Precious Cargo

Carlene Winch-Dummett
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Including an account of the extraordinary lives of

Mary Turner

and

David Batty

BY

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**Bibliography**
For my cousin, Kaye Hart, who travelled the obscure paths of this journey with me.
ACKNOWLEDGEMENTS

Precious Cargo, is informed, with two exceptions which are end-noted, by primary sources. Given the fact that most of the individuals travelling on the first three fleets to New South Wales were young people burdened with the responsibilities of struggling to make the most of the situation in which they found themselves, it is not surprising that the records, journals and official correspondences are limited and scattered among several repositories.

In coping with the task of discovering the relevant documents and records I was fortunate to be a member of the very well-resourced Moruya and District Historical Society (MDHS) of New South Wales. Wendy Simes, librarian and archivist of the MDHS and editor of the MDHS quarterly journal, generously and unreservedly directed my research to the relevant documents held in the MDHS in hard copy, in microfiche, on computer disks, at web-sites, as well as to the relevant New South Wales state repositories. Janene Love, the MDHS genealogist and vice-president, shared her thorough knowledge of the history of the early settlement in Sydney and advised on matters associated with kinship.

Cathi Joseph, State Library of New South Wales, Gail Davis, Senior Archivist Research and Publications, State Records Authority of New South Wales, and Maggie White of the State Library of New South Wales, all kindly responded to my enquiries with detailed information and advice which further directed my research.

In July 2013 I visited Norfolk Island to acquire further information concerning the First Settlement of Norfolk Island. My husband, Alfred Winch, with his characteristic generosity, accompanied me on this expedition and drove the rather antiquated hire car back and forth over the steep hills, narrowly avoiding the ubiquitous herds of cattle, to the KAVHA (Kingston Arthur’s Vale Historic Area) Public Research Centre at Kingston. Judith Davidson, the Curator at KAVHA spent two days
researching the records concerning Mary Turner alias Wilkes and her son John Turner and provided us with photocopies of all the relevant material.

It is also important to acknowledge two historical projects available on the world-wide-web which made it possible to access records which might otherwise have proved difficult, or near-impossible, to access in the short term. These projects are The Gutenberg Project which has made access to the records of the First Fleet and First Settlement universally available, and similarly, the Old Bailey Proceedings Online.

Finally, I must express my admiration for Grace Karskens, whose book ‘The Colony’, inspired my research into the important role of the women of the Lady Penrhyn. Undeniably these women were qualified in a number of trades and experiences required for a new village society which would become the basis of a complex social environment. Their capacity to adapt to their changing living conditions with the loss of a very few women or children to illness or accident, is indicative of their resourcefulness, and the general good will show to them by most of the officers of the First Fleet and the male convicts. In fact, they were a precious cargo.
Introduction
Proceedings of the Old Bailey 20th October 1784, trial of David Batty

David Batty was indicted for feloniously stealing, on the 5th September last, one repeating watch, with the inside and outside cases made of gold, value 15s, two stone seals, set in gold, value 40s, one pair of glass spectacles, mounted in silver, value 10s, one tooth-pick case, mounted in gold, value 5s, the property of the Honourable Charles James Fox. James Adams called on his recognizance, and not appearing, the Prisoner was ACQUITTED.

Prisoner [David Batty]: ‘Gentlemen, I am very much obliged to you. I think Mr Adams ought to be made an example of, for detaining me these five weeks, that I have been in custody. I hope I shall have a copy of my indictment, my character was unimpeached before this time, now it is lost entirely, and on this account I am totally a stranger to anything of the kind that I am charged with.’

An Inquisition taken at Sydney in the County of Cumberland the 28th day of December in the 51st year of the reign of George the Third.

‘[B]efore me John William Lewin gentleman coroner of our lord the king for the county of the aforesaid [Cumberland] upon the views of … twelve good and lawful men in the margin named [including David Batty] who being sworn and charged to inquire on the part of our lord the king when how where and after what manner the said [name omitted] came to his death.’

On that October day early in the English autumn of 1784 when David Batty first stood at the Old Bailey in the City of London, he was a young man aged twenty two, a native of Yorkshire and a
hatter by trade. His response to Judge Adams at his trial indicates that David Batty was articulate, self-confident, cognizant of the consequences of an indictment even if it proven to be false, possessed of clarity of thought in representing his situation and the implications of his appearance in court, and with a sense of self-worth and courage in expressing his opinion. How was it then, that as he predicted, he would find himself on the 27th March 1791 on the Albemarle, a convict, sentenced to seven years’ transportation beyond the seas to Australia?

And why did twenty six years elapse before David Batty officially regained his legal status as a ‘true and lawful man’? What happened throughout those 26 years is the story of one of Australia’s extraordinary, brave, enterprising, and ultimately respected founding fathers.

David Batty’s indictment of 20th October, 1784 is significant because, it not only points to the carelessness and unreliability of his accuser, it also indicates in which social circles David found himself - either through his trade as a hatter or otherwise - and his confidence in dealing with influential and powerful individuals. For the Honourable Charles James Fox was not just another dissatisfied customer or acquaintance, the Honourable Charles James Fox was a dominant political figure of the time.

Charles James Fox (1749-1806) was the son of Henry Fox 1st Baron Holland and Lady Caroline Lennox, the daughter of Charles Lennox, 2nd Duke of Richmond. He was indulged by his father who settled a fortune on him in his early years and sent him to the continent to learn the ways of the world thereby introducing him to the three leisure pursuits that defined his personal reputation in later years – drinking, gambling and womanising. He was considered an amiable friend and brilliant orator. A Whig, he was a member of the House of Commons by the age of nineteen in 1768, on the board of the Admiralty by 1770, a member of the Treasury Board by 1772 and Britain’s first Foreign secretary in
1782. He resented the English management of the American War of Independence, particularly when it became clear that the English had not only lost a war but also ‘lost a continent’. His antipathy to King George III grew and he was inspired by revolutionary thought including the American and French revolutions. He supported the Society for the Abolition of the Slave Trade (1787). In essence, it would seem that although Fox sought a more liberal world his success was limited in such achievements. A more vocal, opinionated, or influential man could not be challenged in court. However, despite lodging a complaint about David Batty, the Honourable Charles James Fox did not proceed with giving evidence at the trial. Perhaps he knew that by the indictment, proven or not, Batty’s reputation would be broken. Perhaps Charles Fox had no evidence; or perhaps he was not genuinely concerned about the plight of the individual but rather with the ‘cause celebre’ - after all he opposed universal suffrage!

Less than a year later, on 1st December 1785 David Batty was again before the courts of the Old Bailey, this time the accusation was that he ‘… feloniously and falsely did make, forge, and counterfeit, and cause and procure to be falsely made, forged and counterfeited, and did willingly assist act and assist in the false making, forging and counterfeiting, a certain paper writing, partly printed and partly written, purported to be an Inland Bill of Exchange, for the payment of money, bearing date, Norwich, November 3rd, 1784; and to have been drawn by Charles Davis for payment of the sum of six pounds six shillings to Charles Readhead, or order, at two months after date, directed to Mr J. Dicknor, and Co. No. 21 Duke-street, Manchester-Square, London: accepted J.D. and Co. with intent to defraud John Dutton.’

A second account, was included for ‘uttering the same knowing it to be forged.’ Again the prosecutor and witnesses failed to appear and David Batty was acquitted.
This indictment offers some interesting points for consideration. The presumption here is that David Batty, acting either alone or with the assistance of un-named other or others, had the skill, talent and means of making, forging and counterfeiting an Inland Bill of Exchange of such a high quality that it was not recognised as a counterfeit by Charles David, nor Charles Readhead nor Mr J. Dicknor and Co. Conversely, did one or all of these recipients receive the Inland Bill of Exchange and pass it on rather than dealing with the problem of finding and indicting the counterfeiter?

Another puzzling question concerns where David Batty might have acquired the materials to produce such an expertly produced counterfeit. David Batty was well educated, and as we shall see in his later years, he was literate, but he was a hat maker - not an artist. Moreover, the items he purchased would surely have indicated some sort of consistency of purpose and would therefore surely have raised suspicion of the person from whom he bought these items. And this leads to a further intriguing dimension to this point: there is evidence that a Charles Davis of Bath sold art and craft materials such as paints and brushes, canvases, crayons and drawing papers. He was also a coach and sign painter and a supplier and gilder of picture frames. It was Charles Davis who drew on that Inland Bill of Exchange to pay monies to Charles Readhead. It is not surprising that neither Prosecutor nor witnesses appeared at these court proceedings!

By now, as he had predicted, the ‘character’ of David Batty was seriously compromised, in fact one could say it was beginning to stink! On 5th July 1787, two and a half years later, David Batty was convicted at Hicks Hall (the Old Bailey) Westminster, and on 27th March 1791 and departed Portsmouth on board the Albemarle as one of two hundred and eighty two men convicts of the Third Fleet bound for New South Wales for seven years. The details of this conviction were later destroyed by a clerk and remain lost.
Twenty three years would elapse before David Batty would hold his place in society as a free man, a man with land and property, and be officially described as good and lawful and take his place as a juror. But this would be across the seas in far off New South Wales where he would meet the extraordinary farm girl from Worcestershire, Mary Turner, who managed to survive the First Fleet voyage to Australia, and after several years toiling in the first settlements of Sydney and Norfolk Island, would become his lover and the mother of his children. These twenty three years are a remarkable true story of David Batty and Mary Turner (alias Wilkes) who became prominent and successful members of their own small society of early Sydney town.
Part One

Mary Turner
Worcester in the late 1770s was still a rural area, a far cry from the bustling, over-populated cities that David Batty knew. In 1763 the cottage farmers and farm labourers found that by the land Enclosure Act their access to common lands that they had enjoyed in the past as cottagers would be restricted, that they ‘… cottagers and other persons shall not use, exercise or enjoy their right of common over such parts of the said common field lands …, but only over such part thereof as shall for such time be allotted them for that purpose ….’ So the cottagers would lose their rights to common lands where they could graze animals, grow small gardens of crops, harvest hay or fish.

The gradual tightening of access to land had begun in the time of King Henry VIII in the 1530s with the dissolution of the monasteries. By 1536 approximately sixty per cent of church properties had been seized and sold to the landed gentry and by 1539 the larger monastic houses and their land had been acquired; and by 1545 the crown was in possession of general church property such as hospitals, colleges, and chapels.

By the 17th Century this new landed gentry, who had been augmenting their wealth through commerce, sought representation in Parliament. Consequently tensions grew between landed gentry and nobility, the courts and the crown. Tensions were growing between the Puritans and the Anglican Church and were aggravated by the struggle over succession to the throne following the death of Elizabeth 1. After the Civil War the nobles’ land was encumbered by debt. But while the nobles were feeling the pinch the landed gentry believed that the possession of land was now a mark of social prestige and they sought to acquire bigger estates. Smaller landowners who were
suffering low profits were forced to sell. By the 18th Century land had become scarce as families consolidated land ownership through marriages and retained land through inheritances. By the time of the Enclosure Acts small landowners, tenant farmers and cottagers were already under pressure.

It was in this period of agricultural hardship that Mary Turner was born in Holy Cross Parish Pershore, Worcester, England in c1764 about a year after the birth of David Batty in distant Yorkshire. Mary was the third of five children, four girls and one boy, born to Betty Ferret and William Turner. Betty and William had been married at Saint Andrews Holy Cross Parish, Pershore in c1761 when Betty was about twenty one years of age. William was a farm worker and it was probably the case that the birth of only one son would not have offered him as much labouring assistance as he might need with a family of seven to support.

To add to their expenses, cottagers were required to fence the sections of their land that lay adjacent to the commons which, before the Enclosure Acts, remained unfenced. The time when a farm labourer might feel secure in the knowledge that he was in control of his labour was passing, and the growth of industrialisation in the large cities and its deleterious effects on the cottage industries, especially those practised by women such as spinning, weaving and lace-making, worsened the state of family incomes. By the late 18th Century many families employed in the rural areas were ‘doing it tough’.

But there was a lighter side. The drive of the landed gentry to extend their land-holdings and build and maintain great houses meant they needed a large staff of gardeners, groundsmen, butlers, grooms, stable hands, game keepers, coachmen, cleaning maids to clean, polish, and empty bed-pots, chambermaids, laundresses, cooks and their assistants, scullery maids, parlourmaids, nursery maids, and more. The opportunities arose for country girls to work as servants (in service) in the great
houses. As well as earning an income they had an opportunity to gain an intimate knowledge of the lives of the upper classes. And the role of the women of the gentry was not always an enviable one because they were frequently pawns in the acquisition and maintenance of property in families through arranged marriages. The country girls, on the other hand, had more freedom over their marriage choices despite their precarious social situations. Mary found herself a position ‘in service’ and by the time Mary was about 19 she had been in service for three years.

In spring, on 5\textsuperscript{th} March 1785, just one month before David Batty was acquitted the second time in the Old Bailey, Mary Turner, servant girl and spinster, was sentenced at the Worcester Lent Assizes for the alleged theft of a number of items totalling in value 42 shillings (or 2 guineas) from the dwelling house of Thomas and Nancy Collins on 1\textsuperscript{st} October in the Parish of Holy Cross, Worcester, Worcestershire. This was the parish where Mary was born and lived so she had not moved very far from home. The items that were alleged to have been stolen, consisted of a silk cloak valued at 10s (shillings), one pair of stays valued at 16s, one muslin handkerchief valued at 6s, one lace handkerchief valued at 5s, one muslin apron valued at 10p (pence), one silk handkerchief valued at 3s, one piece of ribband valued at 2p, and one pair of linen gloves valued at 1s. Mary was found guilty and banished from her family and friends to the distant unknown land of New South Wales for seven years where she eventually established a relationship with David Batty,

There are two questions that arise from this conviction. The first is: what reason could compel a young woman who had been continuously employed for three years to risk her job by stealing clothing? Were the working conditions and payment so poor that she had to resort to this dangerous action; or were Thomas and Nancy Collins attempting to discredit Mary? We will never know, but there is an interesting twist to this event. Whether it was this Collins family or just a coincidence, Mary was to find herself on
the same ship as a young William Collins who was accompanying his older brother Captain David Collins on the First Fleet to Australia. William returned to England just six months after arriving in New South Wales!

In 1785 Mary Turner would have been detained in Worcester Gaol in the very run down old Worcester Castle. The castle been battered by several wars over the centuries and was used as a gaol following the Civil War from 1642. In 1653 a new gaol was built in the castle grounds, but that was over a hundred years before Mary was imprisoned there so it was still very antiquated. In 1787 the prison reformer, John Howard, was critical of the prison. The gaol was cold and damp and there was little provision for separating the sexes. Two people would share a cell sleeping on the floor. One of the problems was that the gaols were managed as private enterprises, and at one stage Worcester Castle Gaol was run by the local butcher and his wife! The conditions of the gaol over the years led to the outbreak of foul fevers resulting in deaths including a Dr Johnson Jr and the gaol’s managers.

After England’s loss of her American colonies in the American War of Independence, English businessmen lost the trade of transporting and selling convicts to American plantations and farms. The number of prisoners on hulks in the Thames River waiting transportation was growing and the British Cabinet was desperate for a new site for the criminals. After considering transportation to the west coast and south coast of Africa, Cabinet decided on New South Wales which had been favourably described in Cook’s records of his voyages in 1770. New South Wales offered other benefits such as proximity to the Far East markets, especially China, and could solve the problem of trouncing the French in setting up colonies in the South Pacific. A settlement in New South Wales could be quickly established with an available source of free labour or slavery – the convicts!
By November 1786, a little over a year following her conviction, Mary Turner had been identified along with seven other women prisoners from Worcester as suitable women for the establishment of a penal settlement in New South Wales. These eight women were experienced in the general domestic duties required by the naval officers, marines and their families when they arrived in New South Wales. These families would be the elites and would expect servants and labourers. The Worcester women were all familiar with rural life and most had other trades that would be useful in a growing village. So, in the late autumn of 25th November 1786, Mary and the other Worcester women were incarcerated in prison in Gravesend by the River Thames. From Gravesend they would be transferred to the Lady Penrhyn, a sailing ship, which would carry them over 3,200 kilometres to the other side of the world - far, far away from everyone they knew and loved.

Did these young women have any inkling of the fate awaiting them? Were they given any information about their journey or future destination - its remoteness and the unlikelihood of their ever being in the position to pay for their return fares to England? Were they frightened but perhaps excited about their adventure, at least when their chains were removed?

The officers and their families, too, were also venturing into the unknown. Could the Worcester women possibly imagine that they, and the other women of the Lady Penrhyn and the other women on the First Fleet whom they would join on their extraordinary adventure, would be the founding mothers of a new world and a new world order? These thoughts must have gradually filtered into their minds over the next fourteen months as children were born to women, or died, during the voyage to the colony. Their journey and the successful lives they were to build for themselves in the remote and socially hostile environment of New South Wales must be one of the greatest social achievements in history.
The seven women from Worcestershire who joined Mary on her journey to Gravesend were Olivia Gascoigne, aged twenty four, a servant from Severn Stoke sentenced on 5th March 1785 and Mary Abell, thirty, a servant from Hanbury sentenced on 5th March 1785 (both sentenced on the same date as Mary Turner); Ann Innett, thirty, a mantua-maker from Grimley sentenced on 11th March 1785 and Sarah Bellamy, seventeen, a servant from Belbroughton sentenced on 9th March 1785 (sentenced in the same month as Mary Turner); Mary Cooper, thirty six, a charwoman from Worcester sentenced on 19th May 1785 and Charlotte Cook, twenty, a tambour worker sentenced on 19th May 1785 (born two months after Mary Turner); Sarah Davies, twenty three, a glove maker from Oldswinford, sentenced on 2nd February 1783, and Susannah Huffnell, twenty one, who had been in service for one year, from Worcester sentenced on 2nd October 1786. These were all country girls accustomed to living off the land but with other useful skills and trades i.e. five servants, a charwoman, a glove maker, a tambour worker, and a mantua maker.

The women would suffer two bleak winters in prison. In Worcester they may have enjoyed visits by friends or relatives, but when they were moved to Gravesend in preparation for their voyage to Australia they were more than 177 kilometres (as the bird flies) from Worcester and the opportunities for country folk to make such a long journey would be rare. In London where the fogs hung heavy and damp over the river and town, and the rain drizzled cold water during the dark winter months, the women were poorly clad and when they embarked on the Lady Penrhyn this was noticed by Captain Arthur Phillip who complained to the Home Office of the need for clothing from the naval stores. The situation did not improve during the voyage and many of the women’s clothes had become so infested with lice by the time the fleet arrived at Rio de Janiero in the tropics in June that they had to be burned. The women were then reduced to making clothes from rice bags. Worse, until the ships left the English
mainland the women were often chained or forced to remain below decks to avoid escape.

On, or about 6th January, the embarkation commenced of the one hundred and nine women prisoners to the Lady Penrhyn, berthed at Woolwich. That is an interesting, if not ironic, date in the Anglican and Catholic religions, the Epiphany, which follows the Christmas celebrations. It seems likely that Mary Turner, and her companions, who had been detained at Gravesend, would have been among the twenty two women who boarded the ship on 22nd January 1787. A total of approximately 800 prisoners embarked on the six convict ships of what is now known as The First Fleet - the Lady Penrhyn with one hundred and nine women convicts; the Scarborough with two hundred and five men convicts; the Friendship with seventy six men and twenty one women convicts; the Prince of Wales with two men and fifty women convicts; the Alexander with one hundred and ninety two men convicts; and the Charlotte with eighty nine men and twenty women convicts. These figures are approximate because of illnesses and deaths before sailing.

On a wintry day in February 1787, the Lady Penrhyn slipped her moorings and sailed down the Thames amongst the commercial sailing ships, the hulks laden with prisoners, the filth and debris floating on the river surface, and anchored on the Motherbank, a sandbank off the east coast of England between Portsmouth and the Isle of Wight. The Motherhead was a channel between the mouth of the River Thames and the English Channel where a fleet of ships could congregate in calmer waters away from the coast while preparing for a voyage. Here, Mary and her companions were freed of their bonds.
CHAPTER TWO

The Women of the Lady Penrhyn 1787

There is a long standing myth that convicts were transported to New South Wales for stealing a loaf of bread. Certainly that was not the case for the women of the Lady Penrhyn! The women that Mary Turner found to be her companions for arguably the most extraordinary social experiment in British history were not naïve, destitute, or even silly enough to risk their lives for something as minor as the theft of a loaf of bread.

A strong refutation of the ‘loaf of bread’ myth is the crime of 26 year old Elizabeth Lee, a cook, who was indicted for stealing thirty gallons of wine, called red port, valued at £10 (pounds); twelve gallons of other wine, called Malmsey Madeira, at £12; three gallons of white port at 20s; three gallons of Malmsey Madeira at 40s; three gallons of claret at 40s; three gallons of raisin wine at 6s; three gallons of orange wine at 6s; three gallons of brandy at 36s; three gallons of rum at 36s; three gallons of Geneva at 20s; one gallon of arrack at 16s; four hundred and twenty-four glass bottles at £3 10s; one hundred weight of tallow candles at 50s; two linen stocks at 4s; two pair of stockings at 5s; one gold ring, with garnets set therein at 10s; and two crown pieces at 10s; the property of Thomas King, Esq. How Elizabeth managed to dispose of all this alcohol is frustratingly unexplained but Elizabeth was sentenced to seven years’ transportation and found herself, too, on board the Lady Penrhyn.

Whether the women of the Lady Penrhyn were convicted early in their unlawful careers or were experienced in crime as a means of livelihood, in general they were intelligent, shrewd, cunning, adventurous, independent women - some could even be described as business women - who were experienced in adapting to the demands of surviving in a hostile social environment. In particular, the women of the cities had a variety of illicit trades that could be
adapted to their changing circumstances and which would most likely be shared with their new companions.

A breakdown of the occupations of the women on the *Lady Penrhyn* who had been sentenced at the Old Bailey in London reveals that they had a broad range of trades and skills. This may explain why they were selected to establish the remote penal settlement in New South Wales. Of course the brave women of the First Fleet would never be officially described as establishing the First Settlement but it could not be done without their trades and skills. As we shall see later, when David Batty arrived in the settlement the men convicts were mainly labourers because they were needed to build, fence, garden, fish, harvest, and manage livestock - the hard physical work that only slaves or convicts were forced to do.

The women convicts of the *Lady Penrhyn* included sixty women who had been servants; six mantua makers; four milliners, one glove maker and one furrier; two needleworkers; three lace makers or weavers, and two silk winders; one stay maker (a type of women’s corset), one shoe binder and one maker of children’s bed-linen; a watch-chain maker and an artificial flower maker. As well as these useful tradeswomen there were also women with skills in the social needs of people such as a nurse, six hawkers and one pedlar-cum-charwoman, one barrow woman and two dealers. The women who had been sentenced at the Old Bailey presented a wide range of enterprises which contrasted with the more opportunistic crimes committed by the women from Worcester. Of those Worcester convicts, Ann Innett had been convicted of housebreaking; Olivia Gascoigne of theft; Mary Turner, Sarah Bellamy and Charlotte Cook of private stealing; Sarah Davies of shoplifting; and Sarah Huffnell of buying stolen goods.

So, if the women prisoners on board the *Lady Penrhyn* were not convicted of stealing bread, then what were their crimes? Well, they were much the same as you can read in any newspaper today in the 21st Century – assault and robbery, hold-ups, pick-pocketing,
housebreaking and theft, bag snatching, shop-lifting, theft of items from rooms in boarding houses and laundries. The difference is that today these crimes usually result in a good behaviour bond or a suspended sentence, and the more serious of these crimes might warrant a short spell in the clink, but in the 18th Century the possession of material goods was more important than the lives of the poorer classes. Injury to a person of the upper classes or the theft of their horses or other valuable animals was punishable by execution. The theft of any other goods, large or small, numerous or single, was punishable with seven or fourteen years of transportation, and some of the sentences for transportation included banishment for life!

One other myth is that the women were all prostitutes. As we shall see, women used their sexuality to procure men into situations where they could be robbed of their money and gold watches, but in fact there is only one case where a prostitute was sentenced to transportation for seven years. But it wasn’t so much because she was a prostitute, (seemingly the society was fairly relaxed about men or women engaging in sexual encounters for profit or entertainment in 18th Century London), but rather that she was becoming a nuisance. This was the result of damage to the dress of another prostitute during what appears to be a turf war.

Thirty year old silk spinner, Charlotte Springmore and twenty five year old Mary Harrison, a servant, who were well-established as prostitutes in Catherine-Wheel-Alley, were more than unwelcoming to new arrival Susannah Edhouse - they were viciously antagonistic! Edhouse had recently moved into the gin house, The Black Swan, opposite the Catherine-Wheel-Alley. At the Old Bailey Edhouse claimed that as she passed the two women, who had already taken up their usual position in the alley, they commented aloud ‘There are so many fly whores now it is impossible for a public whore to get her living!’ The two women allegedly followed Edhouse down the alley and threw a liquid over her dress which burned holes into the fabric. (There was some
doubt concerning where the burning had taken place because if it had occurred inside her dwelling there would be no case to answer). Edhouse, avoiding any suggestion that she might be moving onto their turf, commented that the women had done this because she lived with two single men. Susannah Edhouse ran with her complaint to a tallow-chandler, a Mr Wawill in the gin house probably knowing that he found the women annoying. He encouraged her with her complaint.

Clearly Mr Garrow, the Defence Counsel, was a wake-up because he said to Wawill, ‘These were unfortunate prostitutes. They were great nuisances to you?’
‘Yes’.
Wawill, ‘You wished to get rid of them?’
‘Yes, they have a right to be got rid of.’
‘Certainly by legal means, but not by bringing prosecutions which they do not deserve.’
Further into the trial, Mr Garrow probed Wawill further, ‘This prosecution is carried on by a company of linen drapers?’
‘It is.’
Court (with Shakespearian flourish) ‘This story is visibly mended.’

As a consequence of a further account by a witness, Constable Andrews, the Court made a finding of Guilty. Since this was the first conviction of this type the Court took the liberty to make the judgment that the prisoners were of ‘very abandoned character and conduct …’ and continued ‘…therefore to enforce this law in all its severity … each of you will be transported for seven years to such a place as his Majesty by the advice of the Privy Council shall think fit to declare and appoint.’ So Charlotte Sprigmore and Mary Harrison, habitual nuisances, who had been acquitted for assault and theft of 4 shillings from a Peter Bealey on 8th November 1779, were sentenced for what they would regard as defending their livelihood on 30th September 1785.
The women of the streets on the *Lady Penrhyn* were in a different league from Charlotte Springfield and Mary Harrison. They solicited inebriated men and naïve visitors for the sole purpose of stealing any moneys or other valuables on the person. These women were generally well organised and they appear to have been part of larger networks because they had access to houses and taverns where their thefts took place. In some cases women and men worked together in pairs and in other cases two women would work together with a man either in the house or the tavern where they took their ‘clients’. The men who were robbed of their personal possessions allowed themselves to be solicited with, apparently, the expectations of sexual favours. Often, like John Sampey a publican from Deptford, who was accosted by Mary Dykes and Elizabeth Herbert in Rosemary Lane on 11th April 1786, they explained their willingness to accompany the women as being reluctant but generously consenting to buying the woman a drink of gin or ale. Sampey was ‘under the influence’ when he agreed to go home with Herbert, who was alone, to drink a glass of gin. He protested to the Court that finding the ‘situation of the place’ not to his liking he wanted to leave. All the same he gave sixpence to Herbert to buy a drink and when Mary Dykes appeared and invited him into another room he followed. Here Dykes asked him for a guinea to buy porter and when he suggested that they bring change of a guinea before he handed over any money, Dykes began to seduce him by removing some of her clothing and began to unbutton his breeches in ‘a scandalous manner’. At this point Sampey, apparently a slow thinker, became suspicious, and ran out of the house down to the river. He claims he felt in his pocket for the guinea to pay the boatman but it was gone. Of course in Court the women had a different account of the circumstances but the judge found in the publican Sampey’s favour and the women were sentenced to be transported for seven years.

The streets of London were narrow, dark and shadowy with tiny lanes and alcoves. But they throbbed with life, given the number of witnesses who were prepared to give evidence in the trials of the
women. And there also seems to have been adequate numbers of men who just happened to be at the right place at the right time to apprehend women and hand them over to the ever present Watchmen and Constables. Since, according to the witnesses, candles were the most common form of light it is remarkable that many of the women could be identified, sometimes only by their voices. That is, except for the ‘lusty’ Tamasin Allen (also known as Boddington), 32, servant, whose stunning appearance was her letdown in what might otherwise have been a most successful night’s work.

Hugh Harding, housekeeper, jeweller and employer of five or six workers, of 63 Leather Lane Holborn, was returning from his visit to his tradesman, Charles Cobb, who made seals for his gold jewellery, and where he enjoyed several drinks with Cobb and one of his own lodgers, Mr Lamb, leaving them at 4 p.m. on 14th September 1786. Now in a less than sober condition Harding set off alone. On his person he allegedly carried one leather pocket book valued at 1s; 10 grains of rose diamonds at £8.1s; seven grains of other diamonds at £6.1s; 2 brilliant diamonds at 50s; a pearl at 12s; one topaz at 5s; a silver pencil-case at 2s; one promissory or bank note at £10.1s; and a note for £10.

Laden with valuables and unsteady on his feet he was accosted somewhere between 5 and 6 p.m. by Mary Allen in Chick’s Lane. Allen grabbed hold of his arm and snatched a watch with a tortoise-shell case, valued at 30s; a chain at 2s; four gold seals at 40s; a base metal watch key at 2p; all his own property. He began to cry out in protest but Allen managed to melt into a group of ‘five or six’ bad people and he lost sight of her.

A man by the name of Humphrey Moore came to his aid. He was familiar to Harding although Harding was innocent of Moore’s previous stint in prison in Newgate. In his bewildered and distressed state Harding accepted Moore’s invitation to enter the Marquis of Granby public house where fate would have it, or more
likely where the gang of criminals had organised it, Humphrey Moore grabbed hold of his coat and a woman (a few weeks later identified as Tamasin Allen alias Boddington) slid her hand inside the coat and relieved Hugh Harding of all the jewellery and objects described above. Later, Harding said that a ‘good many women were in the house.’ He truly must have seemed easy pickings.

Mr Garrow, the prisoner’s defence, asked Harding whether he knew of a scam used by this street gang: ‘You know their trade used to be to drop a very fine cluster ring worth one hundred and forty guineas. You know he was boned for it? Are you sure that your diamonds in your pocket-book were not of the same sort?’

Ann Wallin a witness, (and there never seems to be a shortage of witnesses in these cases, the implication being that London was just as full of ‘busybodies as it was of thieves) saw Mary Allen talking outside the public bar with the same Humphry Moore who later accosted and held Harding as Tamasin Allen allegedly stole his diamonds etc., and she observed Mary Allen hand him something although she could not see whether it was the watch stolen earlier. When James Seago, the publican, was cross-examined he claimed that he heard Harding complain that he had lost his watch and he noticed that he was drunk, but he heard nothing of the fuss when Harding was relieved of his diamonds etc. He ‘never heard a syllable of it.’ Further testimonies by Seago are then refuted by Harding so that the events become muddied. But the one clear fact is that this was not a robbery conducted by one or two people, but by a gang that either included the publican, or the publican thought it profitable or prudent to see nothing. Or maybe he was just hard of hearing!

Jane Langley and Mary Finn, Mary Greenwood (who worked with George Partridge and who was also found guilty), Elizabeth Leonell, Eleanor M’Cabe and Anne George, Esther Harwood (who worked with James Wetherick who was found not guilty), Mary Dykes and Elizabeth Herbert (who was found not guilty),
Martha Burkitt who worked with Hannah Wilson (who was found not guilty), Mary Jackson, Mary Hill, Margaret Bunn who worked with Thomas Patrick (who was also sentenced to seven years’ transportation), and Ann Read were all participants in these sorts of seductions with theft and usually assault. These were tough women of the highways and byways and in most cases their prosecutors claimed that the women caused them to fear for their lives. But amongst these women Mary Pile stands out as the exception to the rule in that she always worked alone.

Mary Pile was known as the ‘female highwayman’. She dressed smartly, as a man, and was mistaken for a man the night she arrived at the Plough, Mile-End owned by William Webb, had a drink of porter some bread and cheese and then asked for lodgings. During times of tight accommodation it was not unusual to ask a male lodger if he would share his bed with another man, and on this fateful night when Mrs Webb asked well-to-do seaman, Abraham Abbott would he share his bed with this other man he agreed to do so as long as the person was decent. Mary Pile, who paid 6 pence for her lodging, was already in bed and apparently asleep when Abbott retired. During the night Abbott was annoyed that Pile got up to use the pot which he handed to her with some vexation. By the time Pile had woken him three times Abbott was so cross that he used ‘vile words’ to demand her reason for getting out of bed so Pile returned to the bed. When the judge asked whether he had any ‘connection’ with Pile Abbott claimed, ‘I maintained the idea of her, as I would a man, and naturally as she got close to me, I kept hitching further from her.’

Abbott awoke the next morning between 8 a.m. and 9 a.m. to find that his sleeping partner had left the house at about 5 a.m before the owner was awake, and had apparently left the house door open. It had to have been opened from the inside because Mary Hart, who worked at the Plough, claimed that she had fastened the door with two bolts and a spring lock before going to bed ‘about half after ten or high eleven.’ Abbott discovered that his money and
other valuable papers were no longer in the pocket of his breeches. At the Old Bailey he was unable to identify Mary Pile because it had been so dark. But James Glenton, who had apprehended her, was able to do so just on a description he received; and Mary Hart, who had seen Pike in the Plough, was able to identify her. So in the end it was a case of whether Mary Hart was telling the truth or whether Mary Pile was. But despite having paid for her lodging Mary Pile was found guilty of stealing, but not of breaking and entering, and sentenced to seven years’ transportation.

A second group of women prisoners on the Lady Penrhyn was those who, unlike the women of the highways who often gave their occupation as servants, actually had skills and jobs but who also supported themselves through theft of items that could be pawned. These items were not the watches or precious stones and minerals that were taken from the pockets of the men in the taverns, or the private dwellings where the men sought women’s company, or the streets where men were assaulted. These women targeted particular items that could be sold or pawned and provide them with their cash. And some of the women were ambitious thieves! Five of these women are interesting cases.

Mary aged about twenty seven, wife of John Lawrence, was accused of being such a thief. The items she stole are so numerous they need to be itemised as follows:

One pair of silver saltspoons valued at 3s;
5 silver tablespoons at 30s;
2 silver teaspoons at 2s;
1 pair tea tongs at 3s;
1 silk gown at 15s;
2 muslin gowns at 20s;
1 muslin petticoat at 20s;
1 pair shoe buckles at 2s;
1 shagreen cape at 2s;
1 gold locket at 2s;
2 gold mourning rings at 4s;
2 silk cloaks at 5s;
1 cablet clock at 1s;
2 linen tablecloths at 2 s; all the above being the property of the owner of the house of Lillias Warden in which she worked. She also stole the following items from Elizabeth Delvayne and Ann Pearson who lived in the same house:
1 silk gown valued at 10s;
1 muslin apron at 2s;
1 silk petticoat valued at 3s;
1 cotton gown at 3s;
1 dimity petticoat at 2s;

The extraordinary puzzle about this case is that Mary had enjoyed a splendid reputation having worked for Lillias Warden for two and a half years, and prior to that she had worked for another employer for fourteen years with an unblemished record. In the court when Mary’s response to the charge was that she had nothing to say, Lillias Warden responded on her behalf, ‘My Lord, I wish to speak for her. She always behaved very well to me before this. She was a very good servant for two years and a half. She had a very good character before, and she had been fourteen years in one house.’

So what reason could compel Mary to destroy her reputation and of course her chance of continued or future employment. Was there something in her family circumstances that compelled her to act so out of character? But a closer look at the information that was brought out during the trial leaves some unsettling questions.

The only circumstances that had changed in Mary’s life at the time of her arrest were the tenants in the house of Lillias Warden. They were Ann Pearson and Elizabeth Devayne. Although the complaints were made by all of the women on or about 21st April 1784, James Ashborne, the pawnbroker, had been receiving items from Mary from 13th April. When Mary was taken to the
pawnbroker after admitting that items were taken to him, she was accompanied by both Ann Pearson and Elizabeth Devayne. When questioned by the court to ascertain whether there had been some coercion by the witnesses to force Mary to accept the blame, both Ann Pearson and Elizabeth Devayne were equivocal about their own behaviour. Ultimately though, it was the words of the judge reflecting all of his self-interested prejudice that cast the lot for Mary:

‘...your crime is certainly of a very aggravated nature, especially as a servant living in a family and plundering everything that came into your hands; this entirely destroys all the comfort and security of private families, and it renders it difficult to know whom we can trust. It is therefore necessary that examples should be made. It was the wish of your master (not knowing that the tenderness of the law would do it) to save your life; but I should think myself wanting in justice if I carried the favour of the Court any further, and no punishment short of death is too much for your offence. The sentence of law upon you therefore is that you be transported to America for seven years.’

Given the witness statements and discriminatory comments of the judge, and since all judges were men educated in schools they were of a different social group from the defendants; and compounded by the fact that in the 18th Century there were no lawyers available for the poorer defendants, is it any wonder that Mary’s only response could be ‘I have nothing to say.’ Mary was sentenced to seven years transportation in May 1784, but it was not until February 1787 that she joined the Lady Penrhyn and began the seven years’ sentence.

Jane Creek\(^8\) was a chairwoman (probably someone who stuffed upholstery). At forty seven she was one of the older women on the Lady Penrhyn. It was alleged that on 1st August, 1785 she had gone to the house of Baronet John Warley Gardner apparently to work on chairs but had ‘sighed’ complained of a ‘terrible pain in the
head’ to the housekeeper Elizabeth Harvey and left the house. Subsequently Harvey discovered that 2 pairs of flat irons valued at 6 shillings, and one coffee pot valued at 2 shillings, were missing. But more astonishingly, the mattresses of three beds were cut open and 35 pounds in weight of feathers had been pulled out, with some haste apparently, because the blankets were ‘all over feathers’! Now 35 pounds (15 kilos) plus two flat irons and a coffee pot would not be easy to lug out of the house so it is surprising that she was not noticed by the prosecutor or other witnesses, although Jane claimed to have flung away the irons and coffee pot. The stunningly aptly named John Crooke, a pawnbroker (who found himself in court twice on the same day for receiving stolen goods), claimed he paid Jane Creek 4 pence per pound for the feathers (i.e. £10). He was subsequently threatened with 14 years’ transportation if he were to ever appear in that court again! Taking the high moral ground John Crooks asserted that he would resign from his business because he could not carry it on ‘without being deceived by crafty people’! The irons were found near the house and Jane received a sentence of seven years transportation.

In April 1786 Ann Dutton\(^9\), with three other prisoners, was convicted of stealing a looking glass in a wooden frame, one clock and 4 brass locks, the property, valued at 58 shillings, of Mr Robert Groom. Although the prisoners were found with the items in the house of another person whose name was Jack there was no evidence of the house, from where the goods were stolen, having being broken into and none of the four prisoners had a key. The only person who had a key and who had been in the house since the owner’s last visit prior to the previous Christmas was his own son. However, each of the prisoners received sentences of seven years’ transportation.

Isabella Rosson’s\(^10\) case hints of coercion. Kydd and his wife, Eleanor, had chambers in Gray’s Inn where Isabella was employed as a laundress. Isabella had access to the key to the cellar to gather coals. In the cellar was a trunk belonging to a Mr Griffiths. When
several bed curtains and other items were stolen from the trunk. Mrs Kydd claimed that Isabella must have been the thief because she had access to the key and had pawned the curtains. She claimed that Isabella had given her the pawn tickets. However, the pawnbroker William Mettam claimed that the curtains were pawned by a Mrs Page who was not in custody. The pawnbroker’s tickets were consistent with the tickets that Eleanor Kydd had given the constable and which she insisted that she had taken from Isabella. But where did Isabella fit into all of this? The woman who deposited the curtains at the pawnbroker’s was a Mrs Page and the tickets were in the hands of Eleanor Kydd.

And what was Mr Kydd’s response? Well he supported his wife’s statement and added that Eleanor pleaded distress as a motive, but that, ‘... I enquired into the distress and the enquiry did not turn out to be in her favour and the next morning I took her to the Justice; and there she confessed taking the several things mentioned in the indictment.’ Is it any wonder that Isabella’s response to all of this was, 'I leave myself to the mercy of the court.'

The case of Ann Smith,11 a nurse, would be the stuff of music hall comedy if it were not so sad. Ann was a heavy drinker and after visiting John Dodson in Bishopsgate Street on a summer’s day, Friday 25th August 1786 to buy a pot of cider she wandered out with the pot. Dodson noticed the pot missing which had come into the possession of Walter Prosser. Prosser claimed that the pot was given to him by John Green. John Green claimed that he found several pots under an old coloured apron in a market basket with the prisoner. George Pontin the baker claimed that as he was coming up Bishopsgate Street he saw the prisoner lying under a window by the sign of the White Horse, with a basket under her arm and a cloak over it.

None of the witnesses were questioned concerning how the pot managed to get out of the basket and move from John Green to
Walter Prosser. But since Ann Smith had been before the court on several previous occasions the Judge decided as follows:

‘The practice of stealing pots is grown to a great extent, and the publican sustain very heavy losses; I have therefore long thought it would be right to set some example of severity in the punishment in order to deter others from going on at that rate, and there cannot be a better time to set that example than when we have an old offender before us. Therefore the sentence of the Court upon you is that you be transported for seven years.’

No one was charged with receiving stolen goods!

In this milieu of enthusiastic prosecutors, witnesses notable for their presence of mind and diligence in pursuing women felons or suspected felons and nuisances, and determined judges outraged by the women’s incursions into their comfortable privileged lives, there were some surprisingly compassionate prosecutors such as Joseph and Frances Shetley, employers of servant girl Mary Dawson. Despite her tender age of fifteen and her ambitious entry into the world of quick acquisitions of other people’s goods, Mary’s plundered employers were astonishingly supportive of her given the size of the haul of goods she had relieved them of on 12th February, 1785:

Two cotton gowns, valued at 12s; 
1 pair of cotton stockings at 10d; 
1 black silk hat at 12d; 
1 cloth cloak at 12d; 
1 linen shift at 10d; 
1 pair of shoes at 2s; 
1 linen apron at 12d; 
2 check aprons at 12d; 
3 caps at 12d; 
2 muslin handkerchiefs at 12d; 
1 dimity petticoat at 2s;
3 pair of lace robes 6s;
1 linen petticoat at 5s;
1 ring at 20s; one hoop garnet ring set in gold at 20s; 1 other ring at 10s; money including 1 foreign silver medal valued at 2s; 6 dollars at 27s; 1 French crown at 4s 6d; a piece of foreign gold coin at 3s 4d; a guinea at £1.1s; a quarter guinea at 5s. 3d; 12 crowns at £3; 9 half crowns at £21s. 6d; 13 silver threepences at 3s. 3d; 9 silver fourpences at 3s; 1 silver twopence at 2d; 5 silver pence at 5d; 2 pieces of copper coin, called farthings, at 1 halfpenny; and 21 shillings in monies numbered, all being the property of Joseph Shetley.

In comparison with these huge hauls of other people’s goods, the amounts of items stolen by our final group of thieves, those who were convicted of stealing clothes, seem positively modest in comparison. The women who were convicted of stealing clothing fell into two groups: those who stole from premises through breaking and entering or just taking items in their presence such as laundry; and the shoplifters.

Ann Davies, Elizabeth Hayward (already a thief at thirteen) and Ann Powell were all servants. Ann Fowles and Sarah Hill were hawkers and Mary Williams was a needle worker. Ann Powell helped herself to laundry items of Mary Crouch. Mary Williams and Ann Fowles each were found guilty of house breaking; and while most of the women stole women’s clothing Sarah Hall stole men and women’s clothing probably to pad out her hawker business. The shoplifters were the ‘small time crims’. Their haul was limited to small items such as the boots that Mary Smith the hawker stole; the 3 shawls stolen by Catherine Henry; the 2 pair of stockings stolen by Elizabeth Needham (wife of Henry Needham); the red fox fur muff stolen by Ann Ward; and the cotton gown stolen by Elizabeth Fitzgerald.

At the beginning of this chapter we met Elizabeth Lee, who stole such an enormous amount of wine, spirits etc. that if she had she
done so today she would have needed a carrying truck, maybe even a semi-trailer, to remove it. Yet she received the same punishment of seven years’ transportation as these shoplifters accused of such minor felonies. Also, given Elizabeth Lee’s ambitious efforts, the three *Lady Penrhyn* women who stole food received the same sentences as Elizabeth Lee, or more, despite their comparatively meagre efforts. Mary Love and Elizabeth Bird, partners in stealing a live lamb, each received fourteen years’ transportation. Elizabeth Evans stole 3 lbs. (pounds) of tea and received seven years’ transportation as did Elizabeth Beckford who stole 12 lbs. of cheese. These items were not particularly large or expensive (the cheese was worth 4s. the lamb valued at 12s. and the tea at 12s.) but they seem to be of a different order from the other thefts. Just as the goods stolen by the shoplifters had commercial value these foods were possibly luxury items or goods that had further resale value.

The women of the *Lady Penrhyn* were certainly not pathetic victims. They were survivors in a harsh English society marked by predatory behaviour. If we look at English society with a metaphorical telescope we can view a society with very similar behavioural patterns exhibited by the wealthiest and grandest individuals and the small time petty ‘crims’. Through the lens of the telescope we would see the upper classes consolidating their wealth and positions in society through their activities in the slave trade; colonization; the displacement of peoples through foreign and domestic land acquisitions; the use of ‘legitimate’ force to sanction their acquisitions; a lack of assistance to the victims of these activities; and the effects of the industrial and agricultural revolutions that had seriously distorted the socio-economic lives of the peoples of England and elsewhere for whom the upper classes should have accepted some level of responsibility. The small time crooks were the thin edge of a very thick wedge of a society based on human exploitation. People were living according to their means – their means of exploitation!
CHAPTER THREE

Arthur Bowes Smyth and the Voyage of the Lady Penrhyn
1787-88

The Journal of Arthur Bowes Smith is a detailed account of the voyage of the First Fleet from the Motherbank near the Isle of Wight near Portsmouth England to Sydney Cove from his perspective as surgeon on the Lady Penrhyn. The journal documents not only his duties as the surgeon and a chronology of the voyage, it also offers a description of the weather, the seas and marine life; the ports visited and the challenges of sailing waters that sometimes were not adequately charted; of friendly and less than friendly ports; of brilliant seascapes and landscapes; of fears and jubilation – in fact, a travel tale of adventure. It is through Bowes Smyth’s Journal that we learn about the triumphs and hazards of the journey and the conditions that the convict women endured – although at times this needs to be deduced from his comments rather than as deliberately recorded information.¹

So who was Arthur Bowes Smyth? And how does Arthur Bowes Smyth’s character shape the story of the voyage?

Arthur Bowes Smyth was born in Essex on 23rd August 1750 and baptised at St. Nicholas Church, Tolleshunt D’Arcy. Bowes Smyth is believed to be the grandson of Alexander Smyth, youngest son of Sir Thomas Smyth of Suffolk. It is believed that his father was a surgeon and although there is no evidence of Bowes Smyth in the libraries of the British Medical Association he may have been trained by his father as it would seem he practised at Tolleshunt D’Arcy from 1778 to 1783. Bowes Smyth joined the Lady Penrhyn in 1787 and returned to England on the Lady Penrhyn six months before his death at the age of forty. He was buried on 31st March 1790. There is no evidence of any marriage or children.
Bowes Smyth’s journal entries give us a more profound depiction of his own character from his diary-like entries of observations interspersed with personal responses to events throughout the voyage. We learn that during the Christmas of the year 1786, just a few months prior to taking up his position as surgeon on the Lady Penrhyn, Bowes Smyth had been extremely unhappy. He does not reveal the cause of this unhappiness but concedes that his close friends understood. He was also conscious of his social class. He deferred to Governor Arthur Phillip, although he would later criticise the governor in his diary; and he sought the company of gentlemen, senior officers and people in authority on his shore excursions. He may have been a misogynist because throughout the voyage there were only two positive comments towards women – one about the attractive patient he attended, wife of a gentleman in Rio; and on the occasion of the women leaving the Lady Penrhyn at Sydney Cove when he commented on their being ‘… dress’d in general very clean & some few of them amongst them might be said to be well dress’d.’

Bowes Smyth’s journal entries, while always informative in content, are also shaped by his apparent changes of moods. These changes in mood were probably similarly experienced by the convicts on the ship as they enjoyed pleasant weather, visited welcoming ports, or endured weeks of rain, squalls and rough seas with no relief, and harsh unwelcoming ports. And there was always the anxiety associated with the plight of a small fleet of ships sailing into unknown territory where they would be totally reliant on the small bundle of resources, both personal and material, that accompanied them.

Relying on Bowes Smyth’s journal of the voyage to New South Wales of the Lady Penrhyn and her cargo of women convicts, including Mary Turner, the description of the voyage will be organized into three parts. These three parts - from London to Rio, from Rio to Cape Town, and from Cape Town to Botany Bay – also reflect the changes in Bowes Smyth’s emotional responses
according to the varying physical conditions of these sections of the voyage.

The Lady Penrhyn was a new ship. She was built specifically as a transport ship with two decks and three masts. At her extreme length and breadth she measured 103 9/10 feet in length and 27 1/2 feet in breadth. She had a female figurehead, quarter badges (small windows set flat in her quarters), a blunt nose, round body, and a square stern. The Lady Penrhyn had been contracted from the East India Company and, following the disposal of the transportees in New South Wales, she would continue to China to take on a cargo of tea.

The crew of the Lady Penrhyn had been identified when Bowes Smyth arrived on board. There was the captain, Captain William Compton Sever. Also there were Captain Campbell, Lieutenant Johnston and Lieutenant Williams Collins (brother of David Collins on the Sirius) of the Marines who were to support the officers of the admiralty but were not concerned with the navigation. Mr Watts, Lieutenant of the Navy, was heading for China. Among the seamen were Mr Nicholas Anstis, Chief Mate; Mr Squires, 2nd Mate; Mr Ball, 3rd Mate; Mr Holmes, 4th Mate; William Young, steward; Sisson, cook; Alltree, also a surgeon, (as well as Bowes Smyth); Major Ross’s son, John, and Captain Campbell’s nephew, James Campbell. There were thirty six crew; three servants; and a Mr J. Smith who was a passenger. There were one hundred and nine women convicts and several children travelling with them or born on the voyage. So although the ship was new and clean and well maintained, those sailing in her were in close proximity to each other despite barriers being placed between the convicts and other passengers on the ship.

London to Rio. By 28th April the women were very seasick. The Lady Penrhyn and the ships of the First Fleet destined for the New Settlement in Botany Bay had not yet left the Motherbank and the women had been aboard the Lady Penrhyn for more than three
months! For over a week there had been stiff winds, rain and squalls. The seas grew so high that on 24\textsuperscript{th} April 1787, Captain Campbell was unable to board the ship and just a few days earlier the \textit{Alexander’s} small boat had overturned throwing the 1\textsuperscript{st} Mate and five sailors into the sea, although they managed to survive the ordeal. During the same day Hugh Sandlin, the 18 month old son of Ann, wife of Hugh Sandlin, convicted of stealing a saucepan, kettle and flat iron all to the value of 4s and 6p, died.

A month earlier on 20\textsuperscript{th} March 1787 Arthur Bowes Smyth, joined the \textit{Lady Penrhyn.} While the fleet awaited the arrival of Governor Phillip, who had been placed in charge of the First Fleet and the First Settlement in New South Wales, Bowes Smyth had time on his hands, at least two months, to enjoy social visits and trips around the local countryside. It was a delightful sojourn. On several occasions he visited Surgeon Alltree, of the \textit{Lady Penrhyn,} who was ill and resting in Ryde. On other occasions he visited Portsmouth with Captain Sever and Lieutenant Johnstone, and he visited Stokes Bay with Captain Gilbert. He dined on board the \textit{Alexander} with Mr Balmain, the surgeon, and had ‘… a most friendly entertainment’ with Mr Ballard, a merchant at Newport who owned the large Ovens & Biscuit Factory Warehouses at Wooten Bridge. He had a trip to Portsmouth with Alderman Curtis and Captain Leigh. During a visit to the Belvedere, a new East Indiaman (ship belonging to the east India Company) docked nearby, he was invited to dinner by the 4\textsuperscript{th} Mate, a Lieutenant of the Navy travelling to China. A few days later he enjoyed an invitation to dine there again, and even on the eve before departure he spent the evening in Ryde with Captain Sever and Captain Campbell.

That Bowes Smyth was light of spirit during this time, when he could leave his responsibilities on the \textit{Lady Penrhyn} for a pleasant sojourn in the countryside, is evident in his description of a visit to Ryde as ‘… a very pleasant walk’. Moreover, he noted that the church halfway between Wooten Bridge and Ryde was in ‘a
romantic situation; a beautiful little cottage, thatched, with sashed windows and surrounded by evergreen trees having a most beautiful view over the Motherbank, Spithead, Portsmouth and Gosport.’ Only a robust good humour could support what must surely be an understatement of unique proportions when Bowes Smyth briefly noted that his designated cabin had been recently occupied by the 3rd Mate, Jenkinson, who had died of a ‘putrid fever’ just the night before his own arrival on board, but that the cabin ‘was fresh and fumigated for me to sleep in.’ To add further grim reality to this unsettling knowledge, Bowes Smyth also noted a corpse sewn into a hammock floating alongside the ship!

There were plenty of diversions on board before the Lady Penrhyn weighed anchor on 13th May 1787. On 13th April, thirty year old Mary Tilley, who had been convicted of housebreaking, gave birth to a boy, William. Happily William survived the voyage to Botany Bay. The following day, Elizabeth Bruce, alias Anderson, fell from the forecastle and broke her leg and three days later the steward, Young, became ill. But more perplexing was the disappearance of five female convicts. The convicts generally were becoming restless as they awaited the voyage, and no doubt they were cold and uncomfortable although it was early spring. The women on the Lady Penrhyn had been provided with clothing but little was made available to them. Captain Sever notes in his journal that when the ships landed at Sydney Cove there remained in her store 589 petticoats, 606 jackets, 121 caps, 372 pairs of stockings of which 140 were damaged, 381 shifts, 250 handkerchiefs, 305 pairs of shoes. Bowes Smyth later recorded that many of the ship’s crew bought clothes for the women, using all of their income on these purchases.

Despite efforts to separate the women from the crew, four of the missing convict women were found with sailors. The fifth was more selective sharing her company with the 2nd Mate, Mr Squires. Squires was banished from the ship for disobeying the order not to associate with the convicts and the women of course were
punished. They were placed in irons until the ship set sail. Four days after these women were punished two other women convicts were put in irons for fighting.

On the same day that the women were found with the sailors, an important message was conveyed to Lieutenant William Collins, travelling on the *Lady Penrhyn*, that his brother Captain David Collins would be the Judge Advocate of the New Settlement. (The question arises although cannot be answered: was William connected to the Collins family who indicted Mary Turner at Worcester? And was there some connection between Mary and William that led to her arrest? After all, it was David Collins who gave Mary the alias of Wilkes, and at a later time in the colony David Collins defended Mary in a struggle by Captain Campbell to have her executed).

April drew to an end with just a small but important observation by Bowes Smyth that all children born at sea would be accepted as belonging to the Parish of Stepney. On 3rd May Captain Campbell of the Marines came aboard the *Lady Penrhyn* with his nephew, James. The following day the ship’s captain, Cropton Sever, came aboard, and on 9th May Captain Arthur Phillip, future Governor of New South Wales, arrived from completing the preparations for the voyage. The First Fleet was now ready to set sail across the world to an unknown country and through uncharted waters.

It was a fine day with a good easterly breeze when the First Fleet set sail on Sunday 12th May 1787. The *Lady Penrhyn* and *Prince of Wales* were the last ships to depart on the 13th May. The First Fleet to New South Wales was comprised of The HMS *Sirius* and HMS *Supply* which were Royal Naval escort ships; the *Golden Grove, Fishburn* and *Borrowdale* which were the supply ships; and the *Alexander, Charlotte, Friendship, Lady Penrhyn, Prince of Wales* and *Scarborough* which were the six convict ships. On Wednesday 16th May the *Lady Penrhyn* cleared the English Channel as part one of
the most extraordinary and ultimately successful migrations in history.

There were a number of children on the Lady Penrhyn. Joseph Harrison was 15 years old but he was not a convict. Most likely he was the son of Mary Harrison who, with Charlotte Sprigmore, damaged the clothing of prostitute, Susannah Edhouse. Mary Mullins was three years old and probably the daughter of Hannah Mullens who was accused of forging the Will of Peter Roach, the seaman. Eight year old Jenny Jones may have been the daughter of Elizabeth Osborne (alias Jones) one of the women who worked the highways to steal money and valuables from Henry Hatch. Or she may have been the daughter of Elizabeth Evans (alias Jones) who had stolen the tea. Edward Parkinson was probably the three year old son of Jane Parkinson.

Edward Smith aged just two may have been the son of Ann Smith, the unfortunate woman who fell asleep after drinking a pot of cider and was accused of stealing the pot! These children were given the family names of their mothers thereby assuring them of their matrilineage and a voiding the risk of false patrilineal links. It seems logical that they would be placed on the same ship as their mothers wherever possible. Although these mothers had the comfort of their children’s companionship, there may have been many children of the women on the Lady Penrhyn who were left in England when the ship set sail. Their stories have been lost but one can only imagine the heart wrench of leaving children and knowing there was very little likelihood of ever seeing them again. There was sorrow, too, for the young mothers who lost their babies in these early days at sea - Elizabeth Evans suffered a miscarriage on 25th May and six days later Isabella Lawson Rosson gave birth to a daughter who did not survive the voyage.

By the end of May the Lady Penrhyn had passed the Madeira Islands west of Morocco in the Atlantic Ocean. In June the fleet arrived at Teneriffe in the Canary Islands where the ships spent a week to
take on water. The weather had become increasingly warmer and the convicts were coping well. They were probably enjoying the improving climate. Unlike Marine Captain-Lieutenant Watkin Tench who was feeling the heat, probably because he was in uniform, the women and children would have had a chance to enjoy the benefits of sunshine on their pale bodies. Bowes Smyth’s entries are cheerful and positive. He described the peak of the mountain near Santa Cruz as reaching ‘… far above the clouds and very near its top the snow was perfectly seen in large quantities.’ On 2nd June when the fleet arrived at Teneriffe, he had further cause for satisfaction when Mr White, surgeon to the new settlement, came aboard the *Lady Penrhyn* with orders from Captain Arthur Phillip that Bowes Smyth was to be surgeon of the *Lady Penrhyn* with Mr Alltree as his assistant. In consequence he would be given a certificate from the Surgeon General for his work.

Bowes Smith describes the conditions on the *Lady Penrhyn* as being superior to anything that would be provided for marines in service, ‘… I believe few Marines or Soldiers going out on a foreign service under Government were ever better, if so well provided for, as these Convicts are’. The ships were well prepared with berths for the women, medical attention, fresh food, water and rum whenever possible. However, Watkin Tench, speaking from his position on board the *Charlotte*, a smaller ship than the *Lady Penrhyn*, makes the point that ‘… some of the necessary articles allowed to us on a common passage to West Indies, are withheld from us; that portable soup, wheat, and pickled vegetables were not allowed; and that an inadequate quantity of essence of malt was the only antiscorbutic supplied … It must be remembered that, the people thus sent out were not a ship’s company starting with every advantage of health and good living, which a state of freedom produces; but the major part a miserable set of convicts, emaciated from confinement, and in want of clothes, and almost every convenience to render so long a passage tolerable’.
Nevertheless, conditions were immeasurably better than the beginning of the year. June must have been a pleasant month aboard the Lady Penrhyn. The weather was good, the winds light, the sea relatively calm and there was an abundance of sea and birdlife which would have been as much a novelty to the convicts, children and crew as to Bowes Smyth. In June he observed a huge grampus under the ship. He recorded a huge shark, an albacore (tuna) about 100 lbs. under the bows, and numerous flying fish, dolphins, bonitos, a large shovel nosed shark, nautiluses and pilot fish. And as well as these novel distractions there was the happy prospect of resting in Rio in the near future.

Although there had been serious illness on the Charlotte, and deaths on the Alexander, the passengers on the Lady Penrhyn were doing well. The Fleet crossed the equator with an on-board ceremony and enjoyed the weather which was described as mild, much like an English summer’s day. Bowes Smyth seemed relaxed as he noted the provision of extra water for those who were ill, the slaughter of a goat and pig, the beauty of a sunrise and moonlight at night, the success of a small salad garden on-board, the warm bread rolls for breakfast each day, and the large goose eaten with salad on Sunday 29th July.

The first sighting of a whale on 22nd July would have aroused as much admiration and awe in the convicts and other passengers as Bowes Smyth experienced:

‘About 12 o’ Clock at noon a very large Whale rose about 20 yards from the Ship’s side, and blow’d water very high with a great noise. I was standing on the poop with Capt. Sever & looking very directly at the spot in which it rose and being the first Whale I had ever seen it startled me not a little. It was full as long as the Ship, spouted the water several times, swam majestically along the Ship’s side, crossed the stern, blow’d & went
down head foremost and it[s] enormous tail a great heighth out of the water.’

Although Bowes Smyth might have been feeling at peace during July, there were a few disturbing matters for other passengers, including an injury and two deaths amongst the convicts. On the first day of July, Mary Love alias Bird who had been transported for stealing a lamb, fell and broke her ribs. Three days later Elizabeth Colley, convicted of stealing women’s clothes from a house, gave birth to a still-born boy. Then on 9th July old Mrs Beckford, who at 82 was being transported for stealing 12 lbs. of cheese, died. Amongst the officers there was disquiet when Mr Watt’s ‘very good dog’ was, maliciously it would seem, tossed into the sea. On the Alexander where there was much dissatisfaction concerning the poor health of the convicts, due mainly to pre-existing illnesses and lack of hygiene in the gaols of England, a convict had fallen overboard and, despite all attempts to rescue him, had drowned. The convict women could not be immune from all of these events and surely must have been saddened at the loss of the child, and at least curious about the other deaths.

The fleet remained in Rio for the month of August. And what a propitious time to be in Rio! It was the month of celebrations and ceremonies. The fleet’s entry to the harbour at Rio was delayed for about a week due to the calm winds and during this time Bowes Smyth and the other passengers on the Lady Penrhyn watched the rich bird and sea life including a whale, many Mother Carey’s Chickens (a sort of sea swallow), some large boobies, many grampuses, great shoals of mackerel, and many other types of fish.

‘The depth of the water here is 42ft. wt. a bottom of mud & small shells. The appearance of the country is beautiful, consisting of Lofty Mountains & verdant Vallies, the one cover’d wt. lofty Trees &ca. & the other wt. Oranges, Lemons, Limes &ca. Sugar Canes also grow here in great abundance.’
During this time, while they awaited entry into the harbour, two large canoes, with red and white awnings and paddled by four naked Negroes and carrying three Portuguese gentlemen in each, circled the ships. The following day many canoes, rowed by Negroes, approached the ships selling oranges and cassava. Sadly during that week five more convicts on the Alexander died and a sailor from the Scarborough fell from the yardarm fracturing his skull, and died. The harbour at Rio was cluttered with ships full of men, women and children stolen by disreputable businessmen, adventurers and government members, who through the legal systems they had orchestrated, could justify their access to free labour and increasing profits. One ship from the Coast of Guinea moored close to the Lady Penrhyn had ‘...a cargo of some hundreds of black Slaves for the Slave market at Rio. At day light in the morng. I was awoke wt. their singing, as is their custom previous to their being sold or executed.’ Several days later Bowes Smyth observed many black slaves being led along the streets to be sold.

As evening fell the town, including the tops of churches and several monasteries, was illuminated in honour of Captain Arthur Phillip who had served previously with the Portuguese navy. At 6.p.m. the Fleet offered a 13 gun salute which the Fort returned. The officers of the Fleet were very well received onshore and a soldier was appointed to make sure that they were not harassed as they went about collecting large quantities of yams, banana, guavas, limes, lettuces, oranges, endives, turnips, radishes and beef from the markets and the canoes that visited the ships. The Fleet spent the remainder of August in Rio which, because of it beauty, must have been a delight for the crew and convicts and an opportunity for some relaxation in the sheltered port in warm weather.

For Bowes Smyth, Rio was a stunningly beautiful and endlessly fascinating city with an abundance of plants, fruits and butterflies. He was clearly enjoying his visit: ‘in walking up some of the streets of Rio d’ Janiero the Effluvia from the Orange & other trees was very grateful, wh. were in great profusion, full of fruit in a gradation
of ripeness & full Blossom at the same time.’ He collected some ‘very Curious preserved birds’, butterflies and insects; some cotton in the pod with seeds; and 31 plumes of native birds. He received gifts of rosary beads, beautiful flies, a walking leaf, shell ornaments and other curiosities.

There was plenty of socialising both on shore and on the Lady Penrhyn. At various times Bowes Smyth took shore trips with one or more of Mr Balmain, Captain Sever, Lieutenants Johnson and Poulder and Tench, and Captain Campbell’s servant. He visited markets and plantations, one of the latter being owned by the captain of a nearby fort who insisted they eat of everything in his garden – oranges, bananas, guavas, pineapples, sour lemons, guava marmalade and port wine. He visited mines and noted beautiful topaz jewellery.

On Wednesday 15th August there was a ceremony apparently as devotion to the Virgin May. A church was decorated and a band played music in the churchyard. That evening there was a fireworks display off the top of one of the churches (of which there were eleven in all as well as six monasteries and two nunneries this being a Roman Catholic country.) An awning was stretched from the church door to a house opposite. In the doorway of the house there was an ornamented recess with the image of the Virgin and child ‘most superbly dressed.’ Under the awning were an enormous chandelier and an orchestra. Bowes Smyth was disappointed by the appearance of the women - both those in the procession and others watching from their windows ‘…elegantly dress’d notwithstanding wh. they bore no small resemblance to the Actresses at a puppet show in Bartholomew Fair, their heads plaister’d & dress’s up in a very similar manner. There were very few amongst them who cd. Be call’d tolerable handsome.’ The following day Bowes Smyth visited a Friars’ Monastery and was astonished by the wealth of silver and diamonds used to decorate the statue of the Virgin Mother.
But there was also plenty of socialising for the officers on board the *Lady Penrhyn*, too. It is interesting to note that there was a small but regular, and increasing, number of visitors dining on the ship. On 10\textsuperscript{th} August Bowes Smyth returned to the ship to find Major Ross (this was the first time that they were introduced) and Captain Hunter on the *Lady Penrhyn*. On the 11\textsuperscript{th} a Portuguese Officer slept aboard the ship. On the 13\textsuperscript{th} Captain Tench and Lieutenant Poulter dined on board. On the 14\textsuperscript{th} Signior Il Dephonso, a Portuguese Chief Physician at Rio, with six other Portuguese gentlemen accompanied by Major Ross, came aboard to drink tea there being ‘nobody on board but Captain Campbell & Mr Anstis the Chief Mate\textsuperscript{5} all the other gentlemen having gone on shore to drink tea in the Orange Grove.’ (Well, this is an understatement of massive proportions because in fact there were over 100 women convicts on board.) It may be the case that Bowes Smith was noting the lack of normal crew of naval officers and marines on duty; and possibly explaining their replacement by Major Ross, future Lieutenant-Governor of New South Wales and head of the Marines, accompanied by seven Portuguese visitors as well as Captain Campbell of the Marines, Ross’s subordinate, and Mr Anstis, the Chief Mate. Clearly it had been a satisfying evening because before leaving the ship Signor II Dephonso, made a gift of a ‘considerable amount of Portuguese money (not less than forty Shillings English) for the convicts to be expended for their use in such Articles as Capt. Sever shd think most beneficial to them in their unhappy predicament.’ Again on 22\textsuperscript{nd} August, ‘Major Ross, Captain Shea, Lieut. Sharpe, [a marine,] Surgeon Balmain, Lieut. Poulden [a marine] & a Portuguese officer dined with us.’

A week after the religious celebrations there were more festivities this time to mark the birthday of the Hereditary Prince of Brazil. More illuminations and more fireworks! A twenty one gun salute was made by the Fleet and a twenty one gun salute returned from the Fort. What a spectacular time to be in Rio and perhaps this was one of the reasons that Phillip delayed the sailing of the Fleet from Portsmouth. He knew the length of time it would take to sail to
Rio, and he knew their religious customs. And he knew that he would be welcome. In 1774 he had joined the Portuguese Navy and served as Captain in the Spanish-Portuguese War, 1776–1777.

**Rio to Cape Town** On 4th September the Fleet set out from Brazil to catch the winds that would take it back across the Atlantic Ocean to Cape Town. From Cape Town their route would take the ships southwards to catch the Roaring Forties, the strong winds that would blow the little sailing ships around the coast of New Holland (Australia) and to the south of Van Dieman’s Land (Tasmania). From there the ships would sail north up the east coast of the continent to Botany Bay. Bass Strait, the waters between Van Dieman’s land and the southern coast of New Holland, had not been charted and the ships were forced to take the perilous voyage to the far south of Van Dieman’s Land before sailing northwards again. The day before setting sail a Roman Catholic sailor had eloped but Phillip decided not to search for him. Three senior officers had to be left behind in Rio because of illness.

September was spent at sea. The weather became progressively worse with winds, rain and squalls as the little ships ploughed through massive seas towards the southern tip of the African continent. The winds had begun as a gentle breeze and gradually increased to gales by the middle of the month. By 24th September the *Lady Penrhyn* rolled and lurched so severely on the huge seas that Mr. Watts was injured when he was thrown over some chairs, and the women were covered with bruises and injuries from falls. Clearly Mr. Watts, Lieutenant of the Navy, was not having a happy voyage. He had suffered the loss of his ‘good dog’ and now he was suffering an injury! It was not until the 30th of the month that the winds dropped and all became calm. During this quiet time of a couple of weeks the convicts and crew were treated to the sights of many marine animals including porpoises and whales.

As September rolled into October the conditions on the *Alexander* were deteriorating. Several men had died. There was a loss of
confidence in Captain Sinclair and there was a threat of mutiny by the ship’s company and convicts. Moreover, one of the male convicts on board the *Charlotte* had fallen overboard and drowned despite efforts to save him. The miserable conditions had contributed to twenty marines and ninety three convicts on the sick list by the time the Fleet reached the Cape.

The Fleet’s first view of Cape Town was of the great Table Mountain towering over the town. It was covered in green grass with flocks of grazing sheep. Cape Town was an attractive town at first sight. The streets were wide and set out in a grid of right-angled intersections. Neat houses, most painted white with ornamental cornices and urns with green decorative figures on top, fronted roads lined with oak trees. But for Bowes Smyth, and no doubt for all the voyagers, this external attractiveness concealed a harsh and mean society.

Cape Town was a Dutch settlement situated midway along the sea route between Europe and the East Indies and, further on, China. It was an important port for ships to reload with food and water. Since these arrangements usually took some weeks, many seamen took lodgings in private homes in the town, and the local businesses, in keeping with the usual tendency where demand exceeds supply, charged exorbitant prices for goods and services. However, Lieutenant Watkin Tench of the *Charlotte*, the other ship carrying women convicts, while critical of the high prices charged for goods at Cape Town, believed many goods to be cheaper than in England.

It was not a pleasant sojourn for anyone. There were two churches, Lutheran and Calvinistic, but no taverns or coffee houses. Slaves could be seen carrying water from the conduit which brought water down from Table Mountain to a large square at the entrance to the town. But even worse than this was the sight of a row of gallows and other torture implements erected along the shoreline. Among the punishment devices were wheels each of which was placed
about 3 metres above the ground on a pole. The convicts, officers and ships’ crews could see felons stretched on the wheels which were designed to mangle and break their bodies. Dead and decaying corpses were seen stretched out on the wheels, the right hand of the dead cut off and nailed to the wheel. Whether the corpses were left there as a warning to others or because no one was inclined to remove them was unknown. It was a dreadful sight.

If this was not enough to send the convicts, crew and officers into a state of serious contemplation, they also had other miserable matters closer to home to distract them. The situation on the *Alexander* had grown worse with several convicts dead and now thirty with a ‘putrid fever’ and dysentery, with another three expected to die. Even the surgeon of the ship, Mr White, had been ill. A group of convicts who had attempted a mutiny in response to the bad conditions had been chained to the decks, but it was the officers who had been most troublesome throughout the voyage from Portsmouth. Their drinking parties led to increased animosity between officers. Major Ross’s interventions to control his officers were not well-received by his subordinates on the *Friendship*. Then the 2nd Mate of the *Friendship*, Patrick Vallance, in an intoxicated state, fell overboard and drowned much to everyone’s dismay.

And still no relief was forthcoming from this depressing situation. Two days later, on 1st November, Phoebe Norton, convicted of stealing tableware, curtains and gloves, fell into the sea. Fortunately she was rescued by two men. The harbour at Cape Town is subject to sudden squalls and the day after Phoebe’s accident a long boat belonging to a visiting Dutch East Indiaman overturned throwing six sailors into the sea. Two of the sailors drowned despite efforts to save them.

At the more personal level for the voyagers of the First Fleet there was severe disappointment when they learned that the *Rainger Packet* (a packet was a small boat designed for domestic mail, passenger and freight transportation to the colonies) on its way
from London to Bengal had arrived at Cape Town without any letters or news for the Fleet. This was most disheartening because even though it was only two months since the *Rainger Packet* had left Falmouth it was now six months since the Fleet had left England and correspondence would have been expected from the four months prior to the *Rainger Packet* leaving England. But there was startling news. In Boston on 20th April 1787 (during their voyage) a massive fire had destroyed eighty to one hundred buildings.

Is it any wonder then, that on 14th October Bowes Smyth was feeling very ill and complaining of a headache and aches in his back! It is possible that this illness that Bowes Smith mentioned in his journal on that date may have affected his general health because from this point onwards he became critical of events and individuals and he lost that optimistic sense of wonder which characterised his earlier journal entries. Having already expressed his disappointment with the lack of news from England on the *Rainger Packet*, and his revulsion at the structures of torture at Cape Town, he lashed out at the prices the Dutch charged for lodgings: ‘...nor do I conceive there is any part of the Dutch possessions better calculated to exemplify the Characteristic of Dutch Avarice than Cape Town. Every Article while the fleet lay here was advanced to treble its usual price.’ Being a keen naturalist Bowes Smyth expressed his disappointment with the poor variety of animals in the Governor’s menagerie: ‘The Governor it seems is not fond of Natural History therefore his Collection of Beasts & Birds is very circumscrib’d being destitute of the most curious productions of Nature in that quarter of the Globe in wh. he resides vizt. Lyons, Buffaloes & many other species.’

Bowes Smyth’s sense of relief at leaving Cape Town and his unchanged state of mind are succinctly expressed in his entry: ‘The fleet left this place without much regret on 11th November at 1 O’clock p.m.’ However, the convicts may not have shared his sense of relief for they had been well-cared for at Cape Town with fresh
beef and mutton, vegetables, and soft bread each day. Perhaps some were better fed than they had been for many years!

**Cape Town to Botany Bay.** Cape Town was the final port of call before the grand voyage southwards, around the south coast of Australia and Van Dieman’s Land and up the east coast of New South Wales to Botany Bay. The prospect of this part of the voyage must have filled convicts and crew alike with awe and anxiety. There would be no towns or ports, no likelihood of merchant ships, and no knowledge of where water or other necessities could be replenished. The women were busy with their chores, caring for children, and with matters of birth and death. Ann Morton, convicted of shoplifting 17 handkerchiefs, gave birth to a boy, Joshua who managed to survive the voyage. Three days later thirty year old Jane Parkinson, a milliner who had stolen calico and other materials, and who had been taken off the Friendship and placed on the Lady Penrhyne with four other women and two children at Cape Town, died from consumption.

Drinking water was becoming scarce as there was a large number of animals on the already overcrowded Lady Penrhyne. The animals included a stallion, three mares and three colts taken aboard by Captain Phillip at Cape Town. Throughout November there was some diversion when many whales were seen close to the Fleet. One came very close to the ship and at other times they appeared to be playing in a group alongside the ship.

On 25th November, Phillip divided the Fleet into two groups with the intention of sailing the fastest ships ahead of the Fleet. The purpose of the change to two groups was so that he could examine the coast of New South Wales in the faster ships before the slower ships arrived at Botany Bay. The Supply, Scarborough, Alexander and Friendship moved on leaving the slower Charlotte and Lady Penrhyne and others in their wake. Bowes Smyth was most critical of this manoeuvre and on 25th November he complained ‘… but in order to have had this scheme succeed he shd. Have put his plan in force
long before he did as it cd. Not wt. the smallest degree of probability be supposed that the fleet wd. arrive long enough after him to compleat such a work of time as that of exploring any considerable a part of so extensive a Coast as that of New Holland. Had he conceiv’d the Idea & put it into practice at leavg. Rio de Janiero it might have succeeded in some measure but as it was now produced it was a mere abortion of the brain, a whim which struck him at the time as the sequel will sufficiently evidence.’

The winds had been variable since leaving Cape Town with changes from squalls to calm to brisk breezes. On 29th November the winds increased and the seas became so huge that everything on the ship began to move around. While Bowes Smyth was dressing a sailor’s leg in the steerage section of the ship, a broken cable slammed against a sea man’s chest which moved across the deck and just missed crushing his own legs. His irritability at this frightening event was not improved when, on the same day, a huge shark seized his white trousers which were being towed astern. His last sight of his trousers was of them floating away with the shark in pursuit. On the Prince of Wales another thirty convicts had died, many succumbing to illnesses acquired in various gaols where they had been incarcerated before boarding the ship. On the other hand, the convicts on the Lady Penrhyn continued to do well having lost only two women and then to pre-existing causes; and there had been no deaths on the Scarborough.

Bowes Smyth’s sour mood continued into the month of December. After writing an entry on 1st December he praised the healthy state of the Lady Penrhyn and the care taken by the officers and surgeons of the ships in maintaining cleanliness. He described the conditions on the ships as being as good as or superior to the conditions most Marines would experience on leaving England in government service. But by the 10th December he wrote a long tirade condemning the women on the Lady Penrhyn as not meriting the ‘extreme indulgence’ they received in term of food and medicines. The provisions for the convicts included beef and pork;
and the box for the sick convicts contained about 40lb (pound) of moist sugar, 6lb currants, 6lb of sago, 1lb of almonds, some mace, cinnamon and fine rice, French barley, 10 gallons of red Port wine, soup, tea, and essence of malt.

He really had it in for the women. He whined that they cut up clothes that had been bought for them by kindly sailors ‘…who at every port they arrived at spent almost all of their wages due to them in purchasing different article of wearing apparel and other things for their accommodation…’. Not only that, he accused them of having ‘plundered’ the sailors to acquire these goods and that they had demonstrated ‘base ingratitude’ by cutting up the clothes. Of course, he did not enquire into the reason for cutting up the clothes but a little reflection on women’s needs such as surgical cloths, bandages, sanitary napkins, cloths for drying their bodies, or to be refashioned for the growing children on the ship and their own wasted bodies, might have painted a more positive picture. But Bowes Smith, a seemingly reasonable person in earlier times, was not in a mood to make a positive assessment of the women’s situation.

He complained at length about the fighting and thieving amongst the women and their abusive language. He wrote that nowhere could there be ‘…a more abandon’d set of wretches collected at any one place at any period than are now to be met with in this ship …’ Bowes Smyth seemed to have become gleefully vindictive adding that the women were punished by having their wrists locked in iron fetters or their thumbs in thumb screws. Some were flogged with a cat-of-nine-tails on their bare behinds. He added that the exception for this punishment was during the monthly menstruation. Of course he was too delicate to mention menstruation, but explained ‘… certain seasons when such a mode of punishment cd. Not be inflicted with that attention to decency wh. everyone whose province it was to punish them, wished to adhere to, it was totally laid aside.’ Some offenders were gagged! It was certainly a miserable time for some women. But the worst
punishment as far as the women were concerned was having their heads shaved. So, clearly, there must have been a sense of personal feminine vanity and dignity amongst the women. We can get a glimpse of that vanity when Mary Davis fell down the hatchway on to her head. She was not injured because her head was covered in false hair rolls fashioned into her hair which cushioned the fall. Bowes Smyth, not normally a seaman, was, like everyone else on the Fleet, feeling the strain of so many months at sea and with many weeks to go before arriving at Botany Bay. Yet he managed to maintain as thorough a record of the voyage as his skills and knowledge could inform him.

Many of the sheep had died, as had two new calves and some three dozen out of four dozen fowls bought at Cape Town. Now the Dutchmen at the Cape, too, were the subject of his reproach. He accused them of giving the fowls something to cause their illness. Bowes Smyth had some reason for his irritability. He was responsible for maintaining strict hygiene on the ship and attending to the medical needs of the crew and convicts. And he was in charge of the medicines. The congested conditions on the ship with squabbling women, crying babies, restless children, noisy animals, winds, rain, unsteady decks and, more recently, an incident when Thomas Kelly, the convict in charge of the future Governor’s horses which were kept on the Lady Penrhyn, stole a puncheon of rum and shared it with the women, would have been causes of severe irritation and annoyance to him. At least Bowes Smyth’s enthusiasm for natural history and his detailed recordings of the sea and bird life around the ship would surely have provided him with some respite from the demands made by his fellow travellers. He enjoyed social evenings in the roundhouse with Mr Altree, and a Mr James Small. About a week after his unusually bitter criticism of the women, he was given a parcel of magazines delivered to the Sirius by the Rainger Packet in Cape Town. He was delighted because they offered news of England from June, which of course was when the fleet was well on its way towards Rio.
Then, on New Year’s Day, Lieutenant Johnson gave him two volumes of Hamilton Moor’s *Voyages and Travels*.

By Christmas, six weeks after leaving Cape Town, Bowes Smyth’s entries suggest that his gloomy period had passed and his attitude to the women had softened because he distributed extra rations of sago and soft sugar to the women. And as for the sailors, well they were not the only ones to show kindness to the women. We need to reflect on the Governor of Rio who left silver coins to assist the convict women who at that time were dressed in converted produce bags. There seems to be a genuine sense of generosity shown by those men who were not the British officials to the women; and perhaps this was also the case with some of the British officials who may have concealed their real attitudes. Evidence of serious relationships between officials and convict women are those of Major Johnson and Esther Abrams; Lieutenant King and Ann Innes; and most flamboyantly, between Judge Advocate and Lieutenant-Governor David Collins and two convict women - Ann Yeats in New South Wales and, later, Maria Eddington in Tasmania.

The year 1787 ended in the Southern Ocean with enormous seas that washed the women out of their berths. The waves were ‘mountains high’. The chicken coop, which had been secured tightly, broke away destroying the goats’ house and laming the goat and kid. The little ship rolled and pitched continuously in the rough seas and wild weather. She was thrown so far into the massive waves that sea weed, which usually adhered to the bottom of the ship, was washed halfway up the main mast as the ship rolled from one side to another. The fore top sail ripped in half in the furious gales. The huge seas continued to rage through New Year’s Day 1788, so much so that the women had to be kept below deck with the hatches closed to prevent injury or loss of life. It must have been a terrifying experience for the women stumbling around in the dark, unable to get on to the deck for fresh air. By evening of that same day the huge seas washed into the great cabin. Worse for
Bowes Smyth was to find his sheets and blankets floating in sea water which half-filled his own cabin.

Eventually, over the next few days the winds began to ease. The weather became finer. On 7th January the Fleet was at Latitude 43°38’37S and Longitude 146°49’39 E close to South Cape, Van Dieman’s Land. This is a wild and remote area with the great continent of Antarctica to the south. Predictably on 9th January the winds and squalls began again. Many of the plants on deck were broken and destroyed. On board the *Sirius* almost all the sheep, and 13 of the 15 goats, a pregnant cow, and most of the poultry died. Later that day the storm grew into hurricane proportions with every ship suffering some damage. During the storm the women were so terrified that they got down on their knees to pray. However, as soon as the storm abated their language once more reverted to obscenities! By 13th January, now two months since leaving Cape Town, the *Lady Penrhyn* had no more food for the mare and cow, yet the ship was approximately 520 miles from where they expected to enter Botany Bay.

As the Fleet headed northwards the weather changed from storms to calm. More dramatically, a fiercely hot wind blew for several days as the Fleet sailed a further 200 miles up the coast of New Holland. These are the dreadful westerly winds and gales that originate in the interior of the Australian continent, drying the vegetation to tinder as they thrust their course eastwards towards the sea. Even today these hot dry winds swirl and whirl with fires starting as small sparks by lightning strikes and bursting into walls of relentless fire and smoke tens of kilometres wide destroying all living plants and creatures in their devastating advance. On 16th January, as the fleet approached Botany Bay, Bowes Smyth complained that at 6 a.m. the temperature was already 77 degrees Fahrenheit and the wind was so hot it felt as though it had ‘proceeded from an oven’. The hot weather and scorching westerly winds continued into the following night when he was obliged to open the cabin windows and sleep with the door open. How
uncomfortable, then, it must have been for the women in the lower decks. Perhaps they too had to sleep on deck. But the harsh midday sun beating down on their heads and the deck planks burning their feet would have forced them into the shade of the overheated lower decks. There would be little respite inside the ship with the overcrowding, the lack of a fresh breeze, and the odours emanating from too many people forced together. The westerly wind continued until evening and then died down. By the morning of 18th January there was a gentle breeze which gradually grew in strength during the night, rolling the ships.

It was now ten weeks since the Fleet left Cape Town. At 7 a.m. on Saturday 19th January land could be seen about 40 miles away. Bowes Smyth wrote, ‘The joy everyone felt upon so long wish’d for an Event can be better conceiv’d than expressed…’. On Sunday 20th January 1788 the Lady Penrhyn at last sailed into Botany Bay. How relieved the voyagers must have felt at having reached their destination alive! Yet how anxious they must have felt when observing bushland, scrub and grasslands as far as the eye could see. And how fearful they must have felt about the inhabitants - human, animal or plants and insects - that would dwell in this strange land.
CHAPTER FOUR

The First Settlement

Botany Bay is a perfectly circular bay of low relief and placid waters protected from the swells and currents of the Pacific Ocean by impressive elevated headlands. Its shallow waters face south east thereby exposing the bay to southerly gales. The soil of the bay is adequate for native grasses, scrub and trees that are conditioned to an arid environment, and the featureless landscape supports many ponds, waterholes and small streams that provided nutrients for fish, reptiles and birds. For the small bands of indigenous peoples who hunted and gathered in the grasslands, woods, streams and coast, there was sufficient food. But in the January summer of 1788 it was clear to Governor Phillip that there was very little running fresh water, and the site was unsuitable for a settlement of more than 900 people who would need to produce crops and raise grazing animals to sustain the new colony.

January on the south east coast of New South Wales is probably the most volatile month of the calendar year in terms of weather. Blistering hot and throat-parching dry winds with temperatures of 42 degrees Celsius (107.6 degrees Fahrenheit) from the western desert interior of the continent can torment with their severity and relentlessness, only to suddenly, after a couple of days, drop to a complete calm. The calm is deceptive. Within just a few hours of calm equally savage gales will roar in from the south or south east as a dark cloud swollen with leaves, grass, or sea spray, providing welcome relief as the temperature drops more than 20 degrees Celsius in just a matter of minutes. The gales may be accompanied by squalls with lightning and thunder, rain and hailstones that rip trees from the earth, splitting their branches and stirring huge foam capped waves in the sea. A few cool days and grey skies with scattered clouds will dim the brilliant blues of the sea and sky before the sun reappears to light up the green and gold of the
landscape and the azures and cobalts of the sea and sky. Over the twenty two days from the 16th January to the 6th February 1788 that is, from the time when the Fleet approached Botany Bay until the last of the voyagers waded onto dry land at Port Jackson, the new colonists were treated to all of these tempestuous atmospheric moods.

Governor Phillip spent four or five days exploring Botany Bay to determine whether there was sufficient fresh water to establish the colony and during this time, while the convicts remained on the ships, Bowes Smyth had an opportunity to indulge in his passion for natural history. So captivated was he by the novelty of the landscape that he failed to record the weather for the next few days.

While the convicts passed their time observing the landscape and the unfolding events from their ships as work parties went about felling trees, fetching water and exploring the bay, Bowes Smyth set about examining indigenous plants and animals and recording their varieties. He also made a close scrutiny of the indigenous people, the Aborigines, who lived around the bay. However, it might be safely said that his enthusiasm for his observations was not always matched by his prudence, or at least an astute comprehension of these newly discovered natural wonders. Interestingly, although the journal entry is for 21st January, he describes animals he would observe over the next three months in New Holland. Consequently he includes those animals observed at Botany Bay with those later seen at Port Jackson after 30th January.1

It would seem that Bowes Smyth was editing his journal entries and they were not always immediate daily entries as the dates of the entry would suggest. Some of the more alarming descriptions include one of a very large black snake with yellow spots at least eight feet long and as thick as a man’s arm with two rows of teeth in the upper jaw and one row of teeth in the lower jaw, (this may have been a diamond python or a moray eel since he does not mention fangs); a 13 foot shark with a gaping mouth measuring two feet; and, most unnerving, an alligator about 14 feet long (this
was most likely a goanna which is reputed to be more dangerous than alligators or crocodiles because it has the ability to run on two legs and climb trees – or people) found wandering near the women’s tents on several occasions.

During one of his forays searching for insects (he mentions at least eight or ten species of flies and mosquitoes) at Botany Bay he apparently went to shore with a party of woodcutters but, so engrossed was he with his observations, that he became hopelessly lost and unable to find his way back to the wood cutting party. His predicament threw him into ‘no small panic lest I sh.d meet with any of the Natives before I cd. Extricate myself from the Labarynth I had got into.’ His worst fears were realised at one point when he was dwarfed by ferns, which he had time to notice were similar to those in England but which did nothing to relieve his anxiety, because he found himself uncomfortably close to a group of small wigwams and could hear strange voices of men and women. In this state of elevated apprehension he crawled quietly away without being noticed. Backtracking he found himself within sight of the bay but at least a mile from the wood cutters.

Apparently a slow learner when it came to self-preservation, except for the maxim of safety in numbers, the following day Bowes Smyth set out with Mr Palmer, the purser on the *Sirius*, with the water collecting party. It is not clear whether he alerted Mr Palmer of his questionable navigation skills or, if in fact, Mr Palmer would have accompanied him if forewarned, but they wandered for about two miles along the beach. On looking back they were alarmed to realise that the water collecting party was obscured by an outcrop of rock, and worse, that there was band of Aborigines between themselves and the rocks. Bowes Smyth noted with an astonishing example of English understatement, ‘[We] turn’d back with not very pleasing reflections on our imprudence in trusting ourselves so far not knowg the [c]onsequences of being intercepted by a party of Natives.’ As they approached the two or three Aborigines, they were further alarmed by their whoops and loud talking,
particularly when their number swelled to seven. Feigning a casual
demeanour they ‘...thought it most prudent not to appear
frighten’d or walk too fast from them...’ and they distributed
beads and coloured paper suggesting that at least Bowes Smith’s
previous day’s experience, had led him to take some precautions,
(although what the Aborigines would do with the painted paper
Mr Palmer gave them is anybody’s guess).

When one of the Aborigines took Mr Palmer’s arm, to all
appearances in a friendly manner, Mr Palmer did not feel entirely
confident in this new friendship and slipped a loaded pocket pistol
to Bowes Smith and held another himself. They walked in this
awkward manner for some ‘considerable’ time until with enormous
relief they came upon the watering party and their new found
friends disappeared into the bush. Needless to say our two hapless
heroes resolved ‘never more to run such risks in the future.’ Their
fears had some justification, although at this time they were not to
know it of course, because the Aborigines of this area were later to
prove hostile neighbours to the new settlement and the cause of
injury and death to several of the new settlers.

On the evening of 24th January Governor Phillip, who had returned
from an exploratory voyage to Port Jackson, advised that the fleet
would leave Botany Bay the following morning. All day on the 24th
the wind had blown from the bay, (probably a north easterly, the
prevailing summer wind) making it impossible for two French
ships, La Boussole and L’Astrolabe, from entering the bay. On
learning that the ships were French discovery ships Phillip had the
English colours hoisted on the watering place at Sutherland point
on the south side of the bay.

Overnight there was a change in the wind direction so that at 5
a.m., when the fleet set forth, strong squally winds were blowing
into the bay. Botany Bay faces east south east so it is most likely
these were either south easterly gales or southerly gales, sometimes
known as Southerly Busters. These gales were directly before the
fleet so that after three attempts to approach the opening from the bay the fleet was forced to drop anchor, except the *Supply* which with ‘greatest difficulty’ managed to leave the bay. The following morning the winds eased but remained in the same position. *La Bussole* and *L’Astrolabe* were able catch the winds to enter the bay but had missed the chance of claiming New Holland for France by just a few days.

The women on the *Lady Penrhyn*, as well as most of the passengers on the ships of the First Fleet, enjoyed a nerve-wracking voyage ‘wt. many hairbredth escapes’ out of the bay by 3 p.m. on 26th January 1788. The *Charlotte* was, for a time, in imminent danger of hitting rocks. The *Friendship* and *Prince of Wales* ‘came foul of each other’ and the *Friendship* tore away the jib boom, and the new mainsail and main topmast were shredded to pieces. Then the *Charlotte* ran afoul of the *Friendship* and carried away much of the carved work of the *Friendship*’s stern. The *Lady Penrhyn* was in dire risk of the same fate before the fleet was eventually free of the bay. (This entry has also been edited by Bowes Smyth at a later time and it is interesting that he lays the fault of these damages on the ‘rashness’ of the Governor.) Despite Bowes Smyth’s descriptions of the rough conditions and difficulties of the fleet in negotiating the bay, Watkin Tench, one of the captain-lieutenants on the *Charlotte*, makes no reference to the gale or the damage to the *Friendship* and describes the voyage up the coast as taking only a few hours and ‘those were spent far from unpleasantly.’

The little fleet sailed through the heads into Port Jackson at about 7 p.m. 26th January and into the largest and one of the most beautiful harbours in the world. They sailed to a small sheltered cove about eight miles upstream. The convicts, passengers and officers enjoyed the steep green wooded hillsides, bays, coves and islets dotting the harbour and, since it was a bright evening, the sky in mid-summer would have been deepening from bright blue to the mauves, pinks and scarlets of sunset. The harbour in the evening would have shone with waves of indigos and greens laced
with silver and orange, and the golden sand of the little beaches would have gradually been tinted rose, with the sunsets shining through the pink and red dusts of the very distant western deserts. As night fell the myriads of stars would begin to appear like a canopy over the glorious expansive harbour and the darkening waters. The ships, being close to shore, were able to tie up to the trees rather than drop anchor. From the shelter of the trees and woods the Aboriginal people of the harbour watched the arrival of these strange vessels. No doubt word had reached them of the arrival of the fleet from the peoples of Botany Bay. But did they fear or comprehend that their world as they knew it was now being invaded, that from this evening onwards nothing would ever be the same for them, just as the world the convicts had known before this exact hour in history would never be the same for them?

Over the next few days the convicts and marines disembarked and were employed clearing the land, cutting trees and in fact establishing a village around a little running stream of fresh water. Governor Phillip’s tent house, which had been transported to the settlement, and a number of convicts’ tents were constructed on the eastern side of the stream; the marines and other convicts were housed on the western side of the stream. The workplaces of the settlement were established – the woodcutters, the blacksmith, the collectors of stone, the parade ground of the marines – but the women were confined to the ships. The weather was very hot but the women would have had some respite provided by the fresh north-easterly breezes on the harbour. It is probable that during these few days they prepared their belongings, their clothes and their children for their new shelters. Despite the heat, there must have been some comfort on ships that no longer buffeted them around but softly rose and fell with the gentle waves giving them time to recover their ‘land legs’.

On 30th January Bowes Smyth was approached by Lieutenant King (of the *Sirius*) concerning King’s own new appointment as Superintendent and Commandant of Norfolk Island, an island to
the north east of the coast of New South Wales. King was to sail in about ten days to take possession of the island and establish a small settlement to grow flax and to fell pine wood as well as set up a small rural industry based on animals, seeds and grains. He was to take a surgeon (Mr Jameson the First Surgeon’s mate on the *Sirius*), a midshipman, a sawyer, a weaver, two marines and sixteen convicts. He asked for a list of six well behaved women of the *Lady Penrhyn*. Bowes Smith recommended Elizabeth Lee, Elizabeth Hipsley, Elizabeth Colley, Olivia Gascoigne, Ann Innett and Ann Yates. Ann Innett and Olivia Gascoigne were country girls from Worcester, Ann Innett later co-habiting with Lieutenant King and bearing two of his children; and Olivia Gascoigne who later married the convict Nathaniel Lucas. Elizabeth Colley became the unmarried partner of Surgeon Jameson. Ann Yates, who preferred to stay in the colony, was replaced by Susan Gough who married the convict Edward Garth; and Elizabeth Hipsley later married a marine settler.

That evening the first of several fierce storms with thunder, lightning and heavy rain which tormented the settlement over the next week or so, split a tree but failed to ease the oppressive heat. Six days later the women destined for Norfolk Island left the *Lady Penrhyn* and assembled near the Governor’s house where tents were made available for them as they awaited their voyage. They would remain separated from the other settlers until their departure on 14th February.

The day finally arrived when the remaining women would disembark from the *Lady Penrhyn*. It was at 5 a.m. on 6th February 1788 that three of the ships’ longboats came alongside the *Lady Penrhyn* to receive them. They were dressed up for the occasion and Bowes Smyth accorded them an uncharacteristically rare compliment when he described them as being ‘….dress’d very clean & some few amongst them might be sd. To be well dress’d.’ They had spent many months on the ship refining their skills in the making and altering of clothes, shoes, hats and other items of
apparel and had most likely shared their individual trades with each other. Of course, the arrival in the new settlement was a most important day when they would be on show and appraised by all of the other settlers, officers, free settlers and convicts. And of course they would be looking forward to the opportunity to distinguish themselves as women rather than convicts.

But Bowes Smyth was waspish and could not resist a parting shot at the women who had given him and the officers the benefit of their colourful derisive comments throughout the voyage. He expressed his ‘long wish’d for pleasure at seeing the last of them leave the ship’ then added that, although a thorough search had been made of them to discover whether they were taking any stolen items off the ship with them, ‘… their Artifice eluded the most strict search’ and by 6 p.m. they had all departed.

This was an unusually spiteful comment by Bowes Smyth and, as the entry for 6th February continues, his comments become less convincing, as we shall see, and more derogatory. He recorded that shortly after the women had departed the ship, in fact within the hour of their landing and before they had established their tents and organised themselves, an enormous storm blew up. It was the worst display of thunder, lightning and rain that Bowes Smyth had ever experienced. The lightning was incessant the whole night and he ‘never heard it rain faster’. At midnight a flash of lightning struck a tree in the centre of the settlement splitting it ‘from top to bottom’ killing five sheep belonging to Major Ross and a pig belonging to a lieutenant. The storm was so violent that ‘the thunder shook the Ship exceeded anything I ever before had a conception of. I never before experienced so uncomfortable a night expect. Every moment the ship wd. be struck by lightning.’ Despite these extraordinary conditions with a rolling ship, darkness because of little access to lantern or candle light, poor vision because of the torrential rain lightning, and the heavily wooded settlement, Bowes Smyth’s following comment has gone down in history as being his reliable description of the conditions on shore
that night when he writes: ‘The Men Convicts got to them [the women] very soon after they landed, & it is beyond my abilities to give a just description of the Scene of Debauchery & Riot that ensued during the night.’ In fact, there is very little possibility that Bowes Smyth could see or hear anything through the noise and poor visibility.

This statement should be read as it is written not as a description of the lecherous behaviour of the convicts during what must have been a storm of epic proportions in their experience. Bowes Smyth had no means of seeing what was happening on shore because he was on the Lady Penrhyn, fearful for his own safety, and only the flashes of lightning could have illuminated the settlement where everyone would have been seeking shelter from the forces of the storm. The rumbles of thunder and the splitting of the tree with the attendant shock of the deaths of the animals would have caused a great deal of screaming and shouting. It would be naïve to imagine that after months at sea there would be no revelling after the women had disembarked, but the severity of the storm and the terror of the lightning and thunder would have been sufficient to cool the ardour of the convicts (and the officers also - the ships’ crews had requested rum so they were in no condition to participate in any revelling or duties.) Moreover, how could Bowes Smyth have written this entry on that night in the dark on a rolling ship?

The journal entry for 7th February throws some light on the mood affecting Bowes Smyth. Clearly the journal was written after the 7th or later on that day, but not on the 6th when the women disembarked. By the evening of the 7th Bowes Smyth was very peeved, his feathers were well and truly ruffled and with some reason. And it was Governor Phillip who again received, if not earned, the full vent of his invective and he was not going to allow Phillip any favourable comments.
Bowes Smyth records that on the 7th of February Phillip ordered all those able to leave the ship for an 11 a.m. assembly to hear the Governor’s Commission read; and also the reading of the Commission concerning the Court of Judicature – that is, the laws of the new settlement. February is high summer in Sydney. The midday sun beats down relentlessly from a cloudless sky and after a storm, such as occurred on 6th February 1788, the humidity would be unbearable at that hour before the fresh sea breezes had reached their full force. The sand would have been hot enough to burn the feet of those who were not comfortably shod, and just a half hour out of the shade would have burned the skin of the light skinned settlers.

The assembly was as spectacular affair as could be arranged in the new settlement. The convicts had been assembled and stood as Governor Phillip with flying colours and a band of drums and fifes, and accompanied by the Judge-Advocate, Lieutenant-Governor, Clergyman, Surveyor-General, and Surgeon-General, was received by the Marine Officers who, being under arms, dropped their arms in respect to the Governor. The marines formed a circle around the convicts who were then told to be seated (presumably on the ground which would not be easy with ants, rough grass and stones and other irritants). All gentlemen were invited to the centre with the senior officials. A camp table had been set up in front of the convicts and officers from where the Governor read his Commission which was lengthy and attended by the various titles and territories of the Governor. Following these official pronouncements, the Governor, according to Bowes Smyth, ‘harangued’ the convicts instructing them on their responsibilities; that execution would be imposed for theft of stores; and other matters. So strict were the new laws and instructions that Bowes Smyth added, ‘In short, I shall not attempt to follow the Commission thro’ its various parts, I shall only observe that it is a more unlimited one than was ever before granted to any Governor under the British Crown.’
It was the event following the closing of the assembly, with all the pomp and ceremony that attended its opening that caused Bowes Smyth to suffer the insult that was surely the cause of his annoyance, if not vexation and indignation. A large tent had been erected in which refreshments in the form of a cold collation had been spread out, and ‘[at] which’ as Watkin Tench observed, ‘it is scarce necessary to observe, that many loyal and public toasts were drank in commemoration of the day.’ But only the general officers were invited to the party! Bowes Smyth was not invited. As Bowes Smyth explained, ‘… not the least attention whatever was paid to any other person who came out from England.’ Moreover, even the contracted masters of the ships, who paid the Governor the compliment of going onshore and attending the reading of the Commission despite having no obligation to do so, were not invited to the cold collation. In fact, Bowes Smyth makes the point that ‘… there was no more notice taken of them or even to provide the slightest accommodation for them, than the Convicts themselves.’

This would have been a bitter pill to swallow for Bowes Smyth who had been the surgeon in charge of the convicts on the Lady Penrhyn. So already, it would seem, the colony was displaying signs of a class hierarchy with officers in the prestigious position at the top of the pyramid, followed by all other free men, and the convicts at the base of the pyramid.

But wait! This is not how the convicts viewed their position. Bowes Smyth notes that despite the official punishments meted out by the officers to sailors who had strayed into the women convicts’ camp, the male convicts took it upon themselves to mete out their own form of punishment to sailors who walked near the women’s camp. ‘The Men seize upon any Sailors who are walking near the Women’s Camp, beat them unmercifully & desire them to go on board.’ This protection of the convict women by the convict men was not just a protection of their own interests, but a nascent realisation of the convicts’ own identity as a significant social group.
in a settlement where a convict would eventually become a free man; and the social boundaries and responsibilities of the past would be toppled and rearranged in the years to come. Their stance against the sailors was their earliest demonstration of their power as a distinct independent social group.

The officers, too, were subject to official punishment for mistreating the women. When the Marine, Thomas Bramwell, who had been servant to Lieutenant Johnston on the Lady Penrhyn, beat Elizabeth Needham with whom he had enjoyed a relationship, he was sentenced to one hundred lashes on the day he was charged and another one hundred lashes to be inflicted at a later date. In fact, the women of the first settlement were well treated by officers and convicts alike.

In 1793, Thomas Watling, a convicted forger, wrote a letter to his aunt in Dumfries in which he commented on the comfortable, even potentially powerful, state of convict women in the colony, and urged condemned women in Britain to seek transportation as a means of improving their lives:

‘They may rest assured, that they will meet with every indulgence from the humane officers and sailors in the passage; and after running the gauntlet there, will, notwithstanding, be certain of coming upon immediate keeping at their arrival. Nay more, if any girl of uncommon spirit, with a happy talent for dissention, and no doubt but such there are, should attract the affection of one in office, she may console herself with the comfortable prospect of rendering everyone unhappy around her; for by her duplicity and simulation, she may so far agitate her cully, supposing him one of the springs of our government, as to make our colony quake at the very centre. But be she ever so despicable in person or manners, here she may depend
that she will live and dress and live better and easier than ever she did in the prior part of her prostitution.\textsuperscript{5}

In other words, shrewd women who formed liaisons with officers had the ear of their lovers and thereby the power to influence decisions affecting others within the colony. And these liaisons between officers and convict women were not unusual for, as Watling explains,

‘As a late journalist is much anxious to insinuate the assiduity and virtue of governor P [Phillip] —, in urging matrimonial connections, and forbidding illicit ones, I think I may here remark the efficacy of his endeavours. Had such a scheme taken place, possibly something good might have accrued, though little I think could have been expected from the coupling of\textit{whore} and\textit{rogue} together. Be this as it may, I think it would have been equally praise-worthy in his Excellence, to have recommended to our betters, the setting as a continent example; in lieu of which there is scarce a man without his mistress. The high class first exhibit it; and the low, to do them justice, faithfully copy it.’

By March the construction of the little settlement was well on the way. The Governor’s house was a prefabricated tent house but already there were plans to build stone houses for the Governor and Lieutenant-Governor on the summit of a hill overlooking Long Cove and the harbour generally, near the main road that ran down to the bay. The plan for the town had already been designed. The delay in erecting these houses was due to the lack of limestone in the area and, in fact, women convicts picked oyster shells to be burned for lime.

At first the settlers and convicts lived in tents. Mary alias Wilkes shared a tent with Mary Phillips\textsuperscript{6} who had been sentenced to be hanged at the Somerset Lent Assizes held in Taunton on 30\textsuperscript{th}}
March 1786 for breaking into the house of Nathaniel Shorney in the Parish of Over Stowey and stealing 2 linen aprons.\textsuperscript{7} She was reprieved and sentenced to transportation for seven years. She had been transferred from the \textit{Charlotte} to the \textit{Friendship} in Rio for bad behaviour during the voyage and continued to be a cause of the disturbance of the peace on her arrival in the settlement when two marines brawled over their perceived rights of her favours. One of her admirers, Thomas Bullmore, was kicked to death by James Baker. She also received twenty five lashes for using a spade as a baking dish. She had a son with marine Thomas Spencer but later settled down to a prosperous life with convict Thomas Stevens on Norfolk Island and later at Norfolk Plains when the Norfolk Islanders were transferred to Tasmania.\textsuperscript{8}

As the weather grew cooler thatch and bushes were applied to the tents. When heavy rains fell in March and two hundred patients were being cared for, a hospital was built of wood and shingles. It was eighty four feet by twenty three feet, part of the building to be used as a dispensary. By March barracks for the marines were under construction with little hovels of cabbage palm, mud and thatch being used in the meantime, although the rain caused the mud to become heavy and weighed down the structures. Watkin Tench observed\textsuperscript{9}:

‘Amidst our public labours, that no fortified post or place of security is yet begun, maybe a matter of surprise. Were an emergency in the night to happen, it is not easy to say what might not take place before troops, scattered about in an extensive encampment, could be formed to act.’

Convicts were employed in cutting stone, making bricks, fences and caring for the animals. Unfortunately, Watkin Tench recorded the supervision of work gangs was undertaken by a convict member of the gang who had very little experience if any in organising working parties.
'It is to be regretted that Government did not take this matter into consideration before we left England, and appoint proper persons with reasonable salaries to execute the office of overseers; as the consequence of our present imperfect plan is such, as to defeat in a great measure the purposes for which the prisoners were sent out.'

In a rare moment of exasperation and resignation Watkin Tench wrote of the efforts to get things done:

‘In Port Jackson all is quiet and stupid as could be wished. We generally hear the lie of the day as soon as the Reveille announces the return of it; find it contradicted by breakfast time; and pursue a second through all its varieties until night, welcome as to a lover, gives us to sleep and dream ourselves transported to happier climes.’

A wharf was constructed to allow for the removal of the ordnance, that is, the mounted guns and cannon from the ships. This consisted of two brass six-pounders on travelling carriages, four iron twelve-pounders, and two iron six-pounders. Construction began on the observatory on the ridge to the west of the settlement.

By June fifty four convicts had died and among the officers only one sergeant and two privates. Watkin Tench questions the scarcity of food as a cause of these deaths among the convicts because they received the same allowance of food as every officer and soldier in the garrison. Moreover, they were exempted from work on Saturdays and were required only to attend the religious services on Sundays which were held in the shade of a large tree. Both Watkin Tench and David Collins remarked on the good behaviour of the convicts, far in excess of what might be expected
of them. However, David Collins managed to qualify his commendation with a sharp opinion:

‘Although several thefts were committed by the convicts, yet it was in general remarked, that they conducted themselves with more propriety than could have been expected from people of their description; to prevent, however, if possible, the commission of offences so prejudicial to the welfare of the colony, his excellency signified to the convicts his resolution that the condemnation of anyone for robbing the huts or stores should be immediately followed by their execution.’

But it is also very likely that the convicts were now enjoying the warm and mellow climate of approaching autumn, the sunshine and the glorious natural surroundings; the respite from the struggles over-crowded ship board life; the opportunity for the younger adults and children to enjoy leisure and exercise. Perhaps they were experiencing something akin to peace in their very troubled and restless lives. Be that as it may, it would not be long before they would witness horrors in excess of their previous experiences as punishment, disease, starvation and death would be imposed on their lives in a place of such exquisite beauty.
CHAPTER FIVE

Captain Campbell Demands the Execution of Mary

‘The general face of the country is certainly pleasing, being diversified with gentle ascents, and little winding vallies, covered for the most part with large spreading trees, which afford a succession of leaves in all seasons. In those places where trees are scarce, a variety of flowering shrubs abound, most of them entirely new to an European, and surpassing in beauty, fragrance and number, all I ever saw in an uncultivated state, among these a tall shrub, bearing an elegant white flower, which smells like English May, is particularly delightful, and perfumes the air around to a great distance."

There is no doubt that the First Settlement was established in one of nature’s most beautiful settings: the harbour stretching before the village, the small hills at the back of the settlement and in the distance the blue ridge of highlands or low mountains. The climate was mild and there was an abundance of sunshine. Yet despite the efforts to raise animals and gardens, the soil resisted the softer European crops and tenaciously held on to native species that seemed impossible to use for food although one species made a type of tea brew and eucalyptus leaves provided oil as an ointment. Attempts to grow peas, beans and cabbages were not successful although there was more optimism concerning pumpkins, corn and turnips. Fish migrated north in the colder weather and the native animals were difficult to spear or shoot as they have a more tangential style of evasion than herd animals. The struggle and competition for the limited resources by the Aboriginal peoples who saw their hunting lands being intruded on by the new settlers; and the settlers’ undernourished condition, led to thefts, physical abuse, murder and executions. And so the natural paradise became a nightmare of human misery and suffering.
One of the problems in the settlement was the poor management of the flocks of animals and poultry. Many had been lost at sea during the voyage and misfortune or carelessness resulted in further diminution of the stock. Five sheep belonging to Major Ross and a pig belonging to a lieutenant were killed in a storm when lightning struck a tree under which they were sheltering on the night of 6th February 1788, the evening of the day the women landed on shore from their ships. When Phillip was away on an expedition in autumn to examine the area west of the settlement five ewes and a lamb were killed presumably by the dogs belonging to local Aboriginal people. Two bulls and four cows wandered away early in May and were never found. It was assumed that a convict, whose task it was to supervise the animals and not to leave them unguarded, had taken a lunch break leaving them to graze in area to which he drove them each morning, returning with them in the evening. A herd of these animals was found seven years later in 1795 nearly sixty five kilometres from where they disappeared. By that time Lieutenant King who was the Governor of the colony decided that the herd would be preserved.

While settlers were away from their dwellings at work hogs wandered through their huts destroying objects and devouring provisions. At first the goods were replaced by the store but then some enterprising settlers took advantage of the loophole and sought recompenses whether or not they had suffered such damage. So an order was given that any rampant hog was to be killed by the person who planned to claim. Clearly, this tactic did not assist with keeping up the herd numbers. On Norfolk Island in early March, Lieutenant King’s flock of sheep was depleted by the loss of the only ‘she-goat’ (young female) and ‘ewe’, (a ‘mature female’). Other sheep in the colony were lost because of the poor quality grass and the harsh sunshine. By the end of May the animals in the colony consisted of one stallion, 3 mares, 3 colts, 2 bulls and 5 cows, 49 hogs and 25 pigs, 19 goats and 25 sheep, 122 fowls, 29 geese, 18 turkeys and 87 chickens.
To add to the problem of limited food availability was the inability of some convicts to ration their foodstuffs. Many convicts, especially men, had lived from hand to mouth or relied on rations provided by the government store on the ships. One astonishing case is that of a convict who consumed his entire allowance of food in one day. He devoured eight pounds of cake and died the following day. Other convicts broke into tents and huts to steal provisions. There were other pressing issues. The increase in scurvy caused by lack of vitamin C was increasing. Venereal disease became a notifiable disease. To add to the woes, the combustible nature of the roofing of the huts resulted in frequent fires.

But these stresses and strains felt by the settlers while the administration sought to nourish them were also felt by the local Aboriginal people. They could see their traditional hunting grounds diminishing before their eyes. The tribe near the settlement was tolerant of the settlers who sometimes even visited their camps for socialisation such as singing and dancing. But those tribes south of the settlement and close to Botany Bay were hostile. As time wore on and the resources became scarcer even the local Aboriginal people became less patient. It had been the habit of the Aboriginal people to assist the settlers with the hauling of the fishing nets for which help they were rewarded with a part of the catch determined by the leading fisherman. However, by July they were not longer in a mood to accept only part of the catch and a large group armed with spears poised ready to throw forcefully took more than half the catch.

Phillip was adamant that no harm should be visited on the Aboriginal people and, on the occasions that there were attacks on the settlers, he determined that the Aboriginal people must have been abused in some manner by the settlers in order to behave aggressively. And there were murders by the Aboriginal tribesmen that could only have sent terror through the settlers. In March 1788 a number of convicts returned to the settlement from the woods with bruises from being beaten by the Aborigines. One man had
been collecting rushes for thatching roofs when he was speared and another who had been collecting vegetables was in hospital. Captain Campbell described the event: ‘I stumbled upon the bodies of two of our Convicts who had been sent out by the Govr to cut Rushes. I never saw a more shocking sight - the sculls of both were fractured, one quite open with no less than seven Spears through the body. Fourteen of the same people have been missing for a considerable time, and I think there can be no doubt of their having suffered the fate of the others.’

On 21st May two convict men were wandering beyond the settlement when they were attacked. One was able to escape but sustained an injury by a barbed spear that entered three inches into his back. A few days later the clothes of the other man were found with spear holes, torn and bloody, but there was no sign of the man himself ‘the poor wretch had fallen sacrifice to his own folly and the barbarity of the natives.’

In the colony physical punishment was not much better. The only difference was that the punishments, including execution, were orchestrated by the administration. On 7th of February at the first assembly of all the officers and convicts, the meeting that was followed by the cold collation that only the ‘in’ group was invited to join, Phillip advised the settlement including the convicts that they would never be expected to work beyond their capabilities, but if they did not work they would not eat. On the other hand, he warned, any theft, no matter how trivial, would be punished by death. In this regard he was true to his word, so much so that the officers were more harshly punished than the convicts.

On Monday 25th February 1788 three convicts Barrett, Lovell and Hall were sentenced to death for stealing bread. A branch of a large tree between the men and women convicts’ tents was deemed the gallows. Clearly the tree was meant to be a graphic reminder of the consequences of stealing, but it would not have improved the anxieties the convicts must have endured. A procession of marines,
the clergyman, Johnson, followed by the accused made their way to the gallows where a large party of marines were in attendance. The other convicts were summoned to observe these macabre proceedings. A twenty four hour reprieve was given to Lovell and Hall but Barrett, the first man to be executed in New South Wales, was hanged at 6.30 p.m. that day.

On 29th February the ladder was once more placed against the tree and Lovell and Hall were conducted to the place of execution. Two more condemned convicts, who had stolen wine and provisions from Mr Clark the agent and victualler, stood with Lovell and Hall awaiting execution. While they waited they were informed by Major Ross, on behalf of Governor Phillip, that Lovell and Hall would be sent to another place of detainment (this would be Bare Island in the harbour). One of the two convicts who stole the wine would be the colony’s executioner because the convict who had been prevailed upon to execute Barrett had been, understandably, very reluctant to execute anyone, and the only reason that he had eventually done so was because the Provost Marshall Mr Brewer and Major Ross threatened to give orders to the marines to shoot him if he didn’t get a hurry on! The fourth thief was given his pardon. No doubt this brush with death gave him food for thought!

In December 1788 a large group of Aborigines appeared at dawn at the brick works. A terrified messenger relayed to the settlement that there were a thousand Aborigines gathered there. Later estimates put the number at four hundred but, ultimately, by the time the reinforcement of soldiers arrived the number was established as fifty. The brick workers lifted their spades in the manner of guns and pointed them at the Aborigines who disappeared. But there was resentment on both sides which lingered on after the event.

In March 1789 seventeen brick workers left the kiln and set out to Botany Bay to attack the Aborigines and to steal their weapons and
canoes. Now the Aborigines were in no mood to give up their necessities of life and so a skirmish broke out in which one settler was killed. The marines were sent to resolve the situation but another seven of the original seventeen were wounded, most wounds being severe. The dead man was brought back to the settlement. Governor Phillip was furious with the settlers for attacking the Aborigines and consequently they were flogged. This antagonism felt by the brick workers was a consequence of attacks by the Aborigines of the Botany Bay area of the settlement. A soldier and three convicts had disappeared never to be found, and three convicts had been wounded and one was dead following another skirmish. At other times the combustible housing materials were set alight.

March 1789 proved to be a terrible month for Mary Turner, more terrible than she had experienced or probably would again! It all began on the first night of the month.

James Squire was sitting in his chair about 10 o’clock on that Sunday night when he heard a rustling around the fence of Mr William Parr’s garden. He wandered out to find the cause of the rustling and caught sight of a man escaping over the hedge. The escapee clearly was not gallant enough to warn his companions because James Squires noticed two women, one of whom had a bag with some cabbages in it. The women were caught red-handed. Since James Squire did not have the authority to apprehend the women he could only be a witness at the trial of the women who were identified as Mary Turner and Tamasin Allen. The two women had travelled together on the Lady Penrhyn. Tamasin was the woman described as ‘lusty’ by Hugh Harding, jeweller and housekeeper, at her trial for stealing his watch for which she received the sentence of seven years’ transportation.

William Parr claimed that his garden had been robbed of six cabbages on that Sunday night. Mary Turner and Tamasin Allen were each found guilty and sentenced to fifty lashes, twenty five to
be administered immediately, and twenty five on the next provisions day. How dreadful the lashings must have been on their thin feminine backs, and what cruel scars were to remain!

But things got worse. Much worse! Mary’s fragile life became a pawn in a power game between the two most powerful factions in the colony. The combatants in this power struggle consisted on the one hand of the Governor and Commander in Chief His Excellency Arthur Phillip Esq., and his loyal supporter Judge-Advocate of the Settlement and Secretary to the Governor, David Collins Esq. At loggerheads with Governor Arthur Phillip and amongst his most bitter critics was Lieutenant-Governor and Commandant of the Marines Major Robert Ross and his ally Captain James Campbell, one of the two captains commanding the Companies of Marines under Major Robert Ross.

Arthur Phillip had been Captain of the *Sirius* and Commodore of the Fleet during the voyage of the First Fleet. Both Major Robert Ross and Judge Advocate David Collins sailed on the *Sirius*. Private Marine William Collins, brother of David Collins was on the *Lady Penrhyn* along with Campbell and Campbell’s nephew. Both Campbell and Ross were Scots. Collins was of Anglo-Irish heritage and Phillip of Anglo-German background. Campbell wrote scathing criticisms of Phillip back to his patron in the Royal Navy, Lord Ducie, which he summed up with the contemptuous remark: ‘In short, my Lord, I do not think (entre nous) that your three Kingdoms could produce another man, in my opinion, so totally unqualified for the business he has taken in hand, as this man is.’

Watkin Tench recorded, with evident anguish, the events that had led to Campbell’s determination to have Mary executed.

‘An awful and terrible example of justice took place towards the close of this month, which I record with regret, but which it would be disingenuous to suppress. Six marines, the flower of our battalion, were hanged by
the public executioner, on the sentence of a criminal court, composed entirely of their own officers, for having at various times robbed the public stores of flour, meat, spirits, tobacco, and many other articles.”

This awful loss would have been a heavy blow to the fellow marines and friends of the condemned, including Major Ross and Captain Campbell and perhaps was one of the personal motivations for Campbell’s relentless pursuit of Mary. An examination of the communications between Governor Phillip, Captain Campbell and Judge Advocate Collins concerning the matter of Mary Turner during the month of April 1789 exposes the intransigence of Campbell in extracting revenge on the Governor and Judge-Advocate for the execution of his officers. This may have also been at the personal level because there appears to have been some recognition of Mary by Collins who had dubbed her Wilkes before leaving England. Also his brother, William, had travelled with the women on the Lady Penrhyn, although he had returned to England with severe dysentery just a few months after arriving in the settlement.

Mary had been called as a witness in the trial of the marines. According to Phillip ‘she had not sworn the truth in giving her testimony’. This is the important point in the later accusation by Campbell that she had perjured. If she had not sworn then, it seems to follow, that she could not perjure. Mary was told to withdraw by the Provost Martial and was ordered to be detained and kept apart from the other witnesses. A short time later the six marines were found guilty and condemned to death.

Campbell, who expected Mary to be held in custody, was furious when he noticed her moving freely in the settlement. It was his opinion that Mary should have remained imprisoned until her trial. Since a criminal court was to be held in the near future he considered it a duty to let the public know what was to become of Mary. Therefore he had sent the provost martial to Collins for an
explanation and, later discovering that the provost had failed to present the message to Collins, was almost beside himself with anger. So furious was he that in his pique he advised Collins that he would not be a sitting member on any future criminal court in which Collins had any part.

On 25th April, the same day that Campbell had written to the governor, Judge-Advocate Collins wrote a response to Governor Phillip:

‘On maturely weighing and considering the whole of Mary Turner’s deposition, and comparing it with those of the other witnesses, since the trial, I was of opinion that there was not sufficient proof to affect her on an indictment for perjury; … I had dropped for the present any thoughts of calling on Mary Turner for trial. Neither have I at any time, since then, heard that it was the opinion or wish of any member of that court to bring her to trial, until this morning, when I was informed by the provost-martial that Captain Campbell, one of the members of the late court, had inquired of me if she was in his custody, and expressed some surprize and anger on being told she was not.’

Collins shrewdly further ignited Campbell by throwing the ball back into his own court. He wrote to Campbell:

‘However, if you are of a different opinion, and wish to have her tried, she may be brought before the criminal court that is to assemble on Tuesday or Wednesday next; in such case I would wish to have timely notice of the charge to be exhibited against her, and what witnesses are to be called to support it, that the necessary steps may be taken.’
Well, that was certainly an example of touché. Collins, in allowing Campbell the opportunity to have Mary tried was simultaneously advising him that his grounds for complaint were devoid of evidence! Any attempt to send Mary to trial on the matter of perjury was doomed to failure! It’s unclear whether Mary was aware of the debate concerning her possible execution but the ramifications of this power struggle were to lead to the recall of the marines and their replacement by the NSW Corps later to be known as the Rum Corps.

Campbell was seething with humiliation two days later on 27th April when he wrote to his superior, Lieutenant-Governor and Commandant of the Marines, Major Robert Ross, expressing his dissatisfaction with Collin’s reply. There is some deviousness in his recounting of Collin’s letter of 25th April as he attempts to takes the high moral ground, at the same time exonerating himself from any personal interest in sending Mary to trial, and speculating on an assessment of his character or ‘spirit’ by Collins:

‘How far, or even how it was possible for him to construe my message into a belief that I was become the prosecutor, I know not, nor can I possibly imagine why he should call upon me individually for that purpose, as in his letter he certainly does, unless that he had some reason to suppose me of a more sanguinary and persecuting spirit than any other member of the court who wished the woman to be taken into custody for her having (evidently to all then present) perjured herself. The consequence of not using every possible means to prevent so dangerous a crime from getting to a head among the present inhabitants of this colony is too obvious to require any farther remarks upon it, and I am convinced that the wish of exerting every means in their power to prevent it was the motive of that court for desiring the woman to be taken into custody.’
Within this same letter Campbell claimed that Lieutenant-Governor and Commandant of the Marines Major Robert Ross did not have the authority to command Marines to sit as members on the criminal court and therefore requested that his own name should be removed from the orderly book because should Campbell be called for jury service he ‘… be extremely concerned to be reduced to the very disagreeable necessity of objecting to any orders of yours, or any other superior in my command.’

Campbell did not reckon on the sensibilities of the marines. On 28th April 1789 a meeting at 11 a.m. that day was held in Captain Campbell’s hut concerning the matter contained in the letters between Campbell, Ross and Collins. The officers present were First Lieutenant John Poulden, First Lieutenant John Johnstone and First Lieutenant James Maitland Shairp. The officers signed the following resolution:

‘The officers commanding the court, upon having read and considered the letters which passed in the business now before them, are of the opinion that as the business now itself a point of law and a private disagreement, they feel themselves incompetent to decide upon it — and they further beg of your Excellency that copies of all letters which have passed may be given to them … for the purpose of being enclosed and sent to the Lords of the Admiralty, which they think necessary in order to convince their Lordships of their incompetency to decide on an affair of such nature.’

Oh dear! Captain Campbell wasn’t enjoying much success with either his request for a retrial of Mary or for his support from the Marines. Now he was relying on his refusal to stand in the jury of criminal courts to at least gain some support from his fellow marines. Governor Phillip’s response to the letter from the Marines was a directive that Major Ross should assemble the
officers of the marines and report to him ‘whether or not they think it their duty to sit as members of the criminal court established in this country.’

Within his letter to Phillip, Ross presented a list of questions posed to the officers, ‘Whether they look upon sitting at the criminal court as a military duty, or an extra duty in compliance with an Act of Parliament, and whether they had had any knowledge of it before their arrival in this country?’ The officers, Captain-Lieutenant Tench, Captain-Lieutenant Johnstone, Lieutenant Creswell, Lieutenant and Quarter-master Furzer, Lieutenant Poulden, Lieutenant J. Johnstone, Lieutenant J.M. Shairp, Lieutenant Davey, Lieutenant Clarke, Lieutenant Dawes, Lieutenant and Adjutant Long, and Lieutenant Faddy all considered it part of their duty or a responsibility to act on the criminal courts although there were a couple of officers who were unaware of the Act of Parliament when they left England.

Campbell’s stance had become a hollow threat. The bickering continued and the matter was communicated to Lord Sydney by Governor Phillip on 5th June 1789. Of course the tyranny of distance meant a reply from Lord Grenville would not be received by Phillip until 17th June 1790 on the arrival of the transport Lady Juliana. ‘The discontents that have prevailed in the marine detachment … have led to the making of arrangements for relieving them. With that view His Majesty has ordered a corps to be raised for that particular service, consisting of three hundred rank and file and a suitable number of officers, under a major-commandant.’ Out of the fat and into the fire! If Grenville thought that an army corps would be more professional in its conduct than the marines then he was to be proven wrong. Very wrong! But that was something for the future.

On 28th April 1789, in the same week of the same month and year that Campbell sought to have Mary sent to trial, and Judge Advocate Collins had responded with the opinion that there was
not sufficient evidence to convict Mary, and the same day that the officers of the marines signed the resolution in which they expressed their incompetency concerning the matter contained in the letters between Campbell, Ross and Collins, somewhere in the Pacific Ocean between Tahiti and Tonga an extraordinary event took place that would later have ramifications in the First Settlement. Fletcher Christian, supported by eighteen seamen, led a mutiny against Lieutenant Bligh, commander of the Bounty. Bligh was placed in a longboat with twenty two loyal crew and in one of the most extraordinary examples of brilliant navigation eventually reached Batavia a little over six weeks later. Bligh was later to become a controversial governor of New South Wales and the struggle between the New South Wales Corps and the Governor would become worse than that between Governor Phillip and the officers of the marines.

In 1808 the New South Wales Corps, later to become generally known as the Rum Corps, was led by John Macarthur in a rebellion against the Governor, now William Bligh. Among the signatures on the petition to remove Bligh was that of David Batty, the de-facto of Mary and father of her four living children.

And so once again Mary found herself somehow connected with the political squabbling raging in the First Settlement of New South Wales.
CHAPTER SIX

Mary and the Lady Penrhyn Convicts Go Norfolk Island

‘Norfolk Island …being represented in a spot which may hereafter become useful, you are, as soon as circumstances will admit of it, to send a small establishment thither to secure the same to us, and prevent it being occupied by the subjects of any other European power …’ (Instructions to Arthur Phillip Esq., Captain-General and Governor-in-Chief given at the Court at St James’s, the 25th day of April, 1787). 1

Norfolk Island is situated 1670 kilometres north east of Sydney Cove, the name given to the site of the First Settlement by Governor Phillip in honour of Lord Sydney. Norfolk Island is protected by sheer cliffs that rise dramatically from the sea to a landscape of spectacularly glorious hills and valleys of deep green pine trees with long grasses in the well-watered lowlands. There are only two small bays suitable for unloading cargo from sea going vessels – a rocky bay to the east of the island, and another bay protected by a reef on the south west where the cliffs have been eroded into dramatic valleys and steep gorges tumbling down to about a kilometre or so of narrow flats lying behind sandy coves.

It was this inaccessibility of the island which confounded Second Lieutenant King when, following the instructions given to Governor Phillip, he arrived at the island on the Supply with a motley band of twenty one individuals and six months’ supply of provisions to set up a settlement in one of the most remote sites on earth, far from any regular shipping that might provide the necessities of life. Accompanying King were a petty officer, a surgeon’s mate, two marines, two men to assist with flax production, nine men and seven women convicts. 2 The women convicts were Elizabeth Colley, Elizabeth Gascoigne, Elizabeth
Hippsley, Ann Innett (King’s mistress), and Elizabeth Lee, all of the *Lady Penrhyn*, and Suzanne Gough of the *Friendship*. King spent five days sailing around the island seeking a suitable site for berthing the *Supply* before discovering a safe entrance.

King, at the age of thirty, had orders to cultivate the flax plant growing on the island in the hope that it could be useful for weaving fabric for ship sails; to cultivate cotton; and to grow corn and other grains. Furthermore, orders, which in retrospect appear to be of questionable value to a group of almost destitute and weakened people in an isolated corner of the earth, included reading the prayers of the Church of England every Sunday; avoiding trade with other vessels; and, despite being furnished with only a four oared boat in such a dramatically treacherous waters, a prohibition from building any boat that was decked or had a keel of more than 20 feet.

A settlement was made in the south west of the island close to the bay where the *Supply* had berthed. This spot, later named Kingston, was sheltered from the north and easterly winds by the massive hills to the north and east but exposed to cold southerly winds and gales that predominate in the winter months causing that area to be bitterly cold. Moreover, although ships could anchor in the bay, the treacherous reef and shallow waters meant that the island’s new population was forced to unload supplies and people from the ship into long boats and row them through a surf which could be unforgiving in wilder weather. But on a more optimistic note, the pines were extremely tall with branches that spread out from a height of the trunk above ‘fifty to sixty feet’. That the pines did not ultimately fulfil this optimism caused no discouragement to King and his little band of settlers.

These first settlers would have enjoyed warm weather for the first few months but when the *Supply* arrived at the island again six months later in July the weather would have been less accommodating. Even in the spring the winds were blowing so
strongly that the spars produced by the settlers could not be taken on board the Supply. The midshipman, given the task of guiding boats coming in and out of the bay found his little vessel succumbing to the tides and winds with the loss of one man. But by this time crops of vegetables and barley were underway although the grain had been attacked by weevils.

In October 1788, when the weather was growing sunnier and warmer, the Golden Grove disembarked twenty eight convicts including another eight women from the Lady Penrhyn. They were: Elizabeth Anderson, Elizabeth Bruce, Martha Burkitt, Mary Carroll, Ann Dutton, Mary Gamboll, Elizabeth Marshall and Susannah Trippett. Travelling with them were Anne Coombs and Mary Rolt of the Prince of Wales. With the inclusion of these new settlers the population had grown to sixty including midshipmen, corporals and sergeants. By February of the following year five more women from the Lady Penrhyn arrived. They were Hanna Baker, Mary Cooper, Rebecca Davidson, Sarah Davis and Charlotte Springmore. Sarah Davis died on Norfolk Island on 15th June 1794.

By January 1790 there were crops growing on Norfolk Island. The corn looked promising and there was an abundance of vegetables but they were attacked by rats, birds and worms. A visit to nearby Lord Howe Island provided a few turtle and although there was a supply of fresh water on Lord Howe Island there was no suitable anchorage. Another group of convicts arrived at Norfolk Island including Ann Fowles of the Lady Penrhyn. The population of Norfolk Island was to swell dramatically later in 1790 and as a consequence new pressures would be put on the struggle to provide food and clothing for the settlers.

The first warning of an impending crisis was in a letter to Governor Phillip from Lord Grenville, London, dated 24th December 1789, and acknowledged by Phillip on 14th July 1790, in which Grenville advised Phillip that there were nine hundred and thirty men and
seventy women convicts assembled at Spithead ready to depart for the colony as soon as the winds were favourable. These were the convicts of what was to become the infamous Second Fleet. Phillip’s instructions were to ‘… take the earliest opportunity that circumstances will admit of detaching a considerable number of convicts [those already in the colony] to Norfolk Island.’ Grenville continued: ‘The disembarking of the convicts [the new arrivals] at Sydney … seems indeed to be a measure highly necessary, as from the length of the passage hence, and the nature of the food, there is every reason to expect that many of them will be reduced to so debilitated state that immediate relief will be found to be expedient for the preservation of their lives.’

For Governor Phillip struggling with meagre provisions, a fatigued and inexperienced labouring force and very little natural resources to feed, house and clothe the settlers, this extraordinary casual attitude of Grenville to the overwhelming challenges confronting him must have seemed callous and inhumane. Phillip’s treatment of the convicts and his attitude to the native people was always one of humane intention. He only sought revenge, or in his mind, justice, when any person took the life, or the necessities for life, of another.

Further important advice contained in Lord Grenville’s letter was that the New South Wale Army Corps destined to replace the marines would sail with the Second Fleet. One hundred would be put on the convict ships for security and two hundred on the Gorgon. Major Grose would travel with the fleet. Lieutenant King was appointed Lieutenant-Governor of Norfolk Island, a decision which must have pleased Phillip who had written several positive references to his superiors concerning King. Even more pleasing for Phillip, no doubt, was the appointment to Norfolk Island of Major Ross during the period that King would be in England. Ross had been a thorn in his side and the appointment would provide some respite for Phillip.

In the meantime in March 1790 Governor Phillip, who was concerned that since such a length of time had passed since a relief
vessel had arrived with provisions and that there was the possibility that an accident may have befallen the supply ship, sent two companies of marines (sixty five officers and men), five women and children, one hundred and sixteen men, and sixty seven women convicts with twenty seven children to Norfolk Island on board the *Sirius* and the *Supply*. In fact, the *Guardian*, which was carrying important supplies, had departed from England in September 1789 (before the Second Fleet) but hit an iceberg south of Cape Town and, although the vessel survived, the supplies and some men were lost.

Unfortunately in the effort to ease the situation in the colony by sending settlers to Norfolk Island the state of affairs became worse for Phillip when the *Sirius*, under the command of Captain Hunter, struck the reef at the entrance to the bay at Norfolk Island while attempting to negotiate the tides in shifting winds. The ship was irretrievably damaged and sank. All the people on board were safely landed and most of the provisions were saved. But the consequence was that only one ship remained permanently in the colony and Phillip had the onerous task of relaying this unhappy news to Lord Grenville. For the Norfolk Islanders the coming months would prove to be one of hardship as the increased population, which had now reached one thousand and nine, attempted to clear the land and sow crops while surviving on only two thirds of the calculated rations for the next seven months.

Among the passengers disembarking at Norfolk Island, in what must have been a mood of grim awareness of further isolation, was Major Ross who was sent relieve Lieutenant King for approximately eighteen months while King was taking leave to return to England. The women from the *Lady Penrhyn* who were already on Norfolk Island must have been delighted to welcome a comparatively large contingent of twenty two *Lady Penrhyn* convicts: Mary Allen, Tamasin Allen, Elizabeth Bird, Mary Cochran, Jane Creek, Frances Davis, Mary Davis, Elizabeth Fitzgerald, Elizabeth Hall, Mary Harrison, Elizabeth Haywood,
Catherine Henry, Susannah Huffnell, Jane Langley, Amelia Levy, Elizabeth Lock, Mary Marshall, Mary Martin, Mary Piles, Ann Read, Esther Roberts Sara Slater, Anne Smith, Mary Sheers, Mary Springham and Anne Thornton.

Although there was now some distance between Phillip and Ross, Phillip would not be free from Ross’s correspondence during the period that Ross was on Norfolk Island from April 1790 until November 1791. Phillip would receive long letters from Ross either praising Ross’s own achievements in organising the convicts into clearing land and producing food, or complaining about the conditions on the island. And no doubt his complaints held some truth. The officers wanted spirits, the insects and caterpillars had chewed up the crops, there was blight and fly, and the rations had been cut. The conditions were so bad that the settlers were surviving on nightly forays to collect mutton birds nesting in burrows in the earth. The convicts were so emaciated that they had barely enough strength to work and their shoes had been given to the officers and their coats to the seamen. The officers needed blankets and cooking pots (since there was only one cooking pot for every 12 men) and more shoes were needed.

On the positive side Ross had introduced a system of small co-operatives each of approximately three people each to raise crops and sows. Convicts were given two days per week to work for themselves clearing land and cultivating. The convicts managed to produce 12 dozen oars and 1000 axe handles, and they had woven two pieces of cloth from flax.

Back in Sydney the mood was sombre with the loss of the *Sirius* and the absence of a supply ship from England. Then on 3rd June there was a cry of ‘the flag’s up’ alerting the colony to the arrival of a ship. The joy and relief that must have enveloped the colony on the arrival of the *Lady Juliana* is best expressed by Watkin Tench:
'I was sitting in my hut, musing on our fate, when a confused clamour in the street drew my attention. I opened my door, and saw several women with children in their arms running to and fro with distracted looks, congratulating each other, and kissing their infants with the most passionate and extravagant marks of fondness. Needed no more; but instantly started out, and ran to a hill, where, by the assistance of a pocket glass, my hopes were realized. My next door neighbour, a brother-officer, was with me, but we could not speak. We wrung each other by the hand, with eyes and hearts overflowing.\textsuperscript{35}

Three days later the Justinian arrived on 6\textsuperscript{th} June with a full supply of provisions and the news of the disaster that had befallen the Guardian. But the excitement did not last long. Just as Lord Grenville had predicted, the Second Fleet arrived with an appalling cargo of destitute sick and dying convicts. Watkin Tench summed up the situation with the comment that the ‘… large body of convicts, whose state and suffering will be best estimated in the following return…’\textsuperscript{36}

Tench was referring to the Neptune, the Surprise and the Scarborough. Of one thousand and thirty eight people who embarked on the voyage, two hundred and seventy three died on the passage and four hundred and eighty six were sick on landing at Port Jackson. Of these four hundred and eighty six sick passengers one hundred and twenty four died in the hospital in Sydney. Tench compared this figure with the First Fleet in which there was almost the same number of convicts but only twenty four had died and thirty had arrived ill.

The Surprise sailed for Norfolk Island in August with two hundred more convicts, this time including Mary Turner and Mary Bolton from the Lady Penrhyn. It may be surmised that Mary Turner had avoided going to Norfolk Island because Ross was in charge of
Norfolk Island. Mary must have had some knowledge of the attempts to have her jailed for perjury by Campbell, and she would have known that Ross and Campbell were allies in the tensions with Governor Phillip. With David Collins settled in Sydney Mary would no doubt have felt more comfortable there than with Ross on Norfolk Island. However, the influx of sick and debilitated convicts arriving on the Second Fleet required her transfer. She may have known that Ross would soon be replaced by King as administrator of Norfolk Island.

One year after her arrival on Norfolk Island Mary gave birth to a son, John, in August 1791. Icy winds from the southern ocean blow northwards in August and the pressure on resources with increasing numbers of convicts and free settlers, the lack of warm clothes, and the demands of nourishing a newborn child would have been overwhelming for Mary. John died before he was old enough to go on the victualling list. Mary is listed as being married when she left Norfolk Island in March 1793 but there are no further records of her life on Norfolk Island.

On 21st September 1791 the Gorgon, carrying King, arrived in Sydney with the Third Fleet. King returned to Norfolk Island as Lieutenant-Governor. Ross, the men under his command, and Watkin Tench were among the officers and settlers who returned to England on the Gorgon.

During King’s time on Norfolk Island the clearing of land and the sowing of crops continued but the grubs and blight continued their destruction. King was also worried that when convicts who had gained land grants were planning to leave the island they would make their land over to their wives who might sell the land. It would seem that King, now married but with two illegitimate children to Ann Innett, had very conservative attitudes to the role of women!
On 10th December 1792 Phillip departed New South Wales on board the transport Atlantic after almost five years as Governor. He was replaced by Lieutenant-Governor Grose on 31st December 1792. In March of that year the combined population of the Sydney and Norfolk Island settlements was three thousand, two hundred and seventy seven men, six hundred and ninety one women, and two hundred and twenty four children. The problem of feeding such a growing population continued to be at crisis point.

On 9th March 1793 Mary Turner returned to Sydney aboard the transport ship Kitty. The same month Mary Davis, Ann Dutton, Elizabeth Fitzgerald, Elizabeth Marshall, Esther Roberts and Anne Smith of the Lady Penrhyn also returned to Sydney. It would seem that on returning to Sydney Mary changed her name from Turner to Wilkes because all her future children would be registered under the name of Wilkes. So in leaving Norfolk Island Mary cut with the past and entered into a de-facto relationship with David Batty, an apparently happy period of her life which lasted until her death.
Part Two

David Batty
‘Depredations being nightly committed at the skirts of the town, and at the officers’ farms by some of these vagrants, who were supposed to lurk between this place and Parramatta, it was thought necessary to send armed parties out at night for a certain distance round the settlement, with orders to seize, or fire on, all persons found straggling; and several were detected by them in the act of robbing the gardens at the different farms….To the credit of the convicts who came out in the first fleet it must be remarked, that none of them were concerned in these offences; and of them it was said the new comers stood so much in dread, that they never were admitted to share their confidence.’ (David Collins)¹

So who were the vagrants who were terrorising the settlers? The road to Parramatta from Sydney was only 16 miles in length and consequently any person from Sydney could use the road to commit robberies and assaults along and be back in Sydney before being missed. David Collins wrote the above account in 1791 after the arrival of the last of the ships of the Third Fleet earlier that month. The Third Fleet left England in March and April 1791 and arrived in Sydney over the months from July until October of that year. The eleven ships carried approximately two thousand convicts including about one hundred and sixty nine women. Most of the convicts of the Third Fleet were sent to the new town of Parramatta to open up ground for agriculture and settlement, but so troublesome were they committing petty offences that it became obvious that there was need of the permanent presence of a magistrate in Parramatta to deal with the problems. In Sydney a curfew set for 9 p.m. had been imposed to control the influx of seamen who arrived in the port with the ships but they had not presented as great a problem as expected.
Two rivers run into Sydney Harbour. The river to the north cuts its way through a sandstone gorge and is not navigable for more than a few miles. But the river to the south is wide and the shores are mainly of low undulating fertile landscapes with broad plains to the south of the river. The river is easily navigable from the mouth to its source. The Aborigines named the source Parramatta, believed to mean ‘where the eels lie down’ and Phillip gave the township at that site the name, Parramatta accordingly. However, it was not until November 1791 that Phillip communicated the name of the town as Parramatta to Lord Grenville in England. Phillip described the township of Parramatta as being in that area from the foot of Rose Hill for one mile to the east. The river became known as the Parramatta River and the road linking Sydney to Parramatta became known as the Parramatta Road. The first settler in the Parramatta area was James Ruse who cleared land and settled on his 30 acre farm in November 1789. In February 1791 Ruse had become self-sufficient and off government stores. By October 1791 cultivation in Parramatta consisted of 351 acres in maize, 44 in wheat, six in barley, one in oats, two in potatoes, 4 in vines, 18 in gardens, and another 17 being cultivated by the New South Wales Corp. Another 140 acres had been thinned for cattle.²

Rose Hill had been established on 3rd November 1788. The soil was considered more fertile than that in Sydney and so a small fortification had been erected for the officers who would protect the convicts sent out there to clear the land. By March 1791 the convicts lived in good huts and a barracks had been built for a hundred men, and an officers’ barracks was under construction with further barracks planned. The aim was for all future convicts to be sent to Rose Hill or Norfolk Island.

There had been trouble very early on in the voyage of the Third Fleet with an attempted mutiny on the Albemarle. David Batty was a convict on the Albemarle at the time of the mutiny but was not involved. On 5th July 1787, just two months after Mary had departed England on the Lady Penrhyn, David had been sentenced
to transportation for seven years. The records of his arrest and trial have been lost so there is no way of knowing the reason for his sentence. And so it was that in March 1791, just a few months before Mary gave birth to her son John on Norfolk Island, the Albemarle left Portsmouth with two hundred and eighty two men convicts, thirty two of whom died on the voyage, and a possible six women convicts. There were also one corporal, one drummer and twenty privates of the New South Wales Corps.

On 9th April, less than two weeks after leaving England, Owen Lyons and William Syney led some of the convicts and seamen in the mutiny. The master of the ship, George Bowen, hearing the alarm armed himself with a loaded blunderbuss and shot William Syney in the shoulder just as Syney was in the process of aiming a cutlass blow at the man at the wheel. The other mutineers attempted to hide but were captured by the officers and seamen. At this time the Albemarle had been separated from the other ships of the fleet so the decision on how to deal with the mutineers was taken by a committee made up of the naval agent, Lieutenant Robert Parry, the ship’s company, and military persons on board. Lyons and Syney were immediately hanged from the forearm and the two seamen who provided them with the tools to remove their leg irons were left in Madeira to be returned to England.

The ships of the Third Fleet consisted of the Mary Ann, Matilda, Atlantic, Salamander, William and Ann, HMS Gorgon, Queen (from Ireland), Albemarle and Admiral Barrington. The ships were equipped with supplies to support the people on board for the next nine months. Phillip decided to send the Atlantic to Bengal for provisions on the 26th October with a stop on the way at Norfolk Island to land Lieutenant-Governor King and some settlers and bring back Lieutenant-Governor Ross and the marine detachment serving there. When the Gorgon returned to England it carried the marines who had arrived in the colony in the first ships.
In early November the problems in the Parramatta and Rose Hill area were compounded when a group of twenty men convicts and one pregnant woman convict, who had recently arrived on the Third Fleet, loaded themselves with their recent allocation of tools, clothes, bedding and provisions, and disappeared from Rose Hill. Settlers who observed the stragglers wandering in the area enquired where they were going only to be advised to their absolute astonishment that the group was leaving the settlement and heading for China. They had a compass and were travelling north with the bafflingly strange conviction that China might be about 100 miles away. Eventually two of the stragglers were murdered by Aborigines who had become increasingly hostile as they observed their hunting and fishing grounds being taken by the new settlers. Several others who survived the massacre were wounded. The country becomes increasingly rugged north of the Sydney basin and several weary absconders were forced to return within weeks but others continued to struggle on by surviving on roots and berries. They eventually succumbed to starvation. Watkin Tench describes the absconders:

‘I trust that no man would feel more reluctant than myself to cast an illiberal national reflection, particularly on a people whom I regard in an aggregate sense as brethren and fellow-citizens; and among whom, I have the honour to number many of the most cordial and endearing intimacies which a life passed on service could generate. But it is certain that all these people were Irish.’

Those who returned were in a miserable physical condition and yet others, undeterred by the experiences of these unfortunates, continued to abscond into the bush in the hope of reaching China. Two of these wretches came across a convict and stole his provisions. They beat him so severely that he later died in hospital at Parramatta. The victim had identified the culprits who themselves perished in the bush. On another occasion a sawyer
was attacked by absconders and in his efforts to defend himself the sawyer, Williams, was so severely injured by a tomahawk that the tendon in his arm was severed.

It is very likely that David Batty was sent to Parramatta with the convicts of the Third Fleet. In early 1794 it would seem that he lived in a thatched house in the Parramatta area. John Bevan had broken out of his hut in Toongabbie near Parramatta and with a man named Sutton had stolen two watches in Sydney and had returned to Toongabbie before his absence had been noticed. Later while playing cards with other convicts Bevan exchanged the watches for a Nankeen jacket and trousers. The watches were passed on and were finally discovered in the possession of David Batty, hidden in the thatch of his house with 10 dollars. Bevan had been friendly with the owner of the watches, John Sparrow a watchmaker, whose money and the watches, including an officer’s watch he was repairing, had been stolen during his stay in hospital. The convicts through whom the watches were passed accused Bevan of deviously persuading the victim to divulge information concerning the particulars of his money and watches. However, since there was no evidence to support these claims and, moreover, the watches and money had been found in David Batty’s possession, both Batty and another man, Normanton, received severe punishment. Although the date given by Barrington is 1794 there is an official record of David Batty having received stolen goods on 1st April 1797.

But a life of crime eventually caught up with John Bevan. Bevan was a notorious thief who seemed to have the knack of avoiding punishment on several occasions for lack of evidence. However, in October 1794 he was caught when he broke into the house of William Fielder in Sydney. His punishment was death and even at his execution he refused to confess.

About this time David Batty must have established a relationship with Mary Turner, (from this point of time known as Mary Wilkes),
who bore his child, David, in Sydney in November 1794 just nine months after David Batty was arrested for possessing the watches. Perhaps David met Mary when under arrest for receiving the stolen goods! David Batty, now recorded as an overseer, was most probably living in the Parramatta area and possibly required to participate in works along the Hawkesbury River.

Over the next few years there is little information concerning David Batty who remained under sentence. However, both his little family and the colony in which they lived had begun to expand. Farms were developing throughout the area south from the Parramatta River and further west from Parramatta and along the Hawkesbury River where there was rich alluvial soil from the Nepean-Hawkesbury River system. The mountain range beyond the river remained impenetrable and what lay beyond remained a mystery until 1813. Whaling had been established and trading took place in Sydney with visiting ships as they delivered convicts and other cargo to the colony. The issue of thieving from farms continued as did the efforts of Irish convicts to escape or to destroy boats; and although the Aboriginal peoples of the Sydney area now lived and mixed with the settlers in the town, in the outer areas such as the Hawkesbury there were terrible assaults on settlers and in retaliation, on the Aborigines. David Collins attributed the raids by Aborigines on white settlers as a consequence of the provocation of the Aboriginal people by the settlers. All the same, Collins was of the view that some form of retribution against the Aborigines was necessary to diminish further assaults and massacres. It certainly was a volatile colony yet, despite the unruliness, there was general optimism that the colony was developing as a productive settlement, and not only as a penal settlement. In 1797 Mary gave birth to Richard but he only lived about two years.

From the commencement of the 19th Century David’s life seems to have made a turn for the better. In 1800 a daughter, Ann was born and in 1803 a third son, Thomas. In 1801 David Batty,
described on the Muster List as a hatter, was now off the government stores. It was from this period that David, apparently with the confidence of being self-sufficient, engaged in a number of notable events as well as legal arguments.

In April 1804 David was included in a list of non-commissioned officers and privates who belonged to the Sydney Loyal Association. According to Keneally⁷ the members were recruited from Sydney to the Hawkesbury to act as a militia to protect the convicts and settlers from unruly Irish activists or, unlikely but still importantly, the possibility of a French assault on the colony. During the very serious Irish rebellion at Castle Hill near Parramatta in that year there were thirty eight Sydney Loyalists but only one Sydney Loyalist joined in the pursuit of the rebels by the Parramatta Loyalists and the New South Wales Army Corps.

Later, in the same year, David drew attention to himself for ‘riotous behaviour’, as well as having a bitter argument concerning the scandalous attack on his reputation by a recently arrived convict woman. On 15th August 1804 he is mentioned as appearing before Judge-Advocate Thomas Jamison in the Bench of Magistrates cases, for his ‘riotous behaviour’ and subsequent ‘ill-treating the constables’. At the trial David apparently demonstrated the same confidence and facility with language that he had demonstrated at his first two trials in England where he had been acquitted. He acknowledged that he had ‘behave ill’ and that ‘in consideration of his having been confined three days, no other punishment will be inflicted on him.’ David was duly reprimanded and discharged.⁸

David was no shrinking violet. In September 1804, the month after his arrest for riotous behaviour, he was back before the Bench of Magistrates on a charge of defamation. The complaint was brought against him by a recently arrived convict. According to the court, two convicts who had travelled to New South Wales with the complainant, a Mary Razely and Mary Morgan had been the source
of the gossip which David had repeated. ‘It was one of the most flagitious calumnies that could possibly have been uttered’. The Judge Advocate, Garnham Blaxcell, expressed his opinion that the women were highly culpable but since they were recent prisoners they would not have realised the seriousness of the misdemeanour. However, he was less sympathetic to David, who had claimed that the women were the source of the gossip, advising him that ‘… the offence upon which he had been brought forward was villainous and unmanly; that he had endeavoured to affix an eternal odium to a young creature whose circumstances in the Colony claimed the protection of its Officers; that it appeared upon a very minute scrutiny, that the libel was false and infamous; …’ David’s punishment for his ungallant behaviour was a month in prison, a donation of five pounds to the orphans of the colony and an acknowledgement of his misdemeanour.⁹

So David’s facility with language had let him down on this occasion. But he would not be deterred. Two events were to occur in David’s life that were to involve him, one that would change the negative perspective of David to a realisation of his enormous courage and humanity, and the other was his participation in a decision that would change the course of administrative history in the colony: one was the consequence of the arrival of the Piper brothers and their families in the colony and the other was the petition against Governor Bligh.
CHAPTER EIGHT

David Batty Settles the Score

‘An inquisition taken at Sydney in the County of Cumberland aforesaid the 28th day of December in the Fifty First year of the reign of George the Third before me John William Lewin Gentleman Coroner … upon the oaths of twelve good and lawful men of Sydney aforesaid, as in the margin named, who being sworn and charged to enquire on the part of our said Lord the King …’

In the margin of the document is a list of the twelve jurors including the name William Battie [Batty] (Juror at the inquest on James David held at Sydney 22nd December 1810).

Just as destiny had thrown together Mary Turner and David Batty in a far flung colony half a world away from their homeland where their chances of ever meeting each other under other circumstances was almost negligible, so on the 14th December 1800 a trial took place in the Old Bailey London that would ripple across the seas and affect the life of David Batty and his children in Sydney. Two brothers, Edward Piper 35 years of age and Francis Piper 30 years of age were accused of stealing 800 pounds weight of flax, the property of Hugh Atkins. The trial was notable for the reliable paper trial of Hugh Atkins and those associated with the importation of the flax from St Petersburg and the clumsy amateurish efforts of the brothers to steal and sell the flax. The participants in this trial reads like a cast from a modern whodunit. The participants were:

Mr Knapp for the Court.
Hugh Atkins owner of the flax.
Francis Ruston captain of the *Minerva* in which the flax was transported to London who confirmed that the cargo was flax and the consignee was Hugh Atkins.

William Bennet mate of the *Minerva* who delivered the flax to the lighter provided by Hugh Atkins.

Mr Arthur owner of the lighter.

John Arthur jun. the son of Mr Arthur.

John Williams employed by Mr Arthur to take the lighter to the *Minerva* for flax.

John Bell the clerk at Davis Wharf, the wharf of David Butt and Company.

Michael Chawley the watchman at Davis Wharf.

John Gamson a hemp and flax manufacturer.

John Armstrong an officer who arrested the brothers.

John Vickery one of the officers.

William Tennant a hawker and pedlar.

Samuel Walker and Mr Pike dealers in flax.

In October 1800 the *Minerva* arrived from St Petersburg, Russia, with a consignment of flax for Hugh Atkins consisting of 450 bobbins (flax done up at both ends) some containing 9 and others 12 heads of flax. The mate of the *Minerva* offloaded the flax onto a lighter over three days; the 4th (Wednesday) 5th (Thursday) and 6th (Friday) of November. A bill of lading proved the cargo to belong to Hugh Atkins. The two lighter men, Arthur and Williams, took the lighter to shore where it remained overnight.

About a week later Hugh Atkins went to the wharf but found that nine bobbins weighing about one hundred weight each were missing. John Bell the clerk also stated that there was a deficiency in the weights. Michael Chawley was emphatic that he would not
let anyone steal the flax during the time that the goods were in the lighter.

It was John Gamson who was a wake up to the Piper brothers. He stated that Francis Piper came to his place with a sample of flax for sale adding that he had some 9 to 10 hundred weight to sell. Gamson wanted to see the bulk but Francis Piper would not bring the flax to Gamson in daylight, instead he said he would arrive at 9 p.m. Gamson agreed to the meeting but let the officials know of the dodgy deal. Francis Piper arrived with the flax in a horse and cart belonging to William Tennant who had been a fellow prisoner with Francis Piper in the past. The brothers had hired the horse and cart from William Tennant for one and a half hours on the Monday but had not returned it until the Thursday, when Tennant saw it at the officials’ place in Worship Street. The brothers had been arrested by Armstrong and Vickery on the previous Monday following Gamson’s advice to the officials.

The flax dealers confirmed that the flax in the cart was of the same value as the St Petersburg flax. Mr Pike swore that the flax was consistent with the original consignment at which time Hugh Atkins produced the bill of loading which was endorsed ‘deliver the within contents to Mr Hugh Atkins.’ Captain Ruston concurred and the unfortunate brothers found themselves sentenced to transportation for seven years.

But it is interesting to note that Edward was clearly not impressed with his brother. According to John Vickery, after capture Edward made no effort to escape allowing himself to be locked up with Francis. When Francis asked him ‘…why did you not run away?’ Edward did not answer, and again when Francis asked Edward ‘…what shall I tell them my name is?’ Edward did not answer. Further evidence from Vickery gives some sense of the miserable state that rained down on Francis: ‘I went down to take Francis out of the watch-house, to take him before the Magistrate, and as I was bringing him along, I said to him, the man will think he has
lost his horse and cart; he then said, d-n the hose and cart, he wished he had never seen the horse and cart, nor the stuff in it neither.\textsuperscript{2}

The brothers left England in June 1891 with two hundred and ninety five other convicts aboard the ships \textit{Nile}, \textit{Canada} and \textit{Minorca}, arriving in Sydney on the \textit{Minorca} on 31\textsuperscript{st} January 1802.\textsuperscript{3} This was just eighteen months before David Batty was granted a conditional pardon in June 1803.\textsuperscript{4}

Edward and Francis Piper were married men. Francis was married to Sarah Wood and at the time of leaving England had one living child, William. Edward was married to Dulcibella Goodwin and had two children, John and Dulcibella. These extraordinary women with their children accompanied their husbands when they sailed to Sydney on the \textit{Minorca}.

The settlement that the two families met had expanded and improved over recent years. David Collins describes a population in July 1801 of five thousand, five hundred and forty seven adults and seven hundred and seventy six children on the mainland and nine hundred and sixty one people on Norfolk Island, a total of six thousand five hundred and eight adults.\textsuperscript{5} Settlers had extended beyond Parramatta and there were now one hundred and eighty landholders on the Hawkesbury which had proven to be a productive area for crops and animal husbandry, particularly hogs. But the colony was ravaged by summer fires and drought, by the unexpected and disastrous floods on the Hawkesbury, by abominations between settlers and Aborigines, by thefts, assaults and murders in the general settlement, the attempts at importing illegal quantities of spirits and the exorbitant prices of goods charged by visiting ships, the constant problems with food production and the constant vandalism of buildings by malcontents.
Yet there were many positive changes in the colony which would have given the newcomers some sense of optimism. Collins lists the many achievement by Governor Hunter both in the restoration of deteriorating buildings and the erection of new ones. Briefly, some these new buildings included several granaries, a stone windmill, a barn, several types of accommodation for individuals and groups, a bridge for heavy carts over Duck River, barracks, a redoubt with cannons, and a church at Parramatta. In reference to these improvements Collins makes the following point:

‘It must be gratifying to all who may be in any way acquainted with the settlement, and are not strangers to the misfortunes under which it has sometimes suffered, to find at this time in government a determination to show it a greater degree of attention in future, than, from unavoidable circumstances, it could formerly boast.’

According to Graham Piper, descendant of Edward Piper, it is likely that Francis Piper settled in the Hawkesbury River area where, according to the 1806 Muster, he had six acres of wheat and one of barley with one fallow. Edward is recorded as farming 14 acres in 1802 probably in the Kissing Point area where Henry, his son, was born. However, by 1806 Edward had apparently been murdered in the Kissing Point area because a letter from Henry to the Colonial Secretary in 1824 claimed that Edward had been murdered by a black native in 1806. The NSW Marriage records show that Dulcibella married George Wood in 1810. Also, in the General Muster of New South Wales Norfolk Island and Van Dieman’s Land 1811, Dulcibella and her children, John and Isabella (probably a diminutive form of Dulcibella), are named as Wood, not Piper.

In 1806 Mary was listed in Marsden’s female Muster as the concubine of David Batty and was the mother of two male children and one female child. The family had settled down to domestic
life and this was probably the happiest time of Mary’s life as she raised their three children. Yet the circumstances that had involved Mary and her role in the eventual withdrawal of the Marines and their replacement by the New South Wales Corps was to surface again in a struggle between the soldiers of the corps and another governor. This was to be known as the Rum Rebellion.

Governor Phillip had endeavoured, against almost insurmountable odds, to establish the colony in accordance with his instructions. It had been a formidable task and not helped by the power games played by the Marines. Yet his contribution to developing a colony where all people were treated with dignity within the parameters of the laws he had been forced to introduce was a remarkable achievement. After leaving the colony in December 1792 Phillip was replaced for a period of two years by Major Francis Grose. According to Manning Clark Grose not only lacked both the dignity and stature of Phillip’ but he introduced two measures that were to advantage the officers but which would eventually precipitate the Rum Rebellion. These two measures were to make land grants to the officers which would be worked with convict labour; and to allow the officers to pay the convicts in rum thereby leading to the officers of the NSW Corps to gain a monopoly over the acquisition and distribution of rum and the associated profits through high mark-ups of the price of rum. By the early 1800’s alcohol abuse in the colony was appalling.

The Rum Rebellion broke out in Sydney in 1808 two years after the arrival of Governor William Bligh. This was a hard year for David because Mary died in January 1808 while still in her early forties. There is no cause of death on her death certificate but she was buried in the Old Sydney Cemetery. David was left with three children, David junior aged about 14 (he may have joined Kable’s sealing fleet as did young many young boys including a William Piper who may have been the son of Francis since there is reference to this William Piper in the 1808 muster); Ann who would have
been eight years old; and Thomas who would have been six years old. Yet David was to be a supporter of the NSW Corps.

There are several theories of the cause of the Rum Rebellion, that is, the mutiny by the NSW Corps and other settlers against Governor Bligh in 1808. Included are the dissatisfaction of settlers in the Sydney area who were concerned that they would lose their farms in the administrative area of the colony; the officers who would lose their control over the rum trade and other businesses; and the very abusive nature of Bligh himself. These are all valid reasons but if we return to Bligh’s account of the mutiny on the Bounty, the ship of which he was captain, in April 1789, Bligh was so disconnected from his subordinates that he could not anticipate or explain their behaviour when it differed from obedience to his orders. In his description of the mutiny his only effort at an explanation was the following comment ‘I demanded the cause of such an order, and endeavoured to persuade someone to a sense of duty; but it was to no effect. Hold your tongue, Sir, or you are dead this instant,’ was constantly repeated to me.”

On 26th January 1808, just five days after the death of Mary, David Batty was one of the one hundred and thirty four signatories on the Petition by John Macarthur and Others to Major Johnston:

‘Sir – The present alarming state of this colony, in which every man’s property, liberty, and life are endangered, induces us most earnestly to implore you instantly to place Governor Bligh under an arrest and to assume the command of the colony. We pledge ourselves a moment of less agitation to come forward to support the measure with our fortunes and our lives. We are, with great respect, sir. Your most obedient servants …’

Of the undersigned one hundred and thirty four signatories only seventeen were signed with an X, the sign used by an illiterate
person. Bligh was imprisoned in Government House on the command of Major George Johnson. The arrest of Bligh by the NSW Corps was certainly a far worse situation than that faced by David Collins in his defence of Mary against the marines led by Captain Campbell in 1789. Clearly the power struggle between the Governors from the Admiralty and the officers of the military groups had only worsened over the ensuing nine years. In December 1809 Lachlan Macquarie arrived in Sydney to take over the governorship of the colony. Governor Macquarie followed the habit of the governors preceding Bligh of offering land grants and taking no action on the sale of such land grants despite the fact that they were not freehold titles and were supposedly subject to quit rents. As Karskens points out: ‘Crown land was regarded as convenient cheap and inexhaustible source of largesse.’

David Batty was one such settler to benefit by this attitude of Macquarie. At about the time of the arrival of the Piper brothers and their families David Batty had moved from the Hawkesbury River and in the 10 April 1802 Particulars of Arms in Possession, that is, permission to own firearms, David is recorded as being from the Maskeline and Banks District. Since Mary had given birth to her children in Sydney it is most likely that David was living part of the time in the Maskeline area near Dawes Point in Sydney with Mary but also had interests in the area around the Georges River near Banks Town. The area around the Georges River had been explored in 1795 by George Bass and Matthew Flinders and given the name Banks Town by Governor Hunter. It would appear that this is the area in which David also worked or was able to send hired convicts to work because by 1810 he was the owner of 60 acres of land in the upper reaches of the Georges River. In 1810 this general area was described as Botany Bay. David and his immediate neighbours Richard Calcutt, William Holmes, Andrew Murphy, Robert Lack, George Pashley and James Plunkett were the first landholders in the area now described as Riverwood in the City of Canterbury. Interestingly, the connection between the Piper’s and the Batty’s which, will become evident later, is also
notable here because Francis Piper was one of the first landholders in Riverwood but his date of acquisition is 1823 although he had received land in the new District of Airds or Appin (near the Cowpastures where the herd of cattle that disappeared in the early days of the settlement was eventually located) by July 1811. It would also appear that the name of the landowner of the Riverwood property passed to William, his son.  

In 1810 David was admitted as a juror into the inquest into the death of David James. As such he was described as one of twelve good and lawful men of Sydney. Finally there was a public acknowledgement that David Batty was a good man, a lawful man and therefore a fine citizen of New South Wales. David Batty, after twenty six years, had truly settled the score. His descendants could now hold their heads with pride.

It was in 1815 that David Batty demonstrated his commitment to his community and his extraordinary bravery. The following extract copied from the *Sydney Gazette*, 25th February 1815 explains the event in graphic detail.  

> ‘The fate that has unhappily attended the late George Wood [second husband of Dulcibella Piper Wood] and his associate, Jones and Dawson, who had proceeded towards Shoal Haven to procure cedar, is now placed beyond all doubt, by the return of Messrs. Batty and Howell, who went in quest of them overland. Wood and his companions had proceeded from hence a fortnight before Christmas, in the employ of Mr Blaxcell, with a fine launch, well found in necessaries best suited for their purpose. As soon as the length of time they were provided for expired, their return was of course looked for, as there was no probability of their augmenting their resources, by fishing, fowling or foresting: as they had gone provisioned for a certain time to be employed in labour only, and could therefore only depend upon their prudential calculation for their supplies lasting them
back to Sydney, whither their return was expected the latter end of January.

February arrived, however, and no intelligence concerning them, a few days passed over without any very alarming conjectures, but when an entire week had elapsed their families and friends became hourly more anxious, and their employer, sparing no time in ascertaining the cause of their delay, dispatched a party by water, comprising Messrs. Philips, son, and Brady, as mentioned in the Gazette of last week; and another party by land consisting of Messrs. Batty & Howell who returned last Tuesday with relics sufficient to demonstrate that Wood and his companions are no more - while their most ardent enquiries failed in ascertaining the precise causes of their death.

On Thursday the 9th inst both parties set out, and the launch, the loss of which was also reported, returned last Sunday, without information, but without experiencing any accident. Batty and Howell, however, loading themselves with sufficient provisions and other necessaries which travellers accustomed to the woods know to be best adapted, persevered in one of the most toilsome pursuits that could possibly have been embarked in, until they arrived at the spot where they found the launch that had conveyed Wood and his associates thither, out of reach of the tide and surf. Here also they discovered the mutilated remains of a human body, which some friendly natives who had joined them as conductors, pronounced to be poor Wood’s whom they had known during their life-time. This was indeed a dismal spectacle - the face was gone but the hinder parts of the head were yet a good deal undecayed, as were also the legs, thighs, and arms, from which the hands were absent. They took a lock of hair from the head, and the bone of the lower jaw, which was loose
from the tendons that had united it, and these, melancholy evidences of the performance of their engagement they have brought in with them, together with a powder horn, sewing palm, handkerchief, and part of a jacket, recognised to have been taken by one or other of the three ill-fated men.

The bodies of Jones and Dawson were not found, nor were any of their muskets, but there remained on the beach a cask with a quantity of salt pork in it, the hoops of which had been taken off, and a box that had contained their apparel and other necessaries was stripped of its hinges. Their guides, who were now eight in number, advised them not to delay at the fatal place, which was from 25 to 30 miles from the Five Islands, and estimated at upwards of 100 miles from Sydney, as they were in momentary apprehension of being assailed by numbers that were possibly in concertment round them, by whom they were as likely to be killed and eaten as themselves; and to strengthen their persuasions, they attributed the total absence of Jones and Dawson, as well as the loss of hands from the body under view, to a cannibal propensity in the natives of that part of the Coast; but as this suggestion is utterly inconsonant to the observations hitherto made on the manners and inclinations of any of the native tribes we have occasionally met with, we are inclined to treat it as a fiction reported to with a view of magnifying the terrors of their situation and thereby the more readily prevailing on the two persons under their guidance to abandon a spot that exhibited a picture of horror, and was then equally unsafe to all.’
David Batty died on 2\textsuperscript{nd} December 1818 and was buried in the Sydney cemetery the following day. He was fifty six years of age. David Batty had arrived in the colony almost twenty seven years earlier where he met his partner and the mother of his children, Mary Turner alias Wilkes. He had experienced the early days of the colony when there were few free settlers and a work-force of ragged, hungry convicts, but he died during the more affluent period of the governorship of the visionary and humane Lachlan Macquarie. He had seen, arguably, the blueprint for the modern society of Australia, and New South Wales in particular.

David would no doubt have marvelled at the changes brought by Macquarie. Here were the new public buildings constructed of bricks or the golden sandstone cut in Sydney: granary, barracks, military hospital, colonial hospitals, houses two or three stories high for senior government officials, a sophisticated lumber yard with an arsenal, store room and offices, new quays and extensive repairs to the old docks and quay, improvements to the gaol and a new watch-house, churches, schools, an asylum for the poor and blind, roads, road rules and tolls, the establishment of the Five Townships of Windsor, Richmond, Pitt Town, Wilberforce and Castlereagh, and access roads to new towns such as Emu Plains, Castle Hill and Campbelltown.\(^1\) He witnessed the crossing of the Blue Mountains and the opening of the western tablelands and plains to farming, and the extension of ticket-of-leave for convicts, the introduction of a moral code with laws to discourage immoral behaviour. Sydney was in the early period of changing from a penal
settlement into a small city of landowners, farmers, merchants, whalers, ship-builders, and trades people of every type. David must have felt some degree of optimism for his own three living children.

Thomas Batty, son of Mary and David, married Mary Piper the daughter of Sarah Wood and Francis Piper, on 1st October 1824. Thomas Batty and Francis Piper the younger, brother of Mary, were granted adjacent blocks of land in Kent Street Sydney close to Market Street, Sydney. Eight children of the marriage are registered in the NSW Department of Births Deaths and Marriages. Their family spread throughout the area south of Sydney from the coast to the tablelands and the Monaro. Today their many descendants continue to live throughout New South Wales.
NOTES

Introduction


Chapter One


2. Sprigmore and Harrison *OBP* (http://www.oldbaileyonline.org, version 7.0, 28 February 2013), October 1785, trial of Charlotte Springmore and Mary Harrison (t17851019-57).

3. Mary Dykes and Elizabeth Herbert *OBP* (http://www.oldbaileyonline.org, version 7.0, 21 February 2013), April 1786, trial of Mary Dykes and Elizabeth Herbert (t17860426-40).


6. Pile, Mary *OBP* (http://www.oldbaileyonline.org, version 7.0, 15 February 2013), April 1785, trial of Mary Pile (t17850406-68).

7. Lawrence, Mary *OBP* (http://www.oldbaileyonline.org, version 7.0, 23 February 2013), 1784, trial of Mary, wife of John Lawrence (t17840526-75).

8. Creek, Jane *OBP* (http://www.oldbaileyonline.org, version 7.0, 21 February 2013), September 1785, trial of Jane Creek (t17850914-48).
Chapter Four

1. In the introductory discussion Arthur Bowes Smyth and his Journal pp. xv-xix, The Journal of Arthur Bowes Smyth: Surgeon, Lady Penrhyn 1787. (Eds. Paul Fidlon and R.J. Ryan). The editors have acknowledged discrepancies in some time sequences of events which are nevertheless dated in chronological order. The editors have suggested that the manuscript to this edition held by the Mitchell Library in Sydney, Australia, may have been written up and edited by Bowes Smyth sometime after his return to England (see p. xviii). I suggest that this revision, editing and inclusion of daily observations may also have been made during the voyage itself, particularly when circumstances made it impossible to make the daily entry.


4. Watkin Tench provides a thorough and unbiased description of this event in his A Narrative of the Expedition to Botany Bay. London, 1789.


Chapter Five


3. Ibid.


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**Chapter Six**


2. Ibid. **Governor Phillip to Lord Sydney.** P.20.


6. Ibid.

**Chapter Seven**


2. Ibid.

3. Tench gives these figures. However, Collins gives the figure of 44 men and nine women missing, among whom were the convicts attempting to reach China.

5. Barrington, G. From *A Sequel to Barrington’s Voyage to New South Wales: Comprising an interesting narrative of the transactions and behaviour of the convicts; the progress of the Colony &c.* Chapter 3. A digital text sponsored by the University of Sydney Library. Sydney.


Chapter 8

1. *Colonial Secretary Index* Microfiche Reel 6021, 4/1819 pp.157, 159.


6. Ibid.

7. Piper, G.M.H. *The Minorca Pipers.* P.33. Australia

8. Ibid.
9. Ibid.


19. **Inner West Local History.**


21. See maps in note 7 (above).


Chapter 9 Epilogue

**BIBLIOGRAPHY**


Barrington, G. *A Sequel to Barrington’s Voyage to New South Wales: Comprising an interesting narrative of the transactions and behaviour of the convicts; the progress of the Colony &c.* A digital text sponsored by the University of Sydney Library. Sydney.


Colonial Secretary Index. Microfiche Reel 6021, 4/1819 pp.157, 159.


Norfolk Island Victualling Book. 1792-95. Utah C.L.S. (Mitchell Library NSW.)


Piper, G.M.H. The Minorca Pipers. Star Printery Pty Ltd. Erskineville. NSW.


In 1787 the First Fleet set sail from England to New South Wales carrying a Precious Cargo of nearly 250 women of whom 109 sailed on the Lady Penrhyn. These women, who had a variety of skills and trades, were accompanied by more than 700 male officers, convicts and freemen to set up the first non-indigenous community in Australia. Without these resourceful women the colony would have been a failure. This is the story of the voyage of the women of the Lady Penrhyn and their part in the eventual success of the colony. In particular, it is the story Mary Turner, the servant girl from Worcester. Mary survived the rigorous voyage, 50 lashes for misdemeanour, and, within a year, the efforts of Captain Campbell of the Marines to have her executed. With most of the women of the Lady Penrhyn she struggled to survive by living on mutton birds on Norfolk Island and lost her newborn child there. Mary met and settled down with convict David Batty of the Third Fleet. David was an active and politically driven settler who pioneered the Bankstown area and was officially described as a good and lawful man. Three of their children survived to adulthood and their legacy is the many fine citizens who have contributed, and continue to contribute, to the development of their wonderful country, Australia.