated that around 250 convicts had made an attempt at it before 1822, ‘either by concealing themselves on board vessels, or by attempting to seize them by violence’. Of these people, 194 had been re-arrested and nine had been killed. He thought that those who stowed away on ships were aiming to reach India, while those who seized vessels sought to take the well-worn ‘passage to Timor or Batavia’. When Bigge’s reports were published, British settlement in Australia had spread to places on the eastern coast which the Bryant party had passed three decades earlier. A penal station was opened at Coal River in 1804 (present-day Newcastle) and another at Port Macquarie in 1821; those at Moreton Bay and Norfolk Island would be established in 1824 and 1825 respectively. Each settlement opened new shipping routes to move goods and people, routes which convicts were willing and able to exploit.

Historian Ian Duffield has identified at least 60 seizures and attempted seizures of boats by male and female convicts between 1790 and 1829 in New South Wales, Van Diemen’s Land and at Norfolk Island. For instance, Charlotte Badger and Catherine Hagerty were two members of a motley crew of convicts and free people who seized the colonial brig Venus at Port Dalrymple in Van Diemen’s Land in June 1806, and proceeded to sail to the Bay of Islands in New Zealand. The Frederick was built by convicts at Macquarie Harbour;
in January 1834 it was stolen by ten of them, who later abandoned
the leaky ship off the coast of Chile. Transportees did not confine
their absconding to the Pacific region, as historian Clare Anderson
has described: throughout the first half of the nineteenth century con-
victs and former convicts looked to the Indian Ocean region, escap-
ing from the Antipodes to the Indian sub-continent and as far afield as
Mauritius.

Such was the ingenuity of transportees that some even fashioned
an escape from convict Australia’s most remote penal station at Norfolk
Island. In 1848 the claim of Earl Grey, Secretary of State for War and the
Colonies, that ‘Nature herself has rendered the island one of the securest
places of detention’ was nothing more than hubris; it wilfully ignored
20 years of experience. In December 1826 the Wellington, carrying
one of the earliest major shipments of prisoners to Norfolk Island, was
seized by convicts en route and diverted to New Zealand. At least 64
men got away from the island, having either constructed or stole boats,
while at least another 88 were punished for either plotting or attempting
to escape. One striking case was that of James Punt Borrit, who was
sent directly from England to Norfolk Island in 1840 by the Mangles. In an
echo of William Bryant, after the island’s free coxswain drowned Borritt’s
seafaring skills saw him given charge of Norfolk Island’s whaleboat and
he was employed in ferrying people and goods to and from ship to shore.
He was allowed to choose his crew, selecting men including his Mangles
shipmates William Vine (another man with sailing experience), John
Day and William Pedder. On 2 June 1841 they and five others sailed
away from Norfolk Island to New Caledonia, though Borrit eventually
made it back to Britain. He remained at large for 16 months before being
recognised and re-transported – ironically enough – straight back to
Norfolk Island aboard the Hyderabad.

The point of this apparent digression is that as remarkable as the
Bryant party’s flight was, it was an early one in a long line of escapes
from Australia by sea. A clear lineage runs from the John Turwood
group and the Bryant party through to Borrit and his fellows, and
indeed beyond. These escape attempts saw well-prepared groups
of convicts, willing to co-operate and generally with some seafaring
knowledge among them, take advantage of the (ever-increasing) inter-
connectedness of European colonial possessions. For some transport-
ees the sea was not merely a barrier, a vast wall between them and
their former home; it was also a constant, tantalising reminder of the
possibility of freedom.
The Mary Bryant ‘legend’ and interpretations of the story

Many people will know the tale told in the Memorandoms as ‘the Mary Bryant story’—especially in Australia, where it has effectively become a part of the national memory. It is a story which has been told and re-told innumerable times in the last 120 years, in the form of histories, novels, plays, poetry, television series and even a musical. It would be a Sisyphean task to account for every piece of Bryantiana which has been and continues to be produced, so this section will largely limit itself to the major historical accounts. These are, by and large, unsatisfactory and derivative; Ian Duffield’s reference to ‘the (discursively) hackneyed Mary Bryant episode’ is not unfair. Owing to the relative paucity of records pertaining to the lives of the escapees—perhaps coupled with the fact that the manuscript versions of the Memorandoms have until now been inaccessible without a research trip to London—modern writers have frequently been unable to resist the temptation to depart from the historical record, substituting for it unsupported speculation and, in some cases, outright invention.

The first two book-length historical accounts of the escape were published in 1937 and 1938. Geoffrey Rawson’s The Strange Case of Mary Bryant (1938) should not be taken seriously, as its key source material is Becke and Jeffery’s novel, A First Fleet Family (1896). Becke and Jeffery adopted the role of the editors of the journal of Marine Sergeant William Dew, which they claimed to have received from Dew’s grandson some months previously. Dew was said to have travelled to New South Wales in the First Fleet, and Becke and Jeffery claimed that his narrative expands upon the Bryant party’s escape as told in ‘most of the so-called histories of the Colony’. William Dew was a real historical figure, a Marine private who served in Watkin Tench’s detachment. Historian Mollie Gillen could find no records of his life in New South Wales, and suggests that Dew left the colony in the Atlantic on 11 December 1792, rather than by HMS Gorgon as the novel claims.

Dew’s ‘journal’, however, was not real, and Becke and Jeffery embroidered the historical record so successfully that Rawson went along with most of their inventions. These inventions include: the suggestion that Mary Broad and William Bryant were lovers before going to New South Wales, and that she was transported for aiding and abetting his escape from Winchester Castle (Rawson adds the detail that they switched clothes and Bryant left the gaol dressed as a woman); fighting between William Bryant, Samuel Bird and Samuel Broom in the boat during the voyage to Timor; Mary Bryant meeting her true love,
one Lieutenant Fairfax, at the hulks, his having been the father of young Charlotte; and Mary and Fairfax rekindling their relationship on HMS Gorgon during the voyage back to England, where he procured for her a pardon and they settled in London to raise a family. Rawson’s book is properly consigned to the realm of romantic fiction – particularly in its imagined dialogue, and more than one lingering reference to Mary Bryant’s ‘dazzling bosom’. Yet it is emblematic of the enduring power of Becke and Jeffery’s embellishments. These have become so entangled with reality that they live on even in more recent works, such as the egregiously titled The True Story of Mary Bryant: Escape from Botany Bay (2003) by Gerald and Loretta Hausman, which substitutes the historical figure of Watkin Tench for the fictional Lieutenant Fairfax.

Unfortunately for Rawson, his work was undermined entirely by Frederick A. Pottle’s Boswell and the Girl from Botany Bay. This short book was based on Pottle’s Presidential Address to the Elizabethan Club at Yale University. It was first published in the United States in 1937, in a print run limited to 500 copies, and was then published again in London the following year. Pottle was a Boswell scholar and the first researcher to identify the Scottish lawyer’s role in securing the release of the surviving escapees. His research was built upon by Charles H. Currey in The Transportation, Escape and Pardoning of Mary Bryant (1963), whose account was the first to use the Memorandoms in telling the story. The works of both Pottle and Currey are hugely valuable, and largely refrain from romanticism and supposition. In addition to these texts, readers are best served by consulting Warwick Hirst’s Great Convict Escapes in Colonial Australia (1999) and – with a slight reservation – Carolly Erickson’s The Girl from Botany Bay (2005). Hirst’s examination of the escape is largely based upon the Memorandoms, and is all the better for it. Erickson’s, meanwhile, generally sticks to the documentary record and makes some perceptive general observations about the period. However, she does employ some artistic licence in describing conditions during voyage from Sydney to Timor, imagining Mary Bryant’s state of mind and ascribing the testimony of the survivors at Bow Street to her alone.

The best-known and most widely referenced of the modern accounts is undoubtedly Judith Cook’s To Brave Every Danger: the Epic Life of Mary Bryant of Fowey (1993), yet it is one of the least satisfactory histories of the escape. Cook offers a great deal of unevincing speculation as fact and, as the book contains no references, it is difficult to see where many of her claims originate. For instance, according to Cook, during the journey to Timor it was always Mary Bryant who took the lead: she ‘organized a hunt for fresh food, saw to the replenishment of the water cask’, and
when William Bryant ‘lost heart very quickly each time the going became tough … again and again it was left to Mary to rally and encourage the men’.\textsuperscript{312} Given that the only first-hand account we have of the journey is the \textit{Memorandoms}, and it does not support any of these claims, they can be fairly dismissed.

Cook’s Mary Bryant was a reluctant thief, who either fell in with a ‘bad lot’ or decided to steal only after finding herself ‘so angry at the injustice’ of a period of dearth in the West Country, ‘that she threw caution to the winds and embarked on a bold and dangerous venture to provide herself with funds with which to buy food to keep her family from starving’ (conveniently ignoring the violence meted out by Mary Bryant, Catherine Fryer and Mary Shepherd towards the unfortunate Agnes Lakeman). Cook also claims that, during the \textit{Charlotte}’s voyage to New South Wales, ‘from time to time, [Mary] negotiated on behalf of the other women for improvements in their ration of food and water’. She also maintains that it was Mary Bryant who formulated the escape plan in Sydney, cajoled her husband into absconding and ‘who came up with the idea that the best boat in which to make a substantial journey … would be the Governor’s own boat’ – although it was actually the colony’s fishing boat, to which they had daily access, which the party stole.\textsuperscript{313} \textit{To Brave Every Danger} reads as though Cook was determined to create a romantic portrait of Mary Bryant, and was willing to ignore, massage or create evidence to support it.

Perhaps the most glaring example of Cook’s willingness to invent is in describing how the escapees were hit by a storm after leaving ‘White Bay’:

It was then that the men seemed to give up all hope of a successful outcome to the voyage, resigning themselves to their deaths. Mary simply refused to give in. Snatching up a hat belonging to one of the men, she began to bail, calling on the rest to follow suit. What was the matter with them? What kind of men were they to sit bewailing their fate while the boat sank under them, not even making an attempt to fight for their lives? … Once she had organized the bailing, she took the tiller, straining against the huge seas. She told them, as they laboured, that she had no intention of drowning and nor should they. … She was their shining light and, as Martin writes, in spite of the very real distress she must have been suffering as the condition of her ‘two babies’ deteriorated rapidly through the continual cold and wet, she never once gave way to her own fears.
This is total fiction. The *Memorandoms* says no such thing. Rather, it points out that everyone in the boat gave themselves up for lost, such was the violence of the storm, and the only mention of Mary Bryant was in inviting the reader to ‘Consider what distress we must be in Woman & the two little Babies was in a bad Condition’.\(^{314}\) Cook seems to have taken her description from the *Annual Register* for 1792, which imagined this part of journey as follows:

> At one time their anchor broke, and the surf was so great, that the men laid down their oars, in a state of despair, and gave themselves up as lost; but this Amazon, taking one of their hats, cried out, “Never fear,” and immediately began to exert herself in clearing the boat of water: her example was followed by her companions, and by great labour the boat was prevented from sinking, until they got into smoother seas.\(^{315}\)

Cook rightly describes the *Register’s* account of the escapees’ journey as ‘rather inaccurate’, but was willing to believe this section since it suited her narrative purpose. It is difficult to disagree with Carolly Erickson’s conclusion that Cook ‘invents freely, sometimes contradicting the written records’.\(^{316}\) *To Brave Every Danger* routinely enters the realm of fiction and should be read with an extremely sceptical eye.

Unlike Judith Cook, in *Mary Bryant: Her Life and Escape from Botany Bay* (2004) Jonathan King does at least admit that although the book is ‘based on truth, I have embellished many parts of the story to help bring Mary to life in terms of our modern world’.\(^{317}\) ‘Embellished’ can be taken to mean ‘invented’, since the book incorporates Mary Bryant’s reunion and marriage to ‘childhood sweetheart’ Richard Thomas, romanticised encounters with Indigenous Australians and some genuinely atrocious faux Cornish-inflected dialogue (‘Doan change the subject, now. Who be the lucky father, or doan the likes of you normally know such things?’).\(^{318}\)

Aside from Becke and Jeffery’s *A First Fleet Family*, modern fictional accounts of the escape include (but are not limited to) Anthony Veitch’s *Spindrift* (1980), Lesley Pearse’s *Remember Me* (2003), John Durand’s *The Odyssey of Mary B* (2005), Jo Anne Rey’s *The Sarsaparilla Souvenir* (2005) and Laurie Sheehan’s *Mary Bryant, the Convict Girl* (2006).\(^{319}\) All, apart from Veitch, appear to rely heavily upon Cook’s *To Brave Every Danger*, with all the issues that entails. Mary Bryant features as ‘Dabby Bryant’ in Timberlake Wertenbaker’s play *Our Country’s Good* (1988), and in the one-man show *Boswell for the Defence* – which ran in London in
1989 and 1990, and Australia in 1991 – Leo McKern played Boswell as he fought her corner. As a testament to the wide interest in the tale, in 1980 Jenny Agutter suggested to an Australian magazine that she ‘would like to do the story of the convict Mary Bryant’. The tale was the subject of Nick Enright and David King’s musical *Mary Bryant* (1988), and Enright wrote a screenplay about the Bryants, entitled *The World Underneath*, for Warner Brothers, though this film project was never realised.

Two versions of the escape have, however, been produced for television. The first was *The Hungry Ones* by Rex Rienits, a ten-episode serial broadcast by the Australian Broadcasting Commission (ABC) in 1963 (Fig. 21), and the fourth in as many years based upon early Australian colonial history. The *Hungry Ones*, unlike its predecessors, was not terribly well received: Nan Musgrove was scathing in her review, believing that this was the first of the ABC’s historical serials ‘that can be dismissed with that expressive Australian word “crook”’, finding that the actors ‘move through their parts like well-controlled puppets’ and criticising the serial for being ‘inaccurate historically’ and the script for its ‘glaring omissions’.

The second version was *The Incredible Journey of Mary Bryant* (2005), a joint British and Australian production which was once the most expensive television mini-series ever made in Australia. The *Incredible Journey* takes innumerable unwarranted liberties with the story. Mary Bryant is, as historian Jacqueline Wilson points out, ‘gratuitously sexualized’: she feigns a relationship with an infatuated British officer, then lives with him for a time solely to distract him while the other escapees make preparations to leave the colony. After the escape the officer pursues the party all the way to Timor, motivated by a combination of lust and revenge. This villainous officer is named ‘Ralph Clarke’, and is presumably based upon a real Marine officer, Ralph Clark, who travelled to New South Wales on the First Fleet. However, the historical Clark did not have a relationship with Mary Bryant. Nor did he – or anyone else – pursue the Bryant party to Timor, or lead a party which led to William Bryant being shot dead and Mary Bryant captured by British soldiers at Kupang. The *Incredible Journey* also thins out the number of adult escapees to seven: Samuel Broom, Samuel Bird and Nathaniel Lilley are amalgamated into the figure of ‘Sam Liley’, while a new individual, ‘Thomas Watling’ is added to the group. This addition is all the more confusing as the real Thomas Watling, later known as a painter, was indeed transported to New South Wales. However, he did not arrive until October 1792, by which time over half the Bryant party were dead and the survivors were confined to Newgate.
Boswell are written out of the story entirely, and the court scenes at the end of the second episode are extremely unrealistic. Finally, in a bizarre conclusion, James Martin chooses to return to New South Wales since it is a place where a free man ‘could make of himself what he chose, without the prejudice of who he once was’ – a description utterly at odds with the
picture of the squalid, brutal, inequitable colony so studiously created during the first episode. The *Incredible Journey of Mary Bryant*, and the treatment of the story more generally, provides yet more proof that the truth is more often than not richer, and far more interesting, than fiction.

**Jeremy Bentham, and *Panopticon versus New South Wales***

Some of the key questions about the *Memorandoms* are how, when and why the document was acquired by the utilitarian philosopher Jeremy Bentham (Fig. 22). The answer to each of these questions, disappointingly, is that we simply do not know. Judith Cook’s supposition that James Martin ‘gave his *Memorandum [sic]* to Jeremy Bentham’ is false, enticing as it is to imagine a meeting between them both.²²⁹ Bentham did establish a direct link with Newgate Gaol, but not until late 1802 and early 1803 when he corresponded with the Reverend Doctor Thomas Brownlow Forde, Ordinary of Newgate.³³⁰ The *Memorandoms* is not mentioned in their letters, though this is unsurprising: Forde only became Ordinary in 1798, and he and Bentham corresponded about a decade after the narrative was apparently written and the surviving escapees were released from the gaol.³³¹ In fact the only occasion on which Bentham refers to the escape by James Martin and his fellows is in a single line in his work on convict transportation, *Panopticon versus New South Wales* (written in 1802–3, but not published until 1812).³³²

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Fig. 22 ‘Jeremy Bentham’, oil, c.1790
In the ‘First Letter to Lord Pelham’ – a composite part of *Panopticon versus New South Wales* – Bentham highlighted the falsity of the argument, put forward by proponents of transportation, that the remoteness of New South Wales would prevent convicts from ever returning. Working through David Collins’ *Account of the English Colony*, Bentham calculated that approximately 89 prisoners had been permitted to leave Sydney between 1790 and 1796 after their sentences expired, and that a further 76 had absconded prior to the expiration of their sentences. ‘Already’, Bentham noted, clearly referring to the escape of the Bryant party and the others, ‘has an open boat been known to furnish the means of escape; and that through the vast space between New South Wales and Timor’. He says nothing more about the escape or the individuals involved, and we can by no means be certain that the *Memorandoms* was even in Bentham’s possession at the time of writing this in 1802, as he could have easily gleaned this information from Collins or elsewhere.

We do know, however, why Bentham devoted a significant portion of his time to writing about transportation. In early 1802 Bentham was disappointed, frustrated and very angry. He had spent a great deal of time, effort and money during the previous decade in what – as had become all too apparent – proved a vain attempt to persuade the government to build a ‘panopticon’ prison of his design. The idea behind the panopticon, from the Greek παν- (‘all’) and οπτικος- (‘seeing’ or ‘optics’), originated with Bentham’s younger brother Samuel (Fig.23). While working in Russia for Prince Potemkin, Samuel devised the ‘central inspection principle’ as a solution to the problem of how to observe, and consequently regulate, the behaviour of apparently undisciplined and misbehaving skilled craftsmen, themselves supposed to be supervising and training unskilled workers. Jeremy believed that Samuel’s ‘important, though simple, idea in architecture’ could be applied to a multiplicity of institutional buildings, from poor-houses to factories to asylums and, most (in)famously to prisons.

It was in this latter context that Jeremy Bentham envisaged an ‘Inspection House’, a circular building with the prisoners’ cells arranged around the outer wall and an inspection tower occupying the centre (Fig.24). From this tower the prison’s governor could look into the cells at any time; he would even be able to speak to the prisoners in their cells through an elaborate network of ‘conversation tubes’, though the inmates themselves would be unable to see the governor. (The governor would have been Bentham himself.) Bentham expected that this ‘new mode of obtaining power of mind over mind, in a quantity hitherto
without example’ would ensure that the prisoners, believing that they might be being watched at any time, would modify their behaviour in a positive manner in order to avoid the punishment that would inevitably follow any breach of the prison’s discipline.\(^{339}\) After serving their time in the panopticon, they would then be returned to society as useful, industrious citizens.\(^{340}\) The panopticon is today best known through the analysis of the French philosopher Michel Foucault, for whom it represented the emergence of modern ‘disciplinary’ societies and their desire to subject their citizens to surveillance and control.\(^{341}\) As Anne Brunon-Ernst notes, Foucault’s ‘theorisation of surveillance society’ has ‘turned
Bentham into the forerunner of Big Brother. These assertions would have struck Bentham as odd, since for him the panopticon was simply a mode of deterring and reforming criminals; it was cheaper and more rational, and would inflict less pain, than any other form of convict discipline. (It should be noted that no prison which strictly conformed to Bentham’s plan has ever been built.)

Bentham was outraged when the government abandoned the panopticon, believing that he had been the victim of a conspiracy and that the will of parliament had been subverted. Though the Penitentiary for Convicts Act of 1794 authorised the construction of a penitentiary, it was never acted upon – in large part because it proved impossible to find a site on which it could be built. George Spencer, second Earl Spencer, objected to the proposed location at Battersea Rise as it was near his estate, and Viscount Belgrave and the Dean and Chapter of Westminster were similarly opposed to its being built at Tothill Fields. Bentham ended up purchasing a small, boggy and entirely unsuitable site on the Millbank estate. The panopticon had been thwarted, in Bentham’s eyes, by venal politicians who, rather than act in the best interests of the community, were instead motivated by ‘sinister interests’. He became

![Fig.24 Plan of Bentham’s proposed panopticon prison by Willey Revely (UC cxix. 120)
convinced that ‘nothing worthwhile could be achieved through the existing political structure in Britain’, and the final decades of his life were dominated by the effort to develop and disseminate a systematic programme of root-and-branch reform of the legal, political and ecclesiastical establishments, so that they might serve the interest of the many rather than the ruling few.  

The story of Bentham’s protracted negotiations with the government and the failure of the panopticon scheme is told by Janet Semple in *Bentham’s Prison*, and need not be recited here. However, it is important to note that the experience was formative in Bentham’s intellectual development. Its failure was his greatest disappointment, resulting in the ‘destruction of eight years of the most valuable part of [my] life’; the government had, he continued, ‘murdered my best days!’ According to his literary executor John Bowring, Bentham preferred not ‘to look among Panopticon papers. It is like opening a drawer where devils are locked up—it is breaking into a haunted house’. He believed that he had been subjected to a co-ordinated campaign of humiliation and neglect orchestrated by the underlings of ministers, as his letters went unanswered and unacknowledged for weeks and he loitered on a daily basis in Treasury corridors. He was reduced in May 1799 to chasing Charles Long, junior secretary to the Treasury, into the porters’ water closet in the hope of an audience. (Long, for his part, felt harassed by Bentham’s near constant presence at the Treasury and purposefully avoided him.) All of the humiliation took its toll. After the abortive meeting with Long in the ‘gents’, Bentham told his friend Reginald Pole Carew that ‘I hate the sight of man […] if I remain unshot, undrowned, unhung, it is to avoid burthening the public with Coroner’s fees.’ He ended the short note with: ‘Given at my dog-hole this 25 day of May, 1799—Bow, wow, wow.’

Though the panopticon scheme was not effectively killed off until June 1803, a metaphorical noose had been round its neck for some time, and Bentham knew it. One outlet for his frustration during 1802 and early 1803 was the writing of a near-contemporary account of his experience, entitled ‘A Picture of the Treasury under the Administration of the Rt. Hon. W. Pitt and the Rt. Hon. H. Addington with a Sketch of the Secretary of State’s Office under the reign of the Duke of Portland’. The ‘Picture’ runs to hundreds and hundreds of manuscripts, and a perusal of the 25 section titles – ‘Clandestine and Perfidious Assurances to Lord Belgrave’, ‘Insidious Letter’, and ‘Official Incapacity’ – gives some indication of the extent of Bentham’s bitterness. The only parts of the ‘Picture’ which were published dealt with convict transportation; though
Bentham listed them as sub-sections in his outline of the ‘Picture’, they subsequently took on a life of their own and morphed into the ‘Letters to Lord Pelham’ and ‘A Plea for the Constitution’, the constituent parts of *Panopticon versus New South Wales*.361

Bentham’s first recorded opinion on New South Wales was given in May 1791. He had just come across some House of Commons papers regarding Britain’s new penal colony, and thought:

> the establishment in question presents a truly curious scene of absurdity improvidence and extravagance. The impossibility of success in every imaginable point of view stands demonstrated upon the very face of the accounts in the most glaring colours ... I feel myself strongly tempted to give before the public a sketch of it as soon as I have a little leisure.362

It took Bentham another 11 years before he finally put pen to paper on the subject, but his low opinion of New South Wales had only hardened in the intervening period – especially after protracted negotiations with government over the cost of his panopticon. To cut a very long story short, in mid-1800 the Treasury Board decided that the panopticon, if it was to be built at all, should be an experimental prison housing 500 inmates (the original plan had been to accommodate 1000). One of the reasons given for this alteration was ‘the improved state of the Colony of New South Wales’, a statement Bentham was so disgusted with he would later deploy it himself, dripping in irony, in the ‘First Letter to Lord Pelham’.363

Bentham had collected information about New South Wales during the late 1790s. At the time he had been working on a plan for a preventive police force with the London magistrate Patrick Colquhoun364 and drafting the sections dealing with New South Wales for the report of the 1798 Select Committee on Finance.365 He therefore had a reasonable body of material on which to draw when writing the ‘Letters to Lord Pelham’ and ‘A Plea for the Constitution’, which was supplemented by heavy use of the *Account of the English Colony in New South Wales* by its Judge-Advocate David Collins,366 the second volume of which had, in mid-1802, just been published.

The ‘First Letter to Lord Pelham’ had been drafted by mid-August 1802. Bentham attempted to use it as leverage for the panopticon by sending, through the offices of his friend Charles Bunbury,367 a two-sheet outline of the work and an introductory note to the Home Secretary, Lord Pelham.368 Bentham wished Pelham to understand ‘very distinctly, that if, within a week from this date ... I were not fortunate to receive the
honour of a letter in his Lordship’s hand’, then he would publish the text and expose both the reality of New South Wales and the machinations of government to public scrutiny and scorn. Pelham’s response was evasive, though he commented upon Bentham’s ‘present state of mind’. The inference that he had become unhinged, unsurprisingly, only aggravated Bentham further.

By the end of 1802 both ‘Letters to Lord Pelham’ had been privately printed. Bentham gave copies to those who had interested themselves in the panopticon scheme, including Bunbury, William Wilberforce and the Speaker of the House of Commons, Charles Abbot (who happened to be Bentham’s step-brother), as well as to potentially sympathetic MPs such as Sir John Anderson, French Laurence and William Eden. ‘A Plea for the Constitution’, which had the more evocative original title of ‘The True Bastile’, soon followed, after being read and revised by Bentham’s friend, the lawyer Samuel Romilly. Though it was also privately printed, Bentham was far more circumspect about distributing ‘A Plea for the Constitution’, believing that the ‘discoveries’ he set out in it were so dangerous that, if they became widely known, they risked ‘the setting of the whole Colony in a flame’. One such discovery, Bentham thought, was that politicians, civil servants, judges and colonial officials were all in his view liable to be ‘punished with a pretty little collection of punishments called a Premunire: inter alia imprisonment for life with forfeiture of all their property’ for violating the Habeas Corpus Act. He also condemned the fact that although convicts were theoretically sent to New South Wales for specific lengths of time, no provision was made to return them to Britain and so they were effectively, and illegally, being transported for life. Though he anticipated that a bill of indemnity would be obtained to protect those in power, it would not be before their violation of justice and the constitution had been exposed.

Bentham intended to publish the ‘Letters to Lord Pelham’ and ‘A Plea for the Constitution’, but in 24 February 1803 the publisher, Messrs Brooke and Clarke turned down the works, ostensibly for their ‘rather political concern’. Bentham himself appears to have quickly lost interest in the texts after June 1803 when Charles Bunbury urged him not to publish ‘A Plea for the Constitution’, on the grounds that it would ‘bring upon you Enemies irreconcilable, and procure you Friends only amongst the Malefactors of New South Wales’. They are barely mentioned again in his correspondence after this time unless someone wrote to ask him for a copy. The texts were set aside until 1812 when the government’s enthusiasm for panopticon was apparently, if only momentarily, rekindled. In response Bentham fully published for the first time all of his works
relating to panopticon – including the ‘Letters to Lord Pelham’ and ‘A Plea for the Constitution’, unaltered apart from a new title page – in a single volume entitled *Panopticon versus New South Wales*. This complicated publication history has sometimes led to an assumption that *Panopticon versus New South Wales* was published and became available to the wider public in 1802, according to it an influence which it could not have begun to have had for another decade.\(^{378}\)

The ‘First Letter to Lord Pelham’ is a hugely important text. It is the first theoretically and philosophically detailed critique of transportation and the penal colony of New South Wales by a major philosopher of punishment. The ‘Second Letter’ compares the penal colony with American penitentiaries and provides innumerable further examples of the awful conditions in New South Wales. Editorial work at UCL’s Bentham Project has established the existence of an unpublished ‘Third Letter to Lord Pelham’, which ostensibly analyses conditions in British gaols and prison hulks but also contains a bitter attack on the hypocrisy of government ministers. ‘A Plea for the Constitution’ is concerned with the constitutional arrangement of New South Wales, which Bentham believed was illegally founded and whose government violated basic tenets of the British Constitution, including Magna Carta, the Habeas Corpus Act and the Bill of Rights. For instance the governor, according to Bentham, had legal authority neither to enact nor promulgate local ordinances, nor to inflict punishments for their transgressions – a dangerous argument to make about a colony whose population, at the time, consisted in the main of transportees and their gaolers.

Greatly influenced by the Italian jurist Cesare Beccaria,\(^{379}\) Bentham believed that punishment would only deter criminal offending when its infliction was certain and publicly known. However, as Bentham put it, ‘all punishment is mischief: all punishment in itself is evil’, and so only as much punishment as was necessary to deter should be inflicted.\(^{380}\) In the ‘First Letter to Lord Pelham’ Bentham argued that transportation was an unscientific, corrosive failure, incompatible not only with his own general theory of punishment, but also with the central principles of British justice. It violated the principle of proportionality by obliterating any distinction between sentences passed upon criminals. In effectively transporting for life all prisoners sent to New South Wales, Bentham argued that ‘never did this country witness an exercise of power more flagrantly reprehensible, more completely indefensible’.\(^{381}\) In addition, he considered transportation a lottery in which no-one could determine how much or how little pain would be inflicted upon the transportee, either on the journey to New South Wales or in the colony itself. The convicts’ past
crimes and present behaviour had little influence on how they fared in New South Wales, where exploitable skills were more important than reformed character in determining their treatment. Even if, by some stroke of fortune, the punishment in the colony was proportionate, it was inflicted so far from the general population on which it was supposed to operate, namely in Britain, that all deterrent effect was lost.\footnote{382}

Despite the claims of politicians and administrators, argued Bentham, transportation did not reform prisoners. Reformation occurred via means of education, the inculcation of good habits and through close surveillance: none of this was possible in the vast open gaol that was New South Wales, where the colonial government’s only interest was in extracting as much labour as possible from its convict workers. Finally Bentham argued that transportation did not even have the saving grace of being cheap. He generally regarded colonies as a drain on the mother country; the fact that New South Wales was founded as a penal colony only exacerbated the drain on Britain’s financial, military and human resources as ever-increasing numbers of convicts were transported. Bentham expected that the colony would produce little of value and, as a ‘vast conservatory of military law’ it was ‘odious … even at that vast distance, to the sense of every true Briton’.\footnote{383}

Although grounded in his theory of punishment, \textit{Panopticon versus New South Wales} was, as its title makes clear, written by a partisan for one mode of criminal punishment over another. There are few works in which Bentham is quite as animated or deploys all of his powers of sarcasm, irony and mockery as in the ‘First Letter to Lord Pelham’, a masterful work of rhetoric and propaganda for the panopticon. Bentham’s use of evidence is, however, often tendentious; he cherry-picked the worst examples from Collins’ \textit{Account} and disregarded those that did not fit his argument.\footnote{384} Bentham’s New South Wales was a community sinking in immorality of the darkest shades, threatened with extinction by fire, flood, famine and attacks by Indigenous Australians. It was a place awash with drink in which convicts held public office, were granted land and could generally do as they pleased; they escaped retribution for their acts, even when they burned down the colony’s church and gaols. Such was Bentham’s antipathy towards New South Wales that in one unpublished manuscript he even mocked the flora and fauna: he would ‘not give a single barrel [of oysters] from Old Wales, for all that will ever be imported from the New’, while the emu would never be ‘looked upon by the fairest and best judges as any thing better than an apology for an ostrich’ (Fig.25).\footnote{385}
Bentham’s critique of transportation only briefly concerned those in government and it had relatively little immediate impact. However, his arguments regarding the ineffectiveness and uncertainty of transportation were repeated by proponents of penitentiary imprisonment during the following decades and, as John Gascoigne put it, Bentham’s ‘ideological legacy was instrumental in helping to bring transportation to an end’.

These ideas can be seen, for instance, in the work of Henry Grey Bennett in his *Letter to Viscount Sidmouth* (1819) and in *Thoughts on Secondary Punishments* (1832) by Richard Whately, described by Gascoigne as the ‘most eminent pamphleteer against New South Wales since Bentham’. Perhaps the most obvious example of Bentham’s influence can be seen in the report of the Select Committee on Transportation of 1837–8, chaired by the young, dandyish, radical MP Sir William Molesworth. Molesworth was an arch-Benthamite and his fellow students, according to John Ritchie, joked that Molesworth ‘not only admired Bentham but also understood him’. Bentham’s influence ran deep, and it is striking how similar Molesworth’s parliamentary reports on transportation are, stylistically, methodologically and philosophically, to *Panopticon versus New South Wales*. They are key documents in the history of transportation and were responsible for shaping perceptions.

Fig.25 ‘The Kangaroo’ by Arthur Bowes Smyth, c.1787–9. Bentham was underwhelmed by reports of kangaroos emerging from New South Wales, sarcastically observing that the fur of ‘our own hares, and rabbits, not forgetting cats – will shew to great advantage [compared] with the kangaroo and kangaroo-rats of New South Wales’. See UC cxvi. 110
about the awfulness of New South Wales, Van Diemen’s Land and Norfolk Island during the 1830s and well beyond.393

In August 1802 Bentham wrote, that armed with the ‘Letters to Lord Pelham’ and ‘A Plea for the Constitution’, when the time was right New South Wales would be his target and he would aim at ‘the evacuation of that scene of wickedness and wretchedness’.394 He came nowhere near achieving this but, though he did not live to see it, his arguments contributed prominently to the 1830s anti-transportation campaign, culminating in the abolition of transportation to New South Wales in 1840. Bentham may have lost his own battle against New South Wales, but this would have been a small victory that he might well have savoured.395

The Memorandoms: previous editions and the manuscripts

Three previous editions of the Memorandoms have been published. The first was edited by Charles Blount and published by the Rampant Lions Press in 1937.396 The Blount edition was limited to 150 copies and access to it can be difficult: in the British Isles, according to a COPAC search, only the British Library, the National Library of Scotland and the university libraries of Trinity College Dublin, Cambridge and Oxford have copies. In Australia, according to the National Library of Australia’s Trove, the state libraries of New South Wales, Queensland, South Australia and Victoria have copies, as do the libraries of the Australian National University and the universities of Queensland and Newcastle. On the rare occasions that a copy becomes available for sale, it typically costs upwards of £150.

Blount wrote of how, when ‘working upon the Bentham Papers at University College, London, in furtherance of an object other than this, I had the good fortune to find “Memorandoms by James Martin”’.397 (Blount was then carrying out research on the relationship between Bentham, Étienne Dumont and the Comte de Mirabeau).398 The Blount edition’s value lies chiefly in its novelty, and we are indebted to him for first bringing the Memorandoms to light. The transcript is reliable and the introduction is useful, though Blount’s description of convict transportation is the standard one of the 1930s and his analysis of Bentham’s views on the subject is somewhat superficial. The introduction also contains several factual errors. Chief among these is Blount’s assumption that all of the escapees were transported by the First Fleet and that Martin must have misnamed several of his fellows. Accordingly, Blount attempted to re-identify the Second Fleeters in the Bryant party as First Fleeters. He believed, for example, that Nathaniel Lillie was really Nathaniel Lucas,
an entirely different individual who was at Norfolk Island from March 1788 until April 1805, and who then remained in New South Wales until his death in 1818. 399

The second edition of the Memorandoms was produced by Victor Crittenden and published by the Mulini Press in 1991. 400 Crittenden founded the Mulini Press in the late 1970s, and over the years it has published many valuable historical sources, bibliographies and works by and about early Australian authors. 401 The Crittenden edition is an 11-page pamphlet, consisting of a brief introductory note, the transcript and some brief commentary upon the text. No British library has a copy, though it is available in 13 Australian research libraries, according to the National Library of Australia’s Trove.

Blount and Crittenden reproduced only one of two manuscript versions of the Memorandoms, namely the original, located in Box clxix of UCL’s Bentham Papers at folios 179 to 201. These sheets are enclosed in a folder on which is written ‘Journal (original) of J. Martin who in company with 12 others escaped from Botany Bay—on 28th March, 1791’. The statement is slightly erroneous, as including Martin, there were 11 escapees: nine adults and two children. The second version of the Memorandoms is an edited fair copy of the original, also in Box clxix and at folios 202 to 205.

The third edition of the Memorandoms, edited by Tim Causer, was published online on the Bentham Project website in early 2014. 402 It reproduced for the first time transcripts of both versions of the Memorandoms, and was accompanied by an introductory note and annotation to the text. The present work supersedes this edition.

The original version of the Memorandoms is written on 23 small, fragile pieces of paper. When the manuscripts were numbered for cataloguing purposes, two pages were numbered out of order: page two of the narrative is folio 181 and the third page is folio 180. On the verso of folio 197 (page 19 of the narrative) is a note about payment for a ‘pair of Wheels’ dated March 1791, and on the verso of folio 198 (page 20 of the narrative) is an address. The Memorandoms appears to have been written on whatever paper was to hand, as these two jottings have nothing to do the narrative.

The Memorandoms is undated, and though the Catalogue of the Bentham Papers compiled by Alexander Taylor Milne indicates that the manuscript was written around 1795, this is almost certainly incorrect. 403 Rather, it seems likely that it was written at some point between the survi-vors’ hearing at Bow Street on 30 June 1792 and 2 November 1793, when the last of the surviving escapees were discharged from Newgate Gaol.
The narrative is written in three distinct hands. Charles Blount erred in his suggestion that the document was written by four individuals. He was correct that the first eight pages are the work of a single person, succeeded by the hand of a second individual on the ninth page. The first writer then briefly resumes at the top of page ten, before the second hand once again takes up the pen. Blount thought that a third hand began writing on the fourth line of page 17, but the formation of letters in this purported ‘third hand’ is identical to that in the preceding pages. Rather than there being a change of hand, the same writer instead appears to have either re-cut or sharpened their quill, or taken up a new one. (A similar thing occurs between the third and fourth line of page 16.) Finally, the document ends, from page 21 onwards, in a third hand; it is much less developed and the grammar deteriorates markedly. The catchwords written in the bottom right-hand corner of the pages appear to be in the hand of the person responsible for producing the fair copy; they were presumably added to aid navigation of the document.

Blount speculated that the Memorandoms was written by James Martin, William Allen, Samuel Broom and Nathaniel Lillie while they were in Newgate Gaol. He thought that there ‘can only be one explanation of the nature of the manuscript’, namely that Martin ‘collected what paper he could’ and ‘commenced to write an account of his journey’, only to grow tired and ‘except for one brief attempt to resume the pen himself’ dictate the remainder of the story to his fellows. Blount found it ‘pleasant to think’ that the Memorandoms was recorded in the hands of the prisoners themselves.404 It is indeed an agreeable thought that the document is a collaborative effort between the convicts, and it is possible. Martin’s name is given in the title, the narrative is written in the first person and it opens with the statement ‘I James Martin’. The detail and content of manuscript closely correlates to other primary sources, such as William Bligh’s summary of William Bryant’s lost journal, and Watkin Tench’s brief account of their escape, as well as newspaper reports of the escapees telling their story at Bow Street on 30 June 1792. Later convict records indicate whether or not transportees could read or write, but this information was not recorded as a matter of course in the early years of transportation to New South Wales, so we do not know how literate these men were. However, both Martin and Lillie were skilled tradesmen and Allen had served in the Royal Navy; it is reasonable to suppose that they had some degree of literacy. The Memorandoms contains a number of naval terms which may have been well-known to someone like Allen, but obscure to those with no naval background. It is also worth noting that the portion of the Memorandoms which Blount supposed was written by
Martin, an Irishman, reveals a certain Irish cadence in places, such as the replacement of the definite article with the colloquial ‘they’ (‘they Country’), and in the spelling of words such as ‘varse’ and ‘Quardrant’. Ultimately, though, there is nothing to confirm Blount’s suggestion, the evidence for which is only circumstantial. It is almost certain that Mary Bryant had nothing to do with the composition of the narrative, since men and women were accommodated in separate wards in Newgate; moreover, as James Boswell noted, she could not write.405

The fair copy of the Memorandoms is written on the type of foolscap paper customarily used by Bentham himself. It is ten pages long and is written in a neat, unknown hand, with the original’s idiosyncratic and colloquial grammar and spelling heavily edited. Bentham does not appear to have employed a regular amanuensis during the 1790s and it may have been the case that the original was sent out to a copyist. Yet we cannot be sure whether or not Bentham himself sent the original to be copied, and there is nothing to support Blount’s suggestion that the fair copy was ‘prepared for the press’ by Bentham.406 Unless some new information is found in the depths of the Bentham Papers, then the whys and wherefores of Bentham’s acquisition of the Memorandoms will remain a subject of speculation.