

CONVICT JOHANNA LYNCH

(*Janus/Princess Charlotte*, 1820)

At the Lent Assizes in County Waterford, Ireland, in 1819, Johanna Lynch, a twenty-one year old country servant, was convicted of larceny. She had been found guilty of stealing 'two cloaks and a petticoat', the property of Maurice Connery of Ballyrusa, her employer.

Sentenced to transportation for seven years, she was put aboard *Janus* which, with Thomas Mowat as master and James Creagh as surgeon-superintendent, left Cork with a cargo of 105 female convicts on 5 December 1819. Also aboard were a small number of passengers, including two priests, Father Philip Connelly and Father John Joseph Therry, both of whom had volunteered to migrate to New South Wales after the authorities had consented to have Catholic chaplains stationed at Botany Bay.

Making its way via Rio de Janeiro, *Janus* reached Sydney Cove on 3 March 1820, a passage of 150 days. Although Captain Mowat had been instructed to call first at Hobart, he had chosen to disregard this order following the sudden death of Creagh as the ship neared Van Diemen's Land. Instead, he had proceeded directly to Port Jackson.

In Sydney, 104 prisoners were disembarked; one had died on the way.

Governor Lachlan Macquarie was pleased to note the safe arrival of the vessel in his diary:

Wednesday, 3 May 1820: This forenoon anchored in Sydney Cove the Ship Janus, Transport, Commanded by Capt. Thos. Jas. Mowatt, with 104 Female Convicts from England and Ireland, from which last Country She sailed on the 3d. of Decr. 1819, touching at Rio de Janeiro. — The Prisoners & other Passengers have arrived in good Health; but the Surgeon Supdt. Doctor Creagh — of the Royal Navy, died when the Ship had arrived off Van Diemen's Land. — The Revd. Mr. Philip Connelly and The Revd. Mr. Josiah Terry [sic], Roman Catholic Priests, have come out Passengers in the Janus, with the Permission of Government, for the Ministry in this Colony.

As was customary, the convicts were questioned soon after disembarkation about their treatment during the voyage. All reported that they had been very well looked after by those responsible for them.

However, it was soon brought to Macquarie's attention that all might not have been well aboard *Janus* and that Mowat and his crew could have been guilty of gross impropriety during the voyage.

This situation came to light when, on 24 May 1820 - six weeks after the arrival of *Janus* - Mr Nicholas Bayly, a free settler, informed Macquarie by letter that two of the *Janus* women who had been assigned to him as servants were pregnant. One, Mary Long, claimed that it was Mowat who was responsible for her condition. The other, Lydia Esden, revealed that the man responsible for her pregnancy was John Hedges, Mowat's chief mate. Bayly told Macquarie that the women had freely admitted that they had lived 'in a state of prostitution' with the men throughout the voyage.

In response, Macquarie asked the Bench of Magistrates in Sydney to investigate the matter immediately and to report back to him.

Within a week, the Bench - comprising John Wylde (Judge-Advocate, NSW) as President, John Campbell J.P. (Macquarie's Secretary), William Minchin, J.P. (Superintendent of Police, NSW) and John Piper, J.P. (Naval Officer, NSW) - met to hear testimony from those allegedly involved and other key witnesses.

In his dispatch of 19 July 1820, Macquarie advised Earl Bathurst, Britain's Secretary of State for the Colonies, of the *Janus* situation, expressing the hope that Bathurst would:

... take such measures as may tend at least to repress as far as possible such flagrant dereliction of duty for the future as that which has been proved against the Master and Officers of the Janus. and to tell him that he had asked the Bench of Magistrates in Sydney to investigate the matter:

Macquarie enclosed a number of relevant documents, among which were copies of the correspondence he had received from Bayly and a full transcript of the proceedings of the Bench.

The proceedings show that the first person to be interviewed was Mrs Ann Moore, the wife of Corporal Moore of the 48th Regiment. Although she had come out aboard *Janus* as a passenger, she had chosen to share the prison room with the convicts in preference to taking a berth in the sick bay, the only other accommodation available for her. As such, she had been in a good position to observe the behaviour of the prisoners and the conduct of the captain and crew towards them.

Whilst she admitted that it was impossible to see the captain's cabin from her berth, she was certain that no female convict was ever there for any length of time and that those who did enter that cabin did so briefly, and only for the purpose of obtaining Mowat's linen to wash and mend and return it afterwards. She added that the prisoners were invariably ordered below decks every evening, that the hatches were then securely fastened, and that the sailors were never down with the women at night.

In regard to the prisoner Lydia Edsen specifically, Mrs Moore told the Bench that she had often spoken to her, that she had seen her undress herself and go to her own bed and that she did not know of her leaving the prison room at night or of her being in the Captain's cabin for any length of time.

Mrs Moore told the Bench that the prisoners had been admonished from time to time for 'riotous conduct and swearing' but that this conduct had amounted only to fighting among themselves and card-playing. She had even seen some of them 'tipsy' occasionally. But she had not seen any of the sailors coming into the prison room except when they had legitimate business there. She thought that the captain and his officers were 'kind' and that they 'did everything they could to make the prisoners and everybody on board comfortable'. She added that she was aware that two sailors had been put off the vessel before it had left Cork for speaking to the women and that during the voyage the captain had frequently rebuked the seamen when he saw them speaking to the prisoners.

Father Connolly, the senior of the priests, was the next to be interviewed. He told the Bench that from his first day aboard *Janus* he had had reason to suspect that some kind of 'improper intercourse was going on between the female convicts and the sailors'. He had observed women coming from the sailors' berth and believed that it was common for the men to take a 'partner' from the prison room. He was aware that 'two or three women were often, indeed constantly, in the captain's cabin'. He had overheard Captain Mowat and Surgeon Creagh openly discussing this matter and, at the beginning, he had raised the matter frequently with the captain. Later, however, he had ceased to do so because he was convinced that it was useless.

At Rio, Connolly said, a letter had been sent to Commodore Bowles who was in charge there to alert him to 'malpractices' on board. As a consequence of this, Mowat and Creagh had gone ashore to arrange for more bolts and bars to be brought aboard to 'keep the prison secure' and 'to prevent prostitution' but the new bolts were soon removed and the hatches broken open as regularly as they were fastened down. After Rio, 'prostitution seemed to prevail more than before' and 'to a most shameful extent'.

Connolly believed that while Mowat seemed, by his words, to want to stop what was happening his actions spoke otherwise. He was setting such a bad example that the seamen, who 'seemed determined to have the women', were actually encouraged to continue in what they were doing. On the other hand, he believed that Creagh had done everything he could to prevent what was occurring.

But Connolly was adamant that the entire blame for this conduct could not be laid at the feet of the captain and crew. The women, he asserted, 'were as determined to communicate with the sailors as they themselves were' with the women.

Connelly said that when Creagh attempted to punish the women for this he was only laughed at. He was not supported by the captain and officers in the performance of his duty, and he had had 'no assistance from any quarter'. When, after leaving Rio, Creagh told Mowat that if he could not have his support then he himself must accept full responsible for the prisoners, 'there was an altercation between them'.

Next to be heard by the Bench of Magistrates was Father Therry. Like Connolly, he said that he had quickly become aware of 'the utmost prevalence of vice' aboard *Janus*. In his view, what was happening on the ship amounted to 'general criminal intercourse between the sailors and the convicts'. It was 'general' and 'widespread'.

He had remonstrated with the captain and officers about the matter 'frequently' but, like Connelly, he had given up when he found that his 'expostulations' were of no use. He, too, thought that Mowat had been insincere in his efforts to prevent communication between the sailors and prisoners. He was aware, however, that the captain had felt that it was very possible that the men would mutiny if he were too severe with them.

In Therry's opinion, the locks and bars that had been taken on at Rio were of poor quality and easily opened with any key. Some of the locks had been thrown overboard. A number of the boards which separated the men's berths from the women's had large gaps between them and this facilitated easy communication between them.

He added that, to his knowledge, the Catholic prisoners (that is the Irish women) – who comprised about one third of the total - had not entered into 'the illicit intercourse' between the sexes. He concluded his testimony by stating his conviction that if 'a proper system of discipline been established' by the captain early in the voyage none of the 'illicit intercourse would have prevailed'.

Captain Mowat was then called before the Bench. Strenuously denying that any irregularity had occurred aboard the vessel during its voyage, he asserted that the evidence against him and his crew would soon be shown to be 'vague and inconclusive'.

Mowat urged the Bench to give the utmost weight in their assessment of what had happened to the testimony of Mrs Moore, whom he referred to as a woman of 'good character and unimpeachable morals'. He reminded the Bench that she had distinctly stated that the female prisoners had been ordered down to the prison room regularly every evening, that the hatches had been immediately fastened, and that the two women, Lydia Esden and Mary Long, whose names had been much adverted to in the proceedings, had slept in berths opposite her and she had seen them undress and go to bed.

He told the Bench that, although he had had to punish some of the women for misbehavior on occasion 'by putting on them a strait waistcoat', he had always treated the prisoners 'kindly and properly'.

In regard to the evidence of Father Connolly, Mowat begged the Bench to take into account that it had been given with 'a peculiar invidiousness'. The priest's main objective, he thought, seemed to have been 'to represent as blameless all those of his own persuasion' and to castigate the rest.

Mowat pointed out that, although the priest had testified that he had 'observed a manner of familiarity between the sailors and the women', he had not named him in that respect. Moreover, he said, Connolly had testified that he had *presumed* that the sailors had generally each had a 'partner' because he had seen women coming up from the men's berths, but that this was a presumption only.

The captain admitted that he had certainly been aware that some intercourse had taken place between the sailors and the women as a result of the removal of bolts, locks and hatches but denied that he had 'either assisted or connived' in that in any way. He reminded the Bench that the prisoners were under the 'care, management and superintendence' of the surgeon during the voyage, and that it was the surgeon's duty to report any irregularity which required attention to him in writing. He had never received such a report.

On the contrary, he said, he had never refused to co-operate with the surgeon and had used his best endeavours to suppress the intercourse between the sailors and the women. At the same time, he maintained, he had had to be mindful that a mutiny might ensue if he was too rigid with the men.

Mowat unequivocally denied the accusation that he had had 'a female named Mary Long as a constant companion' in his cabin. He stressed that it was only because she washed for him during the voyage that she entered his cabin and, in doing so, had done no more than other prisoners – namely, Mary Hoare, Isabella Irvin and Ellen Molloy - who performed the same service for the surgeon and the priests.

Convict Mary Long was then called to the Bench. In a sworn statement, she said that when first put aboard *Janus* she had been placed in the prison room and that it was locked down after dark. At daylight, the hatches were unlocked and the prisoners were able to come up on deck.

After sailing from Cork, however, the prisoners were not mustered again and, while she was not aware of any woman being taken out of the prison room after lock down time in the evening, she was unable to say whether all of them were actually in the prison room when the lock down took place.

In her own case, she said, while she did not frequently spend the night in Captain Mowat's cabin, she was there when not in the prison room at night. As a result, she was now in her present pregnant condition – and, for this, she said the captain was responsible.

She told the Bench that she knew that Lydia Esden had spent nights in the cabin of the Chief Mate, Mr Hedges. She was unable to say whether other women were down in the sailors' berths but she believed they were, and that this situation continued 'days and nights'. The women, she said, had been treated very well by the sailors and had no complaints about what was happening.

She had heard the surgeon complain of the women's 'disorderly' behaviour but he had urged them to keep what was happening from the priests. He told the women that 'he knew what he was doing'.

Lydia Esden was then sworn in. She stated that shortly after arrival in Sydney she had been assigned as a servant to Mr Nicholas Bayly to whom she had written complaining that she was pregnant to Mr Hedges. She had explained to Bayly that she was aware that *Janus*, with Hedges aboard, was about to leave Sydney on a whaling expedition and that it was urgent that she be permitted to go into Sydney to speak to him about monetary support.

She told the Bench that she had passed much of her time in Hedges's cabin during the voyage. She had also seen other women going down to the sailors' berths during the day. Although she couldn't be certain, she believed that they had also spent nights there.

She agreed with Mary Long that the Surgeon Creagh knew what was happening but had not ordered her or the other women back to the prison room. He had simply urged them to be 'more circumspect' and to keep it from the priests because his living depended on his good character. In fact, she said, she and many other women had heard him say that he too would have a woman in his cabin if it were not for the priests.

None of the women had complained about the way they were being treated by the sailors and she was sure that there had been no cause for complaint.

A few days later the Bench reported to Macquarie that:

[We]... are of the opinion that Prostitution did prevail on board the said Ship throughout the Voyage from England to this Territory; that due exertions were not made on the part of the Captain and officers to prevent the same; and that the matter of Charge, as against the Captain and Officers of the said Ship individually in that respect, is true and well founded in fact.

Despite this finding, Mowat and Hedges as well as the other officers and crew of *Janus* all appear to have escaped penalty. With Mowat as master, the ship left Sydney on 26 July 1820 and, after thirteen weeks at sea, arrived at the Bay of Islands, New Zealand. There it remained, engaged in whaling, until 27 October. In the following year it visited the Bay of Islands twice again. On 9 November 1821, still under Mowat's command, it departed New Zealand for England. There is no record of Mowat ever returning to Sydney.

Johanna Lynch had received no mention whatsoever during the hearings. If Father Connolly was correct in believing that none of the Irish prisoners had been involved in the 'improper intercourse' that had occurred, she had played no part in it at all.

Nevertheless, directly involved or not, it must have been a shocking, and at times terrifying, voyage for her and, indeed, for many of the other women, none of whom had been transported because they were prostitutes.

In any event, by the time the report of the proceedings had been forwarded to Governor Macquarie, Johanna was in Hobart.

On 16 May, sixty-eight of the *Janus* women, including Johanna, had been shipped off to Van Diemen's Land on *Princess Charlotte*, the New South Wales government brig. On 20 June 1820, Johanna and forty-two others were disembarked at Hobart Town. Twenty-five had already been taken ashore at Port Dalrymple (now Launceston).

To what extent Johanna's life in Van Diemen's life was influenced by the events that had occurred aboard *Janus* is difficult to say. However, it is likely that they had affected her considerably.

Once ashore at Hobart Town, she soon came to the notice of the authorities. The female Muster Lists of 1821 and 1823 make mention of the fact that she - now referred to as 'Ann' Lynch - was cohabiting with a convict by the name of John Cavanagh. By early 1826 she had given birth to three children by him.

From this point on, all might have gone well for Johanna - but, as fate would have it, her life was soon to be thrown into turmoil again.

In May 1826, Cavanagh was killed. While attempting to rob a man who was walking home alone beside the Derwent in an isolated part of the town, he himself was strangled to death with his own neckerchief. A subsequent inquest recorded a verdict of 'justifiable homicide'.

Thereafter, Johanna's life went steadily downhill.

The Hobart census of 1826 lists her three children – Ann, 6, Bridget, 4, and Thomas, 2 - among those in Hobart 'having only a mother living'. A notation beside their names reads: 'Mother a prostitute'.

Johanna's Conduct Record and contemporary newspaper reports show that, in May 1835, she was brought before a magistrate, charged with 'drunkenness'. She was fined five shillings. In June 1830, she was charged again with 'drunkenness' and 'disorderly behaviour'. This time she was ordered to find sureties for her future good behaviour. In October 1830, she was convicted of 'being the maintainer of a bawdy house' and sent to the Female House of Corrections for three months. In December 1835, she was charged with a 'breach of the peace' and gaoled again, this time for a period of fourteen days. In January 1838, she was convicted of 'stealing one waistcoat' and sent to the House of Correction again, this time for six months. In April 1840, she was charged with 'stealing a promissory note, value £5, and other monies' but managed to win a verdict of Not Guilty

Johanna died in October 1841. She was 43 years old. The death certificate shows the cause as 'decline'.

Don Bradmore

Sources:

Convict documents, TAHO: CON40/1/5, Image 285.

Janus Inquiry: Historical Records of Australia, Series 1, Vol. 10.

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