

NOTE TO TYPESETTERS: This Table should appear on a separate verso page, in landscape format. The notes should appear on a facing recto page, beginning with (1) the Bentham sub-footnotes to the Table itself, followed by (2) the longer Bentham footnote beginning 'From the inspection of this Table', and finishing (3) with the editorial footnotes. For layout see p. 000 of the hard copy. Please place braces around 'Shah Hormuzear and Chesterfield' in row no. 6, 'Sugar Cane and Boddingtons' in row no. 8, 'Endeavour and Fancy' in row no. 11, and 'Muir and several others' in row no. 12.

TABLE OF CONVICT EMIGRATION:

Shewing the Number of Convicts that, in about Five Years and a Half, viz. from 22d August 1790 to March 1796, are reported by the late Judge Advocate, as having quitted or attempted to quit New South Wales: distinguishing whether with or without Permission of the Governor, and if without, whether *Expirees*, (Persons whose Sentences were expired) or *Non-Expirees*.

No.	Page	Time.	Vessel.	Quitted.		Prevented.		
				With Permission.	Without Permission.	Expirees.	Non-Expirees.	
1	130	22d Aug. 1790.	Neptune ¹				2 ^{dd}	1 ^{ee}
2	136	26th Sep. 1790.	Open Boat ²			5		
3	156	28th Mar. 1791.	Open Boat ³		1	8		
4	190	3d Dec. 1791.	Albermarle & Active ⁴		'Some'	'Some'		
5	268	19th Feb. 1793.	Bellona ⁵	2			2	2
6	283	24th Apr. 1793.	Shah Hormuzear and Chesterfield ⁶	5				
7	290	4th June 1793.	Kitty ⁷	11				
8	315	13th Oct. 1793.	Sugar Cane and Boddingtons ⁸	7		'Some'	2	
9	398	9th July 1794. ⁹	Resolution ¹⁰	Some ^{bb}		13		
10	400	15th Dec. 1794.	Daedalus ¹¹	14				
11	{429	18th Sep. 1793 ¹³	Endeavour and Fancy ¹⁴	50		nearly 50		

	461 ¹²							
12	457	18th Feb. 1796.	Otter ¹⁵			'Muir and several others'		
13	469	Begin. Mar. 1796	Ceres ¹⁶					8
				cc 89	cc 1	cc 76	6	11

^{aa} As many as were necessary to complete the Ship's Company.

^{bb} These totals give the ascertained numbers, exclusive of the unascertained ones.

^{cc} Of whom one flogged.

^{dd} Flogged

NOTE TO TYPESETTERS: The following Bentham footnote should appear under the Table.

From the inspection of this Table, result the following observations:

1. Considering that, in the list of Non-expiree escapers, there are three parcels in unascertained numbers, for one which there is in the list of Expiree escapers, there seems reason to think that the number of these emigrants, to whom the liberty of departure had *not* been thought fit to be allowed, was little, if at all, inferior to the number of those to whom that liberty *had* been thought fit to be allowed. What would be said of the plan of safe-custody pursued at home, if from Newgate¹⁷ the escapes were found to be as many as the pardons?
2. Among those who, in ascertained numbers, obtained this liberty by their own forbidden exertions, without permission from above, the number of those who had *not* a right to it was 76 times as great, as of those who *had* a right to it.
3. Among those who, in ascertained numbers, having a *right* to this liberty, attempted to exercise it, the number of those who *failed* was six times as great as of those who *succeeded*.
4. Of the two individuals, who were at the same time *flogged* for an unsuccessful attempt to exercise this liberty, one had, by the laws under which he had been sent thither, as good a *right* to it, as those by whose orders he was flogged.¹⁸

NOTE TO TYPESETTERS: Main text resumes below, and should follow on without interruption from the point noted above.

¹ According to Collins, on 22 August 1790 information was received that convicts had secreted themselves on board the *Neptune*, which was lying in harbour. A search party of marines went on board and apprehended a woman and Joseph Sutton (d. 1795). During the night, another man, who claimed to be free, was captured while attempting to swim out to the ship. The *Neptune* sailed from Port Jackson on 24 August 1790.

² On 26 September 1790 five convicts working at the Rose Hill farm—John Turwood or Tarwood (b. c. 1761), George Lee (b. c. 1769), George Connoway (c. 1770–1808), John Watson (b. c. 1766), and Joseph Sutton—travelled in a small boat down the Parramatta River to Sydney, where they acquired a larger vessel and sailed from Port Jackson. Collins speculated that the men intended to sail for Tahiti, but the absconders were instead driven ashore at Port Stephens, where they lived among the Worimi people until 23 August 1795, when Turwood, Lee, Connoway, and Watson—Sutton having died—were picked up by H.M.S. *Providence*, captained by William Broughton (1762–1821), and returned to Sydney. An account of their reappearance is given in Collins, i. 425–6.

³ On the night of 28 March 1791 William Bryant (b. c. 1758–61), his wife Mary (*née* Broad) (bap. 1765) and their two children Charlotte (1787–92) and Emanuel (1790–1), William Allen (b. c. 1737–46), Samuel Bird *alias* John Simms (1763/4–92), Samuel Broom *alias* John Butcher (b. c. 1742–4), James Cox *alias* James Rolt (b. c. 1759–65, d. 1791), Nathaniel Lillie (b. c. 1753–63), James Martin or Martyn (b. c. 1757–63), and William Morton (b. c. 1759–63, d. 1792), sailed out of Port Jackson in the colony’s six-oared fishing boat, and eventually arrived at Dutch-controlled Kupang, Timor, on 5 June 1791. The manuscript of the only first-hand account of this escape, headed ‘Memorandums by James Martin’, was acquired by Bentham and is at UC clxix. 179–201, with an amended copy at UC clxix. 202–5 (both versions are reproduced in *Memorandums by James Martin: An astonishing escape from early New South Wales*, ed. T. Causer, London, 2017).

⁴ According to Collins, after the *Albemarle* and *Active* had sailed from Port Jackson, it was discovered that ‘several people’, both ex-convicts and convicts, ‘were missing from the settlement’.

⁵ According to Collins, the *Bellona*’s charter-party with the government forbade its Master from receiving on board ‘any person from the colony, without the express consent and order of the governor’. Governor Phillip had granted permission for two ex-convicts to leave the colony by the vessel, but when the *Bellona* was smoked before sailing, ‘four people were found secreted on board, two of whom had not yet served the full periods of their sentences’.

⁶ According to Collins, the *Shah Hormuzear* and the *Chesterfield* sailed from Port Jackson on 24 April 1793 with four male ex-convicts and one female ex-convict on board.

⁷ According to Collins, when the *Kitty* sailed from Port Jackson, amongst its passengers were five men and a woman ‘who, their terms of transportation being expired, were permitted to return to their friends’, along with a further five men ‘permitted to enter on board the *Kitty* for the purpose of navigating her’, as replacements for the mutinous crewmen removed from the ship on 2 June 1793 (see p. 000 n. above). Bentham assumes that these latter five men were ex-convicts, but Collins indicates that only two of them had been convicts, while a third was a seaman ‘lately discharged from the *Daedalus*’.

⁸ For the ex-convicts carried by the *Sugar Cane* and the *Boddingtons* see p. 000 n. above.

⁹ According to Collins, the *Resolution* sailed from Port Jackson on 9 November 1794, and not 9 July 1794.

¹⁰ The Master of the *Resolution*, John Locke, had been granted permission to take on board as many people as he thought necessary to complete his crew, but, according to Collins, ‘there was not any doubt’ that he had, in addition, surreptitiously taken on board ‘twelve or thirteen’ convicts still under sentence.

¹¹ Collins states that the *Daedalus* sailed from Port Jackson on 15 December 1794, when it in fact sailed on 17 December 1794. Lieutenant-Governor Grose had granted permission to the Master of the *Daedalus* to take on board twelve male and two female ex-convicts.

¹² *Recte* 429–30, 460–1.

¹³ According to Collins, the *Endeavour* and the *Fancy* sailed from Port Jackson, via Norfolk Island and New Zealand, for India on 18 September 1795, and not 1793.

¹⁴ According to Collins, around fifty ex-convicts were permitted to leave New South Wales by the *Endeavour*, while ‘nearly as many more had [also] found means to secrete themselves on board her’.

¹⁵ According to Collins, when the *Otter* sailed from Port Jackson, it had on board Thomas Muir, and ‘several other convicts whose sentences of transportation were not expired’, namely Muir’s two convict servants.

¹⁶ See p. 000 n. above.

¹⁷ i.e. Newgate Prison in the City of London.

¹⁸ The two flogged men were Joseph Sutton and the unnamed man who swam out to the *Neptune* during the night of 22 August 1790 and who claimed to be free.