

“Those Lads Contrived a Plan”: Attempts at Mutiny on Australia-Bound Convict Vessels

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ABSTRACT: Between 1787 and 1868 a total of 830 convict vessels left the British Isles bound for the Australian penal colonies. While only one of these was seized by mutineers, many convicts were punished for plotting to take the ship that carried them to the Antipodes. This article will explore the circumstances that shaped those mutiny attempts and the impact that they had on convict management strategies.

*Now confined in a dismal hole those lads contrived a plan
To take possession of that brig or else die every man
The plan it being approved upon we all retired to rest
And early next morning boys we put them to the test [...].¹*

It took four months for a convict ship to beat a passage from the British Isles to Australia. The fastest route hugged the coast of Africa until the Cape Verde Islands were reached and then swung out towards Brazil. After passing Rio de Janeiro, transport vessels altered course, swinging south-east out into the Atlantic to pick up the roaring forties – winds that would propel the ship and its convict cargo past the tip of Africa and across the Southern Ocean to Australia. While this route was faster than the alternatives, it had the disadvantage of placing the transport vessel within easy reach of South America – a continent where a man or woman might reinvent themselves. It was while off that coast that the ship was at its greatest risk of mutiny.

Yet the obstacles that would-be mutineers had to overcome were considerable. Every male convict vessel carried a detachment of at least thirty British regulars. A surgeon superintendent was also placed on board charged with maintaining hygiene and discipline. The ship itself was adapted for the voyage. A prison was formed below where the

1. Fourth stanza of the *Cyprus Brig*, a ballad celebrating the seizure of the *Cyprus* brig in 1829 while en route from Hobart Town, Van Diemen's Land, to the Macquarie Harbour Penal Station.

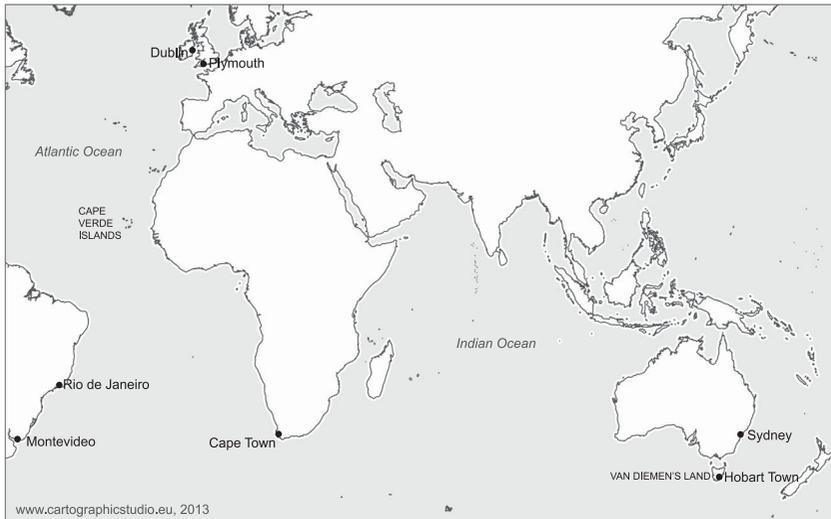


Figure 1. The route taken by Australia-bound convict vessels departing from British and Irish ports.

convicts could be secured in divisions, and hatches and other access routes were patrolled. An extension of landside power, convict transports formed a crucial link between metropolitan and colonial institutions. On board, conspiracies tested that link. While the voyage provided an opportunity to socialize convicts into their new role as penal labourers, those who plotted mutiny contested this process. Confrontations at sea thus had consequences on land, shaping both labour extraction and resistance patterns in convict Australia.

To seize a vessel was one thing, but to sail it was another. George Scantlebury and William Philip, convicts on board the transport *Argyle*, were accused of plotting to take the vessel when they were found to have an “epitome” in their possession. They admitted that they had used this small notebook to mark the ship’s way – it was a habit that they had formed long ago, both men being accustomed to the sea.² Their fate was sealed when other convicts came forward to substantiate the charge. They were soon joined in irons by ten of their comrades all accused of conspiring to take the *Argyle* by force and sail her to South America.

Before being convicted and sentenced to life for maliciously setting fire to his own vessel, Philip had been employed in the coasting and foreign trade for twenty-five years.³ According to a testimonial written by a former employer, during that time he had “carried away no mast, lost no

2. Tasmanian Archive and Heritage Office [hereafter TAHO], CSO1/539/11703.

3. TAHO, Con 18/3, p. 63, and Con 31/35, p. 64.

cable nor anchor". As a Mr Osborne wrote from Philip's hometown of Padstow, Cornwall: "He is a good sailor[,] an able mariner and a person I verily believe is deserving of encouragement".⁴ Encouragement, however, was something that the colonial government was little inclined to extend to those accused of mutiny. Indeed, the recommendations that the Governor of Van Diemen's Land received on behalf of Philip and his fellow mutineers only served to confirm that they did indeed possess the necessary means to carry away a transport vessel to some destination beyond the pale of the empire.⁵

In desperation the twelve men turned to the *Argyle's* surgeon in the hope that the man who had treated their ailments during the voyage might intercede on their behalf. Yet they were mistaken in thinking that the attention that Henry Brock had expended exploring their skin and gums for blotches and other scorbutic signs meant that he could be persuaded to extend his duty of care to non-medical matters. Now the vessel was in port, Brock informed the Colonial Secretary that the conduct of the petitioners had been so bad that he could only recommend their cases on account of the length of time they had remained closely confined in irons. He suggested that their punishment "should be as lenient as is consistent with the ends of justice".⁶

Indeed, if the truth be known, Brock had been alert to the possibility of a plot before the *Argyle* had even departed from Plymouth. He had received a confidential communication from the Naval Board "respecting a plan on the part of some of the convicts [...] to Seize and take possession of the ship on the voyage out". The ringleader of the supposed plot had been prevented from sailing, but five of his fellow conspirators had been embarked from the *Captivity* hulk. Brock was instructed to maintain "an unremitting and vigilant watch", to make sure that the five were distributed amongst different messes, and to ensure that they were not exercised on deck at the same time. The news that it had been the "evil intension" of the conspirators to obtain laudanum from the hospital with which to lace the food or grog of the guard meant that the medical stores had to be particularly well guarded.

In the event, a similar communication had been sent by Horse Guards to Lieutenant Gillam, the officer in charge of the forty-strong military detachment. Both men were instructed to ensure that the "best understanding" was "cultivated" amongst all officers on board. As it was put to Brock: while "harmony of conduct and feeling is at all times due to the King's Service on the part of the officers serving in different departments,

4. TAHO, CSO1/539/11703.

5. TAHO, Con 18/3, p. 34, and the National Archive, UK [hereafter NA], ADM 101/04/05.

6. TAHO, CSO1/539/11703.

it is so in a more special degree under the circumstances in which you are placed”.

Although it was Gillam’s job to secure the vessel, it was Brock who was in charge of discipline. As well as attending to the health of those on board, he had to ensure that the ship was kept clean and orderly. The surgeon superintendent was thus ably equipped to play the role of government spy. He did more than just scrutinize the bodies of his convict charges searching for signs of infectious disease, lice, and deficiency disorders. He searched their belongings too on the specific instructions of the Naval Board, looking for files and knives, although he appears not to have appreciated the dangerous use to which Philip’s epitome could be put. When on deck he watched the prisoners at work, secreting himself in the Steward’s pantry, a place that afforded a secluded view of the quarterdeck.⁷ He had also been instructed by the Admiralty to collect information “respecting the persons in this country who have been chiefly instrumental in the destruction of property by fire etc.” – a reference to the Swing Riots which had recently rocked the southern counties of England.⁸

It may seem somewhat strange that Brock should be asked to lend his support to the task of “unmasking Swing”, to borrow a phrase from Edward Gibbon Wakefield’s pamphlet on the causes of the regional uprising.⁹ While more than 480 followers of the mythical “Captain Swing” were transported to Australia, none were shipped aboard the *Argyle*.¹⁰ As Rudé and Hobsbawm point out, however, there was a tendency in the aftermath of the disturbances for public opinion to draw a distinction between “Swing” the machine-breaker and “Swing” the incendiary. The former was generally seen as a disaffected rural labourer, the latter as an altogether more sinister figure. Arsonists generally struck by night. Their activities were not infrequently condemned by those who engaged in daylight collective protest who had something of an interest in disassociating themselves from nocturnal “outrages”. This helped to reinforce the distinction in the public imagination between the misguided, disillusioned “peasant” – an object of some sympathy – and the itinerant criminal who by clandestine means sought to stoke the fires of rural discontent.¹¹ It was evidence of the latter that Brock was ordered by the

7. *Colonial Times*, 7 September 1831.

8. TAHO, CSO1/539/11703.

9. E.G. Wakefield, *Swing Unmasked, or, the Causes of Rural Incendiarism* (London, 1831).

10. George Rudé, *Protest and Punishment: The Story of the Social and Political Protesters Transported to Australia, 1788–1868* (Melbourne, 1978), pp. 114–115, and D. Kent and N. Townsend, *The Convicts of the Eleanor: Protest in Rural England, New Lives in Australia* (London, 2002).

11. E.J. Hobsbawm and G. Rudé, *Captain Swing* (Harmondsworth, 1985), pp. 201–202.

Naval Board to look for amongst the sweepings of the supposedly idle (and predominantly urban) poor shipped to Australia on the *Argyle*.¹² Any “authenticated intelligence” he gained through probing with words, rather than scalpel, he was requested to communicate in person on his return to England.¹³

Were the perpetrators of rural terrorism indeed strangers to the countryside? Was it “well-dressed men in a green gig” – or itinerant Irish vendors of leather straps – who sought to spread fear via the tinderbox before disappearing into the metropolis to boast of their deeds to less peripatetic criminal acquaintances?¹⁴ If Brock ever found evidence to support the rumours circulating in England, then he appears, despite his instructions, not to have communicated this. After his convict informants had been disembarked in Hobart Town, Brock’s card table and sofa bed were loaded onto a lighter. He had no immediate plans to return to Britain and, like many surgeon superintendents, sought to use his appointment to assist his own migration to the colonies.¹⁵

Brock’s political masters are hardly likely to have been disconcerted by this failure to follow his instructions to the letter. After the *Argyle* departed the government received confidential reports from other quarters confirming that “the stories about strangers in gigs” were just that. The rumours were dispelled by the results of on-the-ground investigations, rather than those conducted clandestinely in the prisons and sick-bays of transport vessels. As the report to the County Fire Office in London concluded: “in almost every instance, wherein conviction has taken place”, the arsonist “has been a servant of the sufferer or person living near to him, acting under some motive of revenge”.¹⁶

It used to be commonplace to argue that transported convicts were largely apolitical. As McQueen memorably put it: “it is misleading to clothe the convicts in the aura of class struggle since for its first fifty years Australia did not have a class structure, but only a deformed stratification which had itself been vomited up by the maelstrom which was delineating class in Britain”.¹⁷ They shared, as Robert Hughes emphatically put it, “other traits with *lumpen* workers, chiefly a loathing of authority”. This, however, marked the limits of their political aspirations. As he elaborated:

They played no role whatsoever in the radical disturbances of the day. Tribal loyalties could be fanatically strong among them, and they stuck together

12. See, for example, E.G. Wakefield, *Facts Relating to the Punishment of Death in the Metropolis* (London, 1831).

13. TAHO, CSO1/539/11703.

14. Hobsbawm and Rudé, *Captain Swing*, pp. 201–202.

15. TAHO, CSO1/539/11703.

16. Hobsbawm and Rudé, *Captain Swing*, p. 202.

17. H. McQueen, “Convicts and Rebels”, *Labour History*, 15 (1968), pp. 3–30, 24–25.

against the peeler, the beak and the pink chaplain in his “cackle tub”, as the prison pulpit was known. “The more you value your number one, the more careful you must be of mine [...] regard for number one holds us altogether, and must do so, unless we should all go to pieces in company.” Fagin’s words sum up the ethos of loyalty among thieves.¹⁸

Dickens’s fable of life amongst an imagined criminal underworld is one of a number of tropes that have been employed to package the transported.

Some of the most powerful chains used to restrain and control those lagged to Australia were words. These include the term “convict”, used to identify the unfree while simultaneously underscoring the extent to which their personal failings were responsible for their diminished civil status. Like plantation racism, “convictism” thus served to identify the transported as subjects fit for exploitation. It also helped to distinguish them from those who had arrived in the colonies as free men – effectively making prisoners less fully human.¹⁹ Any attempt by the transported to challenge their condition merely confirmed them as at best ungrateful and at worst wicked and depraved. No wonder that they fiercely resisted the term “convict”, preferring to be referred to as servants, bondsmen, prisoners, and even slaves.²⁰

Convictism has cast long shadows. There has been a tendency in the literature to see the acts for which convicts were prosecuted while under sentence as indicators of their recidivist propensities,²¹ despite the fact that overwhelmingly the charges laid against prisoners were what is technically called “status offences” – that is offences that could only be committed by those under sentence. Absconding is a good example. Those who were free could not be prosecuted under the same legislation. Even after the passage of the draconian Masters and Servants Act of 1837, they could not be flogged, ironed, and incarcerated in penal stations and female factories for movement offences.²² This is critical since systems of exploitation are underpinned by sanctions aimed at limiting freedom of movement. Without the ability to move, the bargaining rights of workers are crucially undermined.²³

18. R. Hughes, *The Fatal Shore* (London, 1988), p. 174.

19. For a description of how racism played a similar role in the plantation world, see G.M. Fredrickson, *Racism: A Short History* (Melbourne, 2002), p. 73.

20. H. Maxwell-Stewart, “‘Like Poor Galley Slaves [...]’: Slavery and Convict Transportation”, in M.S. Fernandes-Dias (ed.), *Legacies of Slavery: Comparative Perspectives* (Newcastle, 2007), pp. 48–61, 56–57.

21. See, for example, J. Hirst, *Freedom on the Fatal Shore: Australia’s First Colony* (Sydney, 2008), p. 64.

22. M. Quinlan, “Australia, 1788–1902: A Workingman’s Paradise?”, in D. Hay and P. Craven (eds), *Masters, Servants, and Magistrates in Britain and the Empire, 1562–1955* (Chapel Hill, NC, 2004), pp. 219–250.

23. See, for example, C. Crais, *The Making of the Colonial Order: White Supremacy and Black Resistance in the Eastern Cape, 1770–1865* (Johannesburg, 1992), pp. 125–146.

It has been necessary first to liberate convicts from the ideological shackles that have been used to set them apart from other categories of labour, before it has been possible to reconstruct the extent to which their actions provided an effective challenge to the state. The post-1988 reappraisal of convicts as transported workers has played a crucial role in this process.²⁴ As long as convicts were seen as members of a “deformed stratification” who led lives that were distinctively different from those of the working class proper, it remained difficult to see their brushes with the colonial state as anything other than actions that merely confirmed their criminality. Thus, Hirst sought to use the colonial careers of the transported Swing Rioters as a means of demonstrating the manner in which a convict’s “disposition” was important in determining their fate. In his view the Swing Rioters were victims of circumstance accustomed to work “in the fields or village workshops”. As such he thought that it was revealing that they had a remarkably “good” record of colonial behaviour. This contrasted favourably with the number of charges racked up by their more criminal counterparts. This, he concluded, provided stark testimony of both the fairness of the system of transportation and the recidivist tendencies of the majority of its charges.²⁵ The alternative explanation is that, as the Swing Rioters were disproportionately composed of agricultural labourers – men whose labour was in demand in the colonial labour market – they were better treated than some of their fellow convicts who possessed less readily utilized skills.²⁶

Since Atkinson’s pioneering work in the late 1970s, it has become commonplace to argue that convicts shaped their circumstances through their day-to-day negotiations with their masters and the state.²⁷ Yet, in contrast to the reassessments of convict interactions with their penal managers on land, the voyage to the Antipodes remains a largely unexplored space.

Attempts at mutiny on convict transports are said to be rare. It is the case that out of over 830 convict voyages from Britain and Ireland to the Australian penal colonies only one, the *Lady Shore*, was ever successfully seized. While threats and rumours of mutiny are said to have been commonplace, these have been attributed to a “combination of over-reaction by the crew, boasting by convicts, and the intelligence – accurate or exaggerated – offered by informants”.²⁸ While the notices placed in colonial newspapers have ensured a high degree of visibility for convict

24. See, in particular, S. Nicholas and P.R. Shergold, “Convicts as Workers”, in S. Nicholas (ed.), *Convict Workers: Reinterpreting Australia’s Past* (Cambridge, 1988), pp. 62–84.

25. Hirst, *Freedom on the Fatal Shore*, p. 63.

26. H. Maxwell-Stewart, *Closing Hell’s Gates: The Death of a Convict Station* (Sydney, 2008), pp. 155–158.

27. A. Atkinson, “Four Patterns of Convict Protest”, *Labour History*, 37 (1979), pp. 28–51.

28. A. Brooke and David Brandon, *Bound for Botany Bay: British Convict Voyages to Australia* (Kew, 2005), p. 142.

absconders on land, their would-be maritime counterparts accused of plotting to seize transport vessels have remained more difficult to identify.

The majority of those accused of conspiring to mutiny on the passage to Australia were sent to penal stations on arrival. Those considered less culpable were merely detailed to chain gangs. While inquiries were sometimes held in Hobart or Sydney, trials were rare. One reason for this was that there was considerable doubt about the authority of colonial courts to try convicts for an offence committed on the high seas.²⁹

While the journals kept by the surgeon superintendents on the voyage to Australia can be revealing, they are often restricted to medical matters. It was, after all, in a surgeon's interest to downplay any disciplinary issues that might have occurred during the voyage since it was possible that these would reflect badly on the organization of the vessel and jeopardize the £50 bonus he was due for supervising an orderly passage.³⁰ While it has been argued that the threat of mutiny was inflated by the manner in which some convicts sought to lay false charges in the hope of receiving rewards that would ameliorate their own conditions, the evidence suggests that surgeons were wary about putting vessels into lockdown on the basis of unsubstantiated hearsay.

In line with the bulk of medical opinion then current, most surgeon superintendents believed in miasma theory – in short that disease was spread by the smell of corrupt or fetid matter. They thus placed great weight on the degree to which fresh air should be circulated through the prison. Regular airing kept smells down and helped to ensure that confined spaces did not become damp. It was for this reason that the decks were often dry scrubbed – water being thought of as an agent that promoted atmospheric deterioration. Surgeon superintendents also placed much store in exercise. This they thought was crucial to the maintenance of their convict charges. Security threats inevitably compromised carefully orchestrated hygiene regimes and were therefore unwelcome. Rather than taking convict informers at face value, many surgeons were sceptical about tales of plots. Joseph Steret on board the *Bardaster* went as far as to dish out forty-eight lashes to one of his convict charges “for stating that there was a Mutiny on board”, when the surgeon's own investigations failed to find supporting evidence of such a conspiracy.³¹

Colonial officials themselves often found it difficult to get to the bottom of what had occurred at sea. On the *Eleanor*, a vessel that conveyed many of the 1830 Swing rioters to Sydney, the guard reacted to a sudden rush towards the prison door by firing and killing two convicts

29. *Cornwall Chronicle*, 10 September 1842.

30. C. Bateson, *The Convict Ships, 1787–1868* (Glasgow, 1959), p. 21.

31. TAHO, Con 31/2, p. 24.

and wounding two more. At the subsequent inquest considerable doubt arose as to whether there had been an attempt to seize the vessel. Some thought that the prisoners had surged forwards to acquire biscuits distributed from a bag.³²

These caveats aside, it is possible to make a conservative estimate of the frequency of mutinous proceedings on convict vessels bound for Van Diemen's Land. A survey of 155 male ships arriving in the period 1825–1845 found evidence of a conspiracy on 16 separate voyages, a rate of just over 10 per cent. Since the surgeon's comments entered onto the conduct registers, the principal source of information upon which this survey was based, were missing for 43 voyages and were incomplete for many others, this is a conservative estimate. The rate on female transports was lower, although they too were not immune from mutiny.

The taking of a vessel was by definition a collective exercise. It could not be undertaken by a small number of individuals – something more than honour amongst thieves was required to set mutiny in motion. In this sense the very notion that convicts might seize a transport vessel was liberational in that it threatened the state's ability, not just to exile convicts physically, but also to strip them of identity. Thus, mutinous proceedings could have effects that were as contagious as any below-deck infection. As Atkinson eloquently put it: “when any single convict stood up for shared principle it was as if he declared (looking about him), ‘I rebel – therefore we exist’”.³³

Rediker points out in relation to slavery that the ship was a factory in the sense that it produced a commodity for the market. At the start of the voyage it loaded a multi-ethnic collection of people. By the time it had reached its destination those that had survived had been converted into slaves.³⁴ A similar process occurred on the long voyage to Australia.

The first words that Surgeon Superintendent Colin Browning uttered to his charges on the *Elphinstone* were: “This day commences a new era in your existence.”³⁵ Convicts were subjected to a system of regimentation from the moment they were delivered on board. They were divided into messes, grouped in turn into divisions, each under the eye a “captain” handpicked by the surgeon. Each division was bathed in seawater in rotation, ensuring that every convict got a cold dunking once every four days. At six bells all bedding was passed up on deck to be aired and stowed in the nettings. After breakfast two messes were selected to clean the prison. Depending on the weather, the decks were either washed and scrubbed or dry scraped with holy stones and sprinkled with lime.

32. *The Australian*, 5 August 1831; *The Courier*, 20 August 1831.

33. Atkinson, “Four Patterns of Convict Protest”, p. 50.

34. M. Rediker, *The Slave Ship: A Human History* (London, 2007), pp. 9–10.

35. Colin Arrott Browning, *England's Exiles; or A View of a System of Instruction and Discipline as Carried into Effect During the Voyage to the Penal Colonies of Australia* (London, 1842), p. 5.

At seven bells the prisoners were fed and then mustered on the quarter-deck where the surgeon ensured that every charge drunk their draft of anti-scorbutic. At 10.30 on Sundays and Thursdays the prisoners were inspected to make sure that they were shaved clean. Clothes were washed every Tuesday and Friday. At other times the seamen and mechanics amongst the convicts were employed in tasks about the vessel and the rest in picking oakum – that is pulling apart strands of old rope, a task often reserved for prisoners.³⁶

With the exception of the private cabins reserved for officers and full paying passengers, a ship was public space.³⁷ It was thus well suited to the introduction of industrial discipline. The surgeon appointed boatswains, or deck constables, on male vessels, and mess, or deck matrons, on female vessels to oversee the convicts at work. Such trustees supplemented the formal security provided by the military detachment and could expect a favourable recommendation on arrival in Australia. Many were former soldiers or were prisoners who were otherwise large and thus physically imposing.³⁸

While the rituals of daily life on a convict vessel were crucial to maintaining hygiene, they had an important ancillary function in that they created “docile bodies”. Just like a factory town, the convict vessel was organized so that every aspect of life, including domestic routines and leisure, could contribute to the wider goal of preparing the convict for a life of colonial servitude.³⁹ The ship, in this sense, was an institution – or, perhaps more accurately, a floating collection of institutions. Each vessel contained a prison, a hospital, and a schoolroom – spaces where convicts were regimented in preparation for their disembarkation in Australia.⁴⁰ Convict vessels adapted the technology and knowledge of both the slave ship and the man of war. They had strengthened bulwarks, supplies of leg irons and handcuffs, and hatches that could be guarded, but they were also spaces where industrial discipline could be imposed and effectively monitored. As floating institutions they ensured the continuity of power from the gaols and hulks of Britain and Ireland to the penitentiaries, female factories, and other sites of exploitation in the colonies.

That convict vessels were multi-functional increased their symbolic value. As well as resisting the process of being exiled, mutineers thus also conspired to carry an engine of the state off into the wide blue yonder. To

36. NA, ADM101/1/8.

37. G. Denning, *Mr Bligh's Bad Language: Passion, Power and Theatre on the Bounty* (Cambridge, 1992), pp. 18–34.

38. NA, ADM101/1/8.

39. W.M. Robbins, “Spatial Escape and the Hyde Park Barracks”, *Journal of Australian Colonial History*, 7 (2005), pp. 81–96, 83.

40. J. Damousi, *Depraved and Disorderly: Female Convicts, Sexuality and Gender in Colonial Australia* (Cambridge, 1997), pp. 15–16.

put it another way, prisoners do not normally steal the gaols in which they are incarcerated.

Convict mutineers threatened to unpack themselves in other ways too. Navigational skills were crucial. While convicts might threaten to slit the throats of all on board, they were only truly dangerous when they transcended their status as prisoners. David Bracewell, described by the surgeon on the 1826 voyage of the *Layton* as “mutinous”, and “a very bad fellow”, was especially threatening because of his trade – he was a seaman.⁴¹ Much the same could be said of the boatman Charles Ecclestone, charged with “using mutinous language to a sentinel”. The words he uttered had more bite since they were issued by one familiar with his environment to a landlubber, who, though equipped with a Brown Bess, was otherwise literally all at sea.⁴² It was, let us remind ourselves, the pre-transportation histories of the men aboard the *Argyle* that made them a threat. Their collective knowledge of the sea confirmed their guilt just as securely as it gave the lie to the notion that the transported were members of the idle poor who chose not to work, living instead by crime and crime alone.

In the case of the *Argyle* there is a sting in the tale that proves the point. As punishment for using his epitome to plot the progress of the vessel, William Philip was sent to the ultra-coercive penal station at Macquarie Harbour. There he gave clandestine lessons in navigation to the construction crew of the *Frederick*, the last vessel to be built at the site. Thus it was that Philip evened the score – the *Frederick* was successfully seized by ten convicts in January 1834 and sailed to Valdivia in Chile.⁴³ Four of the ten were subsequently recaptured in South America, clapped in irons, and placed on board the transport *Sarah* to be conveyed to Van Diemen’s Land. The *Sarah* did not have an unproblematic voyage. Plans to put into Rio de Janeiro were shelved when a plot to seize the vessel was leaked. The *Frederick* pirates were named as the original conspirators, having enlisted the aid of several other prisoners, including two Spaniards with whom they could communicate thanks to their South American sojourn. The tale reveals the extent to which conspiracies circulated from one convict to another, passing, in this case, from sea to land and then back to sea again. It was a story, however, with a sequel. At least one of the convicts who cut out the *Frederick* eventually managed to effect his escape from Australia. James Porter absconded on the brig *Sir John Byng* in May 1847, twenty-three years after he had originally been transported. He was never heard of again.⁴⁴

41. TAHO, Con 23/1, and Con 31/1, p. 244.

42. TAHO, Con 31/11, p. 171, and Con 18/13.

43. Maxwell-Stewart, *Closing Hell’s Gates*, p. 265, and R. Davey (ed.), *The Travails of Jimmy Porter: A Memoir* (Strahan, 2003), pp. 40–44.

44. H. Maxwell-Stewart, “Seven Tales for a Man with Seven Sides”, in L. Frost and H. Maxwell-Stewart (eds), *Chain Letters: Narrating Convict Lives* (Melbourne, 2001), pp. 64–76.

As the surgeon superintendent on the *Katherine Stewart Forbes* pointed out, securing those accused of mutiny during the passage to Australia was not necessarily the end of the matter. He reported how he had discovered that a “numerous gang” amongst the convicts had plotted in the hulks to seize the vessel and carry her to the United States of America. His subsequent investigations had uncovered a second plan to take a boat immediately after the vessel arrived in port in order to get ashore previous “to a description of their persons being taken”.⁴⁵ This demonstrated both an alarming degree of familiarity with the procedure for processing convicts and the failure of the punishments inflicted on board the vessel to stamp out self-liberational desires.

Plans to seize vessels were often hatched prior to departure. The papers forwarded from the hulks regularly identified those amongst the convicts thought to be potential threats. In some cases prisoners had already disclosed their hand. At least twenty of the convicts embarked on board the *Coromandel* in 1838 had already been charged with mutiny. The disturbance was serious enough for the Secretary of State to order that they all be sent to road parties and penal stations upon disembarkation in Van Diemen’s Land.⁴⁶

Most plots could be traced to a small core, usually members of the same mess. Messes appear to have been self-organized. Thus on the *East London*, sailing in 1843, the women from Ulster messed together, as did those from Cavan, Cork, Dublin, and Westmeath.⁴⁷ On male vessels, prisoners boarded from the same hulk were usually permitted to keep together and as a result it was not unusual for messmates to share pre-voyage experiences. Such billeting arrangements fostered a system of fictive kinship – “messmate” was a term often employed by convicts.⁴⁸ Many of those accused of conspiring to take vessels shared native places, or similar prior experiences, which indicated that they are likely to have messed together. Four of the eleven conspirators on the *Isabella* in 1842 had been convicted in courts in Lancaster and another three had been court martialled in Halifax, Nova Scotia. Convicts convicted in Canada also featured in the plot to take the *Sarah* in 1837. Of the eleven ringleaders, three had been convicted in Montreal and a fourth in nearby Three Rivers. By the time they had embarked on the *Sarah*, all had already shared the experience of being shipped as prisoners across the Atlantic.

In order to put a plot into action the initial core of conspirators had to be expanded – it took more than one mess to take a convict vessel.

45. TAHO, CSO1/605/13784.

46. See TAHO Con 31/3, pp. 248, 250; Con 31/8, p. 49; Con 31/12, pp. 116, 139; Con 31/17, pp. 20–21, 23; Con 31/25, pp. 1, 278, 280–283; Con 31/32, pp. 48, 50; Con 31/36, p. 54.

47. TAHO, Con 19/2, pp. 274–343, and CSO 22/88/1859.

48. See, for example, Memoranda by Convict Davis, State Library New South Wales, Dixon Library Q168.

Beyond sheer numbers specialists needed to be recruited. These included navigators and those in positions of trust who might have access to such items as keys and arms. This was always dangerous. If those approached refused to participate they might give the game away. This is especially true if they were outsiders. The conspiracy to take the *Navarino* was hatched by six Ulstermen, but was betrayed by a forty-five-year-old Catholic labourer from Limerick.⁴⁹

Some mutineers attempted to bind others to the plot through the use of oaths and other devices. William Chapman reported that while he was lying in his berth on the *Argyle* he was asked by Frampton, one of his neighbours: "If you had a ship what would you do?" He was then asked to sign a piece of paper, an attempt to secure his allegiance. Chapman had cold feet from the start. According to his later testimony, he asked Frampton what would happen to the soldiers and sailors, only to be told they would be heaved over the side of the vessel. To this he replied "we must never see our country again if any thing of that happens". Frampton then said "Damn and bugger the country, can't we live as well in another?". This appears to have had little appeal to Chapman.⁵⁰ A former poacher who had been transported for stealing a faggot of wood and a pickaxe, he had left a wife and a child behind in Dorchester.⁵¹ The information that he provided to the surgeon superintendent secured a favourable recommendation, useful for securing future indulgences including a possible assisted passage for his family. The wives and children of deserving convicts were sometimes permitted to travel to the Australian colonies to be reunited with their husbands.⁵² A perpetual problem that convict mutineers faced was that their self-liberational desires provided opportunities for others.

Richard Jones, transported on the *Isabella Watson* in 1842, drew on his considerable experience of conspiratorial movements in an attempt to control loose tongues. A clerk by training, Jones had been the secretary of the Dublin Ribbon Society, an anti-Protestant republican organization that also operated as a quasi-benefit society. As well as corresponding with other Ribbonmen, he was believed by the Dublin police to have been party to an 1836 attempt to blow up a statue of William III. According to Garvin, Jones was instrumental in attempting to link the Dublin society to other Ribbon groups in northern Leinster and Ulster.⁵³ The majority of

49. State Library New South Wales, Tas Papers 30, pp. 429–460, and D5.

50. *Colonial Times*, 7 September 1831.

51. TAHO, Con 31/7, p. 98.

52. For the process of family reunion see P. McIntyre, *Free Passage: The Reunion of Irish Convicts and Their Families in Australia 1788–1852* (Dublin, 2011), pp. 51–68.

53. Tom Garvin, "Defenders, Ribbonmen and Others: Underground Political Networks in Pre-Famine Ireland", *Past and Present*, 96 (1982), pp. 133–155.

his co-mutineers on the *Isabella Watson* came from precisely this region. Four were from County Cavan, two from Longford, and one from Meath. All the conspirators gave their religion as Catholic. Ribbon societies used a system of passwords, oaths, and secret signs to organize members. According to the farm labourer James Byrne, Jones approached him on 15 May to ask him if he “would be one of the party”. He then took a book out of his pocket, probably the catechism used at Ribbon meetings, in order to bind Byrne to the plan. The oath may have been effective at keeping some quiet. Francis Gafney confessed that he too had been asked to join the conspiracy, but on the advice of his brother and another prisoner had shunned the plotters. Yet although he refused to join the plot he did not turn informer.⁵⁴

Radicalism on convict vessels was not limited to prisoners. Part of the crew on the *Prince Regent* mutinied on 17 December 1830. For the rest of the voyage they were put in irons – joining the convicts.⁵⁵ Whereas the surgeon and ship’s officers could force the free to inhabit spaces normally reserved for the unfree, this served only to strengthen the similarities between crew and convict. Sailors too could be flogged and placed in the solitary confinement box that was secured to the deck of many transport vessels. The diet that convicts were fed was based on naval rations, and every surgeon charged with maintaining discipline during the voyage was naval trained. While the industrial landscape of the ship was used to regulate the lives of convict passengers, this was also true of the men who were employed to sail it. They too worked to ship time. While they did not come on board with their feet shackled in irons, the vessels that they served on were nevertheless coercive institutions.⁵⁶

When James McTerman on the *Sarah* uncovered a plot to seize the vessel, he was alarmed to find that at least one member of the crew was implicated. As he informed the Colonial Secretary on arrival in Hobart Town: “I found Wilson, one of the sailors, so unequivocally involved, not only as an abettor, but as one whom by his promise, their chief reliance rested as well for information as for aid by conveying arms to the mutineers.”⁵⁷

This was McTerman’s tenth voyage as a surgeon superintendent and he had already had at least one other run-in with would-be mutineers. On the *Ocean* sailing to New South Wales in 1823 he had placed five ring-leaders in irons, whom he thought were determined to possess the vessel. Rather than selecting a military guard to watch over the miscreants,

54. State Library New South Wales, Dixon Library, Add 537.

55. TAHO, CSO1/442/9841.

56. P. Linebaugh and M. Rediker, *The Many-Headed Hydra: Sailors, Slaves, Commoners and the Hidden History of the Revolutionary Atlantic* (Boston, MA, 2000), pp. 143–173.

57. TAHO, CSO 5/19/398.

he picked twelve “good” convicts to watch them at night.⁵⁸ This may have reflected a desire to keep security inhouse. John McDonald, the master on board the *Isabella Watson* sailing to Van Diemen’s Land in 1842, became so concerned about reports that some amongst the military detachment had conspired with the convicts to seize the vessel that he armed the crew with cutlasses and boarding pikes, effectively turning them into an alternative guard.⁵⁹ Despite the explicit instructions provided to officers on transport vessels, relations between surgeons, masters, and military officers were often strained by voyage end.⁶⁰

Indeed, it is noticeable that the only successful mutiny on a convict vessel – the seizure of the *Lady Shore* in 1797 – was put into effect by a confederation of disaffected crew and guard. The event illustrates the extent to which the line between convict, seaman, and soldier could become blurred.

The detachment of New South Wales Corps detailed to act as guard on this vessel contained a large number of “recruits” from the Savoy military prison. Deserters were routinely transported as convicts while Britain was at peace. When at war, however, both military and civilian convicts were pressed into service.⁶¹ Amongst these unwilling recruits were several who had been enlisted from gaol as well as a number of prisoners of war including a helmsman and pilot from the captured French corvette, *La Bonne Citoyenne*. The convicts they were charged with guarding consisted of sixty-six women and two men, one of whom was the “notorious” adventurer and swindler Major Semple Lisle. Lisle later wrote an account of the affair in which he explicitly linked the troubles encountered during the voyage to the display of radicalism that those on board witnessed while anchored at Spithead. As he described it, the “British fleet laying close to us, was then in a state of open rebellion”.⁶² The Spithead mutiny broke out on 16 April when sixteen ships of the line refused to weigh anchor when ordered to join the blockade of Brest. The dispute lasted until 15 May, when the government conceded to the bulk of the mutineers’ demands.⁶³ By then the *Lady Shore* had set sail. Lisle alleged that it was a somewhat hurried departure spurred on by a desire to

58. Brooke and Brandon, *Bound for Botany Bay*, p. 146.

59. State Library New South Wales, CY 4980 item 3.

60. British Parliamentary Papers, “Instructions to Surgeons Superintendent on Board Convict Ships Proceeding to New South Wales or Van Diemen’s Land, 1832”, *Correspondence and Papers Relating to Convict Transportation 1810–1841* (Shannon, 1972), VI, pp. 253–258.

61. H. Maxwell-Stewart, “Convict Transportation from Britain and Ireland, 1615–1870”, *History Compass*, 8 (2010), pp. 1221–1242.

62. J. Semple Lisle, *The Life of Major J.G. Semple Lisle containing a Faithful Narrative of his Alternate Vicissitudes of Splendor and Misfortune* (London, 1799), p. 181.

63. N.A.M. Rodger, *The Command of the Ocean: A Naval History of Britain, 1649–1815* (London, 2004), pp. 446–453.

distance the convict vessel from the “mutiny then raging on board His Majesty’s ships, by which we were surrounded”.⁶⁴

To the casual observer the *Lady Shore* may well have appeared to represent a distortion of the proper state of affairs on a transport vessel. After all, when she hastily set sail, Lisle, a member of the officer class, was numbered amongst the felons, while several former convicts could be counted amongst the ranks of the soldiers.

The mutiny broke out early on the morning of 1 August 1797 to cries of “Vive la République”. In all, twenty-two soldiers and crew participated, nine of whom were former French prisoners of war. The insurrection had been carefully timed; in the words of one of the female convicts, the mutineers “managed their business extremely well”. The plot was hatched by the soldiers and sailors of the morning watch, who loaded four of the ship’s guns with broken glass and pointed two aft to cover the officers and passengers’ quarters while tilting the other two so that they could be discharged down the hatches should there be an attempt to retake the vessel from below. The captain, first mate, and one of the mutineers were killed in the ensuing struggle, but the crew and soldiers belonging to the other watches did little to resist. The surviving officers were then compelled to sign certificates declaring that they would not take up arms against the French for a year and a day and absolving the surgeon, ship’s petty officers, and crew from any blame for the loss of the vessel. The mutineers then donned the uniforms of their erstwhile superiors before setting all who did not want to join the venture adrift in one of the ship’s boats. They then set course for Montevideo, where to their surprise they were detained by the Spanish, who sold the *Lady Shore* as a prize and distributed the female convicts to the houses of local notables.⁶⁵

While the voyage was hardly typical, it did serve to illustrate the fine line that separated convict, soldier, and sailor. As far as the Naval Board was concerned, however, the female convicts below decks were far from innocent bystanders. It was widely thought that the affair was sexually charged and that social and physical intercourse between convicts and guard had led to the loss of the vessel. Attempts to prevent soldiers and crew from gaining access to the convict women had certainly soured relations. They had also proved largely ineffectual. At least one of the sailors confessed that he had been in bed with his convict lover when the mutiny broke.⁶⁶ Some of the female convicts openly consorted with the

64. Semple Lisle, *The Life of Major J.G. Semple Lisle*, p. 182.

65. John Black, *An Authentic Narrative of the Mutiny on Board the Ship Lady Shore* (London, 1798), pp. 15–17; *The True Britton*, 18 May 1798; *The Morning Chronicle*, 29 December 1804; W.D. Edmonds and T.G. Parsons, “Jacobinism Afloat – The Insurrection on the ‘Lady Shore’ in 1797”, *History Today*, 34:11 (1984), pp. 11–15.

66. *General Evening Post*, 3 December 1799.

mutineers and, given the extent to which relationships developed between the crew and their convict charges prior to the mutiny, it is likely that some had been privy to the conspiracy. After the taking of the *Lady Shore* military detachments ceased to be placed on female transports because the risk that the guard would fraternize with their charges was considered too great.⁶⁷

Damousi has argued that “mutiny and disorder came to carry different meanings for male and female convicts”. As she puts it: “For women, notions of disorder were conceived in sexual terms and a particular form of surveillance was undertaken accordingly”.⁶⁸ While this is true, there is a danger of overlooking the threat that female convicts posed to security. Attempted mutinies were certainly not restricted to male vessels. When James Hall attempted to crack down on what he referred to as “prostitution” amongst the female convicts on the *Brothers* in 1824 he claimed that “Six women conspired to murder me [...] and did actually form a mutiny of an alarming nature, in which I was knocked down in the prison, beaten and kicked”. He alleged that the revolt had been instigated by James Thompson Meach, the chief mate, who had offered the women a bottle of rum in return for dispensing with Hall. While Meach was subsequently cleared of instigating mutiny, the incident confirmed that sexual relations on female transports were policed for more than ideological reasons.⁶⁹

For all the attempts to separate convicts spatially and socially from crew and soldiers, conspiracies continued to be uncovered that involved those located both within and outside the ship’s prison. One problem was that while those who sailed and guarded the ship might technically be free, the circumstances they faced were close enough to those experienced by convicts to highlight the coercive nature of both forecandle and the barrack room. If this applied to sailors, it was especially the case for soldiers. As the rank and file pressed from the Savoy prison into service with the New South Wales Corps understood, to be shipped as a soldier to Botany Bay was to receive a sentence of exile – it was de facto transportation. The military units that replaced the New South Wales Corps did a tour of duty that routinely encompassed first service in the Australian colonies and then British India. Rankers were often away for seven years, the length of the minimum sentence to transportation. Indeed, some soldiers deliberately offended in order to get court-martialled, reasoning that a sentence of transportation was preferable to the privations of barrack life.⁷⁰

67. Bateson, *Convict Ships*, p. 26.

68. Damousi, *Depraved and Disorderly*, p. 19.

69. Bateson *Convict Ships*, pp. 225–226.

70. P. Hilton, “‘Branded D on the Left Side’: A Study of Former Soldiers and Marines Transported to Van Diemen’s Land” (Ph.D. thesis, University of Tasmania, 2010).

As Colonel Breton, who commanded a regiment in New South Wales revealed in his evidence to a British Parliamentary Inquiry: “demoralization was [...] produced amongst the troops by their intercourse with the prison population, which could not be prevented, because many of the men found their fathers, brothers, and other relatives amongst the convicts”.⁷¹ Even where there were no kinship ties there were plenty of convicts who had served time in the forces. On board the *Somersetshire* bound for Hobart in 1841 a plot was uncovered that involved both convicts and guards. One of the convict ringleaders was William McCauley, a groom from County Fermanagh who had previously served nine years in the Enniskillen Dragoons. McCauley and his co-accused, Arthur Hewiett and John Winkfield, managed to persuade three privates and a bugler of the 99th Regiment to join the conspiracy. It was subsequently alleged that their plan was to kill the officers and set any remaining loyalists adrift in the ship’s boats while the mutineers sailed to South America. So serious was the threat that the ship put into Cape Town so that a court martial could be assembled. The four soldiers were put on trial for “conspiracy to take forcible possession of the ship and do forcible injury to the officers on board”, although one of them subsequently turned Queen’s evidence. Of the remaining three, John Agnew was sentenced to be shot by firing squad and Walter Chisolm and John Kelly transported for life.⁷²

After a plot to take the *Isabella Watson* was uncovered it emerged that the conspirators included at least one soldier. While relieving himself at the heads, Private Barney Macanally told two prisoners that there were some amongst the guard who would not participate in any attempt to put down a mutiny. Instead they would, as he put it, “make their water on the pistols and flintlocks so that they would not go off”. Later in the voyage another Irish soldier ordered to stand guard over the conspirators was ironed after he was seen making Ribbonman signals to one of his prisoners.⁷³ Following three attempts to seize vessels between April and August 1842 Franklin, the Governor of Van Diemen’s Land, requested that navy ships be selected as convict transports in the future. As the *Launceston Examiner* put it: “There are many two-deckers cruising, about

71. Sir William Molesworth, *Report from the Select Committee of the House of Commons on Transportation together with a Letter from the Archbishop of Dublin on the same Subject and Notes by Sir William Molesworth, Bart, Chairman of the Committee* (South Australia, 1967 [1838]), p. 16.

72. *Colonial Times*, 31 May 1842; *Launceston Examiner*, 4 June 1842. Although he spent ten days in the condemned cell, Agnew’s sentence was commuted to life imprisonment. Incarcerated for nine months on Robben Island, Agnew was eventually forwarded to Van Diemen’s Land on the *John Renwick* in 1843, Walter Chisolm and John Kelly having arrived the previous year on the *Surrey*; Dixson Library, Add 537, p. 239, and Mitchell Library, D 5.

73. State Library of New South Wales, MLMSS 1808/Box 1.

the British Channel which might be advantageously spared for this duty". Such measure would increase discipline and remove the added danger of "the too frequent insubordination of sailors in the merchant service".⁷⁴

In conclusion, the voyage to Australia was designed to be an informative experience – part and parcel of the process of turning the convicted into penal labourers.⁷⁵ Despite the isolation of the voyage and the daily regime of deck scrubbing, washing, and oakum picking, that process was contested. If the four months spent at sea was designed to atomize convicts, then the surgeon superintendents failed in their duties.

Whereas it is difficult to count mutiny attempts, they were certainly not infrequent. Convicts were routinely punished for mutinous actions in the hulks and during the voyage itself. Plots hatched amongst small groups of conspirators had necessarily to be transmitted to a wider circle of confederates in order to put into action. While convicts outnumbered crew and military detachments, transport vessels doubled as prisons, the seaborne inmates of which were always under surveillance – especially when on deck. Attempts to recruit beyond the initial core usually led to betrayal despite the use of oaths, signed agreements, and other devices. The main reason for this was that informers stood to gain considerable advantages. Despite the high level of betrayal, ships' officers and colonial officials continued to be wary of the threat of mutiny.

The conspirators were drawn from a wide variety of backgrounds. Whereas it has been argued that those transported for political offences kept themselves aloof from the general body of prisoners, they could certainly be found amongst the ranks of mutineers.⁷⁶ Those who plotted to seize convict vessels were drawn from both rural and urban areas and from the length and breadth of the British Isles. Some had been sentenced in other parts of the Empire, and this was especially the case with soldiers.

Both former soldiers and sailors featured prominently amongst those identified as ringleaders. Not all of those who participated in plots to take transport vessels were convicts. Throughout the transportation era, ships' officers and colonial officials were surprised by the extent to which the "dreams of mutiny" hatched in prisons below deck spread into the quarters of the ship occupied by the guard and crew. This was in stark contrast to slave vessels, where race formed an effective partition blocking inter-deck fraternization.

74. *Launceston Examiner*, 23 September 1842.

75. R. Evans and W. Thorpe, "Power, Punishment and Penal Labour: Convict Workers and Moreton Bay", *Australian Historical Studies*, 25 (1992), pp. 90–111.

76. J.B. Hirst, *Convict Society and its Enemies* (Sydney, 1983), p. 138, and R.W. Connell and T.H. Irving, *Class Structure in Australian History: Documents, Narrative and Argument* (Melbourne, 1984), p. 50.

On convict transports there were many more ties that helped to foster common cause between bondsmen and women and those charged with sailing and securing the vessel. It was, after all, former sailors who had been pressed into service with the New South Wales Corps who played the lead in the capture of the *Lady Shore* in 1797. That mutineers had almost certainly acted in partnership with the female convicts was not lost on the government, which henceforth removed military detachments from female convict vessels. The fact was that “those lads” who “contrived a plan”, to quote from the convict ballad the *Cyprus Brig*, were not necessarily lads nor necessarily lagged.

The experience of radicalism at sea had implications for convict management on land. Whereas the state attempted to use the process of transportation as a means of producing docile bodies, the convicted had other ideas. Although all but one attempt to seize a transport vessel failed, the prisoners disgorged onto the shores of the Australian colonies were certainly not done with attempts at self-liberation. Those that failed at sea often became absconders, pirates, or mutineers of a different sort once they reached Australia.