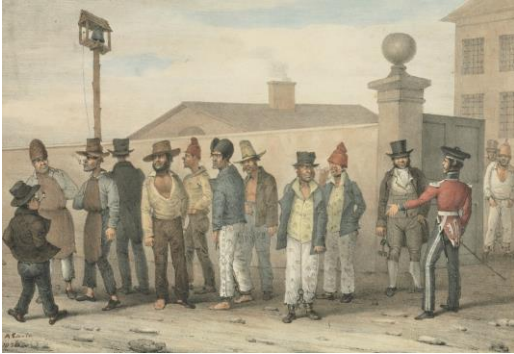


CONVICT MUTINY ABOARD THE MERCURY 1784

From 1615 until 1776 over 50,000 convicts were transported to the colonies in America, and in that time 10% of migrants were convicts from Britain. Many of the ships carrying these convicts visited Torbay on the outward journey.

The Transportation Act of 1717 allowed courts to sentence felons to a spell in the Americas, resulting in a massive increase in the number of prisoners sent there, and a 1720 extension of the Act allowed the Crown to contract merchants and pay them for the use of their ships. In the 18th century a crime as insignificant as petty theft drew a transportation sentence. Convicts not condemned to life abroad were sentenced to seven or 14 years, after which return to Britain was possible, although not practical. Those escaping and returning early could expect to be sentenced to death. Transportees were customarily set to manual labour on the eastern seaboard.



The American Revolution of 1776 stopped official transportation, but by no means stopped courts from offering up the sentence. The contracted shipping merchants simply labelled convicts as “Property in their Service” and sold them as indentured labour on arrival in the USA. Post-1776 transportation convicts were increasingly held in overcrowded British gaols, and prison hulks moored along the South coast of England, whilst alternative destinations were sourced.

In 1783 the then Home Secretary, Lord North, with the explicit support of George III, contracted merchant George Moore to ship prisoners to America. Moore was rewarded with £500, plus the profit gained by selling individual convicts’ indentures. Historian Emma Christopher has dubbed the venture “a madcap attempt to resume convict transportation to America”.

On 26th March 1784, 179 prisoners embarked on The Mercury, under the command of Captain Pamp, and left for Baltimore (or Georgia, depending on the source) on 2nd April. Captain Pamp had been in command of the prison ship The Swift in the previous year, which had suffered a mutiny by its convict passengers, so you might have thought his vigilance would have been a little more engaged on this subsequent occasion. Convicts, however, managed to smuggle on board a number of small saws and a significant amount of nitric acid in order to later remove their irons.



The prisoners mutinied and took control of The Mercury early on 8th April, near to the Scilly Isles, and imprisoned the crew. At convict Charles Peat’s Old Bailey trial in July 1784, he said they mutinied “about twenty-five leagues to westward of St. Mary’s, on the West India Rocks”. This is close to where Bishop Rock lighthouse stands today.

Bad weather forced the mutineers to seek shelter in Torbay five days later, where they had the misfortune to encounter HMS Helena, a 14-gun sloop under the command of Captain George Cadman. 24 of the convicts had landed at Paignton in the ship’s boats and legged it, (two of them even making it as far as London), before the naval ship could mobilise itself. The remaining convicts onboard The Mercury steered the ship towards shore, but the crew of HMS Helena apprehended 66 mutineers before they could jump ship.

On 14th April Captain Cadman, still at anchor in Torbay, wrote to the Mayor of Exeter:

“A ship arrived here last night from London, with convicts who rose about ten days since on the Master and crew. Sixty (sic) landed the same evening at Paignton and escaped. The Master informs me that they are a desperate set of fellows, and may commit many depredations. ... Forty attempted to escape this morning, but my boats were so fortunate as to take them before they reached the shore.”

HMS Helena took the convicts by sea to Topsham, and then they went under military escort to Exeter gaol.

Town and Country Magazine dated 15th April 1784 proclaimed:

“Upwards of twenty were retaken in the course of last night and today; the strictest search is still being made by the constables and soldiers. Sixty that were taken in getting ashore were taken to Topsham by water this evening under convoy of the Helena’s crew, and from thence escorted to Bridewell by the military. There are about fifty left on board the ship. The whole number that were on board were (sic) about 160.”

Of the 24 who made it to shore, all were finally recaptured and most were put on trial at Exeter. Robert Sidaway, a 26 year old watch chain maker, who had been convicted of theft, was seriously wounded in the arm whilst escaping, having been shot by the ship’s doctor. He only made it as far as Totnes, where he was arrested with one Charles Frame. Sidaway had to be taken by chaise to Exeter, where he spent a considerable time in hospital.

Charles Peat had been sentenced to death at the age of 21 in 1781 for highway robbery. His victim testified that Peat had “behaved throughout with remarkable civility”. The death sentence was commuted when Peat undertook to serve in the Royal Navy, and he became an ordinary seaman on board HMS Prince Edward in October 1782. After ten weeks he was transferred to the Belleisle, and within four days of that he had deserted. As a consequence he was banged up in a prison hulk, awaiting transportation to Nova Scotia. Peat made it to London, as did fellow escapee James Harris.

William Blatherhorn (aka Beans, also aka Fisher), convicted of theft, was one of at least three convicts who had been among the mutineers on board The Swift, as well as The Mercury. Michael Nowland, 23, convicted of horse theft, managed to get as far as Bath on the run, where he was arrested on 4th May. Ten days later he managed to escape again, enjoying another thirteen days on the run before finally being re-arrested in Bristol and spending four years on a hulk in Portsmouth before transportation.

The 24 recaptured convicts were tried at a Special Assize in Exeter. The Western Flying Post, or Yeovil Mercury, reported on the trial.

“Monday last (24th May 1784) came on at the Castle of Exeter, before Mr Justice Heath, by special commission, the trials of the convicts who escaped, only from the Mercury transport in Torbay, which ended on Tuesday evening, only 24 being tried, all of whom were identified, and received sentence of death.

The whole number expected to have been tried was 90, 66 of whom were taken in boats by the crew of The Helena, who were entitled to 20/- for each man on conviction, but whom the judge did not proceed to try because they were taken on the water, and therefore could not be said to be at large within the kingdom. This circumstance deprives the crew, who were exceeding active on the occasion, of their merited reward; and there is reason to fear that the ringleaders will escape justice, while those who were unfortunate enough to get ashore, though perhaps their original crimes bore no comparison are sentenced to an ignominious death.”

In the event none of the death sentences on the 24 were carried out, and they all eventually found themselves being transported to New South Wales.

The Flying Post clearly felt that the crew of The Helena had been cheated out of their bounty. Under the 1768 Transportation Act the 20/- (£1) per head reward was payable to any individual who apprehended a person while under sentence of transportation, and who was subsequently convicted of returning from transportation (without having completed their sentence). The crew had expectations of gaining this reward for the 66 mutineers they had apprehended onboard, preventing them from escaping into the Devonshire countryside (probably worth about £11,000 in today’s money).

Justice Heath, however, declined to try the 66 on the basis that they had been apprehended aboard The Mercury at sea and “could not be said to be at large within the kingdom”, which was



