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British convict servant labor in colonial Virginia

Frederick Hall Schmidt

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BRITISH CONVICT SERVANT LABOR
IN COLONIAL VIRGINIA

A Dissertation
Presented to
The Faculty of the Department of History
The College of William and Mary in Virginia

In Partial Fulfillment
Of the Requirements for the Degree of
Doctor of Philosophy

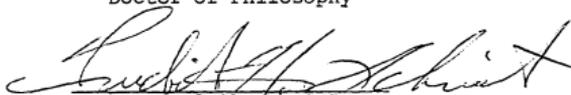
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1976

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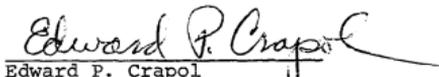
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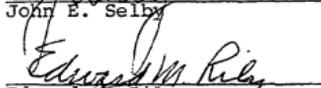
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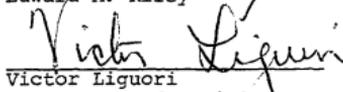

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PREFACE

Every historical inquiry is to a great degree a cooperative endeavor, and the author takes this opportunity to thank the "chief cooperators" by name. I am happy to extend my thanks first of all to my committee, every one of whom has helped me from time to time over the period of my research and writing.

My special thanks go to my chairman, Richard Maxwell Brown, who gave long and full consideration to the original topic, provided me with continuing encouragement as my work progressed, and gave many hours to read and criticize each chapter, talking over each proposed change with me in order to achieve the best possible dissertation I was capable of writing. In all of this Dick Brown has been a patient, thoughtful, and eminently fair dissertation director.

I am also happy to thank Dale Benson, for originally suggesting the topic to me, Bernard Sheehan, who read my first seminar papers on convicts, and whose thoughtful remarks and insights taught me more than he could know, and Don Jackson, for his unwavering support and patience.

Among the people in research facilities and libraries with whom I have worked none has been more helpful than Edward M. Riley, Director of Research for the Colonial Williamsburg Foundation. Ed Riley gave enthusiastic assistance whenever

it was requested in the finest spirit of academic sharing, and among his fine staff, Harold B. Gill, Jr. introduced me to local Virginia history and alerted me to its many hazards, while Marylee McGregor and Nancy M. Merz not only made available manuscripts and microfilm, but made suggestions for further searching and took care of my inquiries regarding convicts in English records. The staffs of the Earl Gregg Swem Library at the College of William and Mary, the Virginia Historical Society, the Virginia State Library, the Alderman Library of the University of Virginia, and the Maryland Hall of Records were all quite helpful and cooperative.

During my doctoral work I received a Society of the Cincinnati Research Fellowship, a DuPont Graduate Research Fellowship, and a research grant from the Colonial Williamsburg Foundation, all of which were extremely helpful in allowing me to carry on my research on this topic.

Among the many scholars who were responsible for my being in a position even to write a dissertation, my special thanks go to: Gwin Kolb, who did his best to teach me how to write the English language; to R. Richard Wohl, to whom history was more than a discipline; to Walter Arnstein, who, as teacher and as dean, always displayed a sincere interest in his students; to Staughton Lynd, who taught by example; and to Richard J. Hooker: teacher, scholar, mentor, friend.

No scholar can develop his thoughts alone, and for their intellectual stimulation and personal support my everlasting appreciation is extended to Art, Bill, Bob, Carl, Carolyn, Don, Gerry, Howard, Joy, Mac, Mick, Peter, Sarah, Victoria,

and most of all to Barney. Nor could I have come even part way toward this goal without the intellectual, personal, and financial support of my parents, to whom this work is dedicated. And lest the patient reader begin to wonder if, after this exceedingly talented and distinguished honor roll, the author had anything whatever to do with the writing of this dissertation, let him be assured that the author contributed the errors.

Finally, in reflecting upon the sources of my interest in the phenomenon of history, I am grateful to the late Ada Peters McKee, of Churchill Forest Preserve, who introduced her grandnephew to local history in DuPage County, Illinois, where he played as a boy among the ruins of the cabin built by old man Churchill, first European settler in DuPage County. It was among those crumbling cabin logs on the Jensen farm and the Indian flints along the DuPage River that history spoke to a young boy; what follows is an attempt by the grown man to say something in return.

ABSTRACT

While Great Britain banished convicted felons to America throughout the seventeenth century, few came to Virginia before 1718, when a parliamentary act laid the basis for the legal sentence of transportation to the American colonies. Between twenty and thirty thousand convicts were thenceforth transported to America, at least ten thousand of whom were shipped to Virginia.

The banished convict was placed by the English court or sheriff in the charge of a local merchant, who would ship him with as few as a handful or as many as 150 fellow convicts on a tobacco ship returning to Virginia, and the convicts' death rate on the crossing was about fifteen percent. A number of the larger convict transports experienced convict uprisings at sea, but only a few succeeded.

Those convicts who survived the crossing were sold out of the ship by receiving merchants, and while some convicts were sold to soul-drivers in wholesale lots, most were bought by their new owner-employers within a week or two of their arrival. Many of the convicts sold as servants in Virginia were either tradesmen or farmers, and were bought for their skills. Their buyer-owner-employers tended to be larger planter-farmers, merchants, storekeepers, industrialists, and entrepreneurs in the Northern Neck and Shenandoah Valley, the areas of the greatest economic diversification in eighteenth-century Virginia.

Convict servants did not work in gangs in tobacco fields, nor were they generally considered low grade or cheap labor. They often participated in petty crime while in service, but it is not clear that their record was any worse than that of indentured servants, slaves, or even free whites. They often "ran away"; some stopped running upon reaching the next neighborhood or county, while others seriously tried to return home, and some certainly succeeded.

The convict servant's acculturation into Virginia life took place in a neighborhood setting, particularly in the neighborhood's sub-society, which was recognized but tolerated by the ruling gentry. This phenomenon opens eighteenth-century colonial Virginia society to a new perspective for studying its social texture, tensions, and dynamics.

BRITISH CONVICT SERVANT LABOR
IN COLONIAL VIRGINIA

CHAPTER I

THE IMAGE OF THE CONVICT: CONTEMPORARY AND HISTORICAL

The image of convict servants presented by contemporary writers has provided the basis for the judgements by subsequent historians who have written on Virginia history, colonial American history, and American labor history. This is not surprising, but neither is it sufficient, for there are but few contemporary reports on convict servants per se to supply an adequate basis for either an understanding of an individual convict's life style or for dependable generalizations regarding the presence of those many thousand servants in eighteenth-century Virginia.

The origins of convict servants in Virginia have been presented by both contemporary writers and subsequent historians as having been of the class that held the least educated, the most immoral, the least skilled, and the most criminal people in England. The seriousness of the crimes for which the convicts were transported has been a topic of some dispute. Where an earlier view held that many, if not most convicts in Virginia were political or military prisoners,¹ subsequent

¹Philip Alexander Bruce, Economic History of Virginia in the Seventeenth Century (New York, 1896), I, 605 ff.; Richard L. Morton, Colonial Virginia (Chapel Hill, No. Car., 1960), II, 495.

research has shown that practically all were convicted felons.² This conclusion led in turn to a consideration of how serious were most of the crimes for which transported convicts were convicted. Much debate swirled about Sir William Blackstone's comment made in the 1760s that there were then in English law 160 felonies punishable by death, including crimes which today would be considered little more than petty larceny.³ Any certain conclusions about the "level of criminality" of those transported convicts, however, must await a comprehensive assessment of eighteenth-century criminal records.

Certainly a common charge among the convicts' contemporaries was that they produced most of the crime in the colony. Governor William Gooch used the presence of convicts in the Northern Neck in the 1730s to attack "Planters, who never yet willingly submitted to any laws," being "People remote from the Seat of Government, always remarkable for their disobedience, mingled with many transported Convicts."⁴ In the 1730s it was perceived that "the Number of Criminals doth greatly Increase,"⁵ involving "many Burglaries and Felonies

² Abbot Emerson Smith, Colonists in Bondage (Chapel Hill, No. Car., 1947), Chaps. 5-9; Richard B. Morris, Government and Labor in Early America (New York, 1965), 328-29.

³ George W. Dalzell, Benefit of Clergy in America and Related Matters (Winston-Salem, No. Car., 1955), 27-29; see also E.P. Thompson, Whigs and Hunters: The Origins of the Black Act (London, 1975); Douglas Hay, et al., Albion's Fatal Tree; Crime and Society in Eighteenth Century England (London, 1975).

⁴ William Gooch to the Board of Trade, March 30, 1732, P.R.O., C.O.5/1323, ff. 12-13; see also Gooch's statement in H.R. McIlwaine, ed., Journals of the House of Burgesses of Virginia, 1727-34, 1736-40 (Richmond, 1905), 58.

⁵ H.R. McIlwaine, ed., Executive Journals of the Colonial Council of Virginia (Richmond, 1930), IV, 398-99.

committed chiefly by imported Convicts."⁶

Historians of Virginia and of colonial Virginia labor have in general followed this view,⁷ although more specific studies of colonial crime in Virginia have tended to withhold a definitive judgement. Hugh Rankin, in discussing a rising tide of burglary in eighteenth-century Virginia, concluded that it "could not be accurately determined" whether the influx of convicts was the cause,⁸ partly because the crime rate itself has been a point of disagreement. Rankin felt burglary and robbery "plagued the colony throughout the colonial era,"⁹ which suggests law-breaking was not unique to convict servants. Arthur Scott, in his study of crime in Virginia, sees an increase in burglary and breaking and entering from the seventeenth to the eighteenth centuries, which he suspects was due to fuller records in the later period and also to an increasing population in the colony.¹⁰ In any case Scott felt that the amount of breaking and entering "in any given locality could

⁶Ibid., 281-82; also see William Waller Hening, ed., Statutes at Large, Being a Collection of All the Laws of Virginia, From the First Session of the Legislature, in the Year 1619 (Richmond, Va., 1809), V, 24-25.

⁷Morton, Colonial Virginia, 526; Morris, Labor, 331-33; Fairfax Harrison, Landmarks of Old Prince William (Berryville, Va., 1964), 161; Smith, Colonists, 290; James Curtis Ballagh, "White Servitude in the Colony of Virginia," Johns Hopkins Studies in Historical and Political Science, 13th Ser., VI-VII (Baltimore, June-July, 1895), 87.

⁸Hugh Rankin, Criminal Trial Proceedings in the General Court of Colonial Virginia (Charlottesville, Va., 1965), 158.

⁹Ibid., 148.

¹⁰Arthur P. Scott, Criminal Law in Colonial Virginia (Chicago, 1930), 217.

not have been very great."¹¹

Practically all writers who touched upon the convict servants' impact upon, and economic contributions to, the colonial society have dwelt almost exclusively with the low morals of the convicts. Speaking of the convicts as "loose villains," Hugh Jones concluded that "abundance of them do great mischiefs, commit robbery and murder and spoil servants, that were before very good."¹² In 1751 the Virginia Gazette printed a letter from Maryland claiming that "the most well deserve Hanging at home," for they only "corrupted and spoil . . . other Servants and Negroes."¹³ The same year Benjamin Franklin compared convicts to rattlesnakes, and charged that such servants "spoil the Morals of Youth in the Neighborhoods that entertain them."¹⁴

Of course the convict servants could not have been considered completely perfidious by everyone or no one would have bought any. At least one member of the House of Burgesses declared in a debate over convicts in 1752 that "they made the best of Servants."¹⁵ Stories of the evil effects of convicts could sometimes get out of hand. In 1770 Landon Carter's

¹¹Ibid.

¹²Hugh Jones, The Present State of Virginia, From Whence is Inferred a Short View of Maryland and North Carolina (Chapel Hill, No. Car., 1956), 87.

¹³Va. Gaz., May 30, 1751.

¹⁴Ibid.

¹⁵Landon Carter, The Diary of Landon Carter of Sabine Hall, Jack P. Greene, ed. (Charlottesville, Va., 1965), I, 80.

neighborhood was "much alarmed" by the threat of a spreading "Jail disorder" reportedly brought into the neighborhood by a newly-arrived convict servant. Carter later found that although "every death that has happened in the neighborhood has been imputed to that cause . . . it is all turned out to be a lie."¹⁶

Regardless of how "criminal" they were, convicts transported to the Chesapeake have been seen by historians as generally coming from the lowest possible social class. Writing in the 1720s the Virginia scholar Hugh Jones commented that the incoming white servants in general "have been, and are, the poorest, idlest, and worst of mankind, the refuse of Great Britain and Ireland, and the outcast of the people."¹⁷ Walter Besant, writing of eighteenth-century London life, judged the transported convicts to have been "mostly the scum of the London streets; men and women who had never learned a trade."¹⁸ The most comprehensive study of indentured and convict servants in colonial America concluded, on the basis of seventeenth century evidence, that "the convicts . . . were a sorry lot of human beings."¹⁹

Subsequent historians have accepted and developed this general view of transported convicts. In a study of 655 convicts imported to Baltimore, Maryland, from 1771 to 1774,

¹⁶Ibid., 391.

¹⁷Jones, Present State, 130.

¹⁸Walter Besant, London in the Eighteenth Century (London, 1912), 557.

¹⁹Smith, Colonists, 106.

Richard B. Morris found that only a very small proportion of these convicts were skilled workers.²⁰ They have thus been seen by historians as "cheap labor," used in the arduous but simple tasks of the tobacco fields of the tidewater or the subsistence farms of the frontier.²¹ This approach has led to general historical agreement that the buyers of these convicts were mostly small scale planters of tobacco, often living on the frontier.²² On the other hand, when historians have compared the relative costs of slave versus white indentured labor, white servants have been found as more expensive, particularly in the long run.²³

These contemporary and historical commentators have had more in common than their conclusions on the lowly, ignorant, nasty, criminal, unskilled, and immoral convict servant who was shipped from Great Britain to Virginia. There is also discernable a set of assumptions held in common by these writers that predetermined their agreement in the questions they asked and the answers they found. These views precluded

²⁰ Morris, Government and Labor, 327.

²¹ Smith, Colonists, 132; E.I. McCormac, "White Servitude in Maryland," Johns Hopkins University Studies in Historical and Political Science, XXII, nos. 3-4 (Baltimore, 1904), 114-15.

²² Morton, Colonial Virginia, II, 526; Arthur Pierce Middleton, Tobacco Coast, A Maritime History of Chesapeake Bay (Newport News, Va., 1953), 146; Morris, Government and Labor, 327-28.

²³ Morris, Government and Labor, 314; Lewis Cecil Gray, History of Agriculture in the Southern United States to 1860 (Gloucester, Mass., 1958), II, 371; Robert Polk Thomson, The Merchant in Virginia, 1700-1775, Ph.D. dissertation, U. of Wisconsin, 1955, Chap. III, 61.

not only alternate answers to commonly-asked questions, but also bypassed the possibility of asking other questions at all.

For instance, one of the oldest and most enduring questions regarding convict servants in Virginia has been: what became of them when free? This question has for many years been raised mainly by genealogists and Virginia apologists, and the answers have been definite, if not entirely definitive. Typical of the genealogists' view was that of Mary Newton Stanard, who concluded in 1917 that "not a single instance of a Virginia family descended from a convict has ever been found by a genealogist."²⁴ Such statements were a reaction to the common view held in England from the beginning of colonization that "the most substantial men of most of the provinces are children or grandchildren of those that came here at the King's expence, that is, thieves, highwaymen, and robbers."²⁵ That this view was current in the Revolutionary period can be seen from Samuel Johnson's 1769 comment that Americans were "a race of convicts."²⁶ Nor did these vaguely but faithfully held views expire in the flames of revolution. One nineteenth-century Englishman was certain that the reason American women were so

²⁴Mary Mann Page Newton Stanard, Colonial Virginia, its People and Customs (Philadelphia, 1917), 53.

²⁵"Extract of a Letter from a Gentleman in General Abercrombie's army, dated Camp at Lake George, August 24," London Chronicle, Dec. 21-23, 1758, in a letter by Benjamin Franklin "To the Printer of the Chronicle, May 9, 1759," Leonard W. Labaree, ed., Papers of Benjamin Franklin (New Haven and London, 1965), VIII, 350. Franklin suspected the real writer was a native of New York City.

²⁶James Boswell, Boswell's Life of Johnson, George B. Hill, ed., revised by L.F. Powell (Oxford, Eng., 1934), II, 312.

"genteel and refined" was because "the super-abundance of public women, who are always rather good-looking, were sent over to America in early times."²⁷

In light of such views, American writers, and writers on Virginia in particular, have tended to see those convict servants who worked out their time and were freed as moving out of the colony, often into the frontier. Accordingly, they have been presented as the progenitors of those poor whites who "squatted on poor soil in the pine barrens or back country, and formed a wretched, turbulent, lawless part of society--the prototype of the 'poor white trash' of a later day."²⁸ A Tory refugee in England, ex-chief justice of Georgia Anthony Stokes, wrote in 1783 of the southern colonies as being "overrun with a swarm of men from the western parts of Virginia and North Carolina, distinguished by the name of Crakers," who ran off horses, squatted on land, killed Indians, and lived at a subsistence level, and many of whom were "descended from convicts."²⁹ But for all of his intensity of feelings, Stokes betrays a narrowly one-sided and unsophisticated view of the complex society on the western edge of the southern colonies.

The thesis that "poor white trash" and "crackers" were

²⁷ Thomas Sergeant Perry, ed., Life and Letters of Francis Lieber (Boston, 1882), 12.

²⁸ Middleton, Tobacco Coast, 156.

²⁹ Anthony Stokes, A View of the Constitution of the British Colonies (London, 1783), in Ulrich B. Phillips, ed., A Documentary History of American Industrial Society, vol. II, Plantation and Frontier Documents: 1649-1863 (Cleveland, Ohio, 1910), 165-66.

the direct descendants of transported convicts satisfies two commonly held convictions regarding American society. First, convicts were by nature trash, or, as one student pronounced, "worthless,"³⁰ and therefore it would be better if they were not found to have melded into American society at large. Second, the rural refuse found in later American society has been interpreted by almost all American writers as being less an indication of the price of freedom--the freedom of the average man to be beaten into failure--than simply as providing recurring evidence that the "worthless" and the failures breed their own and stay in their own place. Fortunately questions of social stratification and mobility are now being addressed by talented social historians of the Chesapeake society, who are more interested in the quality of the society than in the quality of family breeding.³¹

This study is addressed not to freed servants and their mobility, but to the life and role of the convict servant in bondage in eighteenth-century Virginia. The few contemporary comments on the treatment of convict servants have varied greatly. Some eighteenth-century writers, like Hugh Jones, commented during the early years of the transportation system

³⁰Smith, Colonists, 303.

³¹Russell R. Menard, "From Servant to Freeholder: Status Mobility and Property Accumulation in Seventeenth Century Maryland," William and Mary Quarterly, 3d Ser., XXX (Jan., 1973), 37-64; Edmund S. Morgan, American Slavery, American Freedom; the Ordeal of Colonial Virginia (New York, 1975); Aubrey C. Land, "Economic Base and Social Structure: the Northern Chesapeake in the Eighteenth Century," Journal of Economic History, XXV (Dec., 1965), 639-654).

that "few of them ever lived so well and so easy before, especially if they are good for anything."³² At the end of the transportation period William Eddis of Annapolis observed that in general the white servants "groan beneath a worse than Egyptian bondage."³³ Eddis stressed that "Negroes being a property for life . . . are, therefore, almost in every instance, under more comfortable circumstances" than were white servants in general.³⁴

Another source that we have from the late colonial period is a letter from Elizabeth Sprigs, a white servant--probably a convict--who was living in Maryland when she wrote to her father to plead for help and forgiveness. Referring to her "sufferings here," she complained that "What we unfortunate English People suffer here is beyond the probability of you in England to Conceive . . . toiling almost Day and Night . . . tied up and whipp'd . . . scarce any thing but Indian Corn and Salt to eat . . . almost naked no shoes nor stockings to wear, and . . . what rest we can get is to rap ourselves up in a Blanket and ly upon the Ground."³⁵ She also agreed with William Eddis that "many Neegroes are better used."³⁶

³²Jones, State of Virginia, 87.

³³William Eddis, Letters From America, Aubrey C. Land, ed. (Cambridge, Mass., 1969), 38.

³⁴Ibid.

³⁵Elizabeth Sprigs to John Sprigs, Sept. 22, 1756, in Merrill Jensen, ed., American Colonial Documents to 1776 (New York, 1969), IX, 488-89. David C. Douglas, ed., English Historical Documents.

³⁶Ibid.

John Fielding, one of the few experts on crime and criminal justice in England in the mid-eighteenth century, remarked in 1773 that he had "heard several criminals declare that they had rather be hanged than transported a second time; and from the accounts they have given of their sufferings [he] believed them."³⁷

In the first scholarly study of white labor in colonial Virginia James Curtis Ballagh summarily equated the "convicts and the lower classes," contrasting them to the "better class of servants."³⁸ Douglas Southall Freeman's vivid essay on mid-eighteenth-century Virginia society posited eight strata of society, placing the convict one step above the bottom, being above the Negro slave and below the indentured servant, and stressing that the latter "should not be confused, though actually he often was, with the indentured convict."³⁹ Abbot Smith, author of the most comprehensive study of bound labor in colonial America, wrote of those convicts who survived the voyage to Virginia as having been "put to a life of physical labor in open air, with adequate food and careful supervision."⁴⁰ But beyond that general description, Smith presented the convict servant's fate in the colony as "shrouded in mystery,

³⁷John Fielding to the Earl of Suffolk, Feb. 1, 1773, Calendar of Home Office Papers of the Reign of George III (London, 1899), IV, 11.

³⁸James Curtis Ballagh, "White Servitude," 72.

³⁹Douglas Southall Freeman, George Washington, A Biography (New York, 1948), I, 79, 84.

⁴⁰Smith, Colonists, 128-29.

where it is perhaps as well that it should remain."⁴¹

Historians have taken no particular interest in inquiring into the treatment, much less the quality of life, of the colonial convict servant. No one has asked what work he did, where or how he lived, how much freedom he enjoyed, how he related to his owner-masters, his neighbors, and his fellow workers--black and white. There have been no studies of his job experience, his social life, his role in the colonial criminal world, or even his love life. No studies have been made of the convict's role in and impact upon the labor supply, labor control, or the general economy of eighteenth-century Virginia. It is upon these questions that this study is focused, and, although merchants and owners are extensively dealt with, the central theme revolves around the quality of life and the nature of the colonial service experienced by the convict himself.

This study begins with the background of banishment in English law, sketching seventeenth-century experience in England and Virginia and presenting the 1717/18 act of Parliament that established the eighteenth-century transportation system which fed so many thousands of convicts into Virginia before 1775. In Chapter III the workings of the system, including the context in which the experience of the convicts is traced from their prisons in England through their voyage to Virginia. In Chapter IV immigration and the labor situation of eighteenth-century Virginia is discussed, the merchants who dealt with convicts are presented, and the convicts' earliest

⁴¹Ibid., 303.

contacts with colonial society are explored.

Because the sale experience was a major phenomenon for both the convict and local Virginians Chapter V is devoted to a description of convict servant sales, viewing their general patterns and particular variations alternately from the views of the buyers, the sellers, and particularly the convicts themselves. With Chapter VI comes an analysis of the convict servants at work, discussing how their many trades were adapted to the colonial Virginia economy. Finally, Chapter VII discusses the quality of life of the convict servant outside of his daily work experience: his personal effects and property, his social life with fellow servants, slaves, and neighbors, and his life style within the ever-present underclass that peopled every colonial Virginia neighborhood.

This study in colonial Virginia labor and immigration history was begun in a time of an upsurge of interest in studies of "the crowd," the underclass, the "inarticulate," and the study of historical societies "from the bottom up,"⁴² and these studies in turn have been a part of the new social history which has so enriched the historic literature of many western countries since World War II. The conclusions in this work are offered as an addition to that literature regarding the worker in Western civilization. The following study is meant to be sympathetic to the cares of the servants

⁴²For a comment and representative collection of such work in American history see Barton J. Bernstein, et al., Towards a New Past; Dissenting Essays in American History (New York, 1968).

without being blind to their faults. Although undoubtedly shaped by preconceptions and assumptions it tries to steer clear of ideology, particularly concerning the relationship of social classes. If it is true that the Common Man is not noble because he's common, but because he's man, the colonial Virginia convict servant, like the Common Man, is not everything in the story of life, but he is something, and thus his story may properly be told. What follows is one attempt at a beginning to that story.

CHAPTER II

BRITISH ORIGINS OF CONVICT SERVITUDE

The experience of "transportation" of convicts from the British Isles to colonial Virginia flows out of the mother country's historical struggle over a period of several hundred years to come to terms in some generally satisfactory way with the problem of the presence of criminals in a society. The exploration and colonization of the American continent by Great Britain was a function and a concomitant of England's irregular change from a medieval society to her adaptation to what has come to be known as a modern state. The story of the eventual inclusion of a large body of convicted felons as indentured servants in her Virginia colony calls for some comment on the mother country as well as upon her "first daughter." It is, then, with the mother country that this tale must begin.

In European history the fifteenth century is traditionally seen as the "beginning," at least in a political sense, of modern western history. During these early modern changes the realm of England experienced more than a few wrenchings as she stumbled out of the final faltering attempts at achieving the Christian community of medieval thought to turn toward the subsequent establishment of a society of secular individualism. The first such "wrench" may be considered to have

been the dramatic defeat of Richard III by the first of the Tudors in 1485. This turn, the temporal ramifications of which were unperceived at the time, did in no way abolish the still essentially medieval world view of the English people. The victor of Bosworth Field, for all of his concern for success in this world, was also inclined to ponder how he might fare in the next. Indeed, Henry VII raised a son learned enough in things sacred to become termed "Defender of the Faith," although not learned enough in things secular to perceive the ramifications of the difference between remaining an English Christian and becoming a Christian Englishman. Hence the experience of the first two kings of early modern England personify the observation by Sir Lewis Namier that men in history have effects infinitely greater and infinitely smaller than they ever imagine.

These two Tudors, although still so Christian in their life view that they too would stand on the Rock with Peter, devoted their extraordinary energies and facilities of mind both in shaping and in bending to the emerging and dynamic English nation of the sixteenth century. And it was in this century, through the voyages, discoveries, and explorations of a new breed of English seamen, and from the writings of the two Richard Hakluyts, that this English nation became aware of, and increasingly fascinated with, the new worlds across the seas.

By the end of the sixteenth century Christian England had established home rule, although the next century would be dominated (with many saints and not a few martyrs) by a

ferocious contest over just who should rule at home. It is in this seventeenth century English contest that the appearance of convict transportation to the American colonies (and to Virginia in particular) must be seen. However much an Englishman, whether he be Roman Catholic or Fifth Monarchy man, struggled with his own conscience and with that of his neighbors, there was still much of the medieval in his mind, although there became less and less, as events pressed on, in his daily actions. It was this growing gap between perceived and objective reality which today may be termed a "cultural lag," that caused such a problem in the expanding English society's attempts to come to grips with what was (at least perceived) to be a growing frequency of crime and a consequent multiplying of criminals--both convicted and at large.

This perceived increase in criminals was part of a larger perception that by the late sixteenth-century England was experiencing a dramatic increase in population, a large percentage of which was made up of sturdy rogues (that is, employable vagrants who "refused" to work) and beggars, from which body criminals were generally seen to emerge. Hence, the famous Elizabethan Poor Law of 1584, which was an attempt to alleviate a poverty that could readily turn an Englishman to crime. Just as importantly, the law would restrain the rising flow of that landless and jobless mass (that accentuated perceptions of rising population by their constant movement from place to place) by restricting or

returning them to their original parishes.¹

Faced with this growing problem seventeenth-century Englishmen groped for solutions. But their approach must be seen in the context of the times. Seventeenth-century England had not yet exchanged the mysterious hand of God for the regular hands of the Newtonian clock. It was, for modern readers, another world, its citizens by today's standards seemingly half savage and half child. It was, for better or worse, a world we have lost. It was a world of the King's Peace, firmly established by the early Tudors, a peace which reached down from the anointed of God past the squires and nobles to the least of the English bretheren, and hence handed them a new chance for justice and equity through law given by the king, emanating from the king, and residing in the king. This King's Peace included the power to banish and the power to pardon.²

Seventeenth-century England still retained enough of a corporate sense to view banishment from the community as anathema and a judgement worse than death. Hence the passage, in the heat of a growing constitutional struggle, of the famous Habeus Corpus Act of 1684, which reaffirmed the English constitution's historic prohibition of the banishment of a free-born Englishman except under very specific conditions.³

¹See Carl Bridenbaugh, Vexed and Troubled Englishmen, 1590-1642 (New York, 1968); Edmund S. Morgan, "The First American Boom: Virginia, 1618-1630," William and Mary Quarterly, 3d. Ser., XXVIII, (April, 1971), 169-198.

²See Dalzell, Benefit of Clergy, pp. 46-49.

³William Eddis, in his Letters From America, p. 49, mentioned the common knowledge that there were "convicts who rather chose to undergo the severest penalties of the law" rather than face transportation to the colonies.

Although England was no longer a world of the universal church, the church still was a part of the English world, and much of its medieval trappings survived. An essential one for our purposes is the "benefit of clergy." This benefit was developed in the medieval church regarding ecclesiastics accused of secular crimes. The medieval church had had its own court system to try its own members for any crime, sacred or secular. When the church lost its jurisdiction over secular crimes committed by its clergy, the clergymen came into the king's court, but with special standing and benefits. One of these was called benefit of clergy, whose origins, once again, go back to the role of the church in medieval society. In that time, few citizens other than clergymen ever learned to read or write. But gradually a logic which would have horrified the scholastic fathers of the church came to pass. From considering all clergy as being literate, the secular courts came in time to believe that all literates were, in law, clergy.⁴

Hence, by the seventeenth century in England, although the church was now neither catholic nor Roman in the realm, many Englishmen who were not clergymen (and not a few who detested all things clerical) could read and write the king's English very nicely indeed. But the practice of benefit of clergy remained in force in the secular court for all who were found guilty of a crime. The practice was such that, once the accused was found guilty, he could "call for the book," the book being, fittingly enough, the Holy Bible. If the felon could read from it, he was given the benefit of clergy, that

⁴See Dalzell, Benefit of Clergy, pp. 9-23.

is, an unconditional pardon, and was then released a free man. But no man could have such a benefit more than once. Hence it became the practice to brand the freed man in the hand so he couldn't call for the book if again convicted of a crime. As time progressed this medieval hangover was obviously becoming less and less related to the fact. But curiously enough this practice lent itself very nicely to the problem of a rising crime rate in sixteenth-century England.

By the reign of James I the beliefs regarding the rise of population and increase in crime (and of convicted felons) coalesced with more specific attitudes toward the role and use of newly developing colonies, and initiated the practice of the transporting of convicts to English colonies. Although convicted felons had been used in foreign expeditions and often were pressed into the navy in time of war, their transportation from England to live (or, oftentimes, to die) in another land was a new phenomenon, which received its pull from the pursuit of colonization and its push from the fear of overpopulation and increasing crime.

Although Sir Thomas Dale, governor of Virginia, evinced an interest in 1611 in taking condemned convicts for three-year terms, the pattern for seventeenth century convict transportation was set by Charles I in 1614/15. Faced with the need for "some speedy remedy" for the increase in "offences and offenders," the king, as the font of justice in the realm, broke the jam that no one else could break. He extended the ancient practice of royal pardon by providing for reprieves of Englishmen found guilty of non-clergyable offences (murder,

treason), who, "for strength of bodie or other abilities shall be thought fitt to be ymployed in forraine discoveries or other services beyond the Seas."⁵

Although these reprieves emanated ultimately from the royal power to pardon, they were handled by members of the Privy Council, were initiated (formally) by a local judge or sheriff, and the reprieved felon was then placed in the custody of an agent or specific ship captain. This was a reprieve, not a pardon. The term of years of effective banishment was set in the reprieve itself, and could be for life.

The felon was given the choice of accepting the reprieve or taking his legal punishment--death. Hence, even standing as a felon convict facing the noose, the free Englishman still was not forced into a banishment unknown to the English constitution. He had one of two constitutional choices: receiving a variation of the king's pardon or execution. But with only the vaguest concept of prisons or systems of correction, seventeenth-century English society, from the king to the court clerk, had found a way to finesse the growing problem of criminals and crime.

Except for the occasional acts of transportation for specific offenders by the Long Parliament the royal pardon was the legal and constitutional basis for the transportation of all English convicts from 1615 to 1718. The system varied but slightly and, from the convict's point of view, hardly at all. If he were willing to leave the world he knew for the

⁵Patent Role, Chancery, 66/2046, "in dorso," in Smith, Colonists, pp. 92-93.

terrors (or even possibilities) of a world he knew not of, for whatever period of years; if he were able-bodied; and if he were wanted by some captain or some colonist, he became a transported convict, and in almost every case, a servant for the term of his banishment.⁶

Once the reprieved convict was transferred from prison to the control of the agent, captain, or merchant who was responsible for shipping him to the colonies, the English government was done with him unless he returned before his time, in which case he was liable for execution. The transportation experience of the convict was in the context of private enterprise, and in the early years he was most liable to be sold to agents of Sir Thomas Smith, governor of the East India Company and of the Virginia Company of London. Some were sent to Virginia. In 1618 one Stephen Rogers, convicted of manslaughter and sentenced to die, was, "at the instance of Sir Thomas Smith, kn't . . . reprieved in the interest of Virginia, because he was a carpenter."⁷ On his conviction in 1621 for stealing a bull, William Hill "asked for the book, and was respited for Virginia." The same year was Elizabeth Handsley "reprieved for Virginia" for "stealing diversr [sic] goods."⁸

Under this seventeenth-century system others besides

⁶Smith, Colonists, pp. 95-96; Interregnum Entry Book, CIV, 153, in Virginia Magazine of History and Biography, XVIII (1910), 51.

⁷J.C. Jeaffreson, ed., Middlesex County Records, II-IV (1887-1892), April 3, 1618, in Wm. and Mary Qrtly., 1st Ser., II (July, 1893), 61-62.

⁸Ibid., Aug. 6, 1619.

greatest part of the Inhabitants [of Virginia] came thither" as servants or convicts who, when their time was done, turned planters. "Hence . . . many a Newgate Bird became a great Man," and, in fact, it was Newgate prison that "half Peoples this Colony."¹¹

Regardless of English impressions no such dramatic influx of convicts ever occurred in Virginia in that century. Most prisoners imported to Virginia in the seventeenth century were political and military prisoners, although often equated by Virginians with prisoners from English criminal courts. Few convicts of any stripe appeared in Virginia before 1660. Since Virginia excluded felons after 1670, it is the seventh decade of this century which is by far the most important for the Virginia experience before 1718.¹²

With the Restoration in 1660 a steady stream of exiled convicts, averaging a little over a hundred a year, flowed out of England bound for various American colonies. Although the majority were sent to the West Indies, Virginia began receiving a small but steady share through the decade of the 1660s. In 1663 a plot for an uprising of servants in Gloucester county (the Birkenhead Plot) severely shook the leaders

¹¹Daniel Defoe, Moll Flanders: An Authoritative Text, Backgrounds and Sources, Criticism, ed. by Edward Kelly (New York, 1973), pp. 68-69. It must be kept in mind that "Virginia" often might mean any or all of the American colonies well into the eighteenth century.

¹²Smith, Colonists, Chapter VIII, especially pp. 157, 159-62, 167; Phillip Alexander Bruce, Social Life of Virginia in the Seventeenth Century (Richmond, Va., 1907), p. 226.

of Virginia.¹³ The rising was apparently led by banished Cromwellian soldiers, but Virginians soon lumped all banished Englishmen, for whatever reason, into one perfidious stew of troublemakers, and all no better than the convicts they were coming to know.¹⁴

By the late 1660s Virginia was moving to weed out undesirable elements from the incoming servant lists. The "complaints of severall of the councell and others, gent. inhabitants in the counties of Yorke, Gloucester, and Middlesex," caused the General Court to pass what was termed the "Jail Bird Act" in 1670.¹⁵ This act prohibited the entry of any felon from "the several prisons of England" as of January 20, 1670/71. The "gent. inhabitants" had become concerned with Virginia's reputation and with the danger of uprisings, citing the Birkenhead Plot as the sort of activity to be expected from "such desperate villains," and also, according to Thomas Ludwell, with the convicts' proclivity for running away. Ludwell claimed that Virginians would have complained sooner had not the felon importations been "brought soe fast upon us."¹⁶

¹³Smith, Colonists, p. 104.

¹⁴For various shipments to "Virginia," at least one of which reached that colony, see Smith, "Transportation of Convicts," pp. 232-49.

¹⁵Hening, Statutes, II, 509-11. An Order in Council affirming the act was passed Oct. 21, 1670, Conway Robinson MSS of Council and General Court Records of Virginia, 1641-1677, in Va. Mag. of Hist. and Biog., VIII (April, 1901), 408.

¹⁶Thomas Ludwell to [Lord Arlington?], Virginia, April 29, 1670, Va. Mag. of Hist. and Biog., XIX (Oct., 1911), 353-56.

This prohibition was respected by both the British government and by the merchants engaged in the transportation business until 1718. In that year was passed the Transportation Act in England, which effected a radical change in the system and would begin the real story of the convict servant in Virginia.¹⁷ The presence of British convicts in Virginia faded as Virginia passed into the eighteenth century. Two of the Monmouth rebels, bound for Barbadoes, slipped into Virginia, and, although a ship-load of prisoners of "the '15" arrived and were subsequently admitted in indentures, Virginia did not consider them as convicts.¹⁸ Robert Beverley, writing on Virginia in the early eighteenth century, observed that "as for Malefactors condemn'd to Transportation, they [Virginians] have always receiv'd very few, and for many years last past, their Laws have been severe against them."¹⁹ From 1615 to 1670 Virginia ingested a few hundred convicts and then called it quits. As Virginia entered the eighteenth century she was developing a society with a laboring supply of middling whites (preferably skilled) and a small but gradual increase in black slaves, preferably "seasoned" in the West Indies.

If one looks at the English experience of this period it

¹⁷Wm. and Mary Qrtly., 1st Ser., VIII (April, 1900), 273; Phillip Alexander Bruce agrees the ban was strictly enforced for Virginia, Economic History I, 605 ff.

¹⁸William P. Palmer, ed., Calendar of Virginia State Papers and Other Manuscripts, 1652-1781, Preserved in the Capitol at Richmond (Richmond, Va., 1875), I, 185-88; Wm. and Mary Qrtly., 1st Ser. (April, 1897), V, 267.

¹⁹Robert Beverley, The History and Present State of Virginia, ed. by Louis B. Wright (Chapel Hill, No. Car., 1947), p. 288.

is not surprising that this general ban was not broken. In the ninth decade of the seventeenth century England was beset by the social and political turmoil which resolved itself in the Glorious Revolution. When invited to the throne of England Queen Mary brought the Stuart legitimacy and King William brought a war, which, with slight interruptions, would last until 1714. By the ascension of the Hanoverian George I the mother country was beginning the foundation for a domestic political stability and a vast colonial empire. In terms of convict transportation, the rise of Walpole would spell the end of a salutary neglect that the Virginia colony had enjoyed for five decades.

England in the early eighteenth century was beginning to experience a dramatic increase in the effects of what would come to be known as modern society, signalled by a steady movement from gradual to accelerated change. England's population began to experience a steady growth and became increasingly mobile. The growth of London, already the "metropolis" of the island and the empire, would soon catapult that city into one of the largest urban centers in the world. England's humanitarian mood was becoming equally expansive. As crime increased more and more crimes carried the death penalty in hopes of braking the increase in felonies. But this approach was seen by judges to be non-productive, and juries were becoming increasingly reticent in asking for death sentences. As a result, courts became more lax regarding the level of reading skill demanded of the convicted felon who asked for the "benefit of clergy." The result was that first

offenders were generally freed.

In 1705 Parliament recognized this general practice by shifting the medieval ground of the criminal law. In an act passed in that year the list of serious offences which were not "clergyable" at all was extended, and the benefit of clergy was extended to all convicted first offenders, whether they could read or not. This meant that first offenders were automatically pardoned. But the English humanitarian bent by then had also inclined the courts to often brand "clergyed" offenders with a cold iron, or none at all, so that if a repeating offender had the luck to be never tried by the same judge twice he could conceivably maintain a life of crime and never be punished. Between the constant numbers of first offenders and the successful repeaters, then, English courts were prosecuting many and punishing few.²⁰

This practice was undoubtedly a tribute to English liberty, but would soon become a threat to free Englishmen, for the early eighteenth-century humanitarian thought had not yet developed any concept of prisons for retention or reform. Hence the courts, faced with the two extreme choices of either executing the prisoner or freeing him, leaned heavily toward the latter choice. The increase of convicts after 1705 which followed from these practices was not so noticeable so long as England was sweeping her streets and prisons for recruits for foreign wars. But with the Peace of Utrecht in 1714 the surplus of felons in the society quickly made itself felt, and

²⁰Dalzell, Benefit of Clergy, pp. 16-82.

the English government moved quickly to facilitate the transportation system.

In 1716 the Treasury contracted to pay a private English merchant forty shillings for every reprieved convict transported by him to His Majesty's plantations in America.²¹ While this group of fifty-four felons was being successfully shipped to Jamaica, Parliament was already moving to achieve a re-organization and reform of the whole transportation system.

In 1717/18 Parliament passed a comprehensive act for transporting convicts to the American colonies.²² This act would be the basis for the influx of convict servants into Virginia for the rest of the colonial period. The act was unique in several respects. For the first time an Englishman convicted of felony could be sentenced to temporary banishment from the homeland. He had no choice, that was the sentence. The ancient English rule against banishment which had been constitutionally circumvented by the king through his royal prerogative was now reinterpreted by Parliamentary law. But the significance of this move was not only in terms of the expansion of authority from the crown to Parliament (a distinctly modern shift), but also in terms of the mother country's developing relationship with her colonies. For with the passage of the Transportation Act of 1717/18 the basis of transportation lay in parliamentary statute as well as in

²¹Smith, Colonists, pp. 113-14.

²²Great Britain, Laws, Statutes, etc., An Act for the Further Preventing Robbery, and Other Felonies, and for the More Effectual Transportation of Felons, . . . , 1717/18, 4 Geo. 1, ch. 11.

the law-giving (that is, pardoning) power of the king and his law court judges. Hence Parliament took one more step toward its insistence upon its own (rather than the crown's) control of the growing imperial system, and thus was drawing one more colonial string into the control of its own developing prerogative.

The transportation act provided that an Englishman convicted of a non-clergyable felony could be sentenced to be transported to one of his majesty's plantations for a seven year term of exile. If he returned to England before that time period he was subject, through due process, to be executed. The act also retained the previous seventeenth-century system of exile by royal pardon, but with modifications: felons convicted for non-clergyable offenses could, on petition of the presiding judge, be pardoned by the king, on condition that they would be transported (or would transport themselves) to one of the colonies for any period the king chose; usually it was for either fourteen years or, if the crime was considered particularly heinous, for life.²³

The act also provided for some agent of the court which had tried the convict (usually the sheriff) to contract with some party to effect the transportation of the prisoner. In effect this meant that once the sheriff placed the convict into the hands of a merchant, sea-captain, or agent of some colonist, the responsibility of the English government for the

²³ Ibid.; also see ibid., An Act for the Further Preventing Robbery, and Other Felonies, and for the More Effectual Transportation of Felons, 1720, 6 Geo. 2, ch. 23.

welfare of the convict was at an end. The recipient of the convict was obliged by the Act to put up a bond for each convict so taken, as insurance against the felon's returning before his time. The convict contractor was also obliged to take all convicts so sentenced or repleived, regardless of age or condition, an indication of the government's greater concern over limiting crime at home than in the better peopling of the colonies. It was also apparently the intent of the act that the receiving party, or his assigns, was to have the property of the convict's labor for the term of his exile: seven years, fourteen years, or life.

Regardless of how the nature of the convict was defined in English theory he was in fact defined as a possible source of profit by those who bought him from out of the jails of England. From 1718 to 1775, when the American Revolution interrupted the flow, at least ten thousand convicts were shipped from all over the British Isles to the ports and docks of Virginia.²⁴ The shipper could take the convict where he wished, and sell him for what he could get. In terms of the destination for the exiles the government had no interest and the convict had no say.

²⁴Smith, Colonists, 116-19.

CHAPTER III

LEAVING GREAT BRITAIN

Once a convict was sentenced to or reprieved for the colonies, the government's only remaining concern was to get the banished felon out of the country. To this end merchants, particularly tobacco merchants trading in the Chesapeake, were the key men who took the major responsibility for moving the convict from his jail to a dock in Virginia, where he would most likely be sold into service.

The Treasury was so concerned with evacuating the jails of London and the Home Counties that from 1718 to 1772 it let an exclusive contract for the transporting of all of the convicts from those places to a series of petitioning merchants. The contractor was paid £3 (increased to £5 in 1727) for every convict transported. The jails of these counties and of the city of London combined produced over half of all English convicts transported to America.¹

An annual contract for taking London, Middlesex, and Home Counties felons was first let by the Treasury in the summer of 1718 to one Jonathan Forward, an English tobacco merchant with contacts in both Virginia and Maryland.² Forward was able to

¹Smith, *Colonists*, p. 119.

²*Ibid.*, 119; *Calendar of Treasury Books*, Jan.-Dec. 1718 (London, 1957), XXXII, 85, 591.

renew the Treasury contract for twenty years, during which time he shipped half of the transported felons of England to the Chesapeake Bay, dividing them about equally between Maryland and Virginia. Forward also began early on to reach into the English provinces for extra convicts to include in his shipments; in 1721 he was taking convicts from Leicestershire.³ In the 1730s Forward was a partner of James Forward in the shipping of provincial convicts.⁴

In the 1730s another merchant of London, Jonathan Sydenham, was settling in the lower Rappahannock Valley of Virginia where in the next decade would appear the thriving port town of Leedstown.⁵ Sydenham married a local Virginia girl and set up in the tobacco trade that was slowly expanding up that valley toward the virgin lands of the piedmont.⁶ Jonathan Forward, looking for a Virginia agent on whom he could depend to buy tobacco and sell convicts, chose Sydenham.⁷ It was a wise choice; Sydenham had partnerships with John King, merchant of Bristol, England, who must have been one of the earliest

³Bond of Jonathan Forward and William Henry Waple, May 29, 1721, Leicestershire Record Office, Quarter Session Records, Transportation Bonds, Q.S. 13/2/1, microfilm at Colonial Williamsburg, hereafter cited as Leicestershire Bonds.

⁴Bonds of Jonathan Forward and James Forward, of London, April 21, 1731, Leicestershire Bonds, Q.S. 13/2/7; April 30, 1737, Q.S. 13/2/10; Oct. 14, 1738, Q.S. 13/2/11.

⁵David Eaton, Historical Atlas of Westmoreland County, Virginia (Richmond, 1942), 14-15.

⁶Ibid.

⁷Westmoreland County Orders (1731-1739), p. 260 (May 30, 1738), p. 288 (Aug. 31, 1738), microfilm at Virginia State Library.

English merchant-entrepreneurs to settle in the Rappahannock Valley, appearing there in 1699.⁸ A third partner, Joseph Barnes, a sea captain and later a merchant of Bristol, England, was master of one of their ships, the 120 ton Duke of Cumberland, which carried convicts to the Rappahannock Valley and returned to England with hogsheads of tobacco.⁹

After over two decades of effective transportation of convicts by Forward it had become clear to observers that the convict contract from the Treasury provided a decent and steady income of over 1000 pounds sterling per year at five pounds per convict.¹⁰ This income, because of its size and dependability, thus became equivalent to a sinecure from the Treasury, and this fact could not have escaped the notice of the secretary to the Treasury Edward Walpole.¹¹ When the Treasury contract came up for renewal in 1739 Walpole sponsored one Andrew Reid, merchant of London, as a likely candidate for the

⁸ Case and counsel's opinion on the estate of John King, Nov. 30, 1735, John King Papers, 08840 (18)c, microfilm at Colonial Williamsburg; Eaton, Westmoreland Atlas, 14.

⁹ Virginia Gazette, May 25, 1739; Virginia Naval Office Returns, Port of Hampton, Public Record Office, Colonial Office Group, Class 5, Piece 1446, fol. 11, microfilm at Colonial Williamsburg, hereafter cited as Va. Naval Office Returns, P.R.O., C.O. 5; Marion and Jack Kaminkow, eds., Emigrants in Bondage (Baltimore, 1967), 194-95.

¹⁰ See the Treasury payments to Forward in William A. Shaw, comp., Calendar of Treasury Books and Papers, I, 1729-1730 (London, 1901), 258, 284, 352, 556, 602; *ibid.*, II (1731-1734), 166, 188, 310, 324, 350, 402, 482, 634; *ibid.*, III (1735-1738), 98, 122, 243, 291, 296, 340, 464, 589.

¹¹ Dora Mae Clark, The Rise of the British Treasury (Hamden, Conn., 1960), 54.

contract.¹² Probably to no one's surprise (possibly not even Forward's) the Treasury awarded the convict contract to the secretary's nominee, who received the contract for a three year term.¹³ Reid would hold that lucrative contract for the next eighteen years.

This shift of the Treasury contract ended a relatively somnolent monopoly enjoyed by a single London merchant and opened a competition for convicts that continued until the American Revolution. The contract to ship convicts from London and the Home Counties was now held by Reid, but no longer was it a monopoly. Three days before Reid was granted his first convict contract the Treasury Lords directed that the Treasury "let Mr. Jonathan Forward know" that if he "intermeddles in such transportations after the date of Reid's contract their Lordships shall not think themselves obliged to defray the charge thereof."¹⁴ Forward proceeded to "intermeddle" very actively, and without receiving a farthing from the Treasury he kept shipping convicts from London and the Home Counties to Virginia and Maryland for the next ten years.¹⁵ At the same time Forward and Reid plunged into a competition

¹²Va. Gaz., Jan. 20, 1739; Treasury Books and Papers, IV (1739-1741), 18 (April 15, 1739).

¹³Treasury Books and Papers, IV (1739-1741), 18 (April 15, 1739).

¹⁴Treasury Books and Papers, 1739-1741, 20 (April 12, 1739).

¹⁵Maryland Gazette, Jan. 4, 1749/50; Virginia Naval Office Returns, Port of South Potomac, P.R.O., C.O. 5/1445, f. 30; ibid., Port of Rappahannock, P.R.O., C.O. 5/1444, f. 119.

for convicts from the provincial jails.¹⁶

The decade of the 1740s continued in a state of competition and flux for London convict merchants. Reid held the inside edge--inside the British establishment. With the outbreak of the War of the Austrian Succession, a war which Reid's mentors the Walpoles had battled in vain to resist, the sea lanes became dangerous for lightly-armed merchant ships. Reid lost no time in getting protection by the Royal Navy for his ship-loads of convicts, while Forward, now on his own, doesn't seem to have bothered to even ask for such aid.¹⁷ During the early war years Forward brought in Thomas Hodgson as an occasional partner in felon shipments.¹⁸

By the end of the war (1748) another series of shifts occurred in the transporting of convicts out of London. Jonathan Sydenham had sold out in Virginia, returning to London to join Forward and Hodgson in the convict-tobacco trade.¹⁹ Meanwhile Reid was going partners with a merchant new to the convict trade, John Stewart of London.²⁰ Both Forward and

¹⁶Bond of Jonathan Forward and John Elling, April 21, 1741, Leicestershire Bonds, Q.S. 13/12; Bond of Andrew Reid and Henry Kennan, Sept. 18, 1742, *ibid.*, Q.S. 13/2/14.

¹⁷W.L. Grant and James Munroe, comps., Acts of the Privy Council of England, Colonial Series, 1720-1745 (London, 1910), III, 630 (Jan. 24, 1739/40).

¹⁸Bond of Jonathan Flower [sic] and Thomas Hodgson, April 26, 1742, Leicestershire Bonds, Q.S. 13/2/13.

¹⁹Eaton, Westmoreland Atlas, 14; bond of Jonathan Sydenham and Thomas Hodgson, Aug. 4, 1747, Leicestershire bonds, Q.S. 13/2/15.

²⁰Bond of Andrew Reid and John Stewart, July 28, 1748, Leicestershire bonds, Q.S. 13/2/16.

Reid now began phasing themselves out of active participation in the trade. Forward formally gave over first his Virginia trade and then, in 1749, his Maryland trade, to the new firm of Sydenham and Hodgson.²¹ Reid, while still personally holding the treasured Treasury contract, gave Stewart his head. In 1750 Stewart began shipping London convicts to the Chesapeake in a new 120 ton ship named (ironically or intentionally) the Tryal, putting her under the command of Reid's old experienced convict transport captain John Johnston.²²

As the 1750s progressed Stewart associated in some of his convict-tobacco shipments with James and Andrew Armour of London.²³ In 1757 the annual Treasury contract was shifted from Reid to Stewart, possibly due to Reid's retirement or death.²⁴ Stewart was joined almost immediately by Duncan Campbell, a fellow Scot, and the two continued the contract convict trade from London until Stewart's death in 1772, during which time they traded with both Virginia and Maryland.²⁵ With the death of Stewart the sinecure was cut off altogether, and no amount of petitioning by Campbell could turn the heads of the Treasury Lords.²⁶ So the last major shipper ended his

²¹Md. Gaz., Jan. 4, 1749/50.

²²Va. Naval Office Returns, Port of South Potomac, P.R.O., C.O. 5/1445, ff. 37, 55.

²³Va. Naval Office Returns, Port of South Potomac, P.R.O., C.O. 5/1445, f. 66; ibid., P.R.O., C.O. 5/1445, f. 54.

²⁴Smith, Colonists, 114, 363.

²⁵Journals of the House of Commons, XXXVI (1778), 310 (April 1, 1778).

²⁶Ibid., Memorial of Duncan Campbell in Behalf of Him-

convict shipments to Virginia as did the first shipper, taking London and Home Counties convicts for no subsidy and collecting others from the provinces.

Many of the convicts who were landed in Virginia came from the provinces of England and from Ireland, and dozens of other British merchants shared in that transport business. From about 1750 the firm of Samuel Sedgley and Company began shipping most of the convicts sentenced in the Western Circuit, sending most of his convicts to Maryland. By 1760 Sedgely had taken in one Hillhouse as a partner. Six years later a third partner, William Randolph of Virginia and Bristol, entered into the partnership, giving the three partners an outlet to the James River valley where Randolph enjoyed a number of connections.²⁷

The firm of Sydenham and Hodgson, which inherited Jonathan Forward's trade after he had lost the Treasury contract, continued to ship provincial convicts out of London until their company failed in the sharp recession of the early 1760s.²⁸ Within a year a new partnership was formed by two

self and the Family of Mr. Stuart, Late Contractors for Transporting Felons, Feb. 24, 1772, in Maryland Historical Magazine, XXVII (Dec., 1932), 266-67; Duncan Campbell to William Fitzhugh of Marmion, March 2, 1772, Duncan Campbell Letterbook: Business, March 2, 1772--Oct. 26, 1776, p. 1, Duncan Campbell Papers, vol. I, Mitchell Library, Sydney, Australia, microfilm at Colonial Williamsburg, hereafter cited as Campbell Letterbook; Duncan Campbell to John Campbell, Dec. 12, 1772, ibid., 93; Duncan Campbell to Gray Cooper, Jan. 4, 1773, ibid., 95-96.

²⁷ Smith, Colonists, 115.

²⁸ William Lux to James Russell, Baltimore, Md., July 20, 1765, William Lux Letterbook, 1763-1768, New York Historical Society; Marc Egnal and Joseph A. Ernst, "An Economic Inter-

London merchants, taking over the trade of Sydenham and Hodgson; the new partners were Moses Isreal Fonesca, of the Portuguese Jewish colony settled in London, and Jonathan Forward Sydenham, probably a son of Jonathan Sydenham and possibly a nephew of Jonathan Forward.²⁹ By 1768 Sydenham was regularly taking more convicts from more of the provincial English jails than was any other single contractor.³⁰ Young Sydenham must have been an unusual fellow; toward the end of the colonial period Landon Carter considered him still to be "an honest man," striking a sturdy contrast to almost everyone else, English or American, whom Carter ever troubled writing about.³¹

Other merchants (some of whom will appear below), shipped occasional loads of provincial convicts from the various English outports. But except for Irish convicts, the convict transport trade tended to be centered in London, the port of debarkation of at least half of all convicts who were landed in Virginia.

Of the prisons of London and the Home Counties the best known and largest was Newgate. This notorious prison was situated on the western side of the old City of London, only

pretation of the American Revolution," Wm. and Mary Qrtly., 3d Ser., XXIX (Jan., 1972), 18.

²⁹William Lux to James Russell and Molleson, Baltimore, Md., Jan. 16, 1764, William Lux Letterbook; Moses I. Fonesca and Jonathan Forward Sydenham to Capt. Charles Ridgely (of Baltimore), London, Jan. 30, 1764, Ridgely Papers, Maryland Historical Society, Misc. MSS, microfilm at Colonial Williamsburg.

³⁰Smith, Colonists, 115, 363 n.

³¹Carter, Diary, entry dated May 20, 1774, p. 813.

a few blocks beyond the walls, joining with the neighboring Middlesex to lay the basis for the modern metropolis.

Newgate itself was functioning as a prison as early as the twelfth century. The prison of the eighteenth century (until 1770 when rebuilding began) was a reconstruction financed by the estate of a deceased lord mayor, Dick Whittington, in the middle of the fifteenth century.³² Besides the main wards there was the "Press Yard," called the "Castle," in which prisoners who could afford the necessary fees and bribes could reside in private cells, where they could receive friends, family, and prostitutes, and even practice their craft or trade. Except for the "Castle" quarters, eighteenth-century Newgate held both the accused awaiting trial and the convicted awaiting transportation or death. Young and old, male and female (separated at night), innocent and guilty--all were mixed together, and the jailers and ordinaries ministered to each according to the convict's wealth and station.³³

The convict's endurance of this environment was sometimes put to the test of time. The last government contractor of

³² Bernard O'Donnell, The Old Bailey and its Trials (London, 1950), Chap. II and 108-109.

³³ For some graphic descriptions of Newgate in the eighteenth century see Dorothy Marshall, Mr. Johnson's London (New York, 1968), 246-48; L.L. Robson, The Convict Settlers of Australia (Melbourne, Victoria, Australia, 1965), 147; and Sir Walter Besant, London in the Eighteenth Century (London, 1912), 534-45. For a discussion of some of the artistic works inspired in part by the notoriety of Newgate see Keith Hollingsworth, The Newgate Novel, 1830-1847 (Detroit, 1963), Chap. I.

convicts, Duncan Campbell, later testified that the convicts he took from Newgate and the Home Counties prisons were "confined frequently Two Months before their Embarkment."³⁴ By the 1770s, when the crush of felons was becoming so great that the English government cut off the subsidy, the convict might have lain in his prison for many months. Dozens of them were found in Newgate in 1773 who had been awaiting transportation "for near a twelve month."³⁵ Such conditions lent themselves readily to the scourge of smallpox and typhus.³⁶ Typhus, ever present in the putrid and crowded halls of most English jails, came to be known as the "jail fever" to English and Virginians alike, and on occasion seeped up into the law courts infecting judges, lawyers, jury members, and spectators alike.³⁷

When the time finally came for the convict who survived his English jail to be transferred to a Virginia-bound tobacco transport he might be one of as few as twenty or as many as a hundred or more felons to be readied to leave the jail for the voyage to the colony. The Newgate contingent averaged seventy-seven persons per coffle for all ships to the American continent. The greatest number was 155, placed aboard the Forward Galley, a convict transport, bound for Virginia. The

³⁴Journals of the House of Commons, XXXVI (1778), 311.

³⁵Va. Gaz. (R.), May 13, 1773.

³⁶Duncan Campbell, with twenty years experience in shipping convicts, estimated that the majority of his losses to disease came from smallpox rather than "Goal Fever," Journals of the House of Commons, XXXVI (1778), 310-11.

³⁷O'Donnell, Old Bailey, 108, 109; Besant, London, 531 534.

lowest number of Newgate transportees to be placed on a recognizable convict ship was seventeen, on the Justitia, bound for the "colonies." The lowest number from Newgate specifically bound for Virginia was twenty-seven, in the Forward Galley, in April 1739. Out of sixty-eight coffles in this period close to a quarter were comprised of 100 or more convicts.³⁸

In the dim light of an early English morning the convict was linked to his fellows, male and female, and marched in a coffle through the deserted London streets to the Thames. This march was an opportunity for him to escape, and if he were lucky, or had friends who knew what night he would be moved, he might make his way free. It was a particularly unhappy coincidence for the jailer that the district through which he had to march his charges was heavily populated by practicing criminals. The early hour gave the jailer some added advantage, for not only did the lack of crowds make escape more difficult, but the whole party itself thus escaped from the fate of the march being turned into a street-show by both convicts and bystanders. Every sheriff and jailer knew well how easily such a street-show could turn into a riot in any English city,³⁹ whether it be London, or an

³⁸Kaminkow, Emigrants, 180-203, where the editors have formed a chart giving each convict ship, captain, destination, number of convicts received on board, the dates received, their jail origin, the P.R.O. reference numbers for this information, and a number assigned by the editors to each ship. This chart covers only convicts from London and the Home Counties from 1718 through 1744.

³⁹For reports of the transfer of felons to the ships, see: Va. Gaz., June 25, 1752, ibid. (P.&D.), April 23, 1767,

outport like Bristol, where in 1757 the sheriff had his work cut out for him. One of the prisoners was Daniel Bishop, generally hated among the local populace for having murdered his sweetheart. Greeting a waiting crowd with a wave of his hat, Bishop then proceeded on the march, alternately arguing and fighting with angry citizens along the way.⁴⁰

Once down to the river, the convict and his fellows were placed in a lighter and thence floated down-river to be put aboard the transport ship. While the felon was being loaded onto the ship itself, the captain was signing a receipt for him. When witnessed by the jailer, this form was sufficient assurance to the Treasury that England was rid of him that the government forthwith would pay the contractor his five-pound subsidy.

The ship that would be his new prison for upwards of two months (or more, if he had bad luck) would most likely be a tobacco ship of anywhere from 60 to 250 tons. The typical ship ran about 100 to 150 tons.⁴¹ Its main purpose for sailing across the Atlantic was to carry tobacco from the Ches-

ibid. (R.), Jan. 5, 1769, ibid. (P. & D.), Sept. 26, 1771, ibid., Oct. 8, 1772, ibid., (D.), Jan. 7, 1775. Henry Justice, an attorney and book-thief, and his four distinguished fellows--"Felons of Distinction"--made their trip in coaches, Va. Gaz., Nov. 26, 1736.

⁴⁰Md. Gaz., Aug. 20, 1757.

⁴¹The average tonnage for twelve ships which regularly carried convicts was 108 tons, Corp. of London Record Office, Misc. MSS Group, Class 57, Pieces 7, 8; Va. Naval Office Returns, Port of South Potomac, 1737-1755, P.R.O., C.O. 5/1445, microfilm of both at Colonial Williamsburg.

peake Bay to Great Britain.⁴² Rather than sailing to America in ballast it would pick up in British ports whatever goods the owner and captain could get consigned aboard, and the convict became one of the more attractive cargoes for the tobacco ships. So much was this the case that owners were sometimes willing to hold up a sailing for a month or more to take on a possible convict cargo. In June, 1773 a Bristol firm wrote to their agent on the Rappahannock River in Virginia: "our ship Brickdale has been dock'd and enter'd out for Virginia for sometime and Capt. Ward was to have sailed in her for your Colony about this Day, but we are induc'd to detain her till about the middle of August to take out some Convicts."⁴³ In 1768 the Hero, bound from England for Virginia, stopped and waited in Dublin for convicts, but the shippers "were dissappointed" in their quest for Irish convicts and finally sailed without any at all.⁴⁴

If the waiting felon had been convicted and imprisoned in a jail in the provinces his experience was startlingly different from that of the London area felons. Away from the great London area jails the provincial English convict had the advantage of being one of a few in his jail, and possibly would remain for months on end entirely alone.

⁴²For the tobacco trade patterns see Middleton, Tobacco Coast.

⁴³Lippincott and Brown to William Allason, Bristol, Eng., June 24, 1773, William Allason Papers, Virginia State Library, MSS Division.

⁴⁴Harry Piper to Dixon and Littledale, June 28, 1768, Harry Piper Letterbook, microfilm at Alderman Library, University of Virginia.

His freedom from the criminal hordes of the large cities, however, was not without its price. From a comparison of records in the Record Office of Liecestershire, a Midland county, comes evidence that his stay would be long indeed, as his jailer awaited an agent of ship captain to take his prisoner to Virginia. Thomas Bonsor, John Taylor, and Anne Dawson were sentenced to transportation to America in March of 1742. They were still in the county jail in August when Sarah Webb joined them to await her transportation. Happily for Sarah Webb the jailer contracted with the government contractors Andrew Reid and Henry Kennon, merchants of London, to transport the four convicts the following month. Sarah Webb was relatively fortunate. Of seventeen Liecestershire convicts for whom both the sentencing date and the boarding date remain extant (including the four in 1742), one felon waited in prison for one month, three waited for two months, three for six months, two for seven, three for close to eight months, one for nine, two for twelve and a half, one for fourteen, and one for eighteen months.⁴⁵

It was to the financial advantage of both the government and the contractor to get the felon out of the jail and onto the ship. It may have been so for the jailer, too, but he doesn't seem to have made much of an effort to expedite transportation orders. An empty jail meant no fees, an income on

⁴⁵Leicestershire County Record Office Quarter Sessions Records: Transportation Orders and Transportation bonds, 1720-1783, Quarter Sessions Loose Papers Group, Class 13, pieces one and two; Public Record Office, microfilm at Colonial Williamsburg, hereafter cited as Leicestershire Co. Q.S. 13/1, 13/2.

which jailers were heavily dependent. If the prisoner's fees determined the jailer's readiness in forwarding his prisoners for transportation, these fees offer an unfortunate example of a medieval system (fees) in conflict with attempts by the government at instituting a more "modern" system--transportation. In such a cultural conflict the prisoner was caught in the middle of a cultural drag, between the "pull" of the past and the pressure of the present. The British government finally recognized this problem in the late 1760s and passed an act to expedite the transportation after trial, citing the problem of felons who were forced to "lie several Months in Gaol after Conviction; whereby they are rendered less capable of being useful to the Publick in the Parts of America to which they are sent."⁴⁶

When the inland transportee was finally taken to a ship, he would have one of two experiences. He might be shipped out of a nearby port--Newcastle, Liverpool, Whitehaven, or Hull. If so he would have few fellow convicts on board, and the majority of souls would be indentured servants or paying passengers. His ship, then, could not be called a "transport," but merely an out-bound tobacco ship which picked up the convict as a minor cargo. The Jenny, out of Newcastle, entered the James River in the spring of 1766 with servants and "also some felons."⁴⁷ The following fall another ship entered Virginia from Newcastle with "16 indented servants, and 15 con-

⁴⁶Statutes at Large, X, 453.

⁴⁷Va. Gaz. (P. & D.), April 18, 1766.

victs."⁴⁸ The next year the Jenny returned with "European goods, 14 convicts, and 3 servants."⁴⁹ In 1749 Captain Cooper brought "a large cargoe & about 20 convicts" from Hull,⁵⁰ and in 1769 Richard Dorfall sailed from that same English port with four convicts "and ballast."⁵¹ Lippincott and Brown, tobacco merchants of Bristol, shipped a few convicts to their Falmouth, Virginia, factor William Allason whenever they could pick them up: two in April 1773; three in September 1773; and four in April 1774.⁵²

If he were less fortunate, however, the inland convict might be marked for transportation in a convict ship out of London. In such a case he might be taken as were eleven convicts who rode two on a horse from Bristol jail to Bideford, there to be picked up by the transport out of London.⁵³ Or he might be sent down the coast by ship; nine such convicts were shipped down the Severn River after the Worcester Assizes in 1734 to be picked up at Bristol by a London transport.⁵⁴ A third possibility was to be marched inland directly to London itself. In that case he would be chained to his fellows

⁴⁸Va. Gaz. (P. & D.), Oct. 24, 1766.

⁴⁹Va. Gaz. (P. & D.), April 4, 1767.

⁵⁰Francis Jerdone to William Montgomery, Va., May 12, 1749, in Wm. and Mary Qrtly., 1st Ser., XI (1903), 155.

⁵¹Va. Gaz. (R.), Jan 12, 1769.

⁵²Leicestershire Co. Q.S. 13/2/44,45,46.

⁵³Md. Gaz., Aug. 20, 1752.

⁵⁴Pa. Gaz., Dec. 5-12, 1734.

and would make the march down to London, stopping at local jails to be joined by convicts in other inland counties who were also consigned to the government contractor. In 1767 one such coffle began from the Midland town of Nottingham and proceeded down to Leicester, where it picked up additional contracted convicts. Moving down closer to London it stopped again in Hertfordshire for more bodies, finally ending up at the Thames to be placed on board the transport to America.⁵⁵

Thus the provincial transportee, lucklessly jailed away from the areas booming in the business of both crime and shipping, could only wait for other forces to set him on his way. No time spent in an English jail counted towards his banishment period, and regardless of how long he was held between sentencing and his arrival in Virginia, his term of sale in the colony was for seven years. No colonist was interested in making up at his own expense the time that his home government or the patterns of trade had cost the convict in the home country.

Most Virginia-bound convicts who were tried in England sailed from London. Upon boarding his ship in the Thames the convict might be only a small part of the cargo, and thus have a crossing experience similar to that of some of his inland country fellows. The Briganza sailed from London to Rappahannock in 1752 with "European Goods, & 44 Convicts and Passen-

⁵⁵Va. Gaz. (P. & D.), June 18, 1767. One ship brought 102 servants from Dublin and 1 from England, probably out of Whitehaven, Harry Piper to Dixon and Littledale, Alexandria, Oct. 24, 1767, Harry Piper Letterbook.

gers."⁵⁶ In 1771 the Alexandria appeared in Virginia with both convict and indentured servants.⁵⁷ In a few cases a London ship would take but a single convict, and on occasion the convict would be joined by only a very few of his fellows, a relatively minor cargo. In the Kaminkows' chart of eighty-three ships carrying convicts from 1718 to 1745, one ship sailed with twenty-three, one with sixteen, and eleven ships sailed with ten convicts or less, including three ships with one apiece.⁵⁸ Most of these were bound for Maryland rather than Virginia, although those taken up the Potomac River would often be sold on both sides of that boundary between Maryland and Virginia.

The vast majority of Virginia-bound English felons, however, sailed from London in a ship which functioned essentially as what came to be called a convict "transport." Once on such a ship the convict was usually joined by the coffles from other jails, each group being loaded in turn. On occasion the convicts, numbering at times over 100, would all be loaded, inspected, and chained below in a single day. Or the first arrivals might wait a week or more as various groups arrived, including some inland county coffles, to make up the total number contracted for.⁵⁹ During this wait the convict, if he

⁵⁶ Va. Gaz., Sept. 22, 1752.

⁵⁷ Va. Gaz., (P. & D.), Nov. 21, 1771.

⁵⁸ Kaminkow, Emigrants, pp. 180-203.

⁵⁹ See ibid. for the numbers loaded each day for each ship. The ships usually got all of their convicts loaded in one day, but often took two or three days, and, on occasion, a week; Va. Gaz., Dec. 5, 1751.

were lucky, had a chance to say good-by to family and friends. The wayward apprentice James Revel, after "melting kisses" from his parents, departed in "a few Days."⁶⁰ If he were a person of means he was able to obtain privileges suitable to his station or his pocketbook. Henry Justice (a book thief) took a cabin, as did his four coach-riding associates.⁶¹ Moll Flanders joined her husband in a cabin, and the two of them dined on shore with the captain the night before sailing.⁶² Once loaded, the transport moved down the Thames to Gravesend and there awaited the convenience of the customs inspector, the regular tidal cycle, and the erratic weather of the Straits of Dover and the English Channel.⁶³ With a favorable wind the convict, either chained below in a group of six or settled down in a cabin, finally sailed for Virginia.⁶⁴

The unforgettable experience of crossing the Atlantic Ocean in the eighteenth century has produced many entries in diaries

⁶⁰ James Revel, The Poor Unhappy Transported Felon's Sorrowful Account of His Fourteen Years Transportation at Virginia in America (London: Printed and sold in Stonecutter-Street, Fleet Market, n.d. [ca. 1750]), p. 3, Rare Book Room, Alderman Library, University of Virginia (hereafter cited as Revel, Felon's Account). For an analysis of this and other editions of this chapbook see the discussion by John Melville Jennings in the Virginia Magazine of History and Biography, LVI (April, 1948), 180-94.

⁶¹ Va. Gaz., Nov. 26, 1736.

⁶² Defoe, Moll Flanders, pp. 246-49.

⁶³ John Harrower, The Journal of John Harrower; An Indentured Servant in the Colony of Virginia, 1773-1776, ed. by Edward Miles Riley (Williamsburg, Va., 1963), p. 19; Defoe has Moll Flanders waiting in the lower Thames for at least three weeks, Defoe, Moll Flanders, p. 244.

⁶⁴ Besant, London, p. 556; Smith, Colonists, p. 210.

and paragraphs in letters, which descriptions run the gamut from pleasant to terrible. Some who had a bad voyage never lived to write about it. The crossing was seldom looked forward to, and the convict shared in the same misfortunes, luck, and curious occurrences simply as a passenger, while facing other problems as a transported convict. This distinction must be made regarding the experience of the convict in the crossing. To say that all on the ship suffered equally on a given voyage would be less than accurate. Every passenger and crewman suffered the fate of the ship itself; indentured servants, kept below decks, suffered more, and the convict in the hold clearly suffered most of all.

The literature on the experience of convicts who made up the bulk of the cargo reaches the proportions of a book of horror stories. This experience was most likely for the felon if he were shipped from Ireland. The shippers of Irish in the eighteenth century made little distinction between indentured servants and convicts, and none between those convicts condemned for vagabondage and those sentenced for a specific crime. All were placed below decks, and often they were literally packed in for the duration of a voyage which has been compared more than once with that of a slave ship in the Middle Passage.⁶⁵ One student has observed that "it was almost as if the British merchants had redirected their vessels from the African coast to the Irish coast, with the white servants coming over in much the same fashion as the African

⁶⁵Marcus W. Jernegan, "A Forgotten Slavery of Colonial Days," Harper's Magazine, CXXIII (Oct., 1913), 748.

slaves."⁶⁶ Henry Laurens of Charleston, who dealt for a while in this Irish trade, observed in the late 1760s that after "Ten or Twelve years" experience in the slave trade he "never saw an Instance of cruelty equal to the cruelty exercised upon those poor Irish," whose captains had "no other care . . . but to deliver as many as possible alive on shoar upon the cheapest Terms."⁶⁷ Harry Piper, of Alexandria, Virginia, complained in 1767 of a ship so loaded with convicts and Irish indentured servants that when the ship landed he found "there was no room upon deck to muster them."⁶⁸

Some of the trials which the transportee endured on the crossing he shared with all of the ship's company. If he were crossing in time of war, the danger of being taken by a French or Spanish ship was always present. The official entry of France into the War of the Austrian Succession introduced the convict to an extra danger; 1745 was a particularly difficult year for felons bound for America. In February of that year the Plain Dealer, commanded by Captain James Dobbins, was sailing from London to Maryland with a cargo of Newgate felons when it was overtaken by a French man of war of thirty guns. As the battle raged the captain released forty of his male transportees from below decks to aid

⁶⁶Warren B. Smith, White Servitude in Colonial South Carolina (Columbia, S.C., 1961), p. 42.

⁶⁷Henry Laurens to [?], n.p., n.d., Henry Laurens Letters, 1767-1771, piece 298, in Smith, White Servitude, p. 83; also see ibid., p. 43.

⁶⁸Harry Piper to Dixon and Littledale, Alexandria, Oct. 24, 1767, Harry Piper Letterbook.

in the fight, which they entered into with much spirit. After a struggle lasting more than two hours the English ship was finally overpowered "by Numbers," and taken. The French transferred the captain, the crew, and some of the convicts to their ship, leaving another thirty-five male and all of the female convicts on the Plain Dealer with a prize crew. The convicts who were left on the prize, however, were all drowned as the ship foundered and sank out of Brest.⁶⁹

That same year the Esther, also with a cargo of felons, was taken by the French and then retaken by the English, after which the unfortunate convicts were returned to England and deposited in jail while the British Admiralty moved to re-ship them off to the colonies once more.⁷⁰

In the fall of 1745 a French fleet of five men of war took another convict ship out of Liverpool during a sweep of the North Atlantic.⁷¹ Again in the Seven Years War the convict was at the mercy of the fortunes of war, and in the midst of English victories in 1761 another ship-load of transportees was taken by the French, who put them ashore in Spain.⁷²

From the very beginning of the system the convict was at the mercy of marauders. The first convict ship out, the Eagle, left London in August 1718 for Maryland and Virginia with 107 convicts in the hold. On approaching the American coast after

⁶⁹Va. Gaz., May 29, 1746.

⁷⁰P.R.O., Admiralty 2/489, pp. 237, 339.

⁷¹Va. Gaz., Jan. 16, 1746.

⁷²Calendar of Home Office Papers of the Reign of George III (London, 1899), I (1760-1765), 43.

a long voyage she was attacked by a pirate sloop, and after a battle which claimed the life of her captain, she was taken by the pirates. But before the convicts' captors could make port the Eagle was rescued by two ships and two sloops outfitted by Governor Robert Johnson of South Carolina, with a loss of only seven convicts.⁷³

Not every convict lay in irons below decks for the ten to fourteen weeks of the voyage. Some rebelled, and others joined mutinies by the ship's crew. The convict uprisings began early in the transportation period. In May of 1720 sailed the sixth convict ship out of London, the Honour, bound for York River with sixty felons from Newgate and twenty more from the provinces. Once at sea, fifteen of the convicts rebelled, overpowered the crew, and forced the captain to put them ashore in Spain. The Honour then resumed her trip to Virginia.⁷⁴ The convicts who were confined in a ship out of Bristol in 1737 were reported to have plotted a revolt when the ship reached an American port, but were found out when one of their numbers "wrote a note of [their] plot to the captain."⁷⁵ In 1741 a ship-load of convicts rebelled off the English coast, seized the ship, and forced her into Holland, where they dis-

⁷³ Kaminkow, Emigrants, 180-181; Certificates of Felons Taking Passage to America, March 20, 1718/19, Corporation of London Record Office, Misc. MSS Group 57, piece 7, microfilm at Colonial Williamsburg, hereafter cited as Certificates of Felons, Misc. MSS, 57/7.

⁷⁴ Certificates of Felons, Misc. MSS, London R.O., 57/7.

⁷⁵ Va. Gaz., June 24, 1737.

embarked.⁷⁶ Ten years later six convicts in a ship out of Liverpool rebelled, killed their captain, and sailed the ship for nineteen days. They wound up off Cape Hatteras, where they disembarked and dispersed about the country. Three of them showed up in Norfolk posing as ship's officers, but were seized and tried for piracy.⁷⁷ Later that same year another cargo of convicts sawed off their irons below decks, attacked the crew, and killed the captain before they were finally overcome.⁷⁸

In the fall of 1766 a convict ship from Dublin was hardly out of port when the male transports got out of their chains one night and proceeded to throw the captain and crew overboard. They then got on shore, leaving the women on the ship to be brought in later by a customs ship.⁷⁹ The next year some of the convicts in the snow Rodney, out of London, attempted a rebellion three weeks out of port, but they were discovered and put down by the captain.⁸⁰ The London convicts in the Tryal, a transport that regularly carried convicts to Virginia, rebelled in an autumn, 1768 passage off of the English coast. They were put down by a government cutter, however,

⁷⁶John Gouvaud to Robert Trevor, Whitehall, Sept. 18, 1741, The Manuscripts of the Earl of Buckinghamshire (Historical Manuscripts Commission, Fourteenth Report, Appendix [London, 1894-1896], Pt. IX, p. 77.

⁷⁷Va. Gaz., March 8, 1751, and Pa. Gaz., April 11, 1751.

⁷⁸Va. Gaz., Dec. 5, 1751.

⁷⁹Va. Gaz. (P. & D.), Feb. 12, 1767.

⁸⁰Va. Gaz., (R.), April 14, 1768.

before they could seize the ship.⁸¹ These ship-board uprisings indicate that the convicts did not always succumb to meek acceptance of their assigned role once condemned and exiled. This attitude becomes increasingly clear once the convicts land in Virginia.⁸²

An ordeal that the convict shared with the rest of the ships was the effects of bad weather. Cold wet weather was hard on everyone, but particularly so on poorly-clothed convicts. When the Ruby carried Irish indentured servants and convicts into Virginia in the late summer of 1767 the women were described as being so "very Naked" for want of clothing, as to have certainly suffered from the cold.⁸³ If the convict were inclined toward seasickness his chances for succumbing were good. John Harrower describes the effects of a storm on those "betwixt decks" as bringing different servants variously to "Spewing . . . damning . . . Blasting their leggs and thighs" or cursing "Father, Mother, Sister, and Brother."⁸⁴ Or the weather might become worse, thus creating new dangers for all aboard. Several shiploads of convicts were wrecked by bad weather off the American coast. One ship out of Bristol

⁸¹Va. Gaz. (P. & D.), Sept. 22, 1768.

⁸²Not all of the convict rebellions presented were by Virginia-bound convicts, but are recounted to show the nature of the crossing of convict transport ships. To conclude, as A.E. Smith did, that convict shipboard "incidents," including rebellions, were not "of much moment," would not be accurate, Convicts, 128.

⁸³Harry Piper to Dixon and Littledale, Oct. 24, 1767, Harry Piper Letterbook.

⁸⁴Harrower, Journal, 24-25.

founded on the reefs off of Cape Charles in 1769, whereupon some of the transports escaped onto shore and "dispersed themselves about the country."⁸⁵ Another transport, carrying 150 convicts and indentured servants from Dublin, became stranded in the Chesapeake Bay near the mouth of the York River in January, 1773. When a boat went to their assistance it was seized "by about thirty of the People, who went ashore with her," and eventually the rest of the servants escaped to shore, including at least fifty convicts.⁸⁶

Storms might also extend the voyage to as much as six months, in which case the convicts seem to have suffered the most if a ship's log of one such unfortunate voyage is any indication. After some convicts' unsuccessful attempt to seize their ship, the Rodney, three weeks out of London, the passengers became the victims of storms that kept the Rodney at sea from September 17, 1767 to January 20, 1768, when they finally were able to put in to Antigua. During the trip the ship was continually battered by gales, and the captain put healthy convicts to work on the pumps. The convicts, numbering about eighty, and packed in the hold, started dying thirteen weeks out. Two expired in the fourteenth week. By the next week, "the convicts almost starved from want of food," two more died in the hold. By then the captain found them "in very poor condition, very low, and many sick." They were down to three ounces of bread a day, and were eating their body

⁸⁵Va. Gaz. (R.), Nov. 16, 1769.

⁸⁶Va. Gaz. (P. & D.), Jan. 2, Jan. 28, 1773, and Pa. Gaz., Feb. 10, 1773.

vermin. By the fifteenth week they were "full of sores and ulcers," having "lain for three weeks absolutely in water." In the eighteenth week five more died. By then, the convicts having eaten all of the leather breeches and shoes available, the captain opened a 100 pound cache of cheese consigned to Charles Carroll to sustain not only the surviving convicts, but his twenty-five passengers and crew (all of whom survived). The same day the Rodney arrived at Antigua, after eighteen weeks at sea.⁸⁷

The experiences of the Rodney's convicts was unusual in its length and series of ordeals, but throws light on the quality of experience of a seaborne convict, especially in a difficult crossing. Besides the danger of wreck, the extended crossing heightened the most common threat to any convict, that of disease. Few ships were free from this threat even in a crossing of only two months. But chained in the hold with convicts carrying the diseases of their home and jails, fortunate was the felon who arrived healthy. Although closest to the disease, the healthy convict did not suffer alone from this hazard. The jail fever and small-pox was often so virulent, especially on long trips, that the diseases rose out of the holds to infect the crew and passengers alike. One passenger in the Dorsetshire, which carried 129 convicts out of London, was reported to have died "of the Gaol Distemper, which he got on Board."⁸⁸ George Washington tried to get a ship captain

⁸⁷Va. Gaz. (R.), April 14, 1768. The ship finally arrived in Maryland on March 8, 1768, Va. Gaz. (P. & D.), March 24, 1768.

⁸⁸Va. Gaz., July 22, 1737.

friend of his off the command of a convict ship which made regular round-trips carrying tobacco and convicts. Such a job was, in Washington's view, "a service neither consistent with his Inclinations or Health to persevere in."⁸⁹

When Harry Piper received a ship-load of 103 convicts and indentured servants at Alexandria in August, 1767, he was relieved to find that although the ship had had "a long passage" the servants were "in general very healthy." Indeed, Captain Smith had been "fortunate enough not to lose one in the Passage." Piper did note, however, that some of the crew seemed sickly. The next week Captain Smith, who had delivered so many healthy convicts, was "laying Dangerously ill in a Raving fever." Piper, convinced it was the "jail Fever," got two doctors to attend the captain, but complained that "the people here are so much afraid of it, that I could not hire persons to nurse him, but was obliged to keep some of his own people."⁹⁰

Piper and other convict merchants in Virginia were aware of Virginian's fears regarding sick convicts, and in particularly bad times the arrival and sale advertisements stressed a short crossing or the healthiness of the felons on sale. Thus in 1771 James Mills of Leedstown added a postscript to his advertisement for convict and indentured servants: "We think it necessary to assure the Publick that the . . . Servants are remarkably healthy . . . there is not one sick Person

⁸⁹George Washington to Robert Cary and Co., Mt. Vernon, Oct. 4, 1763, John C. Fitzpatrick, ed., The Writings of George Washington (Washington, D.C., 1931), II, 409.

⁹⁰Harry Piper to Dixon and Littledale, Alexandria, Sept. 14, Oct. 10, Oct. 24, 1767, Harry Piper Letterbook.

on Board the ship."⁹¹ In 1772 Thomas Hodge, a major convict merchant in Virginia, advertised the arrival of the convict ship the Justitia "in forty days from London."⁹² After 1765 the advertisements for whole ship-loads of convicts stated only "servants," perhaps to lessen the fears of prospective buyers.⁹³

The worst suffering from disease in the crossing, however, was among the convicts themselves. When the male convicts rebelled on their Whitehaven vessel off the Irish coast in 1766 they left the female convicts on the ship, all of whom were found "lying in a fever, quite delirious."⁹⁴ According to Duncan Campbell, a female convict had twice the chance of survival as did a male, due to the women's "Constitution being less impaired, and to their sobriety."⁹⁵ The receipts from customs and naval officers in Virginia and Maryland in the early years of transportation (1718-1736), although not always with complete statistics for each transport ship, show how variable the convict's chances were, depending on which transport he was put in. The Rappahannock, a small ship of sixty tons, lost forty-five percent of her 106 convicts in 1726, whereas the Elizabeth delivered 146 felons into Virginia in

⁹¹Va. Gaz. (R.), Nov. 21, 1771.

⁹²Va. Gaz. (P. & D.), Feb. 27, 1772.

⁹³Va. Gaz. (P. & D.), Oct. 10, 1771; ibid., March 3, 1768, Dec. 22, 1768; ibid. (R.), March 8, 1770 supplement; ibid., March 28, 1771.

⁹⁴Va. Gaz. (P. & D.), Feb. 12, 1767).

⁹⁵Journals of the House of Commons, XXXVI (1778), 311.

1729 without, apparently, any loss at all. The average loss of life at sea for the transports in this period ran about fourteen percent. The male's chance of dying was one in five; the female's, one in seven.⁹⁶

This rate may be compared with the early British convict fleets to Australia, where the death rate (including wrecks) was similar, although for the whole Australia transportation period (1787-1852) it ran only about two percent.⁹⁷ The English guineamen of the Middle Passage in the eighteenth century averaged a loss of ten to fifteen percent.⁹⁸

Except for convicts of the cabin class the quality of life for the convict during the crossing did not vary greatly. The captain was true master of his ship, dealing with his charges on the basis of his experience, ability, and character, and tending to be circumspect. When the ship was in trouble, he readily made use of the convicts' manpower. There was a good chance that the transportee's captain was an experienced transport master, thus knowing that felons were a mixed lot, and expecting that those in the hold could be dangerous. The

⁹⁶The mortality rates were taken from Certificates of Felons Taking Passage to America, 1718-1736. These certificates always included the name of the ship, the captain, and the number of convicts delivered; often included the number of deaths at sea and the number of each sex; sometimes listed all the convict's names. The certificates were returned to England, and are found in the Corporation of London Record Office, Misc. MSS 57/7, 8, microfilm at Col. Wmbg.

⁹⁷Robson, Convict Settlers, 4-5.

⁹⁸Daniel P. Mannix and Malcolm Cowley, Black Cargoes, A History of the Atlantic Slave Trade, 1518-1865 (New York, 1962), 123; also see Philip Curtin, The Atlantic Slave Trade; A Census (Madison, Wisc., 1969), pp. 275-286.

average convict was kept chained below the hatches, generally for the duration of the voyage, and could only pray that it be a short one.⁹⁹ His prescribed weekly diet, which may or may not have been followed exactly, was as follows (in ounces):

day	bread	oatmeal	molasses	peas	pork	beef	gin
Sunday	11			8	8		
Monday	11	5 2/3	4				
Tuesday	11	5 2/3	4				
Wednesday	11	5 2/3					
Thursday	11			8		10 3/4	
Friday	11	5 2/3	4				
Saturday	11	5 2/3	4				1

In addition he was to receive two and two-thirds ounces of cheese on each of four days during the week.¹⁰⁰ There were occasions when the convict might get out of the hold. If the ship were attacked, he might volunteer, or be impressed into the fighting. In heavy storms he might aid the crew. If he participated in or merely benefitted from a successful mutiny, he would be free of his floating pest-hole. And of course he might be taken out to be buried at sea.

The female convict enjoyed the advantages and suffered the disadvantages of her sex. Moll Flanders reported that the women on her ship "got Money of the Seamen for washing their Cloaths."¹⁰¹ Two convict women in the Success's Increase also were apparently not confined to the hold for the whole voyage.

⁹⁹James Revel reported that "The Captain and the Sailors used us well, But kept us under lest we should rebel," Felon's Account, p. 3.

¹⁰⁰Besant, London, 556; Besant said the diet was "strictly prescribed," presumably by the government; ibid.

¹⁰¹Defoe, Moll Flanders, p. 240.

One was "kept by the second mate," who, upon reaching Virginia, "parted with her with some reluctance."¹⁰² The other had an even more romantic experience. During the voyage she found herself being courted by a passenger, who was sailing to Virginia to set up a silversmith shop in Norfolk. He finally decided against marriage, however, because he found her temper was too "disagreeable."¹⁰³ As we have seen, women seem to have endured the diseases better than men. Sometimes a woman apparently signed a four-year indenture to sail with her man, quite possibly her husband (this seems most likely in the case of the Irish, which felons had a higher marriage rate than did the English convicts).¹⁰⁴ But with men and women all together, the holds were not without sexual activity.

The ships carrying convicts into Virginia, then, were bringing a mixed lot. Some convicts rode as incidental cargo. Some came with the ballast. Others enjoyed the sea breezes and could hope for immediate freedom upon landing. Most, however, came chained in the hold, and had more reason for dread than anticipation at being worked as a "slave" in a strange land, filled with forests and savages, and a long way from home. More exile than immigrant, they faced a strange world not of their making and a new life not of their choice.

¹⁰²Va. Gaz., (R.), April 4, 1774.

¹⁰³Ibid.

¹⁰⁴Va. Gaz. (R.), July 28, 1774.

CHAPTER IV

ENTERING THE COLONY

British convicts began arriving in Virginia during a period of dynamic growth in wealth, population, and expansion of settlement, a period which has come to be called colonial Virginia's "Golden Age."¹ The first native-born Virginia generation which recalled the seventeenth century only as a dim childhood memory was growing up in a provincial society much farther removed from their fathers than a change of centuries on a calendar might suggest. In one generation (ca. 1695-ca. 1720) the colony of Virginia had settled on the basis of a self-confident and dynamic society. The movement of the capitol from the swamps of Jamestown to a newly planned city of almost pretentious aspect; the establishment of a college; the successful campaign against pirates which secured colonial commerce; the re-codification of the laws of 1705 -- all of this tended in time to serve as a context for Virginia's "Golden Age."² A symbolic assurance of this self-confident dynamic occurred in 1716 when the energetic Governor Alexander Spotswood, whose interest in colonial industry, settlement, and expansion set the tone for eighteenth-century entrepreneur-

¹Thomas Jefferson Wertenbaker, The Planters of Colonial Virginia (Princeton, 1922), p. 158.

²See Morton, Colonial Virginia, I:345-399; II, 409-464.

ship, led his party of "Knights" on a romantic but serious excursion through the Blue Ridge Mountains to view the Shenandoah Valley.³ What they were viewing was the land.

The "gold" of this Golden Age depended upon the land, whether it was turned over by a hoe, a plow, or a bill of sale. This land, alternately rich and poor but apparently inexhaustible in quantity if not in endurance, was by then ensuring a social and economic revolution which fed on itself, demanding more land in turn. By the third decade of the eighteenth century the Virginian land ethic could be fairly described as a policy of "grab, grab, grab."⁴ From the early seventeenth-century settlements the Virginians' approach to the land moved from a need for sustenance to a quest for riches to a condition of grace as the greater planters finally achieved the status of landed gentlemen. Where seventeenth-century attempts at development were constantly curtailed by disease, Indian wars, and political instability, the early eighteenth-century Virginia society was becoming stable enough to maintain the momentum necessary to produce such a "Golden Age."⁵ Men like the Carters, Byrds, and Lees appeared to set

³ See Leonidas Dodson, Alexander Spotswood, Governor of Colonial Virginia, 1710-1722 (Philadelphia, 1932).

⁴ Freeman, George Washington, I, 6.

⁵ For the development of political stability in this period see: Bernard Bailyn, "Politics and Social Structure in Virginia," in Seventeenth Century America: Essays in Colonial History, ed. by James Morton Smith (Chapel Hill, N.C., 1959); John C. Rainbolt, "The Alteration in the Relationship Between Leadership and Constituents in Virginia, 1660 to 1720," William and Mary Quarterly, 3d ser., XXVII (1970), 411-434. For a recent study on black and white labor in late seventeenth-

the tone of industry, expansion, growth, and riches, and these riches in turn were passed on to sons who could live in a secular kind of grace. For their riches the opportunity was abundant; what was needed was labor.

The major source of new labor for colonial Virginia was from immigration. In 1700 Virginia numbered about 75,000 souls, mostly white, free, and English. A majority of these in turn were small planters, with but one or two tithables, who would generally be English indentured servants.⁶ Immigration to Virginia after 1700 came mostly from Great Britain and Africa, and with the Treaty of Utrecht in 1714 British immigration to the colonies picked up, for the sea lanes, now safe from enemy ships, were soon made even safer from the pirates of the South Atlantic coast.⁷

At the beginning of the eighteenth century there were still relatively few black slaves in Virginia. Of the total number of inhabitants, numbering less than 75,000, there were no more than about 10,000 blacks and possibly less.⁸ As the

century Virginia see T.H. Breen, "A Changing Labor Force and Race Relations in Virginia, 1660-1710," Journal of Social History, VII (Fall, 1973), 3-25.

⁶Wertenbaker, Virginia Planters, p. 59.

⁷See Hugh Rankin, The Golden Age of Piracy (Williamsburg, Va., 1969).

⁸Evarts B. Greene and Virginia D. Harrington, American Population Before the Federal Census of 1790 (New York, 1932), pp. 137-38 (hereafter cited as Greene and Harrington, American Population); Gerald Mullin, Flight and Rebellion: Slave Resistance in Eighteenth Century Virginia (New York, 1972), p. 16, estimates 12,000 by 1708; Wertenbaker sees a dip in slave imports, with a resumption, coincidentally, in 1718, Planters, p. 131; also see Frank Wesley Craven, White, Red, and Black: the Seventeenth Century Virginian (Charlottesville, Va., 1971),

century progressed there occurred an importation which averaged about 900 (or an average of four to five ship-loads) per year until the trade was temporarily stopped in the early years of the American Revolution.⁹ The total of eighteenth-century importations of black slaves into colonial Virginia, then, must have been from sixty-five to seventy thousand. The import pattern seems to have varied through the years with something of a boom after 1763.¹⁰ This importation produced the 200,000 slaves in Virginia at the close of the colonial period, a natural increase of about 200 percent.¹¹

The dispersion of these eighteenth-century slave importations seems to have followed in the wake of settlement, moving up the four main Virginia river systems that fed into the Piedmont, the Valley, and the South Side.¹² Slaves were certainly being sold out of ships on the Rappahannock River by the late 1720s.¹³ Lewis Gray judged that the "new supply" of the approximately 11,000 slaves imported into Virginia between 1718 and 1727 "was being diverted mainly to the upper Rappahannock and upper York River regions."¹⁴ The scholarship done so far regarding purchasers of new slaves suggests that

pp. 73-109.

⁹Daniel Mannix, Black Cargoes: A History of the Atlantic Slave Trade, 1518-1865 (New York, 1962), pp. 166-67, 106-7.

¹⁰Ibid., 169.

¹¹Greene and Harrington, American Population, p. 141.

¹²Mullin, Flight and Rebellion, pp. 14-15.

¹³Ibid.

¹⁴Gray, History of Agriculture, I, 355.

by mid-century the incoming slave would most likely be bought by a small planter or artisan.¹⁵ Apparently the larger the number of slaves a planter owned the more likely he was to satisfy his need for more slaves through the natural increase of his own, rather than by purchase of slaves newly-imported.¹⁶

Eighteenth-century emigration from the British Isles, although overshadowed by the increase of Negro slaves, never completely dried up. Some of these Britishers came to Virginia as independent artisans, who had been contracted for on behalf of individual planters or tradesmen in Virginia to bring their special skill to the colony. With such a contract the artisan was clothed, fed, transported, paid, and sometimes housed by the planter. He would probably pay his own tithes and, although the contract he signed was called an indenture, he was not considered an indentured servant as defined in the law of Virginia. No study has been made of such skilled craftsmen who came over in such manner and no numbers are yet available, but they probably did not account for a very large proportion of skilled laborers in Virginia. The skills they brought, however, certainly must have had an effect disproportionate to their numbers on the diversification and sophis-

¹⁵Thomas E. Campbell, Colonial Caroline (Richmond, 1954), p. 332; James C. Ballagh, A History of Slavery in Virginia, The Johns Hopkins Studies in Historical and Political Science, Vol. XXIV (Baltimore, 1902); Wertenbaker, Planters, p. 153; Freeman, Washington, I, 87 and note; Thad W. Tate, The Negro in Eighteenth Century Williamsburg (Williamsburg, Va., 1965), p. 39.

¹⁶Mullin, Flight and Rebellion, p. 16.

tication of the eighteenth-century Virginia economy.¹⁷

A larger part of British immigration which supplied ready labor for Virginia planters was that of the indentured servant. His rights increasingly protected through the eighteenth century by British and Virginia laws, the indentured servant, male and female, would serve four years if he or she arrived with an indenture and five years if he or she landed without one. Children were to serve seven years, or until they were twenty-one.¹⁸ Unfortunately there is no comprehensive study of eighteenth-century indentured servant immigration to Virginia. White servants from the British Isles, especially from Ireland, were certainly becoming noticeable by the third decade of the eighteenth century.¹⁹ In 1744 an English visitor to Virginia commented that the convict trade "has for some Time run in another Channel [Maryland?]; and so many Volounteer Servants come over, especially Irish, that the other is a Commodity pretty much blown upon."²⁰ Another traveller commented in 1765 on the "amazing" number of servants "imported to Virginia."²¹ In the sixty years from

¹⁷For some discussion of the artisans see Carl Bridenbaugh, The Colonial Craftsman (New York, 1950), especially chap. I.

¹⁸Hening, Statutes at Large, III (1705), 447.

¹⁹Lieutenant Governor William Gooch to The Council of Trade and Plantations, 23 July 1730, Calendar of State Papers, Colonial Series, America and West Indies, 1730 (London, 1937), 217 (hereafter cited as C.S.P., Colonial); Smith, Colonists in Bondage, p. 330.

²⁰"Eighteenth Century Maryland as Portrayed in the 'Itinerant Observations' of Edward Kimber," Maryland Historical Magazine (Dec., 1956), LI, 329.

²¹"Journal of a French Traveller in the Colonies, 1765,"

1715 to the Revolution Virginia certainly received several thousand indentured servants, but probably fewer than 10,000.

During the eighteenth century Virginia received about 10,000 British convicts.²² In the first eighteen years of the trade she received a minimum average of seventy-five per year and possibly as high as a hundred or more.²³ But the most striking statistic is the sex ratio; about one-third were women. If the Maryland returns (which are somewhat more complete) are averaged in, the percentage of convict women imported rises above fifty percent.²⁴ Possibly Maryland-bound ships tended by chance to take on more women; or perhaps convict women offered better sales in Maryland. But considering the similarity of the two provinces it is more likely that complete Virginia returns would at least approach the Maryland

American Historical Review, XXVI (1920), 744; this comment included both indentured and convict servants.

²²After exhaustive figuring Abbot Smith concluded that about 30,000 convicts were shipped from Britain to all the American colonies in the eighteenth century. Allowing for deaths and sales in other colonies, he estimated somewhat over 20,000 arrived in Chesapeake Bay. Maryland probably got slightly more than half of these, but many were sold on both sides of the Potomac River, Colonists in Bondage, pp. 116-119.

²³Average of live convicts landed in Virginia from 1718 to 1736 in Certificates of Felons taking passage to America, 1718-1736, Miscellaneous Manuscripts, Class 57, Pieces 7 and 8, Corporation of London Record Office, microfilm at Colonial Williamsburg (hereafter cited as Certificates of Felons, Misc. MSS 57/7,8). These do not include all of the convicts bound for Virginia in that period. See Kaminkow, Emigrants, pp. 180-93. The Kaminkows found that women made up one-third of the total exported from London and the Home Counties between 1718 and 1745, ibid., p. xvii.

²⁴Ibid., 180-93.

percentage.²⁵

The first convict ship to land in Virginia after 1718 was the ill-fated Honour, which lost her captain, fifteen convicts, and all her conviction papers in a ship-board rebellion. She was entered in the York River Naval District in September 1719 with forty-one surviving convicts to be sold.²⁶ She was followed into York River by the Mary Galley in 1721.²⁷ In the next ten years convict ships for which landing certificates survive entered at least 642 convicts in the Rappahannock River Naval District.²⁸ By the opening of the second decade (1730-1740) of convict importations the transport ships had begun entering the Potomac River.²⁹ Through this decade one of the largest transport ships, the Forward (named after the English convict contractor) entered the South Potomac River Naval District almost annually, bringing in an average of 100 convicts per voyage.³⁰

The convict importation tended to drop somewhat during war years, but probably not to more than half of the overall annual average.³¹ During one of the peak years of the Seven

²⁵ Abbot Smith states that of convicts shipped about one-quarter were women, Colonists, p. 366, note, but they also survived the trip better, see Chapter III, above.

²⁶ Certificates of Felons, Misc. MSS 57/7.

²⁷ Ibid. ²⁸ Ibid.

²⁹ Entry of the Forward, Jan. 16, 1730, ibid.

³⁰ Virginia Shipping Returns, South Potomac, 1737-43, P.R.O., C.O. 5/1445, microfilm at Colonial Williamsburg.

³¹ No specific records for convict imports into Virginia being available, educated guesses must be made. See particularly the table of all convicts shipped from London and the

Years War (1759) Virginia received at least two shiploads of convicts.³² From 1763 to the Revolution the importations were greater than ever, probably averaging 200 per year.³³ Almost all of these late colonial importations went to the Northern Neck and to the upper James River Valley--the areas of expansion. In a charting of origins of the 197 runaway convicts in Virginia who were advertised in the Virginia Gazettes after 1765 about one-third came from the upper James--South Side--upper Shenandoah Valley and about half of the total came from the Northern Neck and lower Shenandoah Valley, while most of the rest appeared in Piedmont counties. The Eastern Shore, as is often the case in colonial Virginia history, was an exception. No convict ships have been found entered into the Eastern Shore Naval District. Some convicts who entered the Oxford Naval District of Maryland's Eastern Shore may have wound up in Virginia's Eastern Shore, but no runaways from that area have been found either in newspaper advertisements or in any of the Virginia county records examined for this study.

Regardless of his experience in the crossing, the convict could be said to have arrived in Virginia when his ship had "entered the capes" (Cape Henry and Cape Charles). He was now in the Chesapeake Bay, a body of water stretching over 150

Home Counties in Smith, Colonists, p. 311. The figures do not tell how many entered Virginia, of course, but show the lower available number during war years.

³²Lieutenant Governor Francis Fauquier to the Lords of Trade, Aug. 2, 1759, P.R.O., C.O. 5/1329, f. 150, microfilm at Colonial Williamsburg.

³³For the increase in shipments see Smith, Colonists, p. 311.

miles from the South Side of Virginia up past the great Virginia rivers to be finally enfolded by the Maryland shores. By the eighteenth century this great bay had become a distinct economic and social pool within which mixed a unique colonial society. By its related waterways and common commerce it was being mixed by merchants and planters into a lively Chesapeake society whose activity felt little constraint from either the laws of local legislatures or the restrictions of royal charters.³⁴

Into this salty pool poured most of the imports of Virginia and Maryland, and along with the rest came the convicts. The arrival of a ship carrying convicts did not always go unnoticed. The local newspapers often mentioned specific arrivals in their irregular listing of ship movements.³⁵ If there had been a wreck or an uprising at sea, or if the jail fever was particularly virulent at the time, the notice gave rise to a story. Thus the arrival in 1774 of a snow "with convicts" made news when her mainmast was struck by lightning while she was working up the Bay. When the Randolph, carrying convicts from Bristol, foundered off Cape Henry she "fired guns of distress, but the wind blew so hard that no pilot could go to her assistance." Although she was lost with most of her cargo, the crew and convicts were saved, but not before some

³⁴See Arthur P. Middleton, Tobacco Coast, pp. 30-50; and Carl Bridenbaugh, Myths and Realities, Societies of the Colonial South (New York, 1971), pp. 1-4.

³⁵There were many such notices; see for example the Maryland Gazette (Annapolis), June 29, 1758 (hereafter cited as Md. Gaz.); Dixon and Hunter's Virginia Gazette (Williamsburg), Oct. 24, 1766 (hereafter cited as Va. Gaz. [D. & H.]).

convicts seized the opportunity to escape.³⁶

Once having entered the Bay the Virginia-bound convict ship would make for one of the six Virginia naval offices, each manned by a naval officer and a customs officer, or by their assistants. These officers, who were responsible for preventing smuggling, seeing that the ship's papers are in order, inspecting passengers for disease, and collecting duties and fees, were paid both a salary and a percentage of their fees, the latter set by Virginia law.³⁷ These men, being part of the royal establishment, were officially appointed in London, but usually were Virginia men recommended by the resident governor. Although members of the Council were prohibited after 1699 from holding either office, the positions were in fact sinecures.³⁸ Thomas Lee, one of the most powerful men in the colony by 1730, was naval officer of the South Potomac in that year,³⁹ and in 1726 Robert "King" Carter obtained for his son Robert Jr. the naval officership for the Rappahannock Naval District.⁴⁰ Although their use of assistants was frowned upon by London the officeholders often ran their offices out of

³⁶ Purdie and Dixon's Virginia Gazette (Williamsburg), Nov. 2 and 16, 1769 (hereafter cited as Va. Gaz. [P. & D.]); see also Rind's Virginia Gazette (Williamsburg), Jan. 28, Feb. 4, Feb. 11, 1773, and July 28, 1774, for similar stories (hereafter cited as Va. Gaz. [R.]).

³⁷ Percy Scott Flippin, The Financial Administration of the Colony of Virginia (Baltimore, 1915), pp. 21-32; Jones, Present State of Virginia, pp. 103, 241-45.

³⁸ Flippin, Financial Administration, pp. 29, 25.

³⁹ Certificates of Felons, Misc. MSS 57/7,8.

⁴⁰ Campbell, Colonial Caroline, p. 91.

home plantations at their own convenience; the Lees and Carters of Virginia did not spend their time sitting at the docks to wait for the ships.⁴¹

Here, at the convenience of the respective naval and customs officers, the captain dropped anchor to enter his ship. This being the first opportunity for passengers to shake out their sea-legs, the captain often had company on his trip to shore.⁴² But William Eddis was correct when he observed in 1770 that "servants imported . . . are rarely permitted to set their feet on shore" until they were sold.⁴³ The convict certainly remained on board. Joshua Dudley, who had been convicted of perjury in 1772 and shipped off to Virginia, related how his ship "cast anchor at Hampton Road, and from thence proceeded up to Leeds town," which was then a major servant sale port on the Rappahannock.⁴⁴

The official entry information recorded by the naval officer included the ship's name, tonnage, port of debarkation, cargo, number of passengers, where and when the ship was bonded, and the name(s) of the captain and/or owner(s). These entries were then written up, usually quarterly, for submission to the Treasury in London. Each of the six naval officers made up his own form, and while certain entries (like the names of the

⁴¹Ibid., p. 54; Flippin, Financial Administration, p. 25.

⁴²Nicholas Cresswell, The Journal of Nicholas Cresswell, 1774-1777 (New York, 1924), p. 16.

⁴³Eddis, Letters From America, p. 40.

⁴⁴Purdie's Virginia Gazette (Williamsburg), March 10, 1775 (hereafter cited as Va. Gaz. [P.]).

ship and captain) were standard features, other entries varied in description and detail according to the particular naval officer in charge and, on occasion, according to his personal inclinations.

The greatest variable was the description of cargo, and the greatest of these in turn was the record of human cargo and passengers. Sometimes the convicts were simply entered as "passengers"; sometimes they were written down as "convicts" in the "other cargo" column which appeared toward the end of an entry. Although a port officer sometimes ruled special columns for passengers and/or servants, such a column was seldom made up for convicts. Thus, although the convicts were often bunched together in the entry records with the rest of the bodies on shipboard and hence entered as either "passengers" or "servants," other sources than shipping returns, like colonial newspapers, merchant's papers, and Treasury office bonds, can be used to identify practically all of the convict transports and most of the ships carrying convicts as a minor cargo.⁴⁵

The port officers, however, knew the difference between convicts and indentured servants. As officer of the South Potomac Naval District, Thomas Lee of Stratford Hall entered many a convict into Virginia in the 1730s,⁴⁶ while as a justice

⁴⁵A typical run of Virginia Shipping Returns which included the entry of convicts is Virginia Shipping Returns for the Port of South Potomac, 1737-1755, P.R.O., C.O. 5/1445. Compare entries of ships in this list with convict ships clearing from London in Kaminkow, Emigrants, pp. 194-95.

⁴⁶Entry of the Forward, Jan. 16, 1730, Certificates of Felons, Misc. MSS 57/8.

of the peace for Westmoreland County Lee dealt with convict servants involved in criminal cases ranging from petty theft to murder.⁴⁷ Lee readily distinguished convict from indentured servants, as in the case of two runaway servants wanted for robbery, whom Lee described respectively as "a convict" and "a convict servant man."⁴⁸ Gilbert Campbell, who processed convict ships in the 1770s as comptroller of the customs for the South Potomac Naval District, owned at least one convict servant,⁴⁹ and Armistead Churchill owned a convict servant, a forty-year-old ploughman, while serving as naval officer for the Rappahannock Naval District.⁵⁰ Even port officers who may not have had any more contact with English convicts than processing them into the colony could still make the distinction in other official forms.⁵¹

These formal entry proceedings were the naval officers' standard practice for all incoming ships, and included the issuance to the captain of a permit to trade in their naval district. In February 1768 Captain Arbuckle entered his ship the Neptune, from London, "having on board one hundred and

⁴⁷Westmoreland County [Virginia] Order Book, 1721-31, p. 331a, microfilm at Virginia State Library (hereafter cited as Westmoreland Orders).

⁴⁸Pennsylvania Gazette (Philadelphia), Aug. 13, 1747 (hereafter cited as Pa. Gaz.).

⁴⁹Va. Gaz. (R.), Jan. 10, 1771; ibid. (P. & D.), Feb. 25, 1773.

⁵⁰Virginia Shipping Returns for the Port of Rappahannock, 1754-59, P.R.O., C.O. 5/1447, f. 15; Hunter's Virginia Gazette (Williamsburg), July 11, 1755 (hereafter cited as Va. Gaz. [H.]).

⁵¹See for instance the "Permit" given by officers for the Port of Rappahannock in the Va. Gaz. (R.), March 3, 1768.

ten convicts" and was issued a permit "to land them in this [Rappahannock] district, and to trade, he having made legal entry of the vessel."⁵² The presence of convicts in an entering ship, however, necessitated more particular procedures. Since the system provided by the British transportation laws necessitated some provision for assuring the British authorities that the convict was actually landed in the colony, the ship captain was obliged to make some accounting of his convict charges to the naval officer. This proceeding usually took place during the ship's entry processing, but the record which came to be set down for a particular ship became some combination of what information the naval officer desired.⁵³

The naval offices of Virginia's neighbor above the Potomac began their convict certification with care, providing special forms to list each convict's name, age, sex, "quality" (skill or trade), "Complexion," "Stature," and finally his origin, which might be the name of a jail, a town, or a county.⁵⁴ These were filled out, more or less completely, depending on the time, patience, and interest of the officer in charge. Benjamin Tasker, naval officer at Annapolis, started off smartly by filling in most of the columns, but after a few years he was reduced to listing names only.⁵⁵

⁵²Va. Gaz. (R.), March 3, 1768.

⁵³See entries for the Rappahannock Merchant, Rappahannock Naval District, April 3, 1725, and the Forward, South Potomac Naval District, Jan. 16, 1730/31, both in Certificates of Felons, Misc. MSS 57/7,8.

⁵⁴Certificates of Felons, Misc. MSS 57/7,8.

⁵⁵Ibid.; compare entry of May 18, 1721 with entry of July 16, 1722 and ff.

Virginia officers were less ambitious. The ship captain was seldom asked for more than a list of those convicts who died at sea and those who arrived in Virginia, thus accounting for all convicts originally taken on board. These figures were then entered, often divided by sex. Sometimes all of the convicts' names were entered as well, including the names of those who had died at sea. No such elaborate forms used for Maryland have been found for Virginia, but some variations in entries did occur. In accounting for the loss of about 16 percent of his seventy-six male convicts Captain Thomas Boyd offered the specific dates of death during the voyage and all were duly recorded.⁵⁶ Captain William Withorne listed his 146 charges by origin: the first 114 from Newgate, the next two from Surrey, the next one from Hertford, on down to number 146, from Maidstone.⁵⁷ On the other hand Thomas Lee, naval officer of the South Potomac District, entered the Forward's original load of 164 convicts either as imported or as having "died at sea."⁵⁸ At least for Virginians in the naval offices the entry of convicts into Virginia was a separate, but hardly a special case.

In unusual situations the captain was obliged to offer some further explanation to the Virginia port officers. After

⁵⁶ Entry of the Princess Royal, Port of Rappahannock, April 11, 1723, Certificates of Felons, Misc. MSS 57/7. All of the 34 female felons on the voyage survived.

⁵⁷ Entry of the Elizabeth, Port of either South Potomac or Rappahannock, Aug. 22, 1729, ibid.

⁵⁸ Entry of the Forward, Port of South Potomac, Jan. 16, 1730/31, ibid.

accounting for seventy-seven convicts delivered alive and thirty-two more who died in the crossing, Captain William Loney had to explain the absence of one convict, Anthony Thompson, who jumped ship at the last possible moment and "swam away at Graves End."⁵⁹ In 1720 a surviving mate on the Honour had to explain that he could present no conviction papers for any of his convicts to the Yorktown naval officer; all of the papers had been destroyed by a group of fifteen convicts who mutinied and forced the Honour to sail on to Virginia with forty-one convicts and no conviction papers at all.⁶⁰ To lose conviction papers could be serious business, or rather lack of business; convicts were sold for seven-year terms, but a servant entering without indenture or conviction papers was liable for only five years of service by Virginia law.⁶¹

The "conviction papers," when brought on shore by the captain, were the major source of information for the naval officers. For convicts who came in a minor cargo the naval officer would make out a separate "delivery certificate" for each one of the incoming felons. In the summer of 1756 the collector and the naval officer of the Upper James River Naval District (located in Williamsburg), taking their information

⁵⁹Entry of the Forward Galley, Va., June 12, 1730, Certificates of Felons, Misc. MSS 57/8.

⁶⁰Entry of the Honour, Port of York, Jan. 20, 1720/21, ibid. 57/7.

⁶¹See Harry Piper to Dixon and Littledale, Oct. 24, 1767 and June 28, 1768, Piper Letterbook; Hening, Statutes, III, 447. For the term of service for a convict in Virginia see below.

from the conviction papers of the convict Ann Reed, certified "to whom it may concern" that Ann Reed had been "landed and put on Shore" by the captain who brought her over.⁶² Although her ship, the Duke of Cumberland, was entered into the Upper James District on June 14, Ann Reed's landing certificate was dated September 6. This suggests that the captain entered his incoming ship in June at that naval office (which office entered his incoming ship as "in her Ballast"), and then moved up the James River to one or more wharfs to take on tobacco. Sometime during this period Ann Reed was sold, and on his way down river with his return cargo Captain Stevenson dropped in to the naval office in Williamsburg to get his certification that Ann Reed had been landed and sold in Virginia. Thus convenience came to dictate custom.

In 1721 the certificate for the Mary Galley listed nine convicts "put ashore," and the sixty-nine convicts who sailed in the Forward in 1728 were certified six months after having sailed from London as having been "sold out of the Ship."⁶³ The landing certificate for the Princess Royal, which landed in Virginia on November 23, 1721, was filled out and dated for the Port of Rappahannock on April 11, 1723.⁶⁴ Thus the convict

⁶² This entire paragraph is based upon the delivery "Note" for the convict servant Ann Reed, Sept. 6, 1756, Chicago Historical Society, microfilm at Colonial Williamsburg, and on Virginia Shipping Returns, 1754-58, P.R.O., C.O. 5/1446, f. 60.

⁶³ Entries of the Mary Galley, June 17, 1721, and the Forward, May 14, 1728, Certificates of Felons, Misc. MSS 57/7,8.

⁶⁴ Entry of the Princess Royal, April 11, 1723, Certificates of Felons, Misc. MSS 57/7. The pattern in Maryland was similar; see for example the entry of the Patapsco Merchant, Oct. 28, 1729, ibid.

was simply entered as a "passenger" but often not "certified" as having been landed until long after he had been sold. This suggests that the naval and customs officers came to differentiate between the separate commands of Virginia and English law. For the purposes of official entry, they might duly note down the number of "passengers" lying in the hold of each newly arrived convict ship then riding off shore.⁶⁵ But the certificate which England demanded as proof of the convict's arrival came to be filled out after the convict was sold, sometimes months later, when the inbound convict ship had become an outbound tobacco ship clearing for Britain. Where the mother country provided certification of landing merely to insure that the convict was in the colonies and hence not in the British Isles, Virginia naval officers seem to have interpreted the same procedure as being meant to insure that the convict had not only arrived in Virginia, but that he was in the hands of a responsible party rather than merely being "dumped" at the first convenient wharf.

Sometimes the Virginia naval or customs officer would go aboard the ship and make some kind of inspection of the convicts, especially if there was a suspicion of jail fever.⁶⁶ On occasion he would call out all the names to make his own list. Maryland customs officers often recorded that the "said

⁶⁵ Entries of the Forward Gally [sic], July 11, 1737, the Forward, Jan. 1, 1743, and the Forward Gally [sic], Aug. 30, 1738, Virginia Shipping Returns for the Port of South Potomac, P.R.O., C.O. 5/1445.

⁶⁶ Advertisements of Thomas Hodge in the Va. Gaz. (P. & D.), Nov. 5, 1767, March 13, 1768. For quarantine laws see Hening, Statutes at Large, VIII, 260-61, 537-38.

persons being called did Severally answer to their names."⁶⁷
 In 1730 the Virginia customs collector James Reid certified that the captain of the Forward Galley "has before me" seventy-seven inbound convicts, whose names he then wrote down, to be returned to England.⁶⁸

On such an errand the officer experienced a personal contact with the convicts far removed from the ruling of ledgers and transcribing of names in an office sometimes miles removed from the shore. For the convicts he was probably the first local Virginian they had seen, obviously an official who had power over their lives in Virginia. This man could be the "slave" driver who would put them "under a yoke worse than Egyptian bondage" with the black slaves of sub-Sahara Africa.⁶⁹ Or he might be a government jailer, who would work them in the day and jail them each night in colonial-style Newgates and Bridewells. A convict with experience as a sailor would have the advantage over the farmer from the Midlands in knowing why the officer was there, and would realize as the ship moved on up the river that the next anchor would doubtless put him ashore. But as to guessing how that would occur the sailors and the farmers, shoemakers and carters, hardened

⁶⁷ Certificates of Felons, Misc. MSS 57/7,8, particularly entries of: the Forward, Annapolis, June 25, 1727; the Luckie Galley, Annapolis, Sept. 28, 1725; the Patapsco Merchant, Annapolis, Dec. 15, 1729 and Sept. 16, 1730. Also see the entry of the Alexander Galley, Annapolis, Sept. 14, 1723, where the convicts are listed as being "now on board."

⁶⁸ Entry of the Forward Galley, Virginia, June 12, 1730, ibid.

⁶⁹ Eddis, Letters From America, p. 38.

thieves and wayward apprentices were as one in their ignorance and their fears.

By the time the convicts' ship had reached a naval office their next Virginia experience was already being prepared in the plantation offices and countinghouses along the Virginia rivers. For the early period of convict transportation it is difficult to follow the convict past his official entry into the Virginia port, since merchants' records are scanty. It seems likely that he was sold "out of the ship" at planters' docks by the captain or a willing planter. If this were the system the sale of the convict was much like that of the slave and the indentured servant. In such a case a great planter like Robert "King" Carter or John Tayloe would be offered the contract to advertise and manage the sale from his own landing. ⁷⁰

The English convict contractors early established resident factors in Maryland. Jonathan Forward, contractor for London and Home County convicts from 1718 to 1739, eventually established one of his transport captains, Darby Lux, as his Maryland factor in the late 1730s. ⁷¹ Forward's ships were following Virginia tobacco into the Piedmont by 1732, however, for William Byrd remarked that Jonathan Forward had a "great interest" in the burgeoning Fredericksburg area which took in the crops from the surrounding Rappahannock Valley and Piedmont plantations. ⁷²

⁷⁰ See slave sale descriptions in Mullin, Flight and Rebellion, pp. 13-15.

⁷¹ Smith, Colonists, p. 126.

⁷² William Byrd, A Progress to the Mines in the Year 1732, in The Prose Works of William Byrd of Westover, ed. Louis B. Wright (Cambridge, Mass., 1966), p. 372.

In the late colonial period the evidence of convict merchants becomes more clear. By the 1750s merchants and factors in three areas appear to have had a hand in disposing of servants in general and they included most of the convicts in their servant business. These three areas were: 1) the Rappahannock River, mainly out of Leedstown and Fredericksburg; 2) the upper Potomac River, especially out of Alexandria; and 3) the upper James River, with merchants based in and around Richmond but extending into back-country and Valley towns like Staunton and New London. It should be noted that this time and space relationship follows closely the expansion of Virginia, the appearance of bustling new towns like Alexandria, Fredericksburg, Leedstown, Colchester, and Petersburg, and the appearance in Virginia of a number of successful Scots factors, some of whom can be considered to have become such firmly established Virginia residents that they sided with the colonies in the Revolution.

The third and last English company which contracted with the Treasury for London and Home County felons (from 1757 to 1772) was Messrs. Stewart and Campbell of London, whose factor in Virginia was Thomas Hodge, of King George County and Leedstown on the Rappahannock. Hodge, who very possibly came from Devonshire, England, was residing in Virginia by 1758,⁷³ having apparently settled into Virginia as a resident merchant rather

⁷³Will of Thomas Hodge, April 30, 1774, in King George County [Virginia] Will Book No. 1, microfilm at Va. State Lib. (hereafter cited as King George Wills); John Tayloe [II] Account Book, entry of Aug. 22, 1758, in Tayloe Family Papers, Va. Hist. Soc.

than a transient factor. In 1760 he was a subscriber for the support of domestic manufactures.⁷⁴ The next year he joined Philip Ludwell Lee, Richard Henry Lee, John Tayloe, and Charles Carter of "Cleve" as a founding trustee of Leedstown.⁷⁵ In 1767 Thomas Hodge, "Gent.," was sworn in as a justice of King George County.⁷⁶ Active in the Virginia "meeting of merchants" movement in the 1770s, Hodge was chosen in 1772 to be a member of the committee set up to encourage regular merchant's meetings as an attempt to facilitate more regular business transactions in the colony.⁷⁷

Hodge was certainly selling servants by 1764, and convict servants by the spring of 1765.⁷⁸ For the next ten years he supervised the sales of convicts out of Stewart and Campbell's convict transports on the average of about twice a year.⁷⁹ Hodge did very well dealing in tobacco and servants. He owned

⁷⁴Hening, Statutes at Large, VII, 569.

⁷⁵Ibid., p. 431.

⁷⁶King George County [Virginia] Order Book, 1766-1790, p. 63, microfilm at Va. State Lib. (hereafter cited as King George Orders).

⁷⁷Va. Gaz. (R.), Nov. 26, 1772; also see James H. Soltow, The Economic Role of Williamsburg (Williamsburg, Va., 1965), pp. 44-48.

⁷⁸Virginia Gazette Day Book, 1764-66, p. 129, Alderman Library, University of Virginia; Thomas Hodge to William Allason, April 19, 1765, William Allason Papers, Letters and Papers, 1764-67, Box 4, Va. State Lib. (hereafter cited as Allason Papers).

⁷⁹Ibid. The newspaper advertisements are: Va. Gaz. (P. & D.), Nov. 5, 1767, March 3, 1768, Dec. 22, 1768; ibid. (R.), March 8, 1770, supplement, Oct. 4, 1770, March 28, 1771; ibid. (P. & D.), Oct. 10, 1771, Feb. 27, 1772, June 25, 1772, July 29, 1773, March 3, 1774; ibid. (D. & H.), March 18, 1775, Oct. 14, 1775. Also see Carter, Diary, I, 407.

at least one sloop, the Betsey, on which he employed convicts and slaves as watermen.⁸⁰ By the late colonial period he was an established merchant and active in the community. He lived on his home plantation in King George County with his wife and six children, and worked the plantation with his own slaves.⁸¹ In Leedstown he had another residence, complete with "Kitchen, Compting House, and other Outhouses."⁸² With slaves, a plantation, a townhouse, and a large family, Hodge the merchant also led the life of a prosperous Virginia planter. In 1774 his town property described above was destroyed by fire, but Hodge continued to sell his incoming convicts at Leedstown.⁸³ Although he died suddenly "of an apoplectick fit" in December 1775, Hodge was a "safe" whig in the American struggle with England.⁸⁴

Further up the Rappahannock River was the Fredericksburg-Falmouth commercial center. To Falmouth came young William Allason from Glasgow in 1757 as a factor for the Glasgow firm of Baird and Walker.⁸⁵ In just a few years Allason established

⁸⁰Advertisement by L. Talliaferro in Va. Gaz. (P. & D.), Nov. 8, 1770; Va. Gaz. (R.), March 7, 1771; ibid. (P. & D.), Jan. 28, 1773.

⁸¹King George Wills, Book No. 1, April 30, 1774.

⁸²Va. Gaz. (P. & D.), June 2, 1774.

⁸³Ibid.; Va. Gaz. (D. & H.), March 18 and Oct. 14, 1775.

⁸⁴Va. Gaz. (P.), Dec. 15, 1775; Philip Vickers Fithian, Journal and Letters of Philip Vickers Fithian, ed. Hunter Dickinson Parish (Williamsburg, Va., 1943), pp. 258, 259.

⁸⁵Edith E. B. Thomson, "A Scottish Merchant in Falmouth in the Eighteenth Century," Virginia Magazine of History and Biography [Part I], XXXIV (April, 1931), 108, 113. For an exhaustive study of Allason see Robert William Spoede, "William

himself as an independent merchant in Falmouth and built up a strong trade with the back-country.⁸⁶ In 1772 Allason secured his Virginia connections by marrying into the Hooe family of Virginia, and the next year retired to his plantation in Fauquier County.⁸⁷ Allason's English connections, the Bristol firm of Lippincott and Brown, never had a convict contract from the Treasury, but they picked up available convicts when they could from along the west coast of England. After 1770 Allason would occasionally receive a few convicts in a shipment.⁸⁸ They were a minor aspect of his trade and he apparently had little difficulty in disposing of them. Allason was not unfamiliar with the servant trade, however. He corresponded with Thomas Hodge regarding convicts and with Archibald Ritchie of Hobbs Hole, who dealt heavily in servants.⁸⁹

Although Archibald Ritchie dealt more in indentured servants than in convicts, the sales of the two types of servants were so similar in terms of the merchant's experience that

Allason: Merchant in an Emerging Nation," (Ph.D. dissertation, College of William and Mary), 1973.

⁸⁶Thomson, "Scottish Merchant," 114-15.

⁸⁷Ibid. [Part II] (July, 1931), 235.

⁸⁸See John Glassell's advertisement in the Va. Gaz. (P. & D.), Oct. 1, 1772, for a convict from a ship consigned to Allason. Lippincott and Brown to William Allason, June 24, 1773, Allason Papers, Letters and Papers, 1771-73, Box 6; Transportation Bonds, Leicestershire County Record Office, Quarter Sessions, 13/2: 44, 45, 46, microfilm at Colonial Williamsburg.

⁸⁹Thomas Hodge to William Allason, April 19, 1764, Allason Papers, Letters and Papers, 1764-67, Box 4; for Ritchie see Archibald Ritchie to William Allason, July 25, 1764, Sept. 28, 1765, Dec. 7, 1768, ibid.

Ritchie's position may be sketched here. Ritchie was born in Scotland and was settled in Tappahannock (Hobbs Hole) on the lower Rappahannock River by the 1760s.⁹⁰ There he built up a good business including trade with the West Indies.⁹¹ He was selling servants out of the ship, wholesale and retail, by 1764, and probably well before that.⁹² Ritchie was apparently not a soft-hearted businessman. Landon Carter complained to himself and posterity of the "Compassionat Mr. Ritchie" who not only refused the great planter Landon Carter credit, but insisted on dunning Carter for a disputed balance of less than five pounds.⁹³ Nor did Ritchie give in willingly to the local pressure against the Stamp Tax in 1766.⁹⁴ But he set down roots in Virginia, serving as a justice of the peace of Essex County and a vestryman for the Farnham parish of the established church.⁹⁵ He remained a functioning merchant in Virginia during the Revolution, however, dying in 1784.⁹⁶

By 1750 the Potomac port town of Alexandria was moving toward eventual dominance of the trade of the Potomac Valley of both Virginia and Maryland as well as the back-country settle-

⁹⁰Frances Norton Mason, ed., John Norton and Sons, Merchants of London and Virginia (Richmond, 1937), p. 519.

⁹¹Calvin Brewster Coulter, Jr., "The Virginia Merchant," (Ph.D. dissertation, Princeton University), 1944, p. 56.

⁹²Archibald Campbell to William Allason, July 25, 1764, Allason Papers, Letters and Papers, 1764-67, Box 4; Virginia Gazette Day Book, 1764-66, p. 83, Alderman Library, University of Virginia.

⁹³Carter, Diary, I, 314, 395.

⁹⁴Freeman, Washington, III, 155-56.

⁹⁵Mason, Norton and Sons, 519. ⁹⁶Ibid.

ments which included western Pennsylvania.⁹⁷ Into this town moved a number of merchants around the middle of the eighteenth century, many of whom were Scots. Most of these men, Scots as well as English, set down firm roots there, leading the development of the back-country and supporting the colonies in the Revolution. Among these Alexandria merchants was the young Harry Piper. Piper considered Britain as his home,⁹⁸ although he remained a merchant in Alexandria until his death in 1780.⁹⁹ When the first sale of Alexandria lots was held in July 1749, two of the lots were bought by a Harry Piper,¹⁰⁰ probably the Harry Piper who later engaged heavily in the convict trade. Piper apparently never married,¹⁰¹ and thus established no family alliance in Virginia. But he was chosen a trustee of the town of Alexandria in 1763¹⁰² and he participated in the development of the town's society, and supported the Revolution.¹⁰³

⁹⁷Harrison, Landmarks, pp. 397-418.

⁹⁸Harry Piper to Dixon and Littledale, Sept. 12, 1768, Piper Letterbook.

⁹⁹Fairfax County [Virginia] Will Book D-1, 1776-82, pp. 162-64, microfilm at Va. State Lib. (hereafter cited as Fairfax Wills).

¹⁰⁰Proceedings of the Board of Trustees of the Town of Alexandria, 1749-67, p. 2, photostat in Va. State Lib. (hereafter cited as Alexandria Proceedings).

¹⁰¹Fairfax Wills, D-1, 1776-82, pp. 162-64.

¹⁰²Alexandria Proceedings, p. 50.

¹⁰³For Piper's social and commercial role see his many appearances, often with other Alexandria merchants, in John C. Fitzpatrick, ed., The Diaries of George Washington (Boston, 1925), Vols. I and II (hereafter cited as Fitzpatrick, Diaries of Washington).

As an Alexandria merchant Piper developed an agency relationship with William Hicks, John Dixon, and Isaac Little-
dale, all of Whitehaven, England.¹⁰⁴ Dixon was in Alexandria
in the summer of 1749 for the first sale of city lots, buying
one half-acre lot for William Hicks.¹⁰⁵ Hicks died in late
1762 or early 1763,¹⁰⁶ leaving Littledale as the resident
Whitehaven partner and Piper as the resident agent in Alexan-
dria, while Dixon apparently did whatever travelling was
necessary between the two houses.¹⁰⁷ In 1765 Piper began
dealing in both indented and convict servants and for the
next ten years valiantly strived to sell all the servants whom
the firm of Dixon and Littledale of Whitehaven was able to
ship to Virginia.¹⁰⁸ These tended to be indented and convict
servants from the north and west of England and a large number
of Irish servants. Thus Piper found himself in the midst of
the flood of post-1763 immigration, voluntary and otherwise,
from Britain to the colonies, and although he carried on this
business until the early 1770s Piper was not charmed by what

¹⁰⁴Fairfax County [Virginia] Minutes Book, Part 2, 1756-63, p. 715, microfilm at Va. State Lib. (hereafter cited as Fairfax Minutes).

¹⁰⁵Alexandria Proceedings, p. 3.

¹⁰⁶Fairfax County [Virginia] Deed Book E-1, 1761-63, 72-74, microfilm at Va. State Lib.

¹⁰⁷Ibid.; Gay Montague Moore, Seaport in Virginia: George Washington's Alexandria (Charlottesville, Va., 1949), pp. 114-15.

¹⁰⁸Harry Piper to Dixon and Littledale, March 19, 1769; Harry Piper to Mr. Dole, July 25, 1774, Piper Letter-book.

he called "the disagreeable business of Servants."¹⁰⁹

By the late colonial period the booming back country was also reached by the James River valley and its tributaries, especially the Appomattox. Along this waterway system appeared tobacco warehouses, landings, stores, and small towns. Above the most of mercantile firms which settled where the lower James met Chesapeake Bay arose store points like Cabin Point, City Point, Rocky Ridge, and Richmond, where crops were taken in for export and imports supplied the Virginians of the upper James and Appomattox valleys. These stores also supplied retail stores situated deeper in the interior in settlements like Staunton, Lexington, Lynchburg, and Bedford Court House (later New London).

Situated at New London in the 1760s was the native of north Britain, John Hook. Hook first worked for the Petersburg merchant William Donald and then in 1771 became a junior partner with David Ross, who was also based in Petersburg.¹¹⁰ During his struggle to establish the business in the new area Hook suggested to Ross they might deal in servants and slaves. Ross, after some hesitation, took a try at both.¹¹¹ Apparently they got their servants from the major convict shipper in England, Stewart and Campbell;¹¹² some of their servants turn

¹⁰⁹ Harry Piper to Dixon and Littledale, Sept. 2, 1768, Piper Letterbook.

¹¹⁰ Coulter, *Virginia Merchant*, pp. 40, 42, 48, 89.

¹¹¹ John Hook to David Ross, n.d. [spring, 1772], John Hook Papers, Virginia State Library; David Ross to John Hook, March 23, 1772, David Ross Papers, Virginia State Library.

¹¹² John Hook to David Ross, Oct. 14, 1771, John Hook

out to have been imported convicts.¹¹³ Hook remained in Virginia when the Revolution broke out. He came under attack in 1775 for suspected Loyalist leanings and didn't get clear until he signed a "Certificate of Fidelity" and took an oath of allegiance to the State of Virginia in 1777.¹¹⁴ By then he had severed his connection with Ross.¹¹⁵ Hook endured the Revolution, settled in Virginia, and founded a family there.¹¹⁶ He seems to have felt that his area would flourish and was determined to endure the Revolution and then have a hand in the development of the new nation.¹¹⁷

These merchants were representative of the servant dealers in the three major outlets in Virginia, and in the case of Thomas Hodge and Harry Piper they were the major dealers in convicts. Like their suppliers in England they tended to be fairly new men in trade when they began taking consignments of convicts and they remained in the trade as long as convicts were available for sale. It was to these enterprising merchants that the convicts were consigned during the last two-thirds of the transportation period, and once the transport ship had been entered at the appropriate naval office the

Papers; Va. Gaz. (P. & D.), Oct. 27, 1774.

¹¹³Va. Gaz. (P. & D.), Oct. 27, 1774.

¹¹⁴Certificates and other papers, John Hook Papers, microfilm at Alderman Library, University of Virginia.

¹¹⁵Coulter, Virginia Merchant, pp. 40, 42, 43.

¹¹⁶Certificates and other papers, John Hook Papers, U. of Va.

¹¹⁷John Hook to David Ross, March 26, 1772, John Hook Papers, Va. State Lib.

convict's sale became the next order of business.

To that end contracts were sometimes signed and ships deployed long before the convict had even committed the crime for which he was eventually transported. Harry Piper of Alexandria maintained a constant watch on servant importations and sales, advising his correspondents in Whitehaven of the best times and places to import, how the market was running, and which type of servant was selling well. This included scheduling ship movements months in advance. With some guarantee of a future arrival a merchant could sell the servant before the ship ever entered the capes.¹¹⁸ The British merchant Neill Buchanan received notice from a Virginia correspondent in 1739 that "it is generally talked of here that you have contracted to send in the Convicts," and proceeded to offer advice as to where they would best "answer."¹¹⁹ In 1775 William Carr, based in the Potomac River port of Dumfries, went into action as soon as he had word from London of such a shipment, planning to "sett out early in the [next] Morning [to] consult" on the sale and determine where the ship should land.¹²⁰ Harry Piper, as soon as he was certain of the consignment of a cargo of convicts in the Ruby, made plans to "lodge a Letter at the [naval] office" directing the captain

¹¹⁸Harry Piper to Dixon and Littledale; July 23 and Oct. 29, 1767; Aug. 10, 1768; Sept. 6 and Dec. 16, 1769, Piper Letterbook.

¹¹⁹William Johnston to Neill Buchanan, June 20, 1739, Wm. and Mary Qtly., 3d ser., II (1945), 311.

¹²⁰William Carr to James Russell, Feb. 6, 1775, Russell Papers, bundle 3, Coutts and Co., London, England, microfilm at Colonial Williamsburg.

to "proceed Immediately" to Piper's wharf in Alexandria.¹²¹

At the first news of the convict's arrival inside the capes the sale machinery went into motion. Since the sale of servants, including convicts, was to some degree competitive, especially with the large influx of servants after the French and Indian war, early notice of convict arrivals gave the importing merchant or contractor an added advantage.¹²² Harry Piper of Alexandria became concerned in September 1768 when he heard of the arrival of "a Large number of Convicts" in the Potomac River, adding "this Ship I was afraid of" as competing with his own expected shipment.¹²³ Piper's ship arrived first, however, and he first got the word from a neighbor just returned from the Tidewater, who was "kind enough to send me an express."¹²⁴ The next week Piper received a message from the captain by a pilot boat and immediately advertised the sale.¹²⁵ In another shipment the American factor Philip R. F. Lee of Dumfries was not so fortunate, having received his instructions regarding a shipment of servants almost three weeks after the ship had arrived in Virginia. As a result Lee didn't get to the ship until almost all had been sold by the captain.¹²⁶ Thomas Hodge of Leedstown did not hesitate to advertise a shipload of convicts in 1768, wherein he described some of their

¹²¹Harry Piper to Dixon and Littledale, July 23, 1767, Piper Letterbook.

¹²²Ibid., Nov. 25, 1767. ¹²³Ibid., Sept. 10, 1768.

¹²⁴Ibid., July 19, 1768. ¹²⁵Ibid.

¹²⁶Philip R. F. Lee to James Russell, March 28, 1774, Russell Papers, bundle 11.

specific skills, while admitting that "not having yet examined the servants" he couldn't give a complete description of their various trades.¹²⁷

There were several methods of advertising available to Virginia merchants and convict servant merchants used them all. The use of hand bills was a common practice and the nameless convict was often hawked for his trade, his youth, and, in times of epidemics, his freedom from disease.¹²⁸ William Carr of Dumfries urged the captain of an incoming servant ship "to wait [till?] Wednesday and I would appoint that day for the sale of his servants and forward Advertisements to the Back Counties."¹²⁹ The Hobbs Hole convict merchant Archibald McCall paid the printer of the Virginia Gazette one pound ten shillings for "225 Single Adversitements" in 1765.¹³⁰ In 1772 David Ross, whose main store was at Petersburg, a gateway to Virginia's growing "South Side," sent "a parcell of advertisements for the sale of some white servants" to his junior partner in New London, John Hook;¹³¹ "I shall be very much obliged to you to distribute them round about you in the best manner you can," wrote Ross, advising Hook to cover

¹²⁷Va. Gaz. (P. & D.), Dec. 22, 1768.

¹²⁸Harry Piper to Dixon and Littledale, July 11, July 19, 1768, Piper Letterbook. Piper usually "advertised," but not, apparently, in newspapers.

¹²⁹William Carr to James Russell, Aug. 25, 1774, Russell Papers, bundle 3.

¹³⁰Virginia Gazette Day Book, 1764-66, p. 163.

¹³¹Coulter, Virginia Merchant, pp. 40, 42, 43; David Ross to John Hook, March 23, 1772, David Ross Papers.

Amherst as well as Bedford County.¹³² Such notices, spread as far as possible throughout the colony, were designed to draw as many buyers as possible to the sale on the ship itself.

By the early 1760s the resident Virginia merchants were making general use of newspaper advertisements; this was especially true of Thomas Hodge. The advertisement usually was run only once, but when the merchant received further information on his convict cargo he would insert another notice.¹³³ On occasion the notice was run in more than one newspaper.¹³⁴ Such advertisements would cost the merchant from three to fifteen shillings.¹³⁵ One of the most striking aspects of these advertisements is the regular appearance of tradesmen and artisans as well as "farmers and country laborers." Almost every advertisement included weavers, tailors, blacksmiths, carpenters, joiners, shoemakers, bakers, and metal workers.¹³⁶ More esoteric trades were also represented, as when the Neptune brought in a "gold and silver refiner" in 1768.¹³⁷ The same year the Justitia brought in one convict who was a bookbinder and another who could "play well on the French horn, flute,

¹³²Ibid.

¹³³Compare advertisements by Thomas Hodge in Va. Gaz. (P. & D.), June 25, 1772, with Va. Gaz. (R.), July 9, 1772.

¹³⁴Va. Gaz. (P. & D.), Nov. 21, 1771; Va. Gaz. (R.), Nov. 21, 1771.

¹³⁵Va. Gaz. Day Book, 1764-66, 129, 145.

¹³⁶See the following Virginia Gazettes: (R.), March 3, 1768; (P. & D.), Dec. 22, 1768; (R.), March 8, 1770, supplement; (R.), Oct. 4, 1770; (R.), March 28, 1771; (P. & D.), Feb. 27, 1772; (P. & D.), July 29, 1773; (P. & D.), March 10, 1774.

¹³⁷Va. Gaz. (R.), March 3, 1768.

and other instruments."¹³⁸ In 1770 the Justitia entered with, among others, a saddler, a harness-maker, and a watchmaker.¹³⁹ The next year the same ship returned with 100 "healthy" convicts among whom were a watchmaker, a glazier, and "several silver-smiths."¹⁴⁰ A number of convict cargoes contained "schoolmasters," however defined.¹⁴¹

The ascription of skills depended to a degree upon who was doing the ascribing. In a study of 544 male and 111 female convicts entered into the Baltimore County, Maryland records between 1770 and 1774, Richard B. Morris found that "a very small proportion of these convicts were skilled workers."¹⁴² Eighteenth-century terminology, however, was seldom either consistent or exact. In a 1767 indictment in Middlesex County, England the accused was listed as a "Labourer," but the trial record shows the defendant to have been an apprentice tailor for almost six years who could, his master admitted, work well "if he pleased."¹⁴³ This talented "Labourer" was subsequently transported as a convict and bought by a tailor in Virginia, which should remind us that while some convicts may have claimed

¹³⁸Ibid. (P. & D.), Dec. 22, 1768.

¹³⁹Ibid. (R.), March 8, 1770, supplement.

¹⁴⁰Ibid., March 28, 1771.

¹⁴¹Va. Gaz. (P. & D.), Feb. 27, 1772; ibid., March 10, 1774; ibid. (D. & H.), March 18, 1775.

¹⁴²Morris, Government and Labor, p. 328.

¹⁴³Indictment file for John Vince, Sessions Roll, June 3, 1767, Middlesex Record Office, microfilm at Colonial Williamsburg; Old Bailey Sessions Papers, Dec. 1766--Oct. 1767, pp. 199-201, Guildhall, London, England.

imagined talents, talented apprentices listed as unskilled laborers could be bought and sold for their skills.¹⁴⁴

It is also interesting that advertisements, whether for shiploads of convict servants or indentured servants, were practically identical in every way. Thomas Hodge, who dealt in both types of servants, used a standard form for his advertising; so, apparently, did everyone else.¹⁴⁵ The continual ascription of skills to convicts is not absolute proof that all of the convicts so described were master craftsmen, but regular merchants like Hodge and Piper never seemed to suffer criticism for passing off convicts with pseudo-skills. Hodge died a respected man and complaints to Piper never touched upon false advertising of skills.¹⁴⁶ Indeed, when Piper wrote of waiting on his advertising for the Hero, he was convincingly candid when he said he wouldn't dare advertise the sale "until she gets up; as I don't know the Number or whether any Tradesmen, or what kinds they are."¹⁴⁷

As his ship was trying to "get up" the river the convict was opened to some of his first experiences which began to define him from merely an exiled British felon into a servant in the British colonies. Having now been entered in a naval

¹⁴⁴ John Pownall to President John Blair, July 9, 1768, P.R.O., C.O. 5/1375, f. 9.

¹⁴⁵ Compare Va. Gaz. (P. & D.), June 25, 1772, with ibid., July 29, 1773. For a sale of a combination of convict and indentured servants see Va. Gaz. (R.), Nov. 21, 1771.

¹⁴⁶ Va. Gaz. (P.), Dec. 15, 1775; Harry Piper to Dixon and Litledale, Aug. 10 and Sept. 10, 1768, Piper Letterbook.

¹⁴⁷ Ibid., addendum to July 11, 1768.

district the convict could be sold at any time. Despite the elaborate preparations being made for his sale at certain major landings the convict's captain tended to keep an eye out for incidental sales as he worked his way up river, and on occasion a convict would be sold and taken off the ship before the first sale landing was reached.¹⁴⁸ A male convict from Lincolnshire who saw his ten fellow Lincolnshiresmen die in the hold during a crossing in 1726 survived to be "Sold a Servant in Virginia" before his ship even reached the Rappahannock Naval Office to enter its survivors.¹⁴⁹ On January 11, 1759, the Eagle entered fifty-five convicts into the port of Hampton and two weeks later she appeared in the lower Potomac River with only forty-two left.¹⁵⁰ A few of the "missing" may have died or escaped but most were probably sold between those two stops.

The threat of being injured or of dying in the hold did not dissipate even though the ship was inside Virginia waters. Although John Harrower's voyage had its share of illness on shipboard it was surprisingly free from deaths. But as his ship moved up the Rappahannock towards Fredericksburg one of the oldest servants died and that night, with the ship becalmed and at anchor somewhere below Fredericksburg, the captain carried the dead servant ashore "and Buried him somewhere in

¹⁴⁸ Ibid., Dec. 23, 1770.

¹⁴⁹ Entry of the Rappahannock, Aug. 30, 1726, Certificates of Felons, Misc. MSS 57/7.

¹⁵⁰ Virginia Shipping Returns, P.R.O., C.O. 5/1448, ff. [5], 8.

the woods."¹⁵¹ The convict who perished in the hold while in Virginia waters was either dumped into the river or buried in a shallow riverside grave in the red Virginia clay.¹⁵²

To the country boy from the English Midlands or the felon raised in teeming London this last stretch was certainly the end of a known experience and the beginning of new mysteries in His Majesty's plantations, full of savage Indians, wild animals, exotic Africans, and possibly his own "slavery." This last-mentioned fear must have been very real to such an Englishman, for Hugh Jones was quick to castigate such notions of "imaginary slavery" which he felt were generally held by the "common people" in the mother country.¹⁵³ Nor was this view unique to the unwashed of England; no less an authority than Lieutenant Governor William Gooch of Virginia opined that the "servile Labour" of working "in the Field with the Slaves [was] the common Usage of Convicts" in Virginia.¹⁵⁴

If, during this last stretch of the voyage, some of the convicts were able to view this land of mystery, they would

¹⁵¹ Harrower, Journal, p. 38.

¹⁵² Entry of the Forward Galley, June 24, 1729, Certificates of Felons, Misc. MSS 57/8. In 1705 the practice of casting dead bodies into Virginia's rivers by slave captains, "to the great annoyance of the inhabitants," brought legislation to prohibit such practices, Hening, Statutes at Large, III, 354. In 1748 the law was tightened to provide that any ship captain who had a death on board while in Virginia waters "shall cause the dead body to be brought on shore, and there buried, above high water mark, four feet deep at the least," ibid., VI, 100-101.

¹⁵³ Jones, State of Virginia, p. 132.

¹⁵⁴ William Gooch to Thomas Gooch, Nov. 11, 1745, Gooch Papers, Colonial Williamsburg.

find their ship passing between river banks patterned in forests that were broken occasionally by fields of tobacco, wheat, and corn. Even in the late eighteenth century travelers in Virginia commented on the striking contrasts in the views as they rode through "cornfields and woods alternately," where the "thick wood" often broke the views,¹⁵⁵ or as they sailed along the Virginia rivers with shores alternately covered with woods and "little patches of cultivated ground."¹⁵⁶ Such a convict must have known he was a very long way from home, and this realization must have weighed on his spirit much as his chains weighted down his body.

¹⁵⁵Robert Hunter, Quebec to Caroline in 1785-1786; Being the Travel Diary and Observations of Robert Hunter, Jr., a Young Merchant of London, ed. Louis B. Wright and Marion Tinsling (San Marino, Calif., 1943), pp. 199, 188.

¹⁵⁶Isaac Weld, Travels Through the States of North America, and the Provinces of Upper and Lower Canada, During the Years 1795, 1796, and 1797, 3d ed. (London, 1800), I, 92.

CHAPTER V

SOLD AND DRIVEN: FACING A NEW LIFE

Convicts, like indentured servants and slaves, were first offered for sale in a general sale "out of the ship," a practice that tended to follow one of two patterns. The convict's ship might move up the river, stopping at appointed landings and towns, over the period of a week or more. Thomas Hodge, who had good connections throughout the Rappahannock and Potomac River valleys, sometimes used this type of sale system. In 1765 Hodge scheduled the Tryal, a regular convict transport, to move up the Potomac by starting at Cedar Point, Maryland, on May 1 and then to progress up river in order to arrive at Alexandria for the final sale by the tenth of that month.¹ In 1763 James Miller and James Robb, two of the most active merchants in the Rappahannock valley,² advertised that their shipload of "CONVICT SERVANTS, mostly tradesmen" would be offered for sale first at Leeds Town in Westmoreland County. After a week there the ship would move up the Rappahannock to Port Royal in Caroline County, where Miller and Robb were located. There the sale would continue "until all are sold."³

¹Thomas Hodge to William Allason, April 19, 1765, Allason Papers, Letters and Papers, 1764-67.

²Campbell, Colonial Caroline, 386, 391.

³Va. Gaz. (H.), Nov. 4, 1763.

When the Jenny arrived in the James River from Newcastle in 1766 with both servants and convicts, her captain advertised she would lay at Burwell's Ferry, just below Jamestown, for "a few days; after which she will proceed to Bermuda Hundred," a common sale point at the confluence of the James and Apomattox rivers.⁴

The other practice was for the ship to make straight from the naval office to its rendezvous with the merchant in charge, which tended to be in the town of the merchant's headquarters. Thomas Hodge sold most of his charges out of the ship at the Rappahannock port of Leeds Town, where he maintained his "Compting house."⁵ Harry Piper of Alexandria tended to sell his servants at the docks of that Potomac port town, in at least one instance because, Piper admitted, "I think it is the best place that I know of for [the] Sale."⁶

Soon after the ship docked at the appointed wharf the convicts were assembled on deck to be inspected for the upcoming sale, and for those felons who had not been "called out" by the naval officer this was probably their first time out of the hold. The merchant would now take in "the looks of the Servants"⁷ in order to see for himself exactly what he

⁴Ibid. (P. & D.), April 18, 1766.

⁵See Hodge's advertisements in the following Virginia Gazettes: (R.), March 2, 1768; March 8, 1770, supplement; March 28, 1771; (P. & D.), June 25, 1772; July 29, 1773; March 10, 1774; June 2, 1774.

⁶Harry Piper to Dixon and Littledale: Sept. 14, 1767; July 11, 1768; June 15, 1772; July 23, 1767, Piper Letterbook.

⁷Harry Piper to Dixon and Littledale, July 19, 1768, Harry Piper Letterbook.

would be selling. The convicts' salability was the merchant's prime interest and to that end the merchant would have several major concerns. The first concern of Harry Piper was the convicts' health. The reader of Piper's letterbook can almost feel Piper holding his breath between the first report of a ship's arrival and the final assessment of the convicts' health. The Ruby, he reported in September 1767, had delivered 103 "Servants which were in general very healthy."⁸ In November he repeated that "they were very healthy."⁹ When the Hero's arrival was reported to Piper in the summer of 1768 he remarked "God grant they may be Healthy."¹⁰ James Mills stated in his advertisement in 1771 that "there is not a sick Person on Board the Ship."¹¹ Thomas Hodge usually stressed the health of servants,¹² and a short voyage was always given particular notice.¹³ Diseased servants were unattractive to prospective buyers both because a sick servant could infect others, and because a dead servant was a lost investment.

Next to health, the merchant's greatest interest was the servant's skill. Merchants delighted in skilled servants, both because of increased salability and because they brought higher prices. Since the cost of shipping a body did not vary according to his trade, skilled servants brought greater profits,

⁸Ibid., Sept. 14, 1767. ⁹Ibid., Nov. 27, 1767.

¹⁰Ibid., July 11, 1768.

¹¹Va. Gaz. (P. & D.), Nov. 21, 1771.

¹²Va. Gaz. (P. & D.): Dec. 22, 1768, Feb. 27, 1772, Nov. 5, 1767.

¹³Ibid.; Va. Gaz. (D. & H.), Oct. 14, 1775.

and convicts were no exception. Piper was always interested in whether a ship had "any Tradesmen, or what kind they are."¹⁴ Sales with tradesmen would increase the profit, but servants "brought up to no sort of Business" made for a duller sale.¹⁵ Thomas Hodge liked personally to examine the convict servants on the ship if possible.¹⁶ If he found, either through the conviction papers or by direct interrogation of the convict, that the convict possessed a trade overlooked in some earlier report to Hodge, he would add that convict's skill to his sale advertisements.¹⁷

It was not unknown for a convict to make trouble for the merchant in charge before the sale ever began. When the Ruby reached Alexandria in August 1767 the suspected felon William McGrath was still protesting his freedom even though he had signed an indenture at sea. Once the Ruby had docked the captain admitted to Harry Piper that he had received no conviction papers for McGrath, insisted nevertheless that McGrath was in fact a transported felon, and defended his act forcing McGrath to at least sign an indenture on the crossing.¹⁸ McGrath in turn protested the forced indenture and reiterated his claim

¹⁴Harry Piper to Dixon and Littledale, July 11, 1768, Piper Letterbook.

¹⁵Ibid., Aug. 10, 1768.

¹⁶Thomas Hodge to William Allason, April 19, 1765, Allason Papers, Letters and Papers, 1764-67; Va. Gaz. (P. & D.), Dec. 22, 1768.

¹⁷Compare Hodge's advertisements of June 25 with July 9, 1772, in the Va. Gaz. (P. & D.).

¹⁸Harry Piper to Dixon and Littledale, Oct. 24, 1767, Piper Letterbook.

to having paid his own way. The merchant faced a ticklish problem; if he did not accept the indenture as valid he could only sell McGrath for a five-year term at most under Virginia law. If McGrath continued to insist that he was a paying passenger Piper would have difficulty in selling him at all; for a servant to publicly dispute his indenture, said Piper, "does not look good."¹⁹ Piper decided to accept the forced indenture (most likely for a seven-year term), holding McGrath for the general sale and writing back to England for the proof that his recalcitrant "passenger" was in fact a convict.²⁰

In 1768 Christopher Armstrong was tried in Cumberland County, England, for horse stealing; he was found guilty and sentenced to death.²¹ In August of that year, however, Armstrong was pardoned upon condition of being transported to America for fourteen years.²² Armstrong was put aboard the William, chartered by the Whitehaven firm of Dixon and Little-dale early in 1769, and was shipped to Harry Piper on the Potomac River, Virginia, where he arrived in the spring of that year.²³ Piper had been warned by his employers that Armstrong was no common horse-thief, and when the ship landed the captain reported as much.²⁴ By the time the William had docked at Alexandria Armstrong had "put his hand to every thing,

¹⁹Ibid., Aug. 10, 1768. ²⁰Ibid., Oct. 24, 1767.

²¹Home Office Calendar, II, 409. ²²Ibid.

²³Harry Piper to Dixon and Littledale, May 10, 1769, Piper Letterbook.

²⁴Ibid., April 15, 1769.

even Cooking."²⁵ The captain, seeing what a talented fellow he had, proceeded to bad-mouth Armstrong in front of prospective buyers, thus hoping to keep his gentleman's servant for the return voyage -- a highly attractive idea but a totally illegal move.²⁶ Armstrong himself made it clear to Piper that he wanted no part of the laboring life. The perplexed merchant, who had found that "People are afraid of Convicts as Waiting Men," spent the next few weeks looking for a suitable buyer. Meanwhile Armstrong made himself as comfortable as possible; since Piper had "no place to keep him on shore" the dissident convict lived on the ship, where he passed his time by continuing his cooking for the captain. Armstrong took his own meals on shore, however, and from time to time had his wash done on shore as well, all at the expense of his factor turned benefactor. Finally Piper sold off his waiting man for what he considered to be a notable loss.²⁷

Just as some convicts were more equal than others, in both the courtroom and the voyage, so too did they enter Virginia in more than one manner. As the convict reached the American shore to be entered in a port book and disposed of in colonial Virginia, English practice proceeded to outreach English law. Since the prime intent of British laws regarding the penalty of transportation was to prescribe a period of exile, but not necessarily exile at hard labor, all who were involved in the transportation process fell into variations of the

²⁵ Ibid., May 10, 1769. ²⁶ Ibid.

²⁷ Ibid., April 15, 1769, May 10, 1769.

procedure itself. Depending upon a combination of circumstances, including his connections in England and the impression made on a captain or colonial merchant, a given convict might be disposed of in any of several different ways. Contractors, merchants, ship captains, and colonists -- all participated with the convict himself in various arrangements of mutual convenience, and thus not every imported convict was put through the classic sale experience.

The most fortunate convict was he who transported himself for whatever period of banishment was agreed upon by the court.²⁸ Having been duly convicted of a crime such a person was a convict at law. But due to his status at home the court would refrain from passing a sentence on the condition that the felon transport himself to a colony for a specified number of years. Not unlike a convict merchant, such a felon also put up a bond, as did the surgeon George Nicholas, who came to Virginia before the convict transports were plying the Atlantic.²⁹ Such a "self-transport" usually could choose his own ship and hence, within restrictions, his time of disembarking. He then sailed to Virginia as a free man under banishment, his only legal obligation being to refrain from returning home until his time had expired. Upon reaching port in Virginia, then, he entered the colony as a temporary resident. He

²⁸See, for example, the pardon of Daniel Carrington in 1761 on condition that he "transport himself for 7 years," Home Office Calendar, I, 115.

²⁹See his bond in Bonds of Transportation, Middlesex County Quarter Sessions, P.R.O., T 2/94, f. 8, microfilm at Colonial Williamsburg.

was neither bought nor sold on entry, and no special record of him was kept in the colony.

Even among felons shipped by a court as transports there occurred no little variety in procedures for their disposal in Virginia, procedures that would go far in determining the nature and experience of their stay. On occasion a convict, sometime before landing, would agree with the captain for the purchase of his freedom. The cost would of necessity include the five to six pounds (or more if the convict had a cabin) for passage plus whatever profit the captain might feel he was losing from the convict's sale in Virginia.³⁰ The convict who held some social status, or a genteel bearing, or simply a ready wit and available purse had a chance not only for shipboard amenities but the purchase of his freedom from plantation "slavery" during his stay in the new world.

"Persons convicted of felony and in consequence transported to this continent," wrote William Eddis in the early 1770s, "if they are able to pay the expense of passage, are free to pursue their fortune agreeable to their inclinations or abilities."³¹ Eddis observed correctly. Henry Justice and his four fellow cabin-class convicts apparently paid for their passage and hence were "left at Liberty, instead of being sold as Felons usually are."³² Duncan Campbell was willing, as we have seen, to forward money from friends or family to a convict even after his ship had sailed for Virginia, fully knowing

³⁰Duncan Campbell to Peregrin Cust, Esq., Sept. 13, 1774, Campbell Letterbook.

³¹Eddis, Letters, 36. ³²Va. Gaz., Nov. 26, 1736.

that with enough money the felon might free himself on landing.³³ Campbell later admitted to the House of Commons that "many Convicts who had Money bought off their Servitude, and their Punishment was only Banishment for the Term described."³⁴ Convicts like James Revel found upon docking in Virginia that "those that have Money shall have favour show'd."³⁵ Such felons entered Virginia scot-free, saved from both the sale experience and the anticipated "slavery" of seven years of labor in tobacco fields by a ready purchase price.

Still other incoming convicts arrived in Virginia under recommendation for suitable placement, thus sidestepping the general sale out of the ship. Upon the arrival of a transport ship in 1771 Harry Piper reported to his employers: "I observe what you say about the 2 convicts" and then went on to relate that, although he had given one of the felons his "discharge," confessed "I don't know what to do" with the other. "These good looking half Gentlemen sort" presented a problem in placement, for "every one is afraid of them."³⁶ While he wrestled with the problem of these special charges Piper paid off the captain for their passage and gave the

³³ Duncan Campbell to Minet and Fictor, May 6, 1772, Duncan Campbell to Dougal McDougal, Sept. 9, 1772, Campbell Letterbook.

³⁴ Edgar Erickson, ed., Journals of the House of Commons, microprint ed. (New York, 1964-66), XXXVI (April 2, 1779), 310 (hereafter cited as Commons Journals).

³⁵ Revel, Felon's Account, 4.

³⁶ Harry Piper to Dixon and Littledale, Sept. 17, 1771, Piper Letterbook.

remaining half gentleman "what Cash he may need."³⁷ Piper could not legally free these special cases, but he could, and apparently did, try his best to "place" them in appropriate situations in the colony for the duration of their temporary banishment.

The convict who could neither purchase his freedom nor induce a captain or merchant to "place" him might still be snatched from the general sale by a connection that could leap the Atlantic and deliver him into hands more gentle than those of the imagined "slave drivers" on the far frontiers of English civilization. When two "wayward sons" of Englishmen of some standing were sentenced to transportation to Virginia in 1743 their families appealed to the Bishop of Norwich to use whatever contacts he may have in Virginia in order to save the sons from a servile life during their banishment. When the Bishop, Thomas Gooch, wrote to his brother, William, Gooch, Lieutenant Governor of Virginia, William replied that if the passage for a special convict were paid by the connection in England the Lieutenant Governor would see to it that the wayward sons would be saved from "servile Labour" in Virginia.³⁸ The two were duly saved, but proceeded to give the Lieutenant Governor so many headaches that he soon pleaded with his English connection not to send over any more "such unlucky sons."³⁹ This was the power of connection; the Lieutenant

³⁷ Ibid.

³⁸ William Gooch to Thomas Gooch, Sept. 20, 1743, March 3, 1743/4, Nov. 11, 1745, William Gooch Papers, Colonial Williamsburg.

³⁹ Ibid., Nov. 11, 1745.

Governor of Virginia begged relief but he refrained from refusing responsibility, and thanks to a convenient Anglo-American connection wayward sons were saved from the unknown terrors of being sold into temporary "slavery."

Because the convict was entering a colony which suffered from a chronic shortage of skilled labor he might have been "spoken for" months before his ship docked.⁴⁰ Many Virginia merchants held standing orders from local planters, tradesmen and entrepreneurs for a servant with some particular skill.⁴¹ If the ship's roster carried such a skill ascribed to some felon, and if on inspection the merchant felt the skill was real rather than fancied, he would put that felon aside and notify the buyer. Sometimes the convict would even be sent out with an agent of the merchant to be delivered to the buyer's door.⁴²

Sometimes a transported felon, when his ship had docked, would be put aside from the sale because he was already consigned in Britain to a particular owner in Virginia. Such a felon would have been bought up from an English jail either by an agent for a Virginian or by a British firm which had interests in Virginia, either in trade or industry, and hence in need of felons with skills. Thus in 1763 the Glasgow merchant

⁴⁰Harry Piper to Dixon and Littledale, Aug. 10, 1768, Piper Letterbook.

⁴¹Charles Carroll to Messrs. Sedgley, Hilhouse, and Randolph, July 24, 1768, Md. Hist. Mag., XXXVIII (June, 1943), 182; John Augustine Washington to James Russell, Aug. 14, 1774, Russell Papers, bundle 18.

⁴²Advertisement by Thomas Hodge in Va. Gaz. (R.), Jan. 26, 1769.

James Lawson received an appeal for tradesmen from his American partner John Semple, who had recently taken over a group of mills and iron works on the Occoquan Creek near the Potomac River. Lawson could find neither tradesmen nor indentured servants to go; nor were there, just then, any convicts "to be got" except female felons; these, Lawson opined, "I imagine will not answer your purpose."⁴³ After looking about and waiting for the jails to fill Lawson finally bought some male felons who were shipped with some indentured servants the next year to the mills at Occoquan in Virginia.⁴⁴ These convicts, then, were taken directly from the ship to their new employer to begin their colonial service.

Before proceeding with the general case in convict sales one other variation must be noticed. This was the occasion of a convict ship sailing straight into the jaws of a colonial military machine. The only time this happened was during the French and Indian War when most of the colonies were experiencing continual difficulties in filling companies. In 1758 Virginia, having authorized two regiments of 1,000 men each, was scraping everywhere for manpower.⁴⁵ When her government moved to take advantage of a Parliamentary provision for enlisting servants, Virginia lost much more in goodwill and money than she ever gained in manpower. In assessing George Washington's character even Freeman admitted that the usually

⁴³James Lawson to John Semple, Glasgow, Sept. 3, 1763, James Lawson Letterbook no. 15/10, no. 2, microfilm at Colonial Williamsburg.

⁴⁴Ibid., Feb. 6, 1765. ⁴⁵Hening, Statutes, VII, 164.

effective commander of the Virginia regiments was no recruiter.⁴⁶ Governor Dinwiddie proudly denied in the early years of the war that he countenanced drafting "Fellons,"⁴⁷ but by 1757 Lord Loudoun was already complaining that most of the Virginia recruits were so bad as to be unusable, "being Convicts, & many of them bought out of the Ships."⁴⁸

In 1759 Loudoun was in danger of receiving insult to injury. In July Francis Fauquier, Lieutenant Governor of Virginia, working earnestly to fill the authorized quotas, assured the Board of Trade that "in order to do everything in my power [to raise troops] I have directed Coll. Byrd to buy up the Convicts, Two ShipLoads of which are come into our Rivers," adding that Colonel Byrd believed convicts "are as good as any fresh Recruits when got into the Field." Fauquier then added his coda: "I have promised Mr. Stanwix to make our body complete, and if it is possible to be done, I will do it."⁴⁹ By August Fauquier had not heard "what Success we have had in the purchase of Convicts."⁵⁰ If Colonel Byrd had bought up two shiploads he would have taken almost a year's

⁴⁶Freeman, Washington, II, 377.

⁴⁷Governor Robert Dinwiddie to Captain Orme, Aug. 25, 1755, The Official Records of Robert Dinwiddie (Richmond, 1884), II, 178.

⁴⁸Lord Loudoun to the Duke of Cumberland, March 8, 1757, in Stanley Pargellis, ed., Military Affairs in North America, 1748-1765 (n.p., 1965), 319.

⁴⁹Francis Fauquier to the Board of Trade, July 14, 1759, P.R.O., C.O. 5/1329, f. 149.

⁵⁰Francis Fauquier to the Board of Trade, Aug. 2, 1759, P.R.O., C.O. 5/1329, f. 150.

supply. But 1759 was a war year in England, too, and many convicted felons accepted English military service over transportation.⁵¹ The evidence is not certain that any convict was imported directly into military conscription.⁵² If the colony of Virginia never bought any of her new convicts to be used as soldiers, however, it was not for want of trying.

According to the original Transportation Act of 1717 a convicted felon might receive one of two types of banishment, depending on whether he was sentenced or pardoned. The sentence was prescribed by the statute as seven years and the "general" pardon specified a fourteen-year banishment. But since "any particular time [could] be specified by his Majesty" the exile period under a pardon might be for any number of years.⁵³ The most common specification which replaced the standard fourteen-year term was "life," but other periods less than life were also specified, which might be as little as three years.⁵⁴ The act of 1717 also provided that the convict's contractor had "property and interest" in the convict for the term of years he was banished. Convicts entering Virginia came under these various terms of banishment and until

⁵¹Home Office Calendar, I, 13, 105, 107-108, 110-15, 225, 227-30.

⁵²One runaway convict in 1768 was referred to as being "an old soldier, formerly under the command of Col. Stephen," va. Gaz. (R.), Aug. 11, 1768. Adam Stephen was a colonel in the Virginia Regiment during the French and Indian War.

⁵³Owen Ruffhead, ed., Statutes at Large from Magna Charta to the End of the Last Parliament, 1761 (London, 1763), V, 173.

⁵⁴Certificate for the Margaret, Sept. 19, 1719, Certificates of Felons, Misc. MSS 5777.

they were entered into Virginia by a naval officer, the legal distinction of term of banishment was still applied. But as the convict sailed up the river to be sold it was as though he was sailing on waters which washed away a previous distinction, for the weight of available evidence strongly suggests that no convict was sold into more than a seven-year term of servitude.

James Revel did relate how he "for 14 long Years must suffer there,"⁵⁵ and Hugh Jones, a usually dependable observer, declared that convicts served "seven, and sometimes fourteen years,"⁵⁶ while William Eddis, commenting from Annapolis late in the transportation period, said simply that convicts were sold for seven years.⁵⁷ The documentary evidence supports Eddis. The few extant printed forms used by importers for the assignment of the convict's service leave no blank for the number of years to serve; all say seven years.⁵⁸ No reference to a long-term indenture of a convict servant has been found in any county court records, civil or criminal. Nor is there any evidence in any of the hundreds of runaway advertisements describing convict servants which lends any support to such

⁵⁵Revel, Felon's Account, 4.

⁵⁶Jones, State of Virginia, 87. ⁵⁷Eddis, Letters, 36.

⁵⁸Assignment of Richard Golding by Samuel Love to Thomas Hodge, 19 June, 1772, Chi. Hist. Soc., microfilm at Colonial Williamsburg; assignment of John Broad by James Chesterton to George Washington, Dec. 9 and 21, 1773, George Washington Papers, Library of Congress, DLC-GW-33; assignment of John Smith, Thomas Wright, and William Webster, by William Lux and G. Bowly to George Washington, Esq., all dated Feb. 27, 1774, George Washington Papers, Lib. of Congress, DLC-GW-33. The assignment of William Webster is also in Fitzpatrick, Writings of Washington, vol. III, facing p. 196.

terms.

The only newspaper advertisements that advertised imported convicts for sale and which specified any term of years for their service stated seven years. It would certainly have been an added attraction if servants were available for fourteen or more years, an advantage no merchant would overlook. None of the business papers of convict merchants mention any such term, and neither the ten-year correspondence of Harry Piper nor that of the convict contractor Duncan Campbell ever mentions any lucrative "long-term" convict indentures. In fact, Campbell commented that in his twenty years in the trade to Maryland and Virginia he sold convicts for seven years only, as he understood the colonial laws forbade longer terms.⁵⁹ No such Virginia statute has been found, thus suggesting that the practice of a seven-year limitation was so strong as to prevent the merchants from even trying for sales at longer terms.

The size of the crowd congregating about the ship on the opening day of the sale depended upon how well the advertisements had been distributed and how great the need for labor was at that time. Thus at a sale of servants and convicts in August 1768 "there happened to be a pretty many Purchasers," attracted, at least in part, by the presence of some "Tradesmen" among the cargo.⁶⁰ Although Harry Piper declared that a

⁵⁹Wilfrid Oldham, *The Administration of the System of Transportation of British Convicts, 1763-1793*, unpublished Ph.D. dissertation, King's College, U. of London, 1933, p. 88, microfilm at Colonial Williamsburg.

⁶⁰Harry Piper to Dixon and Littledale, Aug. 10, 1768, Piper Letterbook.

shipload of servants "in winter is by no means what I could wish,"⁶¹ the scheduling of the ships which brought the convicts was determined by cargo considerations other than what season was best for selling servants in the colonies. The convict ships appeared in Virginia irregularly throughout the calendar year, with a minor dip in the summer months.⁶²

The crowd was sometimes graced by distinguished names. Great planters like John Tayloe, Charles Carter, and Landon Carter were there.⁶³ Gentleman planters of an earlier generation, like Willoughby Newton, Colonel Henry Willis, William Woodford, Thomas Randolph, and Augustine Washington⁶⁴ were followed by a later generation of gentleman planters with names like Taliaferro, Grymes, Dandridge, Turberville, McCarty, Lee, and Washington.⁶⁵ When the Hero's fifty-seven servants -- indented and convict -- were advertised for sale beginning on the twenty-fifth of July, 1768, Colonel George Washington rode up from his several thousand acre plantation on the Potomac to the sale in Alexandria in hopes of buying a good brick-

⁶¹ Ibid., July 11, 1768.

⁶² This was determined by the known arrival dates of forty-one convict ships which arrived in Virginia after 1755.

⁶³ Va. Gaz. (R.), Dec. 12, 1770; Va. Gaz., Dec. 14, 1739; ibid. (R.), March 12, 1767.

⁶⁴ Va. Gaz., Feb. 27, 1752; ibid., March 9, 1738/9; Campbell, Colonial Caroline, 322; Henrico County Court Minute Book, 1719-24, p. 250, microfilm at Va. State Lib.; Va. Gaz., June 9, 1738.

⁶⁵ Va. Gaz.: (P.), Sept. 5, 1777; (P. & D.), May 24, 1770; (P.), July 28, 1775; (P. & D.), Aug. 5, 1773; (R.), July 22, 1773, supplement.

layer.⁶⁶

These greater planters congregated with the lesser but the planters together did not make up all of the crowd. Professional men like the Reverends Jonathan Boucher⁶⁷ and Arthur Hamilton⁶⁸ tended to leaven the otherwise heavy agricultural tone of the group, while fitting in readily since they also tended to "plant" as well as practice. There would also be men in trades, like the house-joiner William Buckland,⁶⁹ who were there looking for likely apprentices, or for boys to train, or for men with skills and experience. Mixing among them were their potential competitors, men of business seeking skilled convicts for bakeries, iron works, blacksmith shops and mills.⁷⁰ Many of these latter buyers knew they would be in competition with the larger planters who sought convicts with similar skills who could work in the industries of their own plantations.

Finally there was almost always a handful of men who were looking for neither skills nor labor, but for profit, and some of these men, like George and Sampson Matthews from the upper river valleys of the James and Shenandoah,⁷¹ had traveled many

⁶⁶Virginia Shipping Returns, P.R.O., C.O. 5/1450, f. 41; Harry Piper to Dixon and Littledale, July 19, 1768, Piper Letterbook; Fitzpatrick, Diaries of Washington, I, 278.

⁶⁷Va. Gaz. (R.), May 11, 1769.

⁶⁸Edward Lewis Goodwin, The Colonial Church in Virginia (Milwaukee, 1927), 276; Va. Gaz. (P. & D.), April 19, 1772.

⁶⁹Va. Gaz. (R.), July 26, 1770.

⁷⁰Va. Gaz. (R.), May 12, 1768; Va. Gaz. (P. & D.), June 6, 1766.

⁷¹Va. Gaz. (R.), May 13, 1773.

miles to attend the sale. These were the "Souldrivers," whom the indentured servant John Harrower (who saw them in action) described as making it "their business to go on board all ships who have in either Servants or Convicts and buy sometimes the whole and sometimes a parcell of them as they can agree, and then they drive them through the Country like a parcell of Sheep until they can sell them to advantage."⁷² Because of the variety of servant shoppers in such a general sale the waiting convicts would be facing a varied series of sale experiences.

Convicts who were to be sold on the ship were now brought up on deck. A convict who was only one of a half-dozen or so might find himself among more buyers than there were servants to be sold. But on the convict transports he was one of a mass of survivors, sometimes numbering upwards of 100 or 150 souls, now gathered on the deck for inspection, and a large number on a small ship would so crowd the deck that prospective buyers could hardly shoulder their way among the mass of human cargo. When a 1767 sale began at the dock in Alexandria the Ruby's 103 convicts were so packed together that "there was scarce room [for one man] to move on Board her."⁷³ As the convicts waited in the crowd some could feel the jail fever (typhus) sucking the strength out of them in strains virulent enough to strike down captain, passengers, and crew. The convict James Revel related how "to refresh us we were all

⁷² Harrower, Journal, p. 39.

⁷³ Harry Piper to Dixon and Littledale, Sept. 14, 1767, Feb. 9, 1768, Piper Letterbook.

well clean'd"; faces were shaved, and "wigs and hair [were] comb'd."⁷⁴ But after being chained in the hold for two months or more the convict's health was in little better condition than his clothing and on a still day the stench of human filth and sickness weighed down the air about him.⁷⁵

As much as a third of this convict crowd might be made up of women, who were placed separately from the men,⁷⁶ although some were wives of male convicts standing on the same deck.⁷⁷ Some of the women, married or single, were noticeably pregnant.⁷⁸ If the ship were a convict transport the women would be wearing clothes bought for them by the convict contractor in England. Duncan Campbell regularly ordered clothing for both his male and female felons from a supplier at Gravesend, requesting in one order that the quality be "as good as can be had at the price."⁷⁹ The women were thus presented for sale in what was left of their issue of petticoats, gowns, yarn hose, shifts, and handkerchiefs.⁸⁰ Their shifts were of dowlas, linen material so coarse that Shakespeare's

⁷⁴Revel, Felon's Account, p. 4.

⁷⁵Advertisement signed by Andrew Leitch, Va. Gaz. (P.), April 28, 1775.

⁷⁶See note 23, Chap. IV; Revel, Felon's Account, p. 4.

⁷⁷Certificate for the Dorsetshire, Sept 2, 1736, Certificates of Felons, Misc. MSS 57/7; advertisement by Sampson and George Matthews, Va. Gaz. (R.), May 27, 1773.

⁷⁸Harry Piper to Dixon and Littledale, Oct. 24, 1767, Piper Letterbook.

⁷⁹Duncan Campbell to James Base, Dec. 8, 1773, Campbell Letterbook.

⁸⁰Ibid.; ibid., Nov. 5, 1772.

Falstaff compared "Dowlas, filthy Doulas" to a seive.⁸¹ The women's handkerchiefs, also made of linen, were necessary for covering the head and neck, and a receiving merchant like Harry Piper could be disturbed over the problems of selling women who arrived "very Naked" and in rags; "many of them had no handkerchiefs," Piper complained, and reflected upon how "they must have suffered."⁸²

The majority of the convicts on deck were males, many under the age of twenty-one and a few who were mere boys.⁸³ Some wore their transport clothing issue, canvas frocks and trousers, milled caps, and cotton waistcoats, while others wore what was left of their own. William Pearce was found to be "tolerably well dressed" when presented for sale on the Justitia, possibly because it was a Campbell ship.⁸⁴ Thomas Pratt presented himself for inspection in an old brown coat and hat and other "old clothes" on his short, stocky frame, his blue eyes casting a "down" look over the crowded scene about him.⁸⁵ Among Pratt's fellows stood a hatter in an old blue waistcoat and a well-worn sailor's cap.⁸⁶ Ralph Emanuel

⁸¹I Henry IV, III, iii, 79.

⁸²Harry Piper to Dixon and Littledale, Oct. 24, 1767, Letterbook.

⁸³Of the sixty-two males landed in the Gilbert in 1721, nine were in their teens and thirty-four were in their twenties, Certificates of Felons, Misc. MSS 57/7.

⁸⁴Advertisement of Andrew Leitch, Va. Gaz. (P.), April 21, 1775.

⁸⁵Va. Gaz. (R.), May 6, 1776, supplement.

⁸⁶Ibid.

appeared in a brown surtout coat, a torn red cape, and a felt hat on his long red hair.⁸⁷ In the crowd of convicts on the deck of the Tayloe in the fall of 1773 stood a joiner, who covered his red waistcoat and trousers with an old brown coat; a sailor in white cotton waistcoat and trousers; another sailor in blue waistcoat and black "Everlasting" breeches; and a grocer who wore a light coat over his blue waistcoat and rough leather breeches.⁸⁸ Convicts from the Scottish Highlands sometimes appeared for sale in full Highland garb, including kilts.⁸⁹ On occasion a convict appeared with his own change of clothes.⁹⁰

Among the men there often appeared a fairly large variety of callings and even some difference in station. This was a general pattern that, although varying from ship to ship, seems to have remained fairly constant throughout the transportation period. As early as 1721 the Gilbert brought sixty-two men and forty-five women into Annapolis, Maryland, from London, and of the men about half were listed under a trade, including a clockmaker, two butchers, a locksmith, a shoemaker, a watchmaker, four weavers, and one "Attourney at Law."⁹¹ Three years later the Jonathan brought sixty-eight live convicts into Annapolis, of whom nineteen of the (thirty-seven) men had some trade, including four weavers, a tailor, a wheelwright, a

⁸⁷ Va. Gaz. (P. & H.), May 6, 1775.

⁸⁸ Va. Gaz. (P. & D.), Nov. 11, 1773.

⁸⁹ Ibid., April 15, 1773. ⁹⁰ Ibid., Nov. 11, 1773.

⁹¹ Entry of May 18, 1721, Certificates of Felons, Misc. MSS 57/7.

carpenter, a baker, and a brickmaker.⁹² The "Attourney at Law" on the deck of the Gilbert and the gentlemen's servants who appeared from time to time must have stood in marked contrast to tailors and blacksmiths in leather breeches.⁹³ And if gentleman types could wait with scorn and wayward tradesmen with downcast eye, more hardened convicts could present a fierce appearance indeed, like the "Consummate Villain" who worried Harry Piper so much during a sale in 1772, or the Englishman Jonathan Boothman, who struck even his experienced buyers as wearing a decidedly "thievish Look."⁹⁴

Although the convict in this sale situation had no legal freedom to "bargain" or choose a likely employer, he was not completely at the mercy of others. If a convict had previously come into the country on a servant ship he was already familiar with the situation. Whether he had come as a sailor, a passenger, or possibly as an indentured servant, he knew what a sale day would be like. When the felon Thomas Simms, who had visited Virginia's "neighboring colonies . . . several times in the station of a sailor," arrived in Virginia in the Scarsdale in the fall of 1770 he must have felt more at home than most of his fellows.⁹⁵ Harry Piper complained more than once of convict charges who had previously been sold as convict

⁹²Entry of July 27, 1724, ibid.

⁹³Harry Piper to Dixon and Littledale, Sept. 17, 1771, Piper Letterbook.

⁹⁴Ibid., Oct. 24, 1767, Aug. 10, 1768, June 15, 1772; advertisement of George and Sampson Matthews in Va. Gaz. (R.), Nov. 11, 1773.

⁹⁵Va. Gaz. (R.), Dec. 13, 1770.

servants in the country.⁹⁶ On occasion a Virginian who had bought a convict discovered that his servant had been transported before.⁹⁷ The young carpenter Richard Kibble, who was sold a convict in Virginia in 1738, ran away and returned to England, where the next year he was again sentenced "on Six new Indictments" and again wound up at a convict sale, where he was once again presented to prospective buyers as "a Carpenter and Joiner by trade."⁹⁸ Such convicts who were familiar with the sale experience would have a decided advantage, whether they judged prospective owners by the possibility for ease of employment or by the chances of running away.

The buyers who began survey the convict and his fellows had certain values in common. They wanted labor desperately enough to consider buying convicted felons. They were sophisticated enough in labor use to consider white as well as black, indentured as well as slave labor. They would be interested in getting the most for the least, even if that meant a relatively large initial investment. Like all employers they wanted an ideal laborer: healthy, strong, dependable, tractable, able and willing to take direction, to accept responsibility, and to manifest complete fidelity to his employer. The younger the convict the more likely he was to be strong

⁹⁶Harry Piper to Dixon and Littleddale, Aug. 10, 1768, June 15, 1770, Piper Letterbook.

⁹⁷Va. Gaz. (R.): Dec. 3, 1772, Feb. 11, 1769, May 12, 1768.

⁹⁸Va. Gaz., June 9, 1738, July 6, 1739.

and healthy; but this was not the only consideration. Charles Carroll of Annapolis thought that if servants "are Turned of thirty years of age I shall Like them better as they are more Likely to be Riotous and Troublesome if young."⁹⁹ Even in seeking female servants Carroll preferred the "Elderly" who would be neither "of the flirtin kind [n]or one that will give herself airs."¹⁰⁰ Rural convicts were preferred to those who were city-bred, in part at least because they were thought to be healthier and possibly because they were considered to be more tractable.¹⁰¹

In deciding upon a convict the shopper on the deck had at least some chance of forming a rational judgement. He could determine both the jail the convict came from and the crime for which he was convicted by inspecting the "conviction papers" which came, or were supposed to have come, on the ship. These papers, now in the possession of the captain or factor, would be transferred to the buyer when the sale was completed. With this background he could then interview any convict he pleased, and with the inspection came a most critical confrontation for both parties involved.

Virginians seeking labor were going about serious business and it was well worth their while to leave as little as

⁹⁹Charles Carroll to Sedgley, Hilhouse, and Randolph, Jan. 28, 1768, Md. Hist. Mag., XXXVIII (1943), 182-83.

¹⁰⁰Charles Carroll to William and James Anderson, July 21, 1768, Md. Hist. Mag., XXXVIII (1943), 186-88.

¹⁰¹Advertisement of James Mills, Va. Gaz. (R.), Nov. 21, 1771; William McGachen to George Washington, March 13, 1774, Stanislaus Murray Hamilton, Letters to George Washington and Accompanying Papers (Boston, 1901), IV, 354.

possible to chance. Whether the convict liked it or not he was viewed, questioned, and examined. A most vivid description of this process was recorded by the late seventeenth century "chap-book convict" James Revel, who related how buyers "view'd our Limbs turn'd us around, Examining like Horses if we were sound."¹⁰² Some colonists "felt our hands and others our Legs and Feet . . . made us walk to see if we were compleat"; while others weren't satisfied until they had "view'd our Teeth."¹⁰³ When a convict from the English provinces, from Ireland, or from the Scottish Highlands was questioned by a buyer he might find some difficulty in answering questions. Where at home he was clearly understood, his heavy accent and style of speech created no little difficulty for examiners who chaffed at those who could only speak "bad English."¹⁰⁴ Two factors inspecting convicts on the Donald in 1773 found only one in a bunch of six Scotsmen who could speak English "distinctly."¹⁰⁵

A convict who had a skill or a trade was likely to find himself the object of particular interest to many of his examiners. If labor was dear in eighteenth-century Virginia, skilled labor was dearer still, and as buyers boarded servant ships many had particular skills in mind. How much colonial Virginians had to endure to squeeze any skills out of their homeland can be seen in the plaintive -- almost pathetic --

¹⁰² Revel, Felon's Account, 4. ¹⁰³ Ibid.

¹⁰⁴ Va. Gaz. (P. & D.), July 9, 1772.

¹⁰⁵ Ibid., April 15, 1773.

letter written toward the close of the colonial period by a moderately large planter in Westmoreland County. In this letter to his London agent, John Augustine Washington describes his experience at a sale "out of the ship" of imported servants. These were indentured servants, not convicts, but Washington tells us something of what convicts might expect to see when he relates:

You overlooked me in the Servants you sent in the Caroline, altho I had been waiting for two years before, for a Couple of tradesmen[.] [T]he Capt[ain] had order[s] to furnish the two Mr Turbervilles[,] and Capt. George Turberville got a compleat Joiner[.] [A]fter they got their choice and some others were sold I got a Swis that call'd himself a carpenter & I got also a man that call'd himself a Taylor . . . I shall be much obliged to you to send me if you possibly can by your next ship a compleat Cabinet Joiner.¹⁰⁶

Colonists like John Washington flocked to servant ships in their need to acquire skilled servants, and convict servant ships drew as well as any. William Eddis first concluded that the skills of indentured and convict servants were found to be so satisfactory that the importation of tradesmen (whom he called "adventurers") was quite uncommon; Eddis then added that "character is of little importance," what counted was "their abilities."¹⁰⁷ Hugh Jones, who saw the beginnings of convict importation into Virginia, opined that convict servants who finished their term might do well in Virginia "if . . . they follow their trade, if they have been brought up to any; especially smiths, carpenters, taylors, sawyers,

¹⁰⁶ John Augustine Washington to James Russell, Aug. 16, 1774, Russell Papers, bundle 18.

¹⁰⁷ Eddis, Letters, 39, 40.

coopers, bricklayers, etc."¹⁰⁸ The convict James Revel, while enduring his "Inspection," was asked more than once by prospective buyers if he had a trade.¹⁰⁹ When the manager of John Tayloe's Neabsco iron works came on board the convict transport Scarsdale in the fall of 1770 he interviewed one William Simms. Simms told Lawson he was a waggoner, whereupon Lawson came to an agreement with the sale agent Thomas Hodge, put Simms on his sloop, and sailed for home.¹¹⁰

If the convict were in a large shipment of 100 or more he might be daily presented for a week or longer, as in the case of the Margaret, which entered Maryland in August 1719 with 110 convicts to be sold. When the Margaret opened her convicts for sale on a Tuesday morning the convicts had a relatively quiet day; only two men and one woman were sold that day, each to a separate buyer. On Wednesday two convicts, one male and one female, were chosen from the convict crowd, each by a separate buyer, leaving the remaining 105 convicts to retire and await their fate the following day. With that next day may have come a quickening of the convict's pulse as over a dozen buyers came on board to pick through the men and women; probing, questioning, inspecting, and bargaining with Captain Greenwood. Among this group the observant convict may have seen two buyers who had returned from the day

¹⁰⁸ Jones, State of Virginia, 87-88. While Jones does not specifically state that convicts had trades he does not discount the possibility.

¹⁰⁹ Revel, Felon's Account, 4.

¹¹⁰ Va. Gaz. (R.), Dec. 13, 1770.

before, each of whom bought one more convict servant. Eleven new planters finished their inspections and came to terms with the captain, buying one servant each, while five more felons were sold to one single purchaser.¹¹¹

On Friday, with the total number of convicts now down to eighty-seven souls, sales continued briskly; three convicts were taken by one buyer, two by another, and five more taken singly. On Saturday sales picked up even more as two groups of three were each sold to a single buyer, a pair of felons went to another buyer, and eight more convicts were sold to each of eight separate shoppers. Thus, at the end of the first week of sales, forty male and thirteen female convicts -- about half of the shipment -- had been placed with new masters and were about to see the country.

After a break on the sabbath the fifty-seven remaining convicts returned to the deck for a second week of inspection. On that day two convicts were sold to one buyer and nine more were sold singly. On Tuesday four males and one female were sold, each to a separate purchaser. The next day, with a little over a third of the convicts remaining, no sales were made; however many convicts were examined on that day, all remained on shipboard at sunset. But when the remaining felons once more presented themselves for viewing on the ninth day

¹¹¹ Entry of the Margaret, Sept. 19, 1719, Certificates of Felons, Misc. MSS 57/7. This is the only certificate in which the date of the sale of each convict was recorded. Although it is for a Maryland port its use is considered to be a reasonably valid inference, given the nature of the trade and the similarity, especially in 1719, of the economic and social patterns of the two colonies.

of the sale they found a crowd of serious buyers coming aboard the Margaret; while fourteen convicts were picked out by as many separate buyers, five more were snapped up by one buyer alone. Then this same buyer, joined by a partner, bought up twenty-one more in one group, while two men and two women were sold in a parcel to another single buyer. In this single day, the ship was almost cleared of her human cargo, most of whom were bunched or "lumped" together in parcels.¹¹² Many of the convicts sold in Virginia, then, were bought singly by an individual buyer for his own use. Others were bought in "parcels," as in the case of Colonel George Washington's purchase of "a parcel of Servants" in Alexandria in January 1775.¹¹³ And some were bought in odd lots -- "lumped" to a merchant who might "incline to be an Adventurer in that way" or to anyone who fancied himself a competent soul driver.¹¹⁴

Having decided on his purchase the convict's new master then had to make the arrangements with the captain, factor, or merchant in charge. In this procedure the convict had no say; where the indentured servant was a contracting agent the convict servant was not. The contract for labor was struck not between the convict and the buyer but between the buyer and the factor who held the assignment of the convict's service. Prices were never advertised and were seldom stationary,

¹¹²Ibid. Two weeks later the remaining four were still unsold; for examples of "remainders" see below.

¹¹³Fitzpatrick, Diaries of Washington, II, 183.

¹¹⁴Thomas Hodge to William Allason, April 19, 1765, Allason Papers, Letters and Papers, 1764-67, Box 4.

and the buyer and seller would have to haggle over the value of the convict; each could point to the convict's age, sex, health, physical build, background, and skills. When the total worth of all of these variables was mutually agreed upon the sale price was settled.

The convict servant offered several advantages over the servant in an indenture. The seven-year service of a convict offered two years more than the longest term possible from an indentured servant, and about twice the length of a servant who arrived with an indenture of three or four years. Nor did the convict servant in Virginia have a right to freedom dues, worth three pounds ten shillings, which were equivalent to about a year's worth of service.¹¹⁵ As a result the price of a convict tended to run higher than that of an indentured servant; in 1768 Harry Piper, in discussing convict sales, concluded that "by them the most is made."¹¹⁶

As the eighteenth century progressed the larger planters developed certain privileges in dealing with their merchant-agents in England, and by the end of the colonial period it had become "customary for corrispondents to be charged by their Merchants, such reasonable charges and expensis as are at in obtaining . . . clothing," and paying the cost of passage of an indentured servant.¹¹⁷ With such an arrangement the price

¹¹⁵In 1748 the Virginia Assembly provided for the standard freedom dues for convict servants but the law was quickly struck down, Hening, Statutes, V, 550, 568.

¹¹⁶Harry Piper to Dixon and Littleedale, June 28, 1768, Piper Letterbook.

¹¹⁷John Augustine Washington to James Russell, Aug. 16,

of an indentured servant, figuring four pounds for outfitting the servant and six pounds for his passage, would be reasonable indeed, especially for a tradesman; if the merchant charged only his own cost an eighteenth-century planter might get a servant for as little as four pounds sterling.¹¹⁸ Most planters were never so fortunate.

This was especially true in the purchase of indentured servants with skills. In 1770 George Turberville paid sixteen pounds sterling for a servant man of unrecorded skill.¹¹⁹ George Washington bought two servants from Thomas Hodge in 1766 for thirty pounds sterling, or thirty-seven pounds ten shillings Virginia currency.¹²⁰ At least one of these two servants, Thomas Davis, was almost certainly on a four-year indenture.¹²¹ In 1773 the gardener Philip Bateman was bought by Washington for thirty-five pounds Virginia currency, possibly reflecting the growing inflation of that period.¹²² The next year Washington bought the servant Henry Young for thirty-

1774, Russell Papers, bundle 18. Also see George Turberville to James Russell, July 17, 1774, Russell Papers, bundle 17.

¹¹⁸Smith, Colonists, 35-38.

¹¹⁹Account, May 20, 1772, of Russell and Lee, of Dumfries, with George Turberville, Peckatone [Westmoreland Co., Va.] Papers, 1713-1809, Va. Hist. Soc.

¹²⁰Ledger A, f. 231, George Washington Papers, Lib. of Congress, Series Five, Vol. One, microfilm reel 115 (hereafter cited as Washington Papers).

¹²¹Lists of Titheables, 1766-1774, ibid.

¹²²George Washington to Fielding Lewis, April 20, 1773, Washington, Writings, XXXVII, 500; Cash Book, Washington Papers, Series Five, Vol. One, reel 115.

five pounds, also probably Virginia currency.¹²³ In a 1767 sale of Irish servants who were in general unskilled Harry Piper sold five of them at the following prices: £18.13.0; £10.0.0; £10.0.0; £15.0.0; £22.0.0.¹²⁴ These came from a shipload of 103 servants who were "in general very Healthy" and who brought an average of twelve pounds each, which Piper thought was somewhat low.¹²⁵ The contrast between the prices of skilled and unskilled indentured servants was equally true for convicts.

The most expensive convicts were the skilled males, who were bringing from fifteen to twenty-five pounds sterling in mid-century. In 1755 Governor Horatio Sharpe of Maryland estimated a maximum of twenty pounds sterling was paid for the most expensive convict.¹²⁶ By 1774 Duncan Campbell expected a minimum of fourteen guineas (about fourteen pounds fourteen shillings sterling) for a convict with a skill;¹²⁷ for those in "useful Trades, such as Carpenter and Blacksmiths," Campbell received up to twenty-five pounds sterling.¹²⁸ The

¹²³Sale receipt, James Crump to George Washington, July 27, 1774, American Arts Association Catalogue, May 3, 1923; Cash Book, July 27, 1774, Washington Papers, Series Five, Vol. One, reel 115.

¹²⁴Harry Piper to Dixon and Littledale, Aug. 8, 1767, Piper Letterbook.

¹²⁵Ibid., Sept. 14, 1767.

¹²⁶Horatio Sharpe to Cecelius Calvert, Oct. 20, 1755, Correspondence of Governor Horatio Sharpe (William H. Browne, ed., Archives of Maryland, IV [Baltimore, 1888]), I (1753-1757), 294.

¹²⁷Duncan Campbell to Perigrin Cust, Sept. 13, 1774, Campbell Letterbook.

¹²⁸Commons Journal, XXXVI (1778), 310.

bricklayer Michael Tracy, who was possibly a convict, was sold by Harry Piper to George Washington in 1768 for eighteen pounds, four shillings Virginia currency.¹²⁹ Unskilled male convicts brought considerably less than this, averaging about ten pounds sterling when bought individually.¹³⁰ Females generally sold for eight or nine pounds sterling.¹³¹ Those convicts who were "lumped" were sold for even less. In the spring of 1769 a shipload of about 100 convicts was lumped along the Potomac River for about eight pounds sterling per head.¹³²

"For servants we are obliged to give Credit," reported Harry Piper after a year's experience in the trade.¹³³ This was becoming increasingly true for most transactions -- even for a few shillings -- as the eighteenth century advanced, due to a chronic shortage of specie in the colonies. Charles Yates of Fredericksburg found in 1773 that "money is so extremely scarce that one Quarter of [a slave's] Value could not be obtained if sold for Prompt Pay."¹³⁴ Later in that same year indentured and convict servants could be bought not only on credit but also by giving "Tobacco . . . in Payment,"¹³⁵ and

¹²⁹Ledger A, f. 277, Washington Papers, Series Five, Vol. One, reel 115.

¹³⁰Commons Journals, XXXVI (1778), 310. ¹³¹Ibid.

¹³²Harry Piper to Dixon and Littledale, May 12, 1769, Piper Letterbook.

¹³³Ibid., Aug. 10, 1768.

¹³⁴Charles Yates to Samuel and William Vernon, Aug. 24, 1773, Charles Yates Letterbook, microfilm at Alderman Library, U. of Va.

¹³⁵Va. Gaz. (R.), Dec. 23, 1773; also see Archibald

if neither cash nor tobacco warehouse notes were available a merchant might take "any sort of Country Comodity" for his servants.¹³⁶ Advertisements by convict importers generally invited credit purchases; Thomas Hodge usually promised "reasonable credit" to those giving "approved security," while James Mills of Urbanna often specified "Six Months Credit."¹³⁷

On five sales made by Piper in 1767 he gave thirty days credit for four of the servants, with prices from £8.13.6 to £15, while for the £22 sale he gave sixty days.¹³⁸ In February 1768 payments for sales made the previous October were "not yet due"; these were probably six-month credits.¹³⁹ In the list of sales of servants by Archibald Ritchie's agent in 1765 several variations of credit time appear. Buyers promised to pay part within a few months and the balance within a year. Others struck a deal for a six-month or one-year bond.¹⁴⁰ The practice seems to have been that the better the credit the buyer enjoyed the larger credit he could (and apparently did) take.

The merchant's success in clearing the ship by whatever kind of sale he could make was not complete until creditors

Ritchie to William Allason, April 6, 1766, Allason Papers, Letters and Papers, 1764-1767, Box 4.

¹³⁶ Harry Piper to Dixon and Littledale, Nov. 25, 1767, Piper Letterbook.

¹³⁷ Va. Gaz. (P. & D.): Nov. 5, 1767; Nov. 21, 1771; Dec. 12, 1772; Dec. 23, 1773.

¹³⁸ Harry Piper to Dixon and Littledale, Aug. 8, 1767, Piper Letterbook.

¹³⁹ Ibid., Feb. 9, 1768. ¹⁴⁰ See note 362.

had paid. In a particularly difficult year, such as 1768, Piper complained how "slowly" or "poorly" his payments came in,¹⁴¹ and Archibald Ritchie was concerned lest his agent be "too indulgent" with the credit buyers.¹⁴² William Carr of Dumfries sold a servant to George Turberville in 1772 for 16 pounds sterling and was still carrying the debt against Turberville fifteen months later.¹⁴³ In the midst of a rising post-war influx Harry Piper, in a tone mixed of melancholy and disgust, was moved to observe that in giving credit he must "sometimes trust people that one is not well acquainted with, [and] I find the best deceive."¹⁴⁴

Once having agreed on price and credit terms the buyer completed the arrangements with the captain or merchant in charge. The buyer received a receipt for the sale, colloquially referred to as a "conviction bill,"¹⁴⁵ which by the late colonial period was a printed form with blanks in the appropriate places.¹⁴⁶ This receipt functioned as the assignment of the convict's service to his new owner, which was the equivalent

¹⁴¹ Harry Piper to Dixon and Littleddale, Feb. 9, 1768, May 16, 1768, Piper Letterbook.

¹⁴² Archibald Ritchie to William Allason, Dec. 12, 1768, Allason Papers, Letters and Papers, Box 5.

¹⁴³ Account, May 20, 1772, of Russell and Lee of Dumfries, with George Turberville, Peckatone Papers.

¹⁴⁴ Harry Piper to Dixon and Littleddale, Aug. 10, 1768, Piper Letterbook.

¹⁴⁵ Advertisement by Henry Hall, Pa. Gaz., Nov. 16, 1774.

¹⁴⁶ See note 58.

of an indenture for an indentured servant.¹⁴⁷ But the convict had no indenture and had no part in the legal transactions concerning his ownership. Once bought at retail on the ship the convict was taken to his new residence on foot or horseback, and occasionally even by boat.¹⁴⁸ No evidence has been found of newly-purchased convicts having been carried "home" by their colonial masters in chains or even tied by ropes. Physical restraint was seldom used unless the convict servant proved unusually intractable.¹⁴⁹

Since both the colonial merchant and the ship's captain were interested in clearing the ship as quickly as possible to load for the return voyage convicts often found themselves moved to shore without yet being placed with a final owner. In such cases the anticipated profits of the return cargo took precedence over the best price that the convict might bring. Having received a ship with convicts or servants, merchants like Harry Piper would often be forced to "push her away as soon as possible,"¹⁵⁰ for it was "not practicable to do any thing with a Ship while the Servts. are on Board," especially if they were a large number.¹⁵¹ In 1773 Duncan

¹⁴⁷ See the "Assignment" of Elizabeth Young from Robert Adam, merchant of Alexandria, to her new owner, in Fairfax Parish Vestry Book, p. 44, First and Citizens National Bank, Alexandria, Va., microfilm at Va. State Lib.

¹⁴⁸ Va. Gaz. (P. & D.), April 9, 1772.

¹⁴⁹ See Chap. VII, below.

¹⁵⁰ Harry Piper to Dixon and Littledale, Oct. 24, 1772, Piper Letterbook.

¹⁵¹ Ibid., Feb. 9, 1768.

Campbell assured his receiving merchants that he had "desired [his] Agent to take the [convict] Servants away as expeditiously as possible that the Captain may the sooner be enabled to follow your Instructions" for taking on of return cargo.¹⁵²

The wholesaling or lumping of servants, wherein the servant was sold by the head in a group regardless of his age, skill, or health, was the quickest way to clear the ship, and it carried the convict into a more complicated sale experience, for the convict who was lumped or remaindered would eventually find himself being "driven through the country." In 1774 Captain Miller of the Diana brought in a load of servants and "struck them off" in one lump to a local Virginia merchant who "avowed himself of the advantage the captain would have had" if he had only waited a few days and sold them instead at retail out of the ship.¹⁵³ But often the advantage of clearing the ship in less than a day took precedence over the extra profit of selling each convict at retail for his youth, health, and skills. A convict in such an instance might already have been bought "in the Wholesale Way" by the time his ship had docked, thus placing him as part of a nameless, almost faceless lump of humanity, readily sold to make room for the more profitable products of trade.¹⁵⁴

¹⁵²Duncan Campbell to Somervell and Noble, and Hugh Lenox, May 20, 1773, Campbell Letterbook.

¹⁵³William Carr to James Russell, Aug. 25, 1774, Russell Papers, bundle 3. For a similar sale in Maryland see William Lux to James Russell and Molleson, Jan. 16, 1765, William Lux Letterbook, New York Historical Society, microfilm at University of California, Berkeley.

¹⁵⁴Harry Piper to Dixon and Littleedale, Aug. 9, 1768, Piper Letterbook.

Servants who were lumped were usually sold to the soul drivers. Such men account for a particular aspect of colonial entrepreneurship, appearing most clearly in the third and last period of transportation (1760-1775), although they very probably were instrumental in dispersing convicts from the very beginning. The two men who bought up a parcel of twenty-one convicts out of the Margaret in 1719 on the last day of the sale were almost certainly incipient soul drivers, buying at wholesale to sell at retail in the country.¹⁵⁵ When the captain or the merchant had no other buyers they never seemed to lack inquiries from these independent provincial businessmen. The imported convict could observe them on board the ship on the first day of the sale, taking the measure of both convict and captain and gauging the convict's worth to the captain versus the necessity of clearing the ship. Or they might appear towards the end of the sale when pressures to clear the ship were mounting and the sick and lame residue lay yet unsold while raising their cost for food from the local stores on shore. And finally they appeared again to felons being boarded on land; inspecting, bidding, and bargaining, hoping possibly to even be offered premiums which could turn a residual at dockside into a profit in the country.

The two soul drivers who boarded John Harrower's servant ship early in the sale period looking for likely servants who might be lumped "went away without buying any."¹⁵⁶ These soul

¹⁵⁵Entry for the Margaret, Sept. 19, 1719, Certificates of Felons, Misc. MSS 5777.

¹⁵⁶Harrower, Journal, 39.

drivers very probably were not able to strike a deal with the captain because the captain knew the market and knew what he had, for every one of his seventy-four servants was a tradesman, and the sales turned out to be brisk.¹⁵⁷ But some lumped convicts were undoubtedly picked out early in the sale, grouped by the merchant and sold in a lump. The nearly 200 convicts, "men, women, and boys," who came in the Justitia, which docked at Leeds Town in the winter of 1772 with a full load of carpenters, smiths, tailors, shoemakers, weavers, farmers, and other tradesmen of various skills, were all put up for sale by Thomas Hodge at wholesale and retail concurrently, beginning on the first day of the sale.¹⁵⁸

Two such drivers were the brothers James and William Carr Lane, of Loudoun County. James, born about 1720, and his younger brother William, born in 1733, were sons of a moderately successful planter in the Nominy region of Westmoreland County. James moved from Westmoreland County to settle near the town of Centerville in Fairfax County, which in 1760 became part of the newly-created Loudoun County. There he established a flourishing service center for wagon teams and travellers, including a tavern, a store, and an extensive smithy operation. By 1763 William Carr Lane entered into a series of partnerships with his brother James, which lasted until William's death in 1770.¹⁵⁹ By the 1760s both had also

¹⁵⁷ Ibid., 166-68.

¹⁵⁸ Va. Gaz. (P. & D.), June 25, 1772.

¹⁵⁹ Va. Gaz. (R.), July 13, 1769; inventory of William Carr Lane, "Gent.," Loudoun County [Virginia] Will Book A

become Justices of the new county.¹⁶⁰ The Lane brothers, who were buying skilled convicts for their own use, later branched out into the wholesale convict business in the late 1760s.¹⁶¹ When a convict ship, probably the Scarsdale, whose convicts were consigned to Thomas Hodge, arrived in the fall of 1770, a "parcel" of those convicts was bought by the Lanes and trecked off into the country to be sold on credit.¹⁶²

A more extensive wholesale business was practiced by the brothers George and Sampson Matthews, whose home base was in Staunton, in the Shenandoah Valley above the upper James River. Their father, John Matthews, emigrated from Ireland in the late 1730s to settle on the "Borden Tract" which lay in the Shenandoah Valley just north of the area where the upper James cuts through the Blue Ridge Mountains. There he married and there his two eldest sons, Sampson and George, were born in the late 1730s.¹⁶³ By the mid-1760s, when both were still in their twenties, the Matthews brothers were settled in Staunton as partners in a variety of money-making ventures, including a

(1757-1771), p. 328, microfilm at Va. State Lib.; Katherine Cox Gottschalk and Hunter McDonald, A Diary with Reminiscences of the War and Refugee Life in the Shenandoah Valley, 1860-1865 (Nashville, Tenn., 1943), 469-72, which gives an unusually clear and accurate account of the Lane family based upon county records.

¹⁶⁰ Loudoun County [Virginia] Order Book C (1765-67), pp. 265, 272, microfilm at Va. State Lib.

¹⁶¹ Va. Gaz. (R.), May 12, 1768.

¹⁶² Ibid., Oct. 4, 1770, Jan. 17, 1771.

¹⁶³ G. Melvin Herndon, "George Mathews, Frontier Patriot," Va. Mag. of Hist. and Bioq., LXXVII (July, 1969), 307. The common spelling of this family's last name in the eighteenth century was "Matthews."

store and a tavern.¹⁶⁴ George Matthews was also beginning a dramatic rise in politics which made him a vestryman in 1763, militia captain in 1766, justice of the peace in 1769, and sheriff in 1770.¹⁶⁵ Soon thereafter both brothers became trustees of the town of Staunton, which was now serving the increasing flow of immigrants coming down the Valley from the north and up the James River from the east.¹⁶⁶ By the 1770s Sampson was settled in Richmond as a forward agent for their enterprises.¹⁶⁷

These Matthews brothers, although running an expanding mercantile business, cannot be accurately described as "merchants." George, in fact, was apparently almost illiterate in this period of his career. Not unlike the Lane brothers, the Matthews brothers were young new men who dabbled or plunged into any money-making scheme that promised profit, whether it be tavern service, retail merchandising, military supply, land transactions, or the sale of imported labor. By the middle 1760s the Matthews boys had begun buying convicts for their own employment, a practice they continued to the end of the transportation period.¹⁶⁸ In this period they also began

¹⁶⁴ Ibid., 310; Account of George Matthews with Patrick Henry, 1768-1770, William Wirt Henry Papers, Box One, Patrick Henry Folder, Va. Hist. Soc.; also see Thomson, Merchant in Virginia, 228, note 43.

¹⁶⁵ Va. Gaz. (R.), May 23, 1771; Herndon, "George Matthews," 310-11.

¹⁶⁶ Hening, Statutes, VIII, 549.

¹⁶⁷ Va. Gaz. (R.), May 27, 1773.

¹⁶⁸ Va. Gaz. (P. & D.), Oct. 17, 1766; Va. Gaz. (P.), March 10, 1775.

trading in new labor of every sort, including slaves, indentured servants, and convicts.¹⁶⁹ The convict who was bought to be sold was thus introduced to a breed of Virginians who were willing to touch anything that they thought might turn to gold. These convicts, particularly those with skills, were being integrated into a society which, unlike seventeenth-century Virginia, was finding gold in commerce and industry as well as in tobacco.

In such ways were convicts sold out of the ship and such were their initial experiences in the royal colony of Virginia. All who were healthy, skilled, and/or young were bought readily when the seller could meet with a buyer, and, with some exceptions, the sales were usually brisk. Despite the constant need for new labor, however, others were passed over until last, becoming with each day an increasingly expensive burden to the merchant, the captain, and the ship-owner who had schedule commitments already made. Because the 1718 act of Parliament prescribed that the convict contractor must take all convicts regardless of condition, the captain or merchant was thus obliged to rid himself of all who survived the voyage. Thus the convict contractor in England and his factor in Virginia had to pay the price of privilege, as he tried to rid himself of convicts who, for one reason or another, were considered by buyers to be unattractive.

Among the men the unattractive ranged from hardened villains to gentleman types; the one scaring off meek customers and the other rejected by the suspicious. Harry Piper's

¹⁶⁹ Herndon, "George Mathews," 310.

experience with the talented gentleman servant Armstrong soured him on the "half Gentleman sort of men,"¹⁷⁰ for he found that "people are afraid of Convicts as Waiting men."¹⁷¹ But where some convicts struck buyers as having more grace than grimace, others appeared to be just the reverse. These were the "very infamous Characters" who frowned down all but the bravest (or most desperate) buyer.¹⁷² One "consummate Villain" betrayed such an unreliable character that Piper worked hard in search of someone "to take him of [sic] my Hands."¹⁷³ Clearly the convict who wanted to make life difficult for his Virginia owners might begin with his receiving merchant, but a Virginian who could find any possible labor advantage in an offering might buy his man no matter how unattractive a prospect the convict might be.

In the spring of 1772 the Vigilant sailed from Dublin to Virginia with both indentured servants and convicts, among whom was one woman noticeably old, another noticeably pregnant, and a third noticeably diseased.¹⁷⁴ Their ship sailed up the Potomac and docked at Alexandria, where the servant sales went "tolerably well."¹⁷⁵ But these three women were left to last; they were cases of the unattractive convict in whom few would make any investment

¹⁷⁰ Harry Piper to Dixon and Littledale, Sept. 17, 1771, Piper Letterbook.

¹⁷¹ Ibid., May 10, 1769. ¹⁷² Ibid., Oct. 24, 1767.

¹⁷³ Ibid., June 15, 1772.

¹⁷⁴ Harry Piper to Dixon and Littledale, June 15, 1772, Piper Letterbook.

¹⁷⁵ Ibid.

at all. Another woman was left at the end of a 1775 sale in Dumfries, "a woman that nobody will have," reported her merchant-master, who could only hope it "may be in my Power to get the cost of her Passage."¹⁷⁶ Several years after the whole transportation system to the colonies had been stopped by the outbreak of the Revolution Duncan Campbell testified that "the old and infirm he used to dispose of to those humane people who chose to take them"; to rid himself of convicts in the most pathetic condition Campbell was "obliged to give premiums."¹⁷⁷

Merchants experienced in the servant trade eventually found solutions for their "residuals," but often not without some difficulty. They could not legally turn any convict loose, and to free one who was in no condition to earn a living was not only illegal but extremely hazardous, for the local parish vestries, who were responsible for poor relief, rejected any petitioner for whom they could find a party legally responsible. When the convict Elizabeth Young applied "for support" to the Fairfax Vestry in 1766, the vestrymen examined her "Conviction and Assignment," concluded that her service (and thus her owner's responsibility) would not expire until March 1767, and "Ordered that the Church Wardens make application to a Magistrate for a Warrent to move her out of the parish to her said Master."¹⁷⁸ Every experienced Virginia merchant knew that when

¹⁷⁶William Carr to James Russell, Feb. [28], 1775, Russell Papers.

¹⁷⁷Commons Journals, XXXVI, 310-11.

¹⁷⁸Fairfax Parish Vestry Book, p. 44.

stuck with such convicts he either had to make a sale or "give premiums"; the convict could not be simply "dumped."

The "residuals" were a double threat to the merchant; being the most costly in terms of care and the least profitable in terms of their skills and condition, they presented one of the saddest pictures in the whole convict trade. But during a depression or a dip in servant demand the merchant at the dock sometimes found he was left not only with unattractive "rejects" but also with healthy and sometimes even skilled remainders. These he had to get rid of, for kept goods meant storage costs and boarded servants could wax prohibitively expensive. Thus the convict who was passed over in the ship sale and brought to shore in a lump would soon face the fate of his fellows bought during the sale by soul drivers, that of being hawked and bought in "the country."

The "residuals" were not all taken immediately into the country for sale. All whom the merchant could not readily dispose of on the ship had to be cleared for the serious business of lading tobacco, wheat, iron, staves, and other minor cargo. Thus the merchant had no choice but to take such unsold convicts into his own keeping until he could finally dispose of them. The servants still unsold on Harrower's ship thirteen days after the sale began were all moved ashore, thus clearing the ship for the loading of tobacco which had already begun three days before.¹⁷⁹ Harry Piper occasionally was forced to board a convict who presented

¹⁷⁹ Harrower, Journal, 40.

special problems even though he had no facilities for such "boarders."¹⁸⁰ Archibald Ritchie several times found it necessary to move servants to shore still unsold, sometimes in groups of a dozen or more.¹⁸¹

If the complaints of his merchant-hosts are any indication, the boarded convict received at least minimal care. Referring to his recalcitrant convict Armstrong, Harry Piper underscored his determination: "I must sell him if I can meet with a [Master?]," Piper insisted, for "if I do not he will soon cost one as much as he is worth."¹⁸² When this convict was finally sold Piper had to then pay for his "Washing and Board on Shore" out of the final sale price.¹⁸³ When a parcel of boarded convict servants was selling slowly the dominant factor in a sales decision became time, overriding even the final price to be charged. Archibald Ritchie, wrestling with this problem in the summer of 1764, debated over whether to take a chance on consigning his expensive charges to an agent who could sell them "to the Southward," or simply give them away at a loss to save further financial drain. Ritchie finally concluded he would "make more of them" to an agent than by "giving them away here."¹⁸⁴ By "giving

¹⁸⁰ Harry Piper to Dixon and Littledale, April 15, 1769, Piper Letterbook; also see *ibid.*, Sept. 17, 1771.

¹⁸¹ Archibald Ritchie to William Allason, July 25, 1764; "Tuesday Evening," Dec. 1764, Allason Papers, Letters and Papers, 1764-67, Box 4.

¹⁸² Harry Piper to Dixon and Littledale, April 15, 1769, Piper Letterbook.

¹⁸³ *Ibid.*, May 10, 1769.

¹⁸⁴ Archibald Ritchie to William Allason, July 25, 1764,

away" Ritchie probably meant selling at cost, or even at a loss, to the first buyer who came along.

Some of these boarded convicts were in fact sold at the merchant's countinghouse, either at retail to a new employer or at wholesale to a soul-driver. Although some convicts were brought out of their board by a Virginian who came looking for labor,¹⁸⁵ their inspectors would more likely be soul-drivers who were always interested in buying servants in a lump at a good price, perhaps even at a discount. Although a group of Ritchie's boarded servants was advertised in the Virginia Gazette in July 1764¹⁸⁶ few were sold,¹⁸⁷ and as they waited in accommodations provided by a temporary master the servants were inspected from time to time by soul-drivers, who moved among them to examine and decide who was "fit to travel" and who was not.¹⁸⁸ But as time slipped by their merchant master found he could not get a price high enough to break even. One soul-driver offered to take a "lump" of them for £10 apiece, but by then their boarding merchant had decided that "£13 wont reimburse me what they stand me."¹⁸⁹ Late in that same year another batch of servants boarded by Ritchie were bid for by

Allason Papers, Letters and Papers, 1764-67, Box 4.

¹⁸⁵Harry Piper to Dixon and Littleedale, May 10, 1769, Piper Letterbook; Archibald Ritchie to William Allason, July 25, 1764, Allason Papers, Letters and Papers, 1764-67, Box 4.

¹⁸⁶Virginia Gazette Day Book, 1764-66, p. 163.

¹⁸⁷Archibald Ritchie to William Allason, July 25, 1764, Allason Papers, Letters and Papers, 1764-67, Box 4.

¹⁸⁸Ibid. ¹⁸⁹Ibid.

another soul-driver, but, probably due to his increasing expenses, their merchant-host decided that the "offers in the lumping way have not been altogether agreeable."¹⁹⁰ Boarding servants in general, and residuals in particular, offered less and less profit as the daily charges ate into the margin.

If the merchant decided to send his convicts out himself the convicts would be trekked by the merchant and/or one or more agents, who were given the convicts on consignment. This often meant that the trekked convict might be passed from hand to hand among a network of merchants as he was hawked along the way. This "network" of merchants, factors, and agents which shaped the convicts' initial colonial experience was merely a part of the general relations among fellow merchants. It was a "make-do" process, hardly a system, which was thrown together as the need arose and then lapsed when the pressures of servant sales declined. The convict and indentured servants who came in the Charming Molly in 1765 were originally offered by Ritchie to John and David Briggs of Falmouth,¹⁹¹ then marched to Fredericksburg by Ritchie where they were transferred to William Love, who made the sales on credit.¹⁹² Their bills of sale were later taken on by William Allason of Falmouth, and were in turn collected by another agent

¹⁹⁰ Ibid., "Tuesday Evening," Dec., 1764.

¹⁹¹ Ibid., July 25, 1765.

¹⁹² "Sales of Servants for Acct. of Mr. Archibald Ritchie by Mr. William Love, 1765," Allason Papers, Letters and Papers, 1764-67, Box 4.

named White.¹⁹³ Thomas Hodge,¹⁹⁴ Harry Piper,¹⁹⁵ and John Hook¹⁹⁶ would set up similar proceedings to dispose of extra servants in hopes of making a profit in the bargain.

Although all residual convicts tended to be driven, not all driven convicts were residuals. If a convict ship were quickly cleared of its cargo at a lump, or if convicts arrived during a depression in servant demand, a skilled felon might very well wind up being carried from one prospective owner to another until the convict's skills and the owner's needs were matched. Whoever his driver turned out to be, the driven convict would not merely be carried aimlessly from plantation to plantation. If buyers would not come to the ship or the merchant's house the servants were taken to places where potential buyers were likely to be, and the most likely place to do business in rural Virginia was a town.

One of the most common practices of eighteenth-century Virginia merchants was that of travelling: to county courts, Williamsburg, town fairs, ship landings, planters' homes, and other merchants' establishments. On such business trips they tried to combine as many dealings as possible and on such a trip the merchant might take the residual convicts in tow. The parcel of convict and indentured servants who may

¹⁹³Ibid.; Archibald Ritchie to William Allason, Dec. 7, 1768, Allason Papers, Letters and Papers, 1764-67, Box 4.

¹⁹⁴Va. Gaz. (D. & H.), May 6, 1775.

¹⁹⁵Harry Piper to Dixon and Littledale, May 16, 1768, Piper Letterbook.

¹⁹⁶John Hook to David Ross, May 20, 1772, John Hook Papers, Va. State Lib.

have watched Archibald Ritchie's growing frustration at slow sales in the fall of 1765 were finally marched from Hobb's Hole up the Rappahannock River Valley by Ritchie himself, hoping to find a better market in the booming town of Fredericksburg.¹⁹⁷ There the servants were passed on to an agent of Ritchie's, Samuel Love, who carried them on into the "back-country."¹⁹⁸ David Ross of Petersburg decided in the late winter of 1772 to carry some servants with him on his round of county court meetings around the upper James and the Valley, a trip of some 200 miles.¹⁹⁹ At some point in the trip Ross divided his charges, passing some on to one of his partner's agents, a Mr. Holt, who in turn marched them on over the Blue Ridge for possible sales in the Valley.²⁰⁰

Although colonial Virginia is not generally considered to have had much of an urban presence the eighteenth century witnessed the dramatic growth of towns which provided urban services for large areas of the surrounding population. Several of these towns were authorized to hold semi-annual commercial fairs, producing the nearest approach to a lively urban tone that a provincial Virginian might experience. Into these three-day urban affairs were marched convict and indentured servants to be sold, not at auction, but in the usual individual

¹⁹⁷Archibald Ritchie to William Allason, Sept. 28, 1765, Allason Papers, Letters and Papers, 1764-67, Box 4.

¹⁹⁸Ibid.

¹⁹⁹David Ross to John Hook, March 23, 1772, John Hook Papers, Va. State Lib.

²⁰⁰John Hook to David Ross, May 20, 1772, John Hook Letterbook, Va. State Lib.

bargaining manner. When the unsold servants in John Harrower's servant ship were moved to shore they were placed in a tent where "severall of their Indentures were then sold."²⁰¹ This was the first day of the spring fair in Fredericksburg, and although the ship was right at the wharf the captain was able to clear the ship for loading and also take the servants to the town fair, both in a single stroke. In 1765 the parcel of unsold servants being boarded by Archibald Ritchie at Hobb's Hole were gathered up by that merchant and moved up the Rapahannock River to the autumn fair in Fredericksburg. Those who were still not sold at the end of the fair were given over to an agent who drove them into the interior.²⁰² At such fairs the convicts were sold, under a tent or under the sun, to purchasers too busy to arrange to meet a ship.

In many ways the convict's experience in such a sale situation duplicated what he had already gone through on the ship, with the difference that the convict was now introduced to the taste of town life in colonial society, while Virginians of both sexes and all ages and ranks could view the prospective servants who were, like the rest of the available merchandise, brought to the fair to be sold. We have one description of such a parcel of convicts who were brought into town for such a sale. In 1754 William Barker, Jr., a weaver from London, arrived in Virginia and settled as a merchant in Williamsburg, where he witnessed a sale of convicts

²⁰¹ Harrower, Journal, 40.

²⁰² Archibald Ritchie to William Allason, Sept. 28, 1765, Allason Papers, Letters and Papers, 1764-67, Box 4.

which must have impressed him greatly. His description is given here in full:

since I have been in Amarca I have sen a grat meny pore objects Brought from all parts of Ingland for seven yares, the first I ever see was in a Ship from London to James River in Virginia the Capn Advertize his Cargo of Trainsports to be sold on such a Day, & I had the Currosety to go and see it, which was at Wmsburg the Matropolise of Virgaina they all was sett in a Row I believe was near a hundred man & women & the Planter Come down the Cuntry to Buy: some was Sold for fifteen Pound, others for Twenty, and the Sales was over in 2 Days I never see such pasels of Pore Raches in my Life som all most naked and what had Cloths was as Black as Chimney Swipers, and all most Starved by the Ill usidge in ther Pasedge By the Capn, for they are used no Bater than so many negro Slaves: that are Brought in hare and sold in the same manner as horss or cows in our market or fair, but I must say this if these pore divels behave wall it's as fine Country as I ever was In in my Life and the pepel in Genral are a very good sort of pepel . . . 203

Such might be the experience of a convict sold in a town.

Where colonial Virginians did much of their buying in town they did much of their paying in court. The monthly court days for each county functioned as a miniature commercial county fair where much of the business of the county's justices, citizens, lawyers, and merchants was transacted. But trading, whether in animals, produce, labor, or land, was an established

²⁰³William Barker, Jr., to Mr. John Palmer, of Norwich, England, Barbados, Dec. 16, 1758, Prentis Papers, Documents, 1743-1858, Alderman Library, U. of Va. This letter is a copy (#3) made by Thomas Wilkinson, clerk-rector of Nottoway Parish, Amelia County, Virginia; see his deposition in copy #19 of this collection. According to a deposition by John Price, of Wolfal, England, dated Dec. 16, 1769 (copy #18), this letter was sent from Virginia. All of the afore-named documents are part of a bundle entitled: "A Copy of Original Papers belonging to George Pitt relating to William Green that were sent to Virginia in the Jenny, Capt. Thomas Woodford on 26th January 1770," in Prentis Papers, Documents, 1743-1858, Alderman Library, U. of Va. According to these papers the name William Green was a pseudonym of William Barker, Jr.

county custom, perfectly understood by soul-drivers and quickly discovered by their charges. The imported servants who were landed in the James River and bought by the Petersburg merchant David Ross in the late winter of 1772 eventually found themselves being trekked along a courthouse circuit from the Appomattox valley through the upper James River valley and on into the upper valley of the Shenandoah. These were the servants for whom Ross had sent "a parcell of advertisements" to John Hook in Bedford County to announce the servants' appearance at each courthouse along the way.²⁰⁴ Following the advertisements came the merchant on his horse, the servants probably on foot, but seldom either chained or tied, appearing first at the courthouse of the seven-year-old Charlotte County, settled deep in the new land of South Side Virginia. There would be little room at the inn on a busy court day, especially for indentured or convict servants, who probably slept under the stars. With completion of the Charlotte court they moved on toward the Bedford County courthouse, more than sixty miles away, during which Ross's charges would be fortunate indeed to find a plantation where they might at least sleep in the stable.

Ross's servants had been scheduled to appear at Bedford court by the ninth of April, and on arrival they found a county courthouse surrounded by the burgeoning village of New London, a small center for factors and traders to the interior and the home base of Ross's partner John Hook. There the servants may

²⁰⁴David Ross to John Hook, March 23, 1772, David Ross Papers.

have tasted civilization on the frontier, for Ross had "reckoned" he could "get house room for them one night some where in Town."²⁰⁵ Those who were left at the close of the Bedford court were then gathered together again and carried on, northward now, to follow the upper James River through the Blue Ridge Mountains and finally to descend into the fertile Shenandoah Valley. By now those servants still unsold had been wandering over 200 miles through the near edge of Virginia's frontier, passing newly cleared tobacco fields alternating with long stretches of thick pine forests, with dozens of rivers and streams lacing the landscape. They would have seen few Negroes, and indeed few people in general. The convicts sent on the road thus met a Virginia far different from those who were sold in town fairs; the road scenes were probably closer to their hazy expectations of colonial life in an interior still half-settled and half-wild.

Convicts carried by drivers who were not merchants and had no business that would take them on the courthouse circuit were merely trekked in the general direction of the territory known best by the agent-driver. This was probably the experience of the convicts sold by the Lane brothers of Loudoun County and the Matthews brothers of the upper James River valley. In the spring of 1773 the Matthews brothers went down to Leedstown on the Rappahannock to meet Duncan Campbell's transport the Justitia, where they made their selection from Thomas Hodge's charges. There they chose a parcel of convicts,

²⁰⁵Ibid.; John Hook to David Ross, May 20, 1772, John Hook Papers, U. of Va.

including a millwright and pumpmaker, a hatter, a ship carpenter and joiner, a bricklayer and plasterer, a blacksmith, and at least one woman of unrecorded trade.²⁰⁶ This parcel they then took back into the interior, where some would be sold and others kept for the use of their skills. Later that same year they again made the trek to the Northern Neck to meet another Campbell transport, the Tayloe, and brought a parcel of at least five convicts (including a house carpenter and a grocer) from Thomas Hodge. These convicts were placed in a sloop, taken down Chesapeake Bay, and carried up the James River to a wharf about twenty-five miles below Richmond, where they disembarked for the trek into the interior.²⁰⁷

The four seven-year servants -- probably convicts -- whom Ritchie had finally taken to the Fredericksburg fair and then transferred to his agent-driver William Love had a similar experience in the country. Bunched with a group of twelve fellow servants indentured for four or five years, these convicts were trekked into the "back-country" to be sold on the road.²⁰⁸ The twenty-year-old Yorkshireman Robert Mithcell, who was a farmer before he became a convict, began his service

²⁰⁶Va. Gaz. (R.), May 5, 1773, supplement; May 27, 1773; Va. Gaz. (P. & D.), Aug. 12, 1773.

²⁰⁷Va. Gaz. (R.), Nov. 11, 1773.

²⁰⁸Archibald Ritchie to William Allason, July 25, 1765, Allason Papers, Letters and Papers, 1764-67, Box 4; Virginia Shipping Returns, Port of Hampton, P.R.O., C.O. 5/1449, f. 74; both this paragraph and the following one are based in large part upon the List of Servants Carried to the Back Woods by William Love [1765], in Allason Papers, Letters and Papers, 1764-67, Box 4.

in Virginia on the road from Alexandria to the Valley.²⁰⁹ There, on October sixteenth he was bought by a local planter for £20 and began farming in Loudoun County, a long way from Yorkshire, England.²¹⁰ The coffle travelled on toward the Valley, selling an indentured gentleman's servant to the attorney and burgess Hugh West, an indentured baker to an innkeeper in Leesburg, and two more five-year servants who were bought in the shadows of the mountain pass leading to the Valley.

Two days later two young convicts from Leicester, the sixteen-year-old stocking weaver Richard Hutchins and the seventeen-year-old "Chair Bottomer" William Jones were sold in the rich bottom lands of Frederick County, each to work out his time on the near edge of English civilization. The coffle travelled on through the Valley, and eight days after Mr. Love's first sale his last convict, John Bouldon, a brazier from Canterbury, was bought by a member of the enterprising Stephenson family which had been working local iron deposits for almost twenty years.²¹¹ For the four convicts in this coffle the travel and sale were over and their employment had now begun. Hawked for their talents and bought for their

²⁰⁹This whole paragraph is based upon the "List of Servants . . ." cited in note 208.

²¹⁰Since the purchaser obviously had his choice of skilled servants and chose the only farmer among them, it is concluded the servant would very likely work in farm-related tasks.

²¹¹J.E. Norris, ed., History of the Lower Shenandoah Valley Counties of Frederick, Berkeley, Jefferson and Clarke . . . (Chicago, 1890), p. 81; C.W. Butterfield, ed., The Washington-Crawford Letters (Cincinnati, 1877), pp. 11, 93, and notes.

trades, they were placed with masters who appreciated the value of a skilled trade and would pay, on credit, for a useful servant.

In all of this sale experience the convict was not always merely the recipient of the actions of others. Some, as we have seen, addressed captain and merchant regarding his fate, and those who were interviewed by buyers had some chance to determine or at least influence their own future. These options were all determined in the context of the system. But the convict could also challenge the bounds set for his behavior, and what he could not attain by his wealth, stealth, talents, or wits, he could try to achieve by escape. The riots and risings on shipboard were an indication to those in the trade that every convict landed in Virginia would not be completely benign. Once the ship had docked in a Virginia river a new opportunity appeared -- the chance to run away. In a land of opportunity the convicts were not reticent and some chose to land on Virginia soil as free but hunted men.

Of all of the runaway convicts advertised in the provincial press by Virginians only about ten percent ran away from temporary owners who were hawking them on ship or shore. When Duncan Campbell's convict ship the Justitia arrived in the Rappahannock in the late winter of 1772 with close to 200 "men, women, & boys" to be sold by Thomas Hodge in Leedstown, Joseph Loveday, a sandy-haired young convict from the West Country of England, was on board. Loveday had been cursed with a knee injury from childhood that caused him to drag one leg when he walked, but when he arrived in the colony of his

banishment he allowed his bad leg to be no hindrance to his bid for freedom. Rather than jump ship as soon as the Justitia made port Loveday bided his time, possibly looking for an opportune moment. But as the sale progressed Loveday came to be purchased by a mining operator, and his sale may have determined him on flight. Escape he did, going over the side to make a bid for his freedom in the new world. Within six months Loveday was caught and, although forced to return to the mines, he had learned something of the new land into which he would escape again.²¹²

Loveday's case was unique in that he jumped ship alone; more common was the practice of group flight. When four convicts (one of whom was in his fifties) were brought up the James River in 1739 the convicts jumped ship when she docked at Bermuda Hundred, a common place of sale for servants and slaves.²¹³ When the ship Donald brought a parcel of convicts up to Four Mile Creek on the James River six of the condemned seized the opportunity presented by a final anchorage and ran off into the interior, apparently with the intention of returning home at the first opportunity.²¹⁴ There were doubtless others who jumped ship before they could be taken off, but who were "taken up" before any notice was placed in a newspaper. And yet, except for a shipwreck which allowed for mass

²¹²Duncan Campbell to William Fitzhugh (of Marmion), March 2, 1772, Duncan Campbell Letterbook; Va. Gaz. (P. & D.), Feb. 27, 1772; April 9, 1772; July 8, 1773.

²¹³Va. Gaz., May 25, 1739.

²¹⁴Va. Gaz. (P. & D.), April 15, 1773.

flight, the convicts did not tend to escape in droves from the ship on arrival.²¹⁵ Certainly some did not because they were not yet in any condition to do much running.

The convict who was determined to run away at the first opportunity more often saw his chance while being taken from the ship to his new home. Where the single convict being taken by his new owner seldom made an escape in transit, a convict in a group under the care of a single merchant, agent, or soul-driver found a readier opportunity to flee. In such a chainless coffle situation the opportunity to break and run was ever present. The tall dark Londoner Ralph Emanuel, convicted in 1774 of stealing two shillings and sixpence worth of sugar from a London warehouse, found himself sold at Leeds-town the following April to the Virginia merchant Andrew Leitch.²¹⁶ Soon thereafter Emanuel joined the group of convicts whom Leitch had bought, apparently for resale, and began a march up to Leitch's store in Dumfries. No sooner were they out of sight of the town when Emanuel, along with a fellow convict, "left the Company in which they were travelling" and escaped into the country.²¹⁷

The servants -- possibly convicts -- who were carried by David Ross through Charlotte, Bedford, and Botetourt counties,

²¹⁵For a mass flight of convicts from a shipwreck off of Mobjack Bay see Va. Gaz. (R.), Jan. 28, 1773.

²¹⁶Corporation of London Record Office, File of Indictments, Dec., 1774; Old Baily Sessions Papers for the City of London and the County of Middlesex, 1773-74 (Dec., 1774), p. 22; Va. Gaz. (P.), April 21, 1775.

²¹⁷Va. Gaz. (P.), April 21, 1775.

had ample time to make an escape. One day while crossing the Blue Ridge mountains on their way to the Valley two of Ross's charges made their escape. They were soon stopped by a local resident who, suspecting that they may be runaways, and probably aware of the statutory reward, commenced to march them under rifle cover to the nearest jail. But the two runaways seized another opportunity, overpowered their captor, and fled, taking their would-be captor's "new raffle" with them.²¹⁸ Three Irishmen shipped out of London to Thomas Hodge in 1768 were sold to buyers in the piedmont counties of Culpeper and Albemarle. Sent on their way to their new owners in Hodge's sloop, these three became runaways when the sloop docked at Fredericksburg.²¹⁹

In such a cottle an overnight situation presented an attractive opportunity for escape, as in the case of one of two convicts sold by Harry Piper, who "ran away the first night."²²⁰ The five convicts bought by George and Sampson Matthews at Four Mile Creek on the James River faced a long trek from Alexandria to Staunton in the Valley. These five were a varied lot: the Irishman Oliver Martin, the Englishman Jonathan Boothman, the Pennsylvanian Paul Preston, and the New Englander John Thomason were all sailors before being sentenced to transportation. The fifth convict, John Gaghagan, had been a grocer before being banished to Virginia.

²¹⁸John Hook to David Ross, May 20, 1772, John Hook Letterbook, Va. State Lib.

²¹⁹Va. Gaz. (R.), Jan. 26, 1769; for Hodge's sloop see Va. Gaz. (R.), March 7, 1771.

²²⁰Harry Piper to Dixon and Littledale, Dec. 23, 1770, Piper Letterbook.

When the Matthews brothers stopped for the first night these five quickly ended their servant status by slipping away under cover of darkness.²²¹

Although none of these cases of flight from the sale situation involved violence it would be unusual indeed if no violence ever occurred. At least one soul-driver in Maryland was not so lucky. Having bought a "Parcel" of convicts in Baltimore he worked his way across Maryland toward the pied-mont center of Hagerstown, selling as he went. One day, soon after they had left Frederick, one of the four remaining charges pleaded fatigue and asked his owner to stop for a rest. The seller obliged, but when he decided they had rested long enough the four of them "immediately threw him backwards over the Tree, dragged him about five Steps into the Woods, and then cut his Throat from Ear to Ear." They then took his money and continued west "over the Mountain." These runaways were soon arrested, however, and after admitting their guilt they were tried and hanged.²²²

In the system of convict sales and distribution not all convicts had the same experience. Some bought their way to freedom, or were "placed" into the hands of owner-sponsors before any sale ever began. The majority, however, were sold out of the ship over a period of three to fifteen days. A majority of these were probably bought at retail, usually by their new employer, and taken to their new homes within a day

²²¹Va. Gaz. (R.), Nov. 11, 1773.

²²²Va. Gaz. (R.), Aug. 26, 1773, supplement; ibid., Nov. 11, 1773, supplement.

or two of the sale. The rest were bought in a wholesale "lump" or parcel, either by local merchants or soul-drivers. The convict lumped to a merchant often lived in town until he was bought singly or taken out by the merchant's agent to be sold on the road. If bought by a soul-driver he went on the road immediately, and if was on that trek that he was sold to his new owner-employer. Those taken on the road were sold in towns, at fairs, at county courts, and sometimes incidentally along the road. The road trips might be preceded by handbills announcing the imminent arrival of the advertised convicts.

While a handful of convicts may have been sold for less than seven year terms, no evidence has been found to suggest that any were sold for more than seven years, even for those banished for longer periods. Nor is there the slightest evidence that during either the sale or the carrying home experience were the convicts in chains or bound in any way.

The best-selling convicts were those with trades, who fetched from fifteen to twenty-five pounds sterling. The sick and lame were usually placed by the captain or merchants in charge with some owner for free, and sometimes even for a premium. Most sales were for credit, normally for six months, after which interest began to accrue.

The buyers of the convicts were a varied lot. The soul-drivers were mostly ambitious newer men with an eye for the main chance, and saw in convict sales a promise of a profit. Many of the buyers of convicts were men with diversified economic interests, who chose convicts just as they chose

indentured servants--for their skills and aptitudes. No apparent distinctions were made by colonial buyers between convict and indentured servants. That the convict was a felon at home does not seem to have been of much concern to his buyer in Virginia.

From the time the convicts' ship reached a Virginia dock they began running away, usually in small groups. The phenomenon of these runaways, coupled with their occasional violence in the sale situation, indicates one of the major problems facing the buyer-owner in the colony. While labor relations in any situation creates problems for the employer, employers who are suffering a chronic labor shortage, particularly in skills and trades, and who hence turn to an involuntary labor supply that is somewhat alien to the new society, invite labor problems that might be expected to increase in both variety and intensity. These problems raise questions not only of labor relations but also of social control, and for some insight into such questions we must now examine the convict in the colony.

CHAPTER VI

THE CONVICT'S LABOR

Although tobacco in hogsheads was by far the largest and most important single item of commercial export, Virginia was already becoming an increasingly diverse colony in the 1720s, when her population passed the one hundred thousand mark in an area as large as all of New England. The variety of potential buyer-employers whom the convict saw on the ship or on the road may have indicated to the convict that he faced a variety of working and living situations, such as that of the plantation white, the hired man, the town worker, the industrial laborer, and the rural artisan.

As colonial tradesmen settled in a given town there tended to be built up a body of town workers: journeymen, apprentices (both black and white), skilled slaves, and indentured servants.¹ Into this milieu were brought skilled convicts, and such a convict, despite fears of wasting away in a colonial wilderness, wound up spending some or all of his time in one or more of Virginia's towns.

Some of the towns were small. The town of Staunton, in the upper Shenandoah Valley, already had "many families [who

¹ See, for instance, the large percentage of artisans and craftsmen in Yorktown around mid-century, Edward Miles Riley, "Suburban Development of Yorktown, Virginia During the Colonial Period," Va. Mag., LX, 522-536; especially p. 525.

were] settled there" when founded in 1761 and developed in its early years by the enterprising Matthews brothers, George and Sampson.² To their new hamlet they brought energy, enthusiasm, and labor. It was to meet the labor need that the Matthews brothers made trips down to fall line towns to buy convicts in "lumps" and trek them back to the Valley. Some of these convicts went only as far as Staunton, where they were put to work. As early as 1766 Edward Billingham, a young "Chimney sweeper" from the north of England, was put to work by Sampson Matthews in the little town of Staunton.³ In 1772 Joshua Dudley, being convicted of perjury in England, was put aboard a Duncan Campbell ship in the Thames and, on it, entered Virginia the subsequent December. Dudley was taken to the port of Leedstown on the Rappahannock River and there sold by Thomas Hodge to the Matthews brothers. His new owners took Dudley back to the frontier town of Staunton and put him to work as their bookkeeper.⁴ Dudley was joined the next year by James Culbertson, also sold in Virginia by Thomas Hodge at Leedstown.⁵

² Hening, Statutes at Large, VII, 473; F.B. Kegley, Kegley's Virginia Frontier (Roanoke, Va., 1938), pp. 40-42; Joseph A. Waddell, Annals of Augusta County, Virginia, from 1726 to 1871 (Staunton, Va., 1902), pp. 108-09. For Staunton, see Lyman Chalkley, Chronicles of the Scotch-Irish Settlement in Virginia (Rosslyn, Va., 1912-13), III, 337, 389, 439, 443, 448, 492, 506.

³ Va. Gaz. (P. & D.), Oct. 17, 1766.

⁴ Va. Gaz. (P. & D.), Sept. 24, 1772; Va. Gaz. (P.), March 10, 1775.

⁵ Pa. Gaz., Nov. 16, 1774.

Towns did not have to be on the frontier to be small. The adjoining towns of Blandford and Petersburg, on the fall line of the Appomattox River, had only a few dozen stores and shops at the end of the colonial period.⁶ One of these shops was kept by the local jeweler Edward Hill. Looking for skilled labor to use in his shop Hill bought the English "watch and clock mender" Richard Davis in the early 1760s.⁷ While working for Hill, Davis had convict company in the person of William Morgan, a "silversmith and watch mender" from England.⁸ These two convict jewelers worked with both Hill and an engraver, William Waddell, who moved to John Geddy's silversmith shop in Williamsburg after Hill's death in 1770.⁹ Hill's widow subsequently advertized a selection of wares for sale in Blandford, including an "Assortment of Country made Gold and SILVER WORK," possibly handiwork of the convict servant William Morgan, urban artisan of Blandford.¹⁰

Convicts who lived in one of the more settled tidewater towns like Yorktown, Williamsburg, and Norfolk, moved in the most established and sophisticated urban environment that Virginia could produce. Whether they worked in Yorktown, which depended almost entirely upon commerce, Norfolk, whose commerce

⁶John W. Reys, Tidewater Towns: City Planning in Colonial Virginia and Maryland (Williamsburg, Va., 1972), p. 222.

⁷Va. Gaz. (P. & D.), July 4, 1766.

⁸Va. Gaz. (P. & D.), July 25, 1766.

⁹Va. Gaz. (R.), July 23, 1767; Va. Gaz. (P. & D.), June 4, 1772.

¹⁰Va. Gaz. (P. & D.), Jan. 24, 1771.

supported ancillary industries, or Williamsburg, political and cultural capital of the colony, these tidewater town convicts lived in an environment that was both settled and industrious, not unlike an English outpost. Here the pulse of commerce and politics ebbed and flowed along the rivers between the landings and the bay, and daily life was immediately dependent upon what passed through the Capes. Although these towns were not centers for convict sales they still became homes for some convicts, particularly those with skills, and these convicts were usually bought, owned, and worked by tradesmen.

Convicts were serving as early as 1752 in Williamsburg, when the Irish convict William Byrd, "by trade a Wig-Maker," was working for the wig-making partnership of Lyon and Gamble of Williamsburg.¹¹ At the end of the colonial period, even after the Revolution had begun, the blacksmith James Sharpley was working for James Anderson of Williamsburg, who was the amourer to the state of Virginia;¹² in 1777 Sharpley had five more years to serve by working metal for colonial liberty.¹³ Over in Yorktown Samuel Tomlinson lived and worked as a shoemaker early in the transportation period,¹⁴ while in the 1770s the cabinetmaker James Ryan followed his trade for the artisan

¹¹Va. Gaz., Nov. 10, 1752. All of the workers in the following paragraphs are convicts.

¹²H.R. McIlwaine, ed., Journals of the Council of the State of Virginia (Richmond, 1931), I, 490.

¹³Ibid.

¹⁴Va. Gaz., Nov. 19, 1736.

Stephen Mitchell.¹⁵

Some of the hamlets in the early transportation period were beginning to flourish by mid-century. Winchester in the lower Shenandoah Valley, Alexandria at the falls of the Potomac, Dumfries just thirty miles down the Potomac from Alexandria, Fredericksburg at the falls of the Rappahannock, and Richmond at the falls of the James River -- all grew from a single tobacco warehouse or crossroads tavern in the 1730s into vigorous towns within twenty years. Being county seats and (except for Winchester) the major river port towns of the expanding colony, these new towns became the home of most of the convicts who lived in an urban environment. Most of these town convicts were worked by tradesmen and artisans.

By its very nature a fast-growing town needed men skilled in the construction trades, like Joseph Reeves, who laid brick in Richmond in the 1770s for Sampson and George Matthews.¹⁶ In 1773 Samuel Randall was laying brick in Fredericksburg for the merchant John Hazelgrove,¹⁷ probably on the two town lots bought by Hazelgrove in the summer of that same year.¹⁸ Carpenters and joiners were also in demand for construction and repair. In the later colonial period carpenters and joiners like John Murphey¹⁹ and John Henes²⁰ worked with wood in Alex-

¹⁵Va. Gaz. (P. & D.), June 3, 1773.

¹⁶Va. Gaz. (P. & D.), Aug. 12, 1773.

¹⁷Va. Gaz. (R.), Dec. 2, 1773.

¹⁸William Armstrong Crozier, Virginia County Records, Spottsylvania County, 1721-1800 (N.Y., 1905), 303.

¹⁹Pa. Gaz., Aug. 28, 1760.

²⁰Va. Gaz., (P. & D.), June 6, 1766.

andria, while the carpenters John Eaton²¹ and John Richardson²² practiced their trade in Richmond.

Many of these town convicts were put to work producing the furniture needed for homes and shops, either for a local merchant or with an independent artisan in his shop. The young English cabinetmaker John Steel followed his trade in Richmond until 1773,²³ while Charles Sherry was making furniture in Dumfries well into the Revolutionary period.²⁴ At the major river port town of Fredericksburg, where convicts were often bought and sold, a newly purchased convict artisan might be put to work on the spot. In February 1768 George Eaton, a twenty year old cabinetmaker from London, arrived in the Rappahannock River where he was sold by Thomas Hodge to Thomas Miller, cabinetmaker of Fredericksburg.²⁵ Four years later another convict cabinetmaker, William Jenkins, was bought by Miller to practice his trade in the same Fredericksburg shop.²⁶

A very large percentage of the convict servants who lived in towns worked in the service trades, not unlike the breakdown of the trades of urban slaves.²⁷ Barbers like Thomas

²¹Va. Gaz. (R.), May 27, 1773.

²²Va. Gaz. (P. & D.), Aug. 12, 1773.

²³Va. Gaz. (R.), May 27, 1773.

²⁴Va. Gaz. (P.), Feb. 28, 1777.

²⁵Va. Gaz., June 25, 1772.

²⁶Va. Gaz., June 25, 1772.

²⁷See Tate, Negro in Williamsburg.

Walsom²⁸ of Alexandria and John Cockil²⁹ in Fredericksburg were both owned by local merchants. The convict barber often followed his trade with a flair; while Walsom had a taste for handkerchiefs of black silk,³⁰ Cockil cherished a red and white handkerchief with "a hunting Song round the Borders of it."³¹ Barbers often doubled as waiting-men, and a convict who seemed "likely" would be placed in the service of an urban merchant. John Ecton Ducret, a native of Switzerland who somehow became caught up in the English transportation system, was judged by the merchant Richard Graham of Dumfries to be a particularly talented barber and gentleman's servant.³²

Boys seem to have been preferred by town merchants as body servants; possibly because, as the Alexandria merchant Harry Piper observed, Virginians were "afraid of [adult] convicts as waiting men."³³ One convict boy, not older than thirteen, was put to service to George Graham, Scots merchant of Dumfries, probably as a body servant.³⁴ Such personal servants, of course, had a particularly close relationship to their masters, and would usually accompany their masters when they travelled. The young Charles Davis accompanied his

²⁸ Va. Gaz. (D. & H.), June 17, 1775.

²⁹ Va. Gaz. (R.), Dec. 9, 1773.

³⁰ Va. Gaz. (D. & H.), June 17, 1775.

³¹ Va. Gaz. (P. & D.), March 19, 1772.

³² Va. Gaz. (P.), July 21, 1775.

³³ Harry Piper to Dixon and Littledale, May 10, 1769, Piper Letterbook.

³⁴ Va. Gaz. (R.), July 23, 1767.

Fredericksburg owner for several years as his "waiting man" on trips up and down the Rappahannock Valley.³⁵

Because some merchants had a penchant for buying and using convicts, many convict servants worked together in the towns. In Richmond Patrick Coutts employed at least three convicts over a period of seven years,³⁶ and in 1767 four convicts were working together for Robert Phillips in Fredericksburg.³⁷ In Alexandria, sister city of Dumfries, convicts tended to work for a small circle of merchants who were in service industries as well as buying and selling. By the 1760s the merchants Robert Adam, John Dalton, John Carlyle, and James Kirk dominated the wheat and flour business in Alexandria and from their original business of tobacco buying and retail selling they branched out into wheat, flour, and ship-biscuits, with most of their establishments in town except for the grinding or merchant mills, set, of necessity, on a local stream.³⁸ Into this setting came convicts who could perform needed services. Steven Devoux and James Trupp, convict bakers, worked with indentured servants making the ship biscuits for the shipping trade, while John Henes did wood working, probably making the barrels for biscuits and flour.³⁹

No matter who they worked for in the towns convict servants usually found themselves working in conjunction with

³⁵Va. Gaz. (R.), Sept. 22, 1768.

³⁶Va. Gaz. (P. & D.), May 16, 1766.

³⁷Va. Gaz. (R.), Feb. 4, 1768.

³⁸Harrison, Landmarks of Old Prince William, pp. 397-418.

³⁹Va. Gaz. (P. & D.), June 6, 1766.

the myriad of workers in different conditions. The black slaves and mulattoes, the convict and indentured servants, the apprentices, the independent journeymen, piece workers, and day laborers--all served to form an urban working class that helped to shape the tone of town life. This was particularly true of Fredericksburg which, second only to Norfolk in population by the 1770s, had the largest single convict population. In fact, most of the convicts who worked in Virginia towns worked in the new towns of the eighteenth century, which were also in the area of the convict importations. This pattern strongly suggests that convicts helped fill an immediate demand for skilled labor, indicating a certain degree of sophistication by labor buyers in the towns.

Many of the convict servants who worked in towns slept almost literally over their work. In 1757 a twelve year old Scottish boy named John Wright went to sea, and spent the next twelve years sailing out of the port of London. Then he fell afoul of the law in England, and in October 1769 Wright was shipped a convict to America to be bought by a storekeeper of West Point, on the York River.⁴⁰ There he worked for the West Indies merchant John Frazer. Among Frazer's buildings at West Point was a storehouse sixteen by twenty-eight feet with a dry cellar and a "Lodging Room, with a Brick Chimney, at one End, plaistered and whitewashed."⁴¹ Such a room, which was essentially an elaborate loft, was probably a typical and natural residence for white servants.

⁴⁰Va. Gaz. (P. & D.), Dec. 7, 1769.

⁴¹Va. Gaz. (P. & D.), Aug. 29, 1771.

Often the owners of town convicts, whether merchants or artisans, had homes in the countryside outside of the towns.⁴² These homes were usually plantations, with at least one working quarter at the home house. Such proximate plantations as these had their own rhythm of life while also focusing toward the town where the merchant, and at least some of his workers, centered their work. In such a situation the convict who was owned by a merchant or tradesman lived a dual-life, combining that of an urban worker with the life of the plantation white. Thus, convicts in certain trades which may be considered basic plantation trades--the blacksmith, weaver, and shoemaker--were often bought by town merchants to be used on the merchant's nearby plantations outside the town. By its very nature such a plantation was in no way an isolating experience for the convict. Indeed, many a convict servant came to live the life of a convict commuter.

In the 1770s the young shoemaker John Turner was bought by the Richmond merchant George Donald and put to work on Donald's 400 acre home house plantation which was situated about two and a half miles outside of Richmond.⁴³ There, within easy walking distance of that fall-line town, among Donald's "commodious Dwelling-House, kitchen, Smokehouse, Dairy, Garden, Barn, Stable, Chair-House, . . . Overseer's House, and a Negro Quarter," Turner lived and made his shoes.⁴⁴ Patrick Coutts, one of the largest of the local Virginia to-

⁴²For Yorktown, see Riley, "Yorktown," Va. Mag., LX, 536.

⁴³Va. Gaz. (P. & D.), Feb. 12, 1767.

⁴⁴Va. Gaz. (D. & H.), May 25, 1776.

bacco merchants, had settled in Richmond, and also had an estate "joining the town" where he raised wheat, corn, and fodder for his cattle, horses, sheep, and hogs.⁴⁵ On this plantation Coutts worked Negroes, but he also fell into the habit of buying convicts. While the convict weaver Andrew Young may have worked for Coutts at his plantation, the apothecary John Monroe more likely worked and lived in the town of Richmond where Coutts had his shops and store.⁴⁶

Some of the proximate plantations were lived upon by local artisans and tradesmen. Andrew Franks, a rope-maker before being shipped to Virginia, was bought by William Fearson, musician and dancing master, who kept a music school in Williamsburg and a nearby plantation in New Kent County.⁴⁷ The dancing master was not particular in his choice of musicians; he would hire or buy musical Negroes from the estates of both the living and the dead, and if he found a white musician, regardless of moral reputation, Fearson would buy him too.⁴⁸ So when Franks, probably during the inspection and "interview" on the convict ship, admitted to Fearson that, although he was a ropemaker by trade, he could also play the violin, Fearson bought Franks and took him to work and play in Williamsburg, where Franks the convict ropemaker-violinist showed his employer he could

⁴⁵Va. Gaz. (D. & H.), Nov. 14, 1777.

⁴⁶Va. Gaz. (P. & D.), May 16, 1766.

⁴⁷Va. Gaz. (D. & H.), May 23, 1777; Va. Gaz. (P. & D.), Aug. 15, 1771.

⁴⁸Va. Gaz. (R.), Sept. 14, 1769; Va. Gaz. (P. & D.), Nov. 4, 1773.

indeed "play very well."⁴⁹

For a tradesman who wished to enjoy most of the commercial convenience of a town while still living on his own plantation a plantation home near a town was ideal, and convict tailors like Thomas Philips and John Vince came to live and work on just such plantations. Philips came to live and work for the Virginia tailor William Thomson, whose plantation lay "near Boyd's Hole" on the Potomac River in Stafford County.⁵⁰ Vince did tailoring for the Virginia tailor Alexander Thoms, who lived just outside of the convict-importing town of Leedstown on the Rappahannock River.⁵¹

Because Virginia had few towns until the mid-eighteenth century and because most writers on Virginia have equated towns with the presence of a skilled artisan "class," the presence of a large white artisan class in eighteenth-century Virginia has been almost completely overlooked.⁵² The artisans and craftsmen were there, but, since a majority of them lived not in cities or towns but in the countryside on plantations or in little crossroads hamlets, their presence is not immediately or easily recognized. For every town in eighteenth-century Virginia there were dozens of hamlets that grew up at

⁴⁹Va. Gaz. (P. & D.), Aug. 15, 1771.

⁵⁰Va. Gaz. (P. & D.), March 11, 1773.

⁵¹John Pownall to President John Blair, July 9, 1768, P.R.O., C.O. 5/1375, f. 9, microfilm Colonial Williamsburg.

⁵²See Bridenbaugh, Colonial Craftsman, p. 9; for some insight into the rural craftsmen phenomena see [Harold B. Gill, Jr.], The Blacksmith in Eighteenth-Century Williamsburg, ed. by Thomas K. Ford (Williamsburg, Va., 1971), pp. 11-14.

courthouses, ferrys, ordinaries, churches, tobacco warehouses, and crossroads. The hamlets served both travellers and the populace of the neighborhood, and convicts, usually with skills or in service trades, lived and worked in hamlets scattered about Virginia.

At one crossroads hamlet in Loudoun County the native Virginian James Lane opened a blacksmith shop in the 1750s.⁵³ When Lane was joined a few years later by his brother, William Carr Lane, the crossroads had become a hamlet known as Newgate. There the Lane brothers developed a store, a mill, and the blacksmith shop with stables serving the growing transport trade between the Shenandoah Valley and the growing towns of Fredericksburg and Alexandria.⁵⁴ The Lanes were typical of the industrious entrepreneurs of eighteenth-century Virginia; they would try a scheme that promised a profit, and they would tap any source of labor that they could. In the 1760s two convicts from England, both in their late twenties, and both blacksmiths, were bought by the Lanes and put to work in the smithy shop in the Lane's crossroads hamlet in Loudoun County.⁵⁵

Another convict, Joseph Higginson, was brought into Virginia in the fall of 1770 and sold into the country by Thomas Hodge. Higginson, trained as a screwplate maker, was later bought by Samuel Daniel, who lived near the upper church in

⁵³Indenture between James Lane and Philip Buzan, blacksmith, Oct. 20, 1756, in Fairfax County Deeds, D-1 (1755-1761), p. 343.

⁵⁴Ibid.; Va. Gaz. (R.), July 13, 1769.

⁵⁵Va. Gaz. (R.), May 12, 1768.

Middlesex County.⁵⁶ There Daniel had a chairmaking shop and a blacksmith shop where he employed local apprentice boys and served the neighborhood in both consumer goods and repairs.⁵⁷ There the convict Higginson expanded his skill into doing "all sorts of jobbing work very well," taught by his owner Daniel.⁵⁸

Each county had a courthouse placed near the center of the county for greatest convenience of its residents. The typical courthouse was neither built in a town nor did it give rise to a town. Most courthouses were, however, surrounded by settlements or hamlets, including ordinaries and stables, a blacksmith shop, the clerk's office, and possibly even the clerk's home. Although the county court only met once a month the clerk had his daily business with the citizenry. In the early 1750s Barnaby Allay, an aging (ca. 50) Irishman, was bought by the keeper of the courthouse tavern in King William County.⁵⁹ Allay's only work experience that was mentioned in his owner's runaway advertisement was that of a sailor. Daniel Whealon, "an Irishman, a Convict, and a Smith by Trade" worked at a smithy at Hanover Courthouse in the 1740s.⁶⁰

While some of the tobacco warehouses established under the 1730 inspection act gave rise to flourishing towns others

⁵⁶Va. Gaz. (P.), April 7, 1768.

⁵⁷Va. Gaz. (R.), March 15, 1770; Va. Gaz. (P.), July 28, 1775.

⁵⁸Va. Gaz. (P.), April 7, 1775.

⁵⁹Va. Gaz., Nov. 7, 1754.

⁶⁰Va. Gaz., Dec. 12, 1745.

remained little more than hamlets. One of these, although officially a town, was West Point, at the confluence of the Mattaponi and Pamunkey Rivers which formed the York River.⁶¹ The young West Point merchant John Frazer, who dealt in the West Indies trade, employed both indented and convict servants.⁶² John Wright, an old sailor with twelve years experience, was transported from London in the fall of 1769 and was bought by Frazer to work at his store, storehouses, and granary in the hamlet of West Point.⁶³

Because of the many rivers and streams flowing through tidewater Virginia there arose a large number of ferries to serve the many roads that crisscrossed Virginia in the eighteenth century. Many ferries had an ordinary on at least one side, and some ferry wharfs, especially if they also served commercial shipping, became hamlets in tone and character. One of these was Thomas Dancie's settlement, consisting of a ferry, tobacco warehouse, wharf, and ordinary on the Pamunkey River between Hanover and King William Counties.⁶⁴ Into that settlement in mid-century was brought the convict Billy Hughes.⁶⁵ Although it is not clear what jobs Hughes performed, he certainly went about his daily tasks in the

⁶¹For the small size of West Point in 1781, see Reys, Tidewater Towns, pp. 79-81.

⁶²Va. Gaz. (P. & D.), Dec. 7, 1769; Va. Gaz. (P. & D.), Aug. 29, 1771; Va. Gaz. (R.), Dec. 22, 1768.

⁶³Va. Gaz. (P. & D.), Dec. 7, 1769.

⁶⁴Va. Gaz. (P. & D.), June 20, 1766; Hening, Laws, VI, 425-27.

⁶⁵Va. Gaz., May 9, 1751.

midst of a neighborhood hamlet that served local planters, visiting ships, and a steady stream of travellers from far and near. Another convict, Philip Helenford, was put to work at the settlement consisting of a tobacco warehouse, a ferry, and a tavern on the Mattaponi River between King William and King and Queen counties in the late 1760s.⁶⁶

One of the strongest magnets that regularly pulled together a colonial Virginia neighborhood was the established church. Although parish lines did not respect county lines a typical county was served by two or even three different parishes. Each parish had a "home" church and often one or more chapels of ease, with the rector riding his parish "circuit" from Sunday to Sunday among the various chapels. With Sunday services, vestry meetings, and other church activities, the parish church had a major impact on daily neighborhood life. Working in the midst of the parish activity were some of the convict servants. William Waters, "a Joyner or Chairmaker by Trade," was bought by the Reverend Thomas Hughes, rector of Abingdon Parish in Gloucester County.⁶⁷ Later in the century Absalom Spruce, a gardener, was owned and worked by the Reverend Jonathan Boucher, rector of St. Mary's Parish in Caroline County.⁶⁸

Not all of the "ecclesiastical" convict servants served

⁶⁶Va. Gaz. (R.), April 14, 1768.

⁶⁷Va. Gaz., May 5, 1738; Goodwin, Colonial Church, p. 280.

⁶⁸Va. Gaz., (P. & D.), Aug. 16, 1770; Goodwin, Colonial Church, p. 252.

their lords in pure physical labor. In October 1724 one William Grove, who was recorded in his trial papers as being a laborer, was convicted of breaking into an English home and stealing twenty-five guineas.⁶⁹ Two months later Grove was put aboard the sixty ton convict ship Rappahannock with eighty-three fellow convicts from Newgate jail and shipped to Virginia.⁷⁰ Grove's ship arrived in the Rappahannock River by April 3, 1725, having lost ten convicts and the captain in the passage.⁷¹

Ten years later William Grove and his wife Elizabeth were suing John King and William Neale in Westmoreland County court.⁷² In 1747 William Grove was nominated by Willoughby Newton, a local planter, to serve as clerk of the vestry.⁷³ Grove was accepted by the rector but because Grove "came into the Country convicted" the rector was forced to let Grove go. When Grove's friends in the parish, however, secured a mandamus to reinstate Grove as clerk, a compromise was reached whereby Grove became sexton of the new church.⁷⁴

Since that church later fell into a new parish and the records are lost, we cannot trace Grove's subsequent ecclesi-

⁶⁹Trial record of William Grove, Oct. 14, 1724, London Record Office.

⁷⁰Kaminkow, Emigrants, 69, 184.

⁷¹Entry of the Rappahannock Merchant, April 3, 1725, Certificates of Felons, Misc. MSS, 57/7.

⁷²Westmoreland Orders (Dec. 1, 1737), p. 351a.

⁷³Truro Parish Vestry Book (June 29, 1747), p. 56, Library of Congress.

⁷⁴Ibid., pp. 56, 57.

astical career. But in the 1750s his old sponsor Willoughby Newton was renting a farm to Grove in Fairfax County,⁷⁵ and in 1760 Grove was apparently still living in Fairfax County when he witnessed a will of a neighbor in Fairfax court.⁷⁶

While many a skilled worker passed his days in shops either at a home house quarter or in a town, others worked in conditions that were at once industrial and rural. Most of these rural industries, which were mainly mills and iron works, placed the convict servant in a position similar to that of the proximate plantation, having both an inward focus and an outward dependence.

Throughout the eighteenth century flour mills for grinding wheat and corn proliferated throughout Virginia, especially in the Northern Neck. In the late colonial period Robert Carter counted twenty-three such mills within a radius of twelve miles in Westmoreland County.⁷⁷ These mills tended to be of two types: smaller mills which did rough "country custom" grinding for the local farmers, and larger "merchant mills," which could produce several different grades of flour for various types of commercial use. The millers, coopers, masons, carpenters, and laborers who serviced a mill functioned as an integral part of the neighborhood. Where the custom mill drew local farmers and their wives, the merchant mill functioned in a more commercial atmosphere, introducing the

⁷⁵Fairfax County Deed Book, C-1 (1750-1754), p. 57.

⁷⁶Fairfax County Will Book, E-1 (1752-1767), p. 238.

⁷⁷Wm. and Mary Qrtly., 1st Ser., II, 245. For the wheat and flour trade in general see Harrison, Landmarks, 397-408.

mill hands to ships and sailors, as well as to farmers and merchants. At one such mill, just below Hobb's Hole on the Rappahannock River, worked the Scottish convict Peter Robb.⁷⁸ Robb was a baker who was shipped out of London in 1773 and was bought by the mill owners Archibald McCall and William Shedden, merchants of Hobb's Hole.⁷⁹ Robb was joined at his mill by the Irishman John Farrell, who, as a cooper, worked at the mill making casks for the various grades of flour.⁸⁰

The eighteenth-century provincial "iron plantation" was best located on a well-fed swift running stream or river and near a navigable river or bay. The fast water supplied the power to smelt and blast the iron ore, forge the molten iron, and cut the logs needed to build and repair the works. A strong stream might also turn a grain mill for feeding the dozens of hands who worked at the various tasks. For these iron plantations workers of varying skills were needed. There were the skilled founders, forgemen, keepers, colliers, and finers; the semi-skilled potters, carters, and watermen, and common laborers such as ore breakers, loaders, and woodcutters. Since the iron plantation tended to be as large as any tobacco plantation because of the insatiable need for wood, some iron works also needed blacksmiths, carpenters, weavers, farm workers, and sometimes millers and bakers.⁸¹ Virginia iron

⁷⁸ Va. Gaz., (R.), Aug. 27, 1773. ⁷⁹ Ibid. ⁸⁰ Ibid.

⁸¹ See Arthur Cecil Bining, Pennsylvania Iron Manufacture in the Eighteenth Century, Penn. Historical Commission Publications, IV, (Harrisburg: Pennsylvania Historical Commission, 1938), 29-48 for iron plantations in general, and 107-130 for the workers.

masters used whatever labor they could get and hold, and one of the sources was the convict transportation system.

Sometimes the ore beds were distant from the iron works; in such cases the convict miner and carter came as close as did any Virginian to living in seclusion, working literally in a vast pit surrounded by a vast forest. About ten miles below Richmond in Chesterfield County lay one of the few coal pits in colonial Virginia.⁸² There Gerard Ellyson mined coal and produced charcoal, and to those pits was brought Jonathan Pollard, a "stout able bodied" convict weaver from the west country of England.⁸³ But although trained as a weaver, Pollard presented himself to Ellyson as a collier, and Ellyson bought him on that basis. In the adjoining county of Dinwiddie, William Wright was bought as a collier, probably to work the coal veins that ran southwest from Richmond.⁸⁴ In that same decade Thomas Fleming and Anthony Thomas, "Convict Servants belonging to Colo. John Chiswell," were working at Chiswell's lead mines in the upper Valley of Virginia.⁸⁵ Earlier in that century Robert "King" Carter was using white servants in his Frying Pan copper mines in the western frontier of Stafford County.⁸⁶

⁸²Va. Gaz. (P. & D.), Oct. 17, 1771.

⁸³The balance of this paragraph is based upon Ellyson's runaway advertisement for Pollard in Va. Gaz. (R.), Feb. 19, 1767.

⁸⁴Va. Gaz. (P.), March 27, 1778.

⁸⁵Prince Edward County Order Book, 1765-1767, (March 23, 1765) p. 15.

⁸⁶Robert Carter to Benjamin Grayson, July 3, 1731, Robert Carter Letterbook, Alderman Library microfilm.

Virginia never had a large number of either major iron works or major mining operations, but most of those that did appear in the eighteenth century used convicts along with other sources of labor. One of the earliest mines, financed by merchants in Bristol, England, was the Bristol mining operation which, until it ceased operations in the 1730s, was located on Bristol Run, King George County on the lower Rappahannock River.⁸⁷ One of the backers of these mines was John King, merchant of Bristol, trader of tobacco, and a transporter of convicts from England's West Country to America.⁸⁸ At these mines were working at least a dozen white servants in 1721;⁸⁹ in 1729 there were sixty tithables working in the production of iron, including Negro slaves.⁹⁰ No proof has yet been found that King used convicts at his iron works, but since King shipped convicts, the English prison was a likely source to be tapped.

Further up the Rappahannock Valley lay the iron works of Alexander Spotswood, sometime governor and inveterate entrepreneur of colonial Virginia. Having initially tried settling German-Swiss iron working families in what was essentially a company town near the ironworks, Spotswood moved a few years later to import indentured servants from Germany,

⁸⁷Eaton, Westmoreland Atlas, pp. 10-11.

⁸⁸Virginia Naval Returns, P.R.O., C.O. 5/1443, f. 34.

⁸⁹King George County Order Book, 1721-1734 (Feb. 2, 1721/2), pp. 38, 39.

⁹⁰King George County Order Book, 1721-1734, Part 3, pp. 466, 417.

who were skilled in iron working.⁹¹ By the early 1720s, when his iron works was still less than ten years old, Spotswood was working English indentured servants,⁹² and into this industrial setting were brought some convicts.

In the fall of 1719 Thomas Mills was taken from Newgate prison with eighty-nine fellow convicts and put on board the 250 ton ship Susannah and Sarah, Peter Wills, master. Mills was one of the seventy-seven convicts to survive the voyage which ended in Annapolis, Maryland on the nineteenth of January 1719/20.⁹³ Mills was somehow bought by an agent for Spotswood's Germanna iron works, where he worked for at least four years.⁹⁴ Although he was legally entered into the Maryland port he may have been sold in the Rappahannock River, since his ship was owned by the convict contractor Jonathan Forward, who traded regularly in the Rappahannock River valley.

Toward the end of the colonial period there were three major iron works in northern Virginia: Neabsco, Occoquan, and Marlboro. At John Tayloe's Neabsco iron works on the Potomac in Prince William County, run under the name The

⁹¹Lester Cappon, Iron Works at Tubal (Charlottesville, 1945), p. 24.

⁹²Northampton County Order Book, 18, 1722-1729, p. 59, (April 8, 1723); Spottsylvania County Will Book A (1723-1739), pp. 26 (May 7, 1723), p. 40 (August 6, 1723), p. 47 (Sept. 3, 1723).

⁹³Kaminkow, Immigrants, 180-81; Certificates, for Susannah and Sarah, April 23, 1720, in Certificates of Felons, London R.O., Misc. MSS 57/7.

⁹⁴Spottsylvania County Order Book (1724-1730), (March 3, 1724/5), f. 40.

Occoquan Company⁹⁵ and managed in the later colonial period by Tayloe's manager Thomas Lawson,⁹⁶ apparently worked blacks and whites together for most of the company's life. John Tayloe I was looking for "Men Servants if to be procured on Easie Terms" as early as 1721,⁹⁷ and his son and heir John II was still importing individual indentured servants in the 1770s.⁹⁸ By the 1750s John Tayloe II was importing indentured servants commercially, and also buying convicts from the convict contractors Sydenham and Hodgson.⁹⁹ When Stewart and Campbell took over the contract for convicts Tayloe dealt heavily with their house and bought their convicts through their Virginia agent on the Rappahannock River, Thomas Hodge.¹⁰⁰ In fact, Campbell and Tayloe developed a particularly close business relationship if not a series of annual partnerships.¹⁰¹

By the 1750s Tayloe was also buying blacks, who, interestingly enough, he refers to as "Negroes" until the late 1750s,

⁹⁵ John Tayloe Account Book (1749-1768), f. 30, Tayloe Papers, Va. Hist. Soc.

⁹⁶ Will of John Tayloe II, (May 22, 1773), ibid.; Va. Gaz. (P. & D.), Aug. 29, 1766.

⁹⁷ John Tayloe to Mssrs. Lyde, Sept. 13, 1721, Tayloe Papers, Va. Hist. Soc.

⁹⁸ John Tayloe Account Book (1749-1768), f. 47, ibid.

⁹⁹ ibid., ff. 26, 27, 50; Pa. Gaz., Sept. 2, 1767.

¹⁰⁰ John Tayloe Account Book, 1749-1768, ff. 26, 44; also see runaway advertisements signed by Thomas Lawson, Pa. Gaz., Sept. 2, 1757; Va. Gaz. (R.), Dec. 13, 1770; ibid., Dec. 24, 1772.

¹⁰¹ Duncan Campbell to John Tayloe II, March 2, 1772, Campbell Letterbook, p. 3.

when he begins to refer to them as "slaves."¹⁰² Most of these Negroes/slaves seem to have been Virginia born, which suggests they were bought for their skills; some at least were worked in the open pit mines, like the "Six Negro's put into Stock" (i.e., put to work digging and breaking iron ore) in 1756.¹⁰³ In 1770 Tayloe opened a separate quarter, which he named the "potomac Quarter," on land near the iron works to supply the workers with food.¹⁰⁴ What he had "sent to the furnace" was hogs, wheat, and corn, indicating that the workers regularly ate bread--corn bread for Negroes and wheat bread for whites--and occasionally, as in the 1773 shipments of fifteen hogs, the workers enjoyed some meat as well.¹⁰⁵

Into the Neabsco works were brought convicts, few if any of whom had any experience in mining. When Thomas Lawson went on board the convict ship for the interview what he was looking for were men in the transport trades, usually sailors and wagoners. When a convict like William Simms or Joseph Loveday evidenced a facility for wagoning they were bought by Lawson, taken to the furnace, and put to work in one of Virginia's major rural industries.¹⁰⁶

On the Occoquan Creek in Prince William County was an

¹⁰²John Tayloe Account Book (1749-1768), f. 30, Tayloe Papers.

¹⁰³Ibid.

¹⁰⁴John Tayloe "Account Book" (undated, but ca. 1770-1780), f. 1, Tayloe Papers.

¹⁰⁵Ibid.

¹⁰⁶Va. Gaz. (R.), Dec. 13, 1770; ibid., July 15, 1773.

iron furnace built along with several mills, in the 1750s. By the early 1760s John Semple had taken over the furnace and mills and, importing ore from Maryland, continued to produce iron, as well as flour and finished lumber.¹⁰⁷ Soon after Semple had taken over the Occoquan industrial settlement he was writing to his partner and British agent James Lawson, of Glasgow, asking for skilled workers to be got from whatever source and sent to Semple's Occoquan works.¹⁰⁸ By 1764 Semple was getting his first parcel of skilled workers from Britain, indentured and convict.¹⁰⁹ These workers, having been bought in England and shipped directly to their American employment, escaped the sale experience in the colony.

The third major iron works was Marlboro, in the lower Shenandoah Valley, bought by Isaac Zane, a Quaker entrepreneur from Pennsylvania, in 1766. In 1769 Zane wanted to buy indentured servants, and considering his location he could hardly have had much trouble getting them; when convicts were available Zane bought them, too.¹¹⁰ Into this rural industrial scene were brought Charles White, a stocking weaver from Rutland County and James Leighton, native of Cambridgeshire.¹¹¹

¹⁰⁷Harrison, Landmarks, 428-29.

¹⁰⁸James Lawson to John Semple, Sept. 3, 1763, Letter-book no. 15/10, no. 2, of James Lawson of Glasgow, Scottish Record Office, Court of Session Unextracted Processes, Misc. MSS, Bundle 20, Box 2, microfilm at Colonial Williamsburg.

¹⁰⁹James Lawson to John Semple, Feb. 6, 1765, ibid.

¹¹⁰Isaac Zane to William Allason, May 17, 1769, Allason Papers, Letters and Papers, Box 5.

¹¹¹Va. Gaz. (P.), Nov. 25, 1775.

Zane had plenty of workers who needed stockings; what jobs Leighton performed are not recorded, but he doubtless worked daily with the slaves and indentured servants, both skilled and unskilled. In 1770 the convict John Campbell was working at Zane's Marlboro forge. Campbell, who had at least one accident with a scythe and another with an axe, probably did double duty in cutting wood and reaping grain.¹¹²

When convict servants worked at skills in the construction trades their life style can be described as unique because their working life, and hence their life in general, was not stationary. Most who worked in construction lived not in cities or towns but in the countryside, usually working on tobacco plantations or grain farms. For many of these convicts their owner was not only a planter or farmer but a builder as well, and in that sense such convicts, when at home, lived much the same life as the typical plantation white. But because he travelled to do his work the convict in construction made an early acquaintance with his neighborhood, surrounding neighborhoods, and sometimes even with other counties and colonies.

For the worker, construction work meant travel from home to the job, whether it be a bridge, house, store, church, or barn being built. He lived on location during the project, usually in a makeshift manner. One carpenter, while building a barn on a home plantation in Westmoreland County, slept in the barn itself, which was convenient once the roof was

¹¹²Va. Gaz. (P. & D.), Jan. 3, 1771.

on.¹¹³ Construction workers often had to wait; they waited on the weather, on supplies, and on other workers, and they often found time on their hands. They were almost as transient as tinkers or sailors, and quickly grew to know one neighborhood from the next.

No more vivid example of this life style can be found than that of the convicts who worked for the eighteenth-century master builder, sometime architect, and convict buyer William Buckland. In 1755 Buckland was indentured in England by Thomson Mason to go to Virginia and work on the new house of Mason's brother George.¹¹⁴ Buckland finished the job in 1759 and almost immediately set up his own construction business.¹¹⁵ He bought a plantation in Richmond County on the lower Rappahannock River and contracted out to build prisons, workhouses, churches, glebe houses, and private homes in Richmond County and the northern Neck. Buckland had talent, credit, and materials; what he needed was skilled labor. To solve this problem he began buying skilled white servants, and some of these were convicts.

One of these convicts was John Ewen, a joiner who worked for Buckland for at least seven years, minus the time lost when Ewen absented himself.¹¹⁶ Another convict joiner, Samuel Bayley,

¹¹³Westmoreland County Orders, 1721-1731, (Aug. 26, 1730), ff. 332-33.

¹¹⁴Indenture of Service, Buckland to Mason, Aug. 4, 1755, in Rosamond Randall Beirne and John Henry Scarff, William Buckland, 1734-1774, Architect of Virginia and Maryland (Baltimore, 1958), p. 142.

¹¹⁵Ibid., 30-48.

¹¹⁶Va. Gaz. (R.), June 15, 1769; Va. Gaz. (R.), Jan. 10, 1771.

was shipped in the Justitia in 1767, sold out of the Rappahannock River, probably directly to Buckland.¹¹⁷ Although originally only a "joiner," Buckland could consider Bayley a "House Joiner" after a year and a half of building buildings in Virginia.¹¹⁸ These two convict craftsmen travelled about Virginia with their owner-employer for about three years.¹¹⁹ In 1771 they all took a longer trip when Buckland moved his home and shop from Virginia to Annapolis, Maryland, where his convicts were put to work building some of the finest houses of the late colonial period.¹²⁰

By far the largest number of convicts served their time on Virginia plantations. The plantation white lived on a plantation which would have a home house, often with a working plantation right there, which we may refer to as the "home quarter." There were often other quarters, as well, that is, pieces of planted land that might be scattered in the home quarter area, or elsewhere in the county, or in other counties in the colony. Each quarter would employ between eight and ten tithes or workers,¹²¹ and the home house grounds would have additional workers. At the home house, depending upon the size of the plantation, were a cluster of shops and stables, as well as the direct service buildings like the kitchen and the dairy.

¹¹⁷Va. Gaz. (R.), July 26, 1770; Va. Gaz. (R.), Aug. 1, 1771.

¹¹⁸Ibid.

¹¹⁹Scarff, William Buckland, pp. 45, 67.

¹²⁰Ibid., pp. 67-102. ¹²¹Mullin, Flight, p. 48.

Many plantations were in the neighborhood of a town, where a plantation white might live like John Harrower, an indentured servant who taught school and kept books for William Daingerfield of Belvidera, seven miles down river from Fredericksburg.¹²² This distance was an easy ride or a long walk for Harrower and his fellow servants, and they often had the opportunity of making the trip, either with one another or alone. Town visits for shopping, church, militia musters, fairs, horse races, theater performances, personal mail and commercial correspondence, and repairs of goods and clothing by tradesmen were a regular part of the plantation life of Harrower and his fellow white servants. And the town also came to the plantation in the person of merchants, tradesmen, ship captains, militia men, and other visitors for business and pleasure.

Nor were plantations that were beyond the neighborhood life of a town functionally isolated for the workers. The image of the lonely plantation family that craved guests and of the lordly planter who eschewed dependence on, if not interference from, the "outside" world, is only part of the picture which, taken alone, skews the picture of colonial Virginia life. This insulated, independent life was certainly not the case for the convict and indentured servants, and probably not even so for the masters and the slaves.

Often distant from a navigable waterway but seldom far from a road, the Virginia plantation functioned not in isolation but in a neighborhood. The services of the neighborhood were

¹²² Harrower, Journal.

more than merely amenities; they were a necessity, even to a distant quarter that was the home of an overseer and eight or ten black hands. Those who were selling plantations and quarters were aware of these needs, and an advertiser would come right to the point. In advertising an 800 acre quarter in Frederick County in 1773, Francis Willis, Jr., cited the "good buildings, and out houses for 12 or 15 Negroes," and then described its situation: "This tract is situated in the most convenient part of the country, being only six miles from the river Shenandowa, and ten from Winchester . . . and convenient to church, mill, and blacksmith's shop."¹²³ Large planters wanted neither plantations nor quarters that were isolated, and Virginians worked either from intent or interest to develop a plantation world with as much economic and social intercourse as they possibly could.

It was in the neighborhood, largely populated by other plantations but also checkered with the homes and shops of tradesmen and ferry keepers, with ordinaries, churches, country custom mills, courthouses, towns, and cross-roads hamlets, that the convict as a plantation white lived and worked out his service. His neighborhood, while never sharply defined, was an intricate web woven by family ties, geography, trade, industry, politics, social life, culture, and of course labor. And, although the neighborhood society was dominated by the planters, it was populated mostly by the workers, bond and free. It was in this sub-society comprising the mass of

¹²³Va. Gaz. (R.), Oct. 21, 1773.

Virginians that much of the daily life of the convict was spent, a life that the planters often overlooked and seldom understood.

Probably the largest single skill-group on a given ship-load of convicts was that of men acquainted with the farming business. These were the husbandmen, plowmen, ditchers, and many of the carters and wagoners, who had been raised on English farms that were in their lifetime being slowly sucked toward the "new agriculture" of abundance. By the 1720s Virginia agriculture was also diversifying as the old tobacco fields were replaced by wheat and corn, first grown for home consumption but soon being carried to foreign markets, moving parts of Virginia and Maryland toward Pennsylvania style farming, with balances of foodstuffs, cash crops, and livestock. Into this expanding agriculture came, over the period of half a century, thousands of convicts acquainted with the farming business, and many of these farmers went to the larger plantations. In the late colonial period convict farmers appear almost exclusively in the upper Rappahannock Valley.¹²⁴

As the eighteenth century progressed some came to make a distinction in the Chesapeake colonies between plantations, which grew tobacco, and farms, which grew grain. Samuel Vaughn, an Englishman travelling in Virginia in the mid 1780s, paid particular attention to the quality of the land as he went along, counting the number of plantations and the number

¹²⁴ Va. Gaz. (R.), Dec. 13, 1770; Pa. Gaz., Jan. 30, 1772; Va. Gaz. (P. & D.), July 9, 1772; ibid., June 21, 1770; Va. Gaz. (Pi.), June 1, 1775; Va. Gaz., Aug. 3, 1775.

of farms separately, with just that distinction in mind. In a trip through the Piedmont and the lower tidewater in 1787 Vaughn counted many more farms in grain than plantations in tobacco.¹²⁵ In Fauquier County Vaughn passed "18 farms on the road 1/4 of them in tobacco."¹²⁶ From New Kent County court house to Williamsburg, Vaughn counted nineteen farms, four of which were in tobacco, the rest being planted in grain.¹²⁷

The comparison of the Chesapeake's exports of grain versus tobacco must also take into account the fact that where all of the marketable tobacco could be exported, most of the grain raised was consumed within the Chesapeake colonies, suggesting that much more grain was grown than was exported in any given year. Hence, convicts who worked as "ploughmen" were not working tobacco fields, which called ^{for well worked} ~~only for the~~ hoe. Those who were acquainted with farming we may surmise were working at grain farming and husbandry rather than in planting tobacco.

If the nature of a plantation was its eclectic collection of jobs, trades, and callings, its essence was the fields, whether planted in tobacco, sown in grains, left for fallow, or enclosed for grazing. A few convicts worked in quarters separate from the home quarter. Such convicts were often

¹²⁵ [Samuel Vaughn], Minutes made by S[amuel] V[auhn] from State to State on a Tour to Fort Pitt or Pittsburg in company with Mr. Mich[ae]l Morgan Obrian; from thence by S[amuel] V[auhn] only through Virginia Maryland & Pennsylvania, p. 40, photostat, Lib. of Congress.

¹²⁶ Ibid., p. 47. ¹²⁷ Ibid., p. 51.

bought and owned by town merchants who, by the nature of their life, would seldom be about the farm unless it were a proximate plantation. James Duncanson and William Triplet, both merchants of Fredericksburg, had quarters that were located beyond an easy ride from the town where convict servants were employed.¹²⁸ The convict John Hern was put to work on a quarter that was over thirty miles up the Potomac River from his merchant-owner's home in Colchester.¹²⁹ Convicts in such situations worked for overseers and would seldom see their owners or participate in the rhythm of the home house quarter.

But it was in the fields about the home house quarter where most of the convict farmers and plowmen worked, not the more distant separate quarters. One clue that this was the case is that for most convict runaways the newspaper runaway advertisements point to their working near the home house. Another indication was their owner's familiarity with their work.¹³⁰ The owners were able to keep an eye on their convict farmers, evaluating their work according to ability and efficiency. An observant Spottsylvania planter concluded his man "understands farming well,"¹³¹ while the laconic Jonathan Boucher discovered his Lancashire farmer to be "a very

¹²⁸Va. Gaz. (P. & D.), Sept. 26, 1771; ibid., April 23, 1772.

¹²⁹Va. Gaz. (P. & D.), Nov. 10, 1774.

¹³⁰Va. Gaz. (R.), March 16, 1769; Va. Gaz. (Pi.), June 1, 1775; Va. Gaz. (P. & D.), June 21, 1770; Va. Gaz., Feb. 27, 1752; Pa. Gaz., Oct. 26, 1749.

¹³¹Va. Gaz. (Pi.), Aug. 3, 1775.

tolerable practical farmer."¹³² And the farmers who were bought for their agricultural skills and experience and knowledge worked at the jobs that they had learned at home; very few worked in tobacco.

Some convicts put to farm work were assigned one particular job at which they spent most of their time, and the convict ploughman was one of these. Transported along with the convict plowmen was the plowman's image, that of his being a "very clownish ignorant fellow . . . neither able to read nor write,"¹³³ who followed his team in the "Ploughman's lounging forward Gait" across the increasingly diversified Virginia fields.¹³⁴ Nor were they restricted to the diversification of the Northern Neck and the Valley. Thomas Hundley was following the plow in Middlesex County in 1755¹³⁵ while in the same year the Yorkshire plowman John Linley was turning Gloucester County soil.¹³⁶

No matter how specialized a plantation might become, there was always a need for the handyman. Patrick Carroll, a dark eyed Irishman with black hair, was bought by the lawyer-planter John Martin and put to work on Martin's King William plantation.¹³⁷ Martin, who of necessity would often be away from the home quarter,

¹³² Va. Gaz. (P. & D.), June 1, 1769.

¹³³ Va. Gaz. (P. & D.), June 1, 1769.

¹³⁴ Va. Gaz. (R.), March 12, 1767.

¹³⁵ Va. Gaz. (H.), July 11, 1755.

¹³⁶ Va. Gaz., April 11, 1755.

¹³⁷ The preceding is based on two runaway advertisements in the Virginia Gazette, June 6, 1745 and May 29, 1746.

found Carroll literally "very handy," and it is no wonder. Carroll dug ditches to drain and protect fields, which was an agricultural skill that was more akin to a construction trade than to simple labor. The home quarter garden, an essential part of the plantation, received Carroll's careful attention. When butchering of stock was necessary Carroll applied himself and did a creditable job of it, and he was equally successful in dealing with living livestock, carting about the supplies, the utensils, and the produce. Whether he was allowed to do his carting off of the plantation is not clear. And when he had time Carroll worked in the main fields as a "planter."¹³⁸ If the convict had other talents they were put to use, like the smith who drew blood and pulled teeth to ease the pain of his fellow colonials.¹³⁹

Other convicts were put to work in ancillary specialties like the "Ditcher and Well digger" Thomas Rankin,¹⁴⁰ and Richard Sadler, whose "general Employment was to drive a Cart" at John Champe's home house quarter in King George County.¹⁴¹ These specialties, especially that of the carter or wagoner, depended upon as much knowledge (if not as many skills) as the skilled silversmith or master cabinetmaker. They also allowed the convict a freedom of movement and time

¹³⁸This is the one of the two runaway advertisements (Va. Gaz., May 29, 1746) that mentions a convict servant as a "planter." Also see George or Richard Lee, Pa. Gaz., Aug. 31, 1749 and Oct. 26, 1749.

¹³⁹Pa. Gaz., Dec. 1, 1743.

¹⁴⁰Md. Gaz., Sept. 15, 1747; March 24, 1747.

¹⁴¹Va. Gaz., April 11, 1755.

allocation greater even than the independent gardener or relatively stationary mansion house tradesman.

The plantation white who was held to be the most valuable worker was the tradesman. An aspect of the large plantation in eighteenth-century Virginia was the presence of a body of skilled tradesmen, of whatever color. Skilled convicts wound up on plantations throughout the transportation period, and their location depended in large part upon the proximity of the convict buyer to a port town. Thus, in the early period, when some English convict shippers had no established agent in Virginia, three convicts "imported into York River" wound up on the Gloucester plantation of John Lewis.¹⁴² Later in the period most appeared in the valleys of the Rappahannock and Potomac rivers, the areas of greatest imports and sales. Virginia's expanding population, however, kept the soul drivers busy, and planters reached out from the Valley,¹⁴³ the Tidewater,¹⁴⁴ and the South Side¹⁴⁵ for skilled convicts, thus sprinkling these men and women at home house quarters throughout much of the colony.

White servants in the mansion houses of the larger planters were not unknown in eighteenth-century Virginia, but they were mostly, if not exclusively, female. William Dangerfield of Belvidera hired a local young white girl as a house-

¹⁴²Va. Gaz., May 5, 1738.

¹⁴³Va. Gaz. (R.), April 14, 1768, March 12, 1772; Pa. Gaz., June 23, 1768.

¹⁴⁴Va. Gaz. (P. & D.), Jan. 18, 1770.

¹⁴⁵Va. Gaz. (R.), Feb. 19, 1767, June 15, 1775.

keeper in the mansion house of that home quarter.¹⁴⁶ At Mount Airy, further down the Rappahannock River from Belvidera, John Tayloe II employed a white woman, Margaret Garrett, as a teacher and nurse for his children.¹⁴⁷ Colonel George Washington of Mount Vernon hired a white woman, probably a local widow, as a housekeeper in December, 1768, but she stayed only six months,¹⁴⁸ while a neighbor of Washington's, Colonel John Colville, bought a white servant whom he employed as his housekeeper at his Fairfax County home.¹⁴⁹ William Buckland, in Richmond County, had a white female indentured servant to care for his modest house and growing family.¹⁵⁰

No hard evidence has been found to show that female convicts worked within the home house. Where some female convicts did do work as plantation whites it was in the more immediate service positions that were ancillary to the home-house: the laundresses, dairy maids, spinners, and weavers. In the 1730s the Welsh spinner Winifred Thomas was working at William Pierce's plantation in Nansemond County.¹⁵¹ Thirty

¹⁴⁶Harrower, Journal, pp. 81, 183, note. Also see the examples in Julia Cherry Spruill, Women's Life and Work in the Southern Colonies (New York, 1972), pp. 312-313.

¹⁴⁷Will of John Tayloe, II, May 22, 1773, Va. Hist. Society.

¹⁴⁸Fitzpatrick, Diaries, I, 303; Ledger A, f. 288, Washington Papers, Series 5, vol. I, microfilm reel 115, Lib. of Congress.

¹⁴⁹Fairfax County Wills, B-1, p. 97; Harrison, Landmarks of Old Prince William, pp. 138-140.

¹⁵⁰Scarff, Buckland, 44. ¹⁵¹Va. Gaz., Aug. 5, 1737.

years later another spinner, Elizabeth Berry from Lancaster-shire, England, did her spinning at a Frederick County plantation near Winchester.¹⁵² In 1769 Elizabeth Berry was working as a dairymaid in Frederick County, "near Winchester."¹⁵³

Working in the shadow of the home-house and responsive to its basic needs, the plantation white was in the midst of the daily routine of the planter, his family, his friends, neighbors, and business acquaintances, as well as with fellow workers, black and white. The butchering of livestock was a skill in itself, and some convicts spent at least part of each farm year preparing the meat with ax and knife to feed the planter's family, his white servants, and, on rare occasions, his black slaves.¹⁵⁴ The experienced sailor John Smith, already an old salt at the age of twenty-five, enjoyed telling of his various voyages to anyone he could catch in the mansion house grounds as he did the butchering for Thomison Ellzey's plantation family in Fairfax County.¹⁵⁵

The plantation kitchen garden, expected to supply a wide variety of food for use year around, was an important part of the plantation economy. An increasing number of Virginians

¹⁵²Va. Gaz. (R.), July 20, 1769.

¹⁵³Va. Gaz. (R.), July 20, 1769.

¹⁵⁴The general belief in both England and Virginia was that an Englishman needed his meat. It was usually a specific condition in indentures and a regular complaint in the county courts. For meat for slaves see Mullin, Flight, 50. Mullin reads "animal food" as being meat; more likely it was food of the type that was fed to animals, i.e. corn, which supports his generalization earlier in the paragraph that meat was seldom given to slaves.

¹⁵⁵Pa. Gaz., Sept. 7, 1774.

were caught up in the gardening vogue in the eighteenth century, and a good kitchen gardener was a valuable asset to a planter's household. Most of the convicts who presented themselves as gardeners wound up as plantation whites, daily working within sight of the home house and out buildings. For such work they were given clothing that would endure: shirts and trousers made of osnabrug or "Negro cloth" were standard issue.¹⁵⁶ The gardener might also be issued leather breeches, occasionally made of buckskin.¹⁵⁷ In place of boots, which were both a luxury and a symbol of status, the gardener wore "Negro shoes" issued from the common storeroom.¹⁵⁸ Although he shared clothing with his fellow blacks, they did not share his special realm. Assistants and associates of the gardener could also be white, as when the convict gardener William Walker had the occasional assistance of an indentured servant on Richard Lee's plantation in the 1770s.¹⁵⁹

The plantation gardener was in a special position in the home house system. His work was directly and daily responsive to the needs of the home house, but in the care and feeding of his product he was master of his realm. This experience may help to explain why in every newspaper advertisement for runaway gardeners there is evidence of a particular

¹⁵⁶Va. Gaz. (R.), July 22, 1773, supplement; Va. Gaz., Nov. 17, 1738.

¹⁵⁷Va. Gaz. (R.), Aug. 5, 1773; Va. Gaz. (R.), Jan. 10, 1771.

¹⁵⁸Va. Gaz. (P. & D.), Aug. 16, 1770; Va. Gaz., Nov. 17, 1738.

¹⁵⁹Va. Gaz. (R.), July 22, 1773, supplement.

independence to the point of intransigence. Robert Shiels, along with a fellow convict worker, struck his employer Peter Presly as a couple of "bold, stout Fellows,"¹⁶⁰ while William Walker ran away once a year and, although "severely whipped," he refused to reform.¹⁶¹ Mathew Thorp went through two owners in as many years, and even a close brush with the hangman's noose in Williamsburg did not deter him.¹⁶² Absalom Spruce did not let a sore and swollen leg keep him from running off.¹⁶³ When Bryan Kelly left his plantation garden in August, 1737 he helped himself to his owner's gun and ammunition,¹⁶⁴ and the runaways James Spencer and William Walker successfully shook loose from their captors to remain free.¹⁶⁵

Unless the planter had some particular interest in kitchen gardens the gardener's supervisor was the planter's wife, who had a home quarter administrative responsibility unmatched by the Victorian housewife and inconceivable to the woman of a twentieth-century nuclear family. In fact, on many plantations the wife was probably a busier administrator than her planter husband.¹⁶⁶

All of these men and women did much of their work in the

¹⁶⁰Va. Gaz., Nov. 17, 1738.

¹⁶¹Va. Gaz., July 22, 1773, supplement.

¹⁶²Va. Gaz. (R.), May 2, 1771; Va. Gaz. (P. & D.), June 13, 1771; Va. Gaz. (R.), Aug. 5, 1773.

¹⁶³Va. Gaz. (P. & D.), Aug. 16, 1770.

¹⁶⁴Va. Gaz., Sept. 2, 1737.

¹⁶⁵Pa. Gaz., Aug. 13, 1747; Va. Gaz. (P. & D.), Aug. 19, 1773.

¹⁶⁶See Spruill, Women's Life, pp. 65-66.

shadow of the home house itself. Gathered together were the various outbuildings which, on a larger plantation, could number several dozen, striking the visitor as having "more the appearance of a small village, by reason of the many separate small buildings."¹⁶⁷ The typical plantation was more interdependent than it was independent; although extensive it was not feudal, and although clustered about the home house, it was not necessarily directed by the planter. The independence in the plantation village came less from "outside" forces than from the skills enjoyed by the plantation whites. The plantation described, although it did not circumscribe, the daily world of the plantation white; many a skilled convict found himself living and working in such a village.

The nature of a trade made the skilled convict's work day determined less by hours put in than by the nature of the various tasks. Since he had been raised and trained in a society that had not yet "flattened out" time, the skilled convict still felt the wash of a cyclic life that was writ large in the dance of weather and seasons in an agricultural economy.¹⁶⁸

Although the outbuildings were owned by the planter they were under the purview of the tradesmen who worked them, and the proverbial power of the cook in her kitchen could apply

¹⁶⁷Johann David Schoepf, Travels in the Confederation, 1783-1784, trans. by Alfred J. Morrison (Philadelphia, 1911), II, 32.

¹⁶⁸For an imaginative discussion of the worker's concept of time see E.P. Thompson, "Time, Work--Discipline, and Industrial Capitalism," Past and Present, no. 38 (Dec., 1967), 56-97.

equally to the cooper in his shop, the tailor in his store, and the smith in his smithy. Where the tradesman had his own shop he often slept there as well, possibly in the loft. Samuel Holmes certainly worked at his tailor trade in one of the outbuildings which his owner referred to as "his [Holmes'] shop."¹⁶⁹

The convict tradesman worked with a set of tools bought for him by his master, which apparently remained in the convict tradesman's care. If he were a good craftsman and proud of his work he gave his tools respect and personal attention that was not forgotten if he deserted his plantation. Unlike the weaver and the blacksmith, the shoemakers who ran away often took their tools with them.¹⁷⁰ If the convict were a particularly good craftsman his owner, who wished high quality shoes to be made either for himself or for neighborhood trade, would, like Daniel Horby of Richmond County, supply his convict shoemaker with tools "unusual in the common Sets of . . . [shoemaker's] Tools."¹⁷¹ The most elaborate establishment in which a convict tradesman worked was the blacksmith in his shop, where he worked at his "mystery and art" of combining earth, air, fire, and water into tools for the plantation and the neighborhood.

One solution for the problem of skilled plantation whites who became idle was for the planter to open his craftsman's

¹⁶⁹ Pa. Gaz., May 2, 1765.

¹⁷⁰ Va. Gaz., Sept. 24, 1736; Va. Gaz., May 11, 1739; Va. Gaz. (P. & D.), Nov. 24, 1774; Va. Gaz. (Pi.), Oct. 11, 1776.

¹⁷¹ Va. Gaz., May 11, 1739.

shops to outside customers, usually customers from the neighborhood who had need of some service or produce produced in the plantation village. This was a common practice, and it brought the convict artisan into contact and intercourse with his neighbors, whom he would soon get to know. Thus, in the spring of 1765, the tailor Samuel Holmes was taking in a large number of his neighbor's garments for repair.¹⁷² Some convict craftsmen even dealt in cash with their customers, like the Fauquier County shoemaker Thomas Hall, who ran away in 1776 with "a quantity of ready cash," or the convict living in Fredericksburg who, his owner advised, "collected money amongst my customers."¹⁷³ Such a situation placed the skilled convict servant in a position not unlike an independent artisan with his own shop, producing a life style that was a long way from the imagined "slavery" of the tobacco fields.

Even if he were good at his craft the skilled plantation convict might be called upon to do other jobs, either because there were occasional jobs that put a strain on the planter's regular labor force, or because the planter realized that the convict had no work of his own at that time. He was less a handyman of the Patrick Carroll type than a tradesman who learned a second calling in the diversified world of the Virginia plantation. Such a convict was Thomas Jones, "Shoemaker by Trade," who also came to "understand Husbandry" on

¹⁷²Pa. Gaz., May 30, 1765.

¹⁷³Va. Gaz. (P.), Oct. 11, 1776; Va. Gaz. (R.), Dec. 24, 1767.

a Hanover plantation in the 1740s.¹⁷⁴ Later in the colonial period Philip Helenford, who "understands farming," was doing "rough brick and stone work" for William Todd in the Tidewater county of King and Queen.¹⁷⁵

The broader range of skills that a convict brought into Virginia, the happier his owner would be. Dennis McCarty was put to work on the grounds of a Northumberland County plantation in the 1760s, practicing the arts of the blacksmith, coppersmith, brazier, and tinker, even to the mending of china.¹⁷⁶ Other plantation whites, who brought in a skill, such as the brazier Joseph Gibson,¹⁷⁷ the claysmith Hugh Dean,¹⁷⁸ or the tinsmith worker John Bagnall,¹⁷⁹ often had to adapt to the multiplicity of problems in various metals and clays, for of necessity the planter-owner pressed every repair work problem on that tradesman who was most familiar with a particular field.

Despite the convict's experience with his owner the people with whom he daily lived and worked were his fellow workers, some of whom were fellow convicts. From the newspaper advertisements for convicts who ran away from owners in Virginia it is certain that at least twenty per cent of Virginia convict runaways worked with other convicts, and another ten per cent

¹⁷⁴Va. Gaz., Sept. 18, 1746.

¹⁷⁵Va. Gaz. (R.), April 14, 1768.

¹⁷⁶Pa. Gaz., May 30, 1765. ¹⁷⁷Pa. Gaz., April 4, 1765.

¹⁷⁸Va. Gaz., July 4, 1751.

¹⁷⁹Va. Gaz. (P. & D.), July 30, 1772.

probably did. If the total of these two percentages is considered minimum, as it ought to be, then the average convict servant had about one chance in two to work and live with at least one fellow convict servant. Some lived in the plantation grounds with more than one. On William Taite's plantation in Northumberland County there were five convict servants working there in a period of two years: a tailor, a metal smith, two tinkers, and one man of undetermined skill.¹⁸⁰

The most common occasion for a convict to move from his plantation village was when he went to another place, in town or country, to practice his trade. In a labor system that was becoming increasingly sophisticated this phenomenon became common practice for both black and white workers. If his owner found that he could not supply his tradesmen with fulltime work, if motivated by the profit from leasing tradesmen, or if he merely wished to do a favor for a friend, relative, or neighbor, the skilled convict left his home plantation to work either for a fixed time or until the job was done. Such a trip might merely take him to another part of his neighborhood or to another part of the colony, and for some a reassignment opened the world.

In making the trip there were two ways to go: the convict either went alone or he was "carried." At least some convict servants did travel by themselves. For this they would need a pass signed by some official, usually a county court justice who lived in the neighborhood, but sometimes a

¹⁸⁰Pa. Gaz., May 30, 1765; Va. Gaz. (P. & D.), March 26, 1767.

pass written and signed by the owner, stating the name of the servant, his owner, his home, and his destination was sufficient.

Such a practice was possible and it was used. But few convict servants, especially if they were new to the country, could be expected to follow directions in a time when sophisticated travellers often lost their way, sometimes in their own neighborhood. More likely the leased convict would be "picked up" by a slave or servant of the lessor and taken to his new place of work, the accompanying servant functioning more as a guide than as a "keeper." The guide, of course, would have his own pass to show to inquiring ferrymen, tavern keepers, and suspicious travellers. There is no evidence that the convict was conveyed in chains or ropes, but it could be hazardous to give any servant the use of a horse; the convict who was leased or loaned probably walked to his temporary employment.

If he were only going to a neighboring plantation it would be an easy walk through a neighborhood he already had come to know, unless he had only recently landed in the colony. William Harris, a bricklayer at Joseph Pierce's Westmoreland County home house, was put to work laying brick for Pierce's neighbor Dr. William Flood.¹⁸¹ In that same decade a convict carpenter and joiner left his home plantation to work a nearby plantation in Lancaster County.¹⁸² These convicts, and

¹⁸¹Va. Gaz. (R.), July 12, 1770.

¹⁸²Va. Gaz. (D. & H.), Aug. 12, 1775.

others like them, were working in their own neighborhoods. Since their change of place was so minimal they could feel "at home" in their new location and no doubt felt more free. They would naturally come into daily contact with fellow servants, and even slaves, not only to work but to exchange news, gossip, sing, joke, and most certainly size up escape possibilities. They could compare notes on their masters, fellow servants, current shipping, local disturbances in the colony, and information on the society about them. When working on a neighboring plantation the convict was literally working with his neighbors.

In 1738 the English bricklayer John Peters was bought by Augustine Washington, a rising planter living close to the frontier in Prince William County on the Potomac River.¹⁸³ Peters' situation as a skilled plantation white was unique in the convict servant experience. Washington had moved only three years before from his original plantation on the lower Potomac in Westmoreland County.¹⁸⁴ On his new plantation Washington obviously needed help in basic construction, and a bricklayer like Peters would be invaluable at the home quarter. Yet only a few months after being bought by Washington, Peters turns up on loan or lease at the home quarter of Washington's old neighbor and close friend Daniel McCarty, who lived right across the creek from Washington's original home quarter.¹⁸⁵ Since Washington maintained his old Pope's creek

¹⁸³Va. Gaz., Nov. 18, 1737; Va. Gaz., June 9, 1738.

¹⁸⁴Freeman, Washington, I, 52-53.

¹⁸⁵Va. Gaz., June 9, 1738. For McCarty, who was an

plantation as a working quarter, Peters may have been assigned there, in which case it was easy for him to cross Pope's creek to work for McCarty. If this were the case, Peters' assignment to a distant quarter (although in this case an untypical quarter, being the original home house quarter), rather than the current home house quarter, was rather unique in the experience of plantation whites.

Sometimes the convict would have a long way to go, and a ride in the master's sloop, flat, or perriauger would often be a possibility. Such transportation would have been most convenient for the plantation white James Keeys, "a Joiner by Trade," who, in the 1750s was sent by his owner from his home quarter in Prince George County down the James River to practice his trade for James Graham in Hampton.¹⁸⁶ The bricklayer William Nash, who "belongs," said his owner, to Augustine Smith of the tidewater county of Gloucester, was sent deep into the south side frontier in the mid-1740s to work at "Mr. John Willis's plantation" in newly-opened Brunswick County.¹⁸⁷

It should be clear from the preceding description of the employment of convicts and of the social context in which they labored, that the convict servant's work experience was less a function of being placed in a particular "class" than it was of what particular type of job and employer they were assigned. They were bought for their skills, whether they be

executor of Augustine Washington's estate, see Freeman, Washington, I, 49-50.

¹⁸⁶Va. Gaz., April 4, 1751. ¹⁸⁷Va. Gaz., May 9, 1745.

industrial, craft, construction, or agricultural, and their purchasers were of several types. Some were planters who needed (and could afford the luxury of having) skilled craftsmen on the plantation to serve both the owner and, at a price, his neighbors. Some were planter-artisans who had worked their way up into the gentleman class to maintain their artisan calling. Some were urban artisans who likewise needed craftsmen in their calling. Some were industrialists, like John Carlyle of Alexandria, Isaac Zane of the Valley, John Tayloe in the Northern Neck, and Alexander Spotswood in the Rappahannock River valley. Finally there were those who bought the agricultural convicts, men from the north and west of England, from the Scottish lowlands and from the Irish bogs, who, whatever their attitudes, knew farming well.

Since a majority of the convicts fell into this last group we may expect to find fewest of them in the heaviest tobacco areas and the most in the areas of more diversified farming, especially of wheat, truck gardens, and livestock. And, the convicts without a discernible trade do, in fact, appear in the areas of diversification in transportation, industry, and diversified farming. That is, they appear in the Northern Neck and the Rappahannock Valleys, all through the period and in the upper Northern Neck and the Great Valley of Virginia from circa 1760 on. Where they appear in the middling tobacco belt and the older Tidewater counties they turn out to be tradesmen, either on tobacco plantations or in the towns.

Thus, rather than seeing the convict servant as unskilled

labor, working in the tobacco fields along with slaves, we find the eighteenth-century convict in demand for his skills, and possibly even for his color. Rather than a cheap labor source for the poorest planters, he is a relatively expensive labor source for the great planters (turning farmers) and entrepreneurs; equal in price to a competent, skilled, country-born slave, who understands English and resists the local fevers. Rather than going to the geographical frontiers as "cheap" labor, the convict becomes incorporated as an essential link in the economic frontier of entrepreneurial diversification.

This may explain the high importation rates of convicts into Maryland, higher than Virginia, a colony with three times the population and about seven times the land area. This was partly due to the greater diversification of Maryland, but it also may be that many convicts imported into Maryland actually wound up in Pennsylvania: in Philadelphia, in the lower counties of Chester and Lancaster, and to a lesser degree in York and Bucks counties.¹⁸⁸ Such "convict smuggling" would have been due to a continuous restriction against importations of convicts into Pennsylvania through the use of quarantine laws, registration, and a £5 duty on each imported convict.¹⁸⁹ This could all be sidestepped by importation overland through Maryland, particularly from the port of Baltimore, where most of Maryland's convict dealers came to be

¹⁸⁸Morris, Government and Labor, 334-35.

¹⁸⁹Cheesman A. Herrick, White Servitude in Pennsylvania (New York, 1926), 121-131.

located. If this were so the convicts wound up on the diversified farms, small industries, and craft shops that were very similar to economic life in Maryland and Virginia's Northern Neck.

If the presence of convicts in Virginia's economy was an indication of a growing economic diversity of far-reaching implications, the social life of the convict in his immediate neighborhood attended his more immediate interests and needs. As we have seen, convicts worked in frontier towns, more settled villages, established cities, and industrious new cities. Other convicts lived a suburban commuter life, combining town and country life at the behest of the master. Most lived in rural neighborhoods, whether on plantations and farms, in crossroads hamlets, or in rural industry. Regardless of the type of neighborhood he worked in the convict servant was isolated neither from his superiors nor his peers, and how he related to his various types of neighbors is the topic of the next chapter.

CHAPTER VII

LIFE BEYOND THE JOB

The convict servant lived with fellow servants, with slaves, and with the free whites of the neighborhoods, not unlike trusties on a prison farm, except the eighteenth-century Virginia convict enjoyed more freedom, which he took advantage of regularly, whether by running away, by practicing petty theft, by relationships with the opposite sex, or merely through various recreations and common amusements. He certainly did not live in a prison atmosphere in his daily life. If he became an inveterate runaway his owner would put a metal collar around his neck, which was the common treatment for all servants and slaves who were obstinate in that way. Only two convicts were so advertised. Thomas Winthrop was wearing an iron collar while working in the Valley in 1769.¹ Two years earlier the weaver Edmund Cooper, despite having "a quite polite tongue . . . had on, when he went away, a steel collar."² Doubtless more than two convict servants "wore" collars at some time in their service, but the percentage, considering the fact that the advertisements include many of the most dedicated runaways in Virginia, is strikingly

¹Va. Gaz. (R.), July 20, 1769.

²Va. Gaz. (P. & D.), April 14, 1768.

small.

There is no evidence that convict servants were locked up at night. As we shall see, they were relatively free in the day time and almost completely so at night. Nor did they wear any mark, badge, or clothing that would mark them particularly as convicts. Most wore the clothing commonly worn by slaves and servants, but the apparel of many free Virginians did not differ much from that style. The one aspect which set the convict apart was his position under law, which was substantiated by his owner's copy of the felon's "conviction papers." But law is not life, and the daily life and condition of the convict servant was in almost every respect the same as that of the servant under any type of indenture, and quite similar to the daily life of many free white Virginians.

Possibly the most immediate privilege that a convict could enjoy was the private possession of his personal papers, belongings, and money. As difficult as the voyage to the colony often was, convicts were able to bring over possessions that were small and light. In 1766 George Pitt came into Virginia in the Justitia possessing "a printed certificate" which was his discharge from a British regiment.³ John Ecton Ducret, "a native of Berne in Switzerland," brought with him some "old commissions for officers in the Swiss militia . . . a prayer book in French" and possibly a "powder bag and some shaving materials."⁴ Fifteen years earlier an Irish-born

³Va. Gaz. (R.), July 25, 1768.

⁴Va. Gaz. (P.), July 21, 1775.

convict, who "sings extraordinary well," brought in with him "a musical Grammer."⁵

Convicts were apparently allowed to keep such personal possessions as they brought in, and were often able to buy other personal possessions after being sold into servitude. Thomas Waters wore "a Brass Ring on his little Finger" which he may have bought after landing in the colony.⁶ Daniel Whealon, a servant in Hanover County in the 1740s, owned a "Silver Watch with only the Hour Hand, Silver Shoe and Knee Buckles . . . other Things of Value," and money.⁷

James Penticost bought himself a pair of leather boots⁸ and Joseph Higginson bought a pair of "new black grain dog-skin shoes" after he had fled from his owner.⁹ Higginson's case is illustrative of how an owner distinguished between his personal property and that of his convict. Higginson's owner Samuel Daniel described in detail Higginson's clothing, including two pair of shoes besides the pair he bought later, and also some personal articles: "a pair of silver buckles and a store set broch," not surprising considering Higginson was a worker of metals, including silver and brass. Daniel then makes his distinction: "as I had my house robbed the night before he went away, and two new cotton shirts carried off, I suspect him to be the thief."¹⁰

Despite the conclusion of William Gooch, after governing

⁵Va. Gaz., Aug. 28, 1760. ⁶Va. Gaz., May 9, 1745.

⁷Va. Gaz., Dec. 12, 1745. ⁸Va. Gaz., Sept. 21, 1769.

⁹Va. Gaz., (P.), April 7, 1775. ¹⁰Ibid.

Virginia for twenty-two years, that "its certainly no good Policy to furnish Convicts with Money which they Seldom use to good Purposes,"¹¹ convicts male and female, skilled and unskilled, young and old, Tidewater and Piedmont, Northern Neck and Valley--all types owned money throughout the transportation period. Of all the advertised runaways who possessed their own money most were English. Only one convict runaway who had been born in Ireland had money, and he was the first convict so advertised; Cornelius McMerhan had "about 4 Pounds Cash when he went away" in 1736.¹² The next year Anne Wheatly's owner stated she had, "I believe, some Money with her,"¹³ while the following year a pair of fellow convict servants ran off while "furnished with money."¹⁴ Within a year of his arrival in Virginia, James Penticost was holding "about eleven pounds Virginia currency, and two bank notes for ten pounds each, which he brought in with him in the ship Neptune, in 1768."¹⁵

In the later transportation period the convicts' personal fortunes were better known to their owners. In 1767 William and Hannah Daylies had "two English guineas" with them,¹⁶ and the collier Jonathan Pollard enjoyed "plenty of Cash."¹⁷ The following year Michael Ferral took "a Bank Note, upon the

¹¹Lt. Governor William Gooch to the Board of trade, n.d. (received May 7, 1750), P.R.O., C.O. 5/1327, f. 74, microfilm at Colonial Williamsburg.

¹²Va. Gaz., Oct. 22, 1736. ¹³Va. Gaz., Nov. 18, 1737.

¹⁴Pa. Gaz., April 12, 1739. ¹⁵Va. Gaz., (R.), Sept. 21, 1769.

¹⁶Va. Gaz. (P. & D.), March 26, 1767.

¹⁷Va. Gaz. (R.), Feb. 19, 1767.

Bank of London" with him to his work deep in the upper Valley at Staunton.¹⁸ In the 1770s two fellow convict servants who had "just arrived from Liverpool, in Rappahannock," arrived with "some money with them,"¹⁹ while a near convict neighbor of theirs, Anne Ellis, brought in "both gold and silver with her,"²⁰ and two years later an English convict shoemaker in Fauquier County had "a quantity of ready cash with him."²¹

While the possession of money by convicts appeared for only about three percent of the advertised runaways, the true percentage must have been much higher, since many convicts or servants or any type would be hesitant to flash their money around either their owners or their fellow servants. There can be no doubt that the money mentioned was the convict's own. Owners made a clear distinction in their runaway advertisements between what the convict personally had and what he stole when he left. John Murphey's owner advised that his runaway convict "has a Quantity of Dollars, and likely to be of base Metal, as he seems experienced in coining,"²² while Patrick Carroll fled his owner with "a Pair of Leather Bags well stuffed, and Plenty of Money, not his own."²³

The basic clothing allowance for the convict servant, like that of the slave,²⁴ was at least two issues per year, one for

¹⁸Pa. Gaz., June 23, 1768. ¹⁹Va. Gaz., June 21, 1770.

²⁰Va. Gaz. (R.), April 7, 1774.

²¹Va. Gaz. (P.), Oct. 11, 1776. ²²Pa. Gaz., Aug. 28, 1760.

²³Va. Gaz., May 29, 1746. ²⁴Mullin, Flight and Rebellion, 51.

winter and one for summer. When Timothy Drury ran away in the summer of 1771 he was "dressed suitable to the Season."²⁵ Some convicts wore what was specifically referred to as "Negro Cotton" clothing, usually jackets, which were made both in Britain and in the colonies.²⁶ For work special clothing was sometimes necessary, and the convict smith was usually issued breeches of leather, sometimes made of that American variant buckskin.²⁷ Shoemakers often wore shoes of their own, and shoemakers like William Roberts were allowed to make and wear "handsome square toe'd shoes" with large brass buckles.²⁸ Since shoes were not made for left or right feet, a pair of shoes well broken in could prove too comfortable to be readily disposed of, and many shoemakers clung to their shoes, no matter how worn, as long as they could serve.²⁹

The clothing of many of the convicts reflects the clothing industry that developed in eighteenth-century Virginia. His pair of shoes was the most common Virginia or country-made article of clothing that the convict wore. No evidence has been found to suggest that boots were ever issued to a convict servant. Only half as often as convicts wore locally made shoes did they wear trousers or breeches made in Virginia. Often these breeches were made of buckskin, tanned

²⁵Va. Gaz. (P. & D.), Sept. 26, 1771.

²⁶Pa. Gaz., Oct. 25, 1750; Va. Gaz. (R.), Dec. 22, 1768; ibid., March 7, 1771.

²⁷Pa. Gaz., June 9, 1768; Va. Gaz. (P. & D.), Aug. 5, 1773; Va. Gaz. (Pi.), June 8, 1775; Va. Gaz. (R.), Feb. 16, 1769.

²⁸Va. Gaz., Nov. 17, 1738.

²⁹Va. Gaz. (R.), July 28, 1774; Va. Gaz. (P.), Oct. 11, 1776.

and sown in the colony.

Somewhat less common for convict clothing were country-made shirts, usually of linen. Servants in less settled and frontier neighborhoods would be most likely to be issued what by the eighteenth century had become a standard hunting shirt like the "yellow dyed country linen hunting shirt" issued to Dennis Connolly when he was working in the Upper Valley of Virginia.³⁰ The common basic clothing for such a servant was worn by John Thrift in Augusta County in the 1770s. Thrift was wearing "an old felt hat, a brown hunting shirt, a light coloured sagathy [woolen] waistcoat, old buckskin breeches, old shoes, and white yarn stockings."³¹

Most of the convicts' clothing was supplied by their owners, and the average convict could expect a mixture of variety and quality. None of the convicts who were advertised as runaways wore old clothes exclusively, but some came close. When he ran away in 1776 Thomas Hall was wearing "an old country made linen shirt and trousers, an old claret casimir [cashmere] coat . . . an old felt hat, a new straw do. [ditto] bound round, and an old pair of country made turned pumps."³² A few convicts were also described as being "meanly apparel'd, or of wearing "very indifferent dress."³³ In his own droll way Jonathan Boucher--minister, Tory, writer,

³⁰Va. Gaz. (P.), May 5, 1778.

³¹Va. Gaz. (P.), June 2, 1775.

³²Va. Gaz. (P.), Oct. 11, 1776.

³³Pa. Gaz., April 8, 1742; Va. Gaz. (P.), Oct. 29, 1772.

and owner of convicts--gives us a glimpse of how well his servants were clothed in his advertisement for Absalom Spruce in 1770. Spruce was wearing "an old black, a Kendall cotton jaket, nankeen breeches, and a pair of Negro shoes; and though he has stolen many other clothes from his fellow servants, yet he must still necessarily make a very shabby and suspicious appearance."³⁴

If a convict were wearing old clothes when he ran away there is no way to know how old or new they were when he got them. But on occasion a convict owner has left us a hint. When Richard Graham of Dumphries describes his convict's buckskin breeches as being "too large for him,"³⁵ and when the merchant partners Archibald McCall and William Shedden describe their convict cooper's jacket and breeches as being "too large for him,"³⁶ we are invited to speculate that convicts received some of their clothing secondhand from their masters.³⁷ Like poor relations or younger children, the convict might wear hand-me-downs. If this were so, some of the secondhand clothes were decidedly first rate. This may explain why a joiner was given a "green Silk Waistcoat, with Gold Buttons,"³⁸ while another convict, only in the country for seven months, was wearing a coat "with a Velvet Cape and

³⁴Va. Gaz. (P. & D.), Aug. 16, 1770.

³⁵Va. Gaz., Oct. 26, 1769. ³⁶Va. Gaz. (R.), Aug. 26, 1773.

³⁷John Harrower, an indentured school teacher, received two "silk Vestcoats and two pair cotton britches...but very little wore" from the wife of a merchant in the neighborhood, Harrower, Journal, pp. 97, 183-84.

³⁸Va. Gaz., April 4, 1751.

Silver plated Buttons, much worn."³⁹ One convict servant, a weaver, was put into livery by his owner, Patrick Coutts, merchant of Richmond.⁴⁰

Although convicts wore some old clothes they also were issued clothing that was brand new. Daniel Whelon's owner referred to his servant's "good clothing."⁴¹ Peter Bachelor sported a new "Felt Hat,"⁴² Samuel Bayley wore a "new oznabrig shirt,"⁴³ while his fellow convict servant sported a "new blue fearnought jacket, British made, and such as sailors ... wear."⁴⁴ George Dorman was wearing new trousers in 1777,⁴⁵ William Grace wore "a pair of new plad [sic] stockings,"⁴⁶ while William Gray was given new shoes in 1773.⁴⁷ Within four months of her arrival in Virginia Susannah Ball was wearing "a new pompadour gown" about the Fredericksburg neighborhood.⁴⁸

It is very likely that convict servants who had some money spent some of it on clothing, particularly for non-standard

³⁹Va. Gaz. (P. & D.), July 30, 1772.

⁴⁰Va. Gaz. (P. & D.), May 16, 1766.

⁴¹Va. Gaz., Dec. 12, 1745.

⁴²Va. Gaz. (P. & D.), July 4, 1771.

⁴³Va. Gaz. (R.), July 26, 1770.

⁴⁴Va. Gaz. (R.), Jan. 10, 1771.

⁴⁵Va. Gaz. (P.), July 25, 1777.

⁴⁶Pa. Gaz., May 31, 1750.

⁴⁷Va. Gaz. (P. & D.), Dec. 2, 1773.

⁴⁸Va. Gaz. (R.), April 7, 1774.

items of issue. Between the local stores, the itinerant pedlars, the plantation shops, and the stores in town, a convict servant with money could have a reasonable choice of items. He also enjoyed the advantage over his master who bought from England in being able to pick out the product, possess it immediately, and complain personally and directly about shoddy goods. This must have been the case for James Penticost. Although convicts never appear wearing boots Penticost had a particular problem. Having earlier suffered both legs to be broken he arrived in Virginia with "remarkable bandy shins," and in his service he wore "leather boots in order to hide his legs."⁴⁹ Penticost was one convict who arrived in Virginia with money in his pocket--"two bank notes for ten pounds each."⁵⁰

The convict wore his hair the way he wished, and a few kept their heads shaved. About five percent of the advertised convicts wore beards, which suggests that their employers didn't much care about how the convicts kept their appearance, although the South Potomac River customs officer Gilbert Campbell viewed the hair of his convict Mathew Thorp to be "much neglected."⁵¹ Most convicts preferred to wear their hair short; only a few allowed their hair to grow long, keeping it either loose or tied behind.

A surprising number of convicts wore wigs. Of all those advertisements that described the convicts hair, about one

⁴⁹Va. Gaz., (R.), Sept. 21, 1769. ⁵⁰Ibid.

⁵¹Va. Gaz., Jan. 10, 1771.

in five (105) convicts wore a wig. One convict, William Harrison, wore his hair "combed back like the foretop of a wig,"⁵² while the Fredericksburg convict cabinet maker George Eaton wore "his own hair, which is short and fair, and sometimes wears a false curl, which a stranger would not know from his hair, being exactly of a colour."⁵³ Eighteenth-century English vanity extended even to convicts.

Servants seeking sexual outlets could turn to their most immediate surroundings first, whether it be a plantation, a hamlet, or a town. While their work could be difficult and tedious, their free time was their own, and convict servants in town and country were not devoid of a sense of romance. In 1739 a female convict, one Sarah Matthews, was sent to be tried in Williamsburg General Court for breaking and entering a storehouse on her home quarter in Caroline County.⁵⁴ As a reaction to this treatment of Sarah Matthews a fellow servant, James Harris, criticized the court's decision, and for his gallantry received fifteen lashes at the whipping post.⁵⁵ When John Steel and John Eaton ran off from their owner in 1773 they took one Alice Eaton, "alias Walker (who goes for the said John Eaton's wife)."⁵⁶

Male-female convict runaway pairs were not uncommon. In

⁵²Pa. Gaz., June 6, 1751.

⁵³Va. Gaz. (R.), Sept. 22, 1768.

⁵⁴Va. Gaz. (R.), May 27, 1773.

⁵⁵Caroline County Orders (1732-1740), part 2, p. 542a, (June 9, 1739).

⁵⁶Campbell, Colonial Caroline, 322.

the 1750s twenty-five year old John Osborne and twenty-six year old Anne Barret shared each other's company on a plantation that worked a number of convict servants.⁵⁷ A few years earlier a young English well digger found himself working on a plantation with a twenty-five year old Welsh female convict and together they plotted their escape.⁵⁸ Later in the colonial period a pair of convicts fled together from a farm "on the frontiers of Botetourt County in the upper Shenandoah Valley."⁵⁹ Two years later another pair of lovers fled together from the same county; since the woman was described as being "smart and active, and capable of any Business" it is quite likely that she was the brains behind the break.⁶⁰

On his free time the convict servant was able to explore his neighborhood and he was very likely to find fellow convicts serving their masters within walking distance of the convict's temporary home. Twenty-five year old William Duncanson found a female convict of the same age in his neighborhood in Fairfax County and the two ran off together from their respective owners.⁶¹ In the autumn of 1773 Elizabeth Cowan joined two male fellow convicts from her neighborhood in a runaway attempt, and their owners knew them well enough to expect that "the old Man and Woman will . . . pass for Man and Wife."⁶²

⁵⁷Va. Gaz., Feb. 27, 1752. ⁵⁸Md. Gaz., Mar. 24, 1747.

⁵⁹Va. Gaz., Oct. 29, 1772. ⁶⁰Va. Gaz. (R.), June 2, 1774.

⁶¹Va. Gaz. (P. & D.), Dec. 2, 1773.

⁶²Md. Gaz., Dec. 2, 1746.

Nor did convicts restrict themselves to fellow convicts for sexual company. Two male convicts in Orange County took along a female indentured servant with whom they worked when they ran off in the spring of 1746.⁶³ John Turner and a neighbor male servant ran off with "an Irish woman" in the neighborhood who was apparently not under an indenture at all.⁶⁴ While he lived and worked as a tailor on a Westmoreland County plantation in the 1730s, Edward Ormsby became acquainted with Ann Relee (or "Rylee," probably Riley), alias Ann Bush, who came into minor scrapes with the local law often enough to be found "a person of very Ill Fame."⁶⁵ Ormsby the convict was keeping bad company in that neighborhood and in the dead of winter the two of them fled the neighborhood, he from his owner and she doubtless from her tormentors.⁶⁶ Thomas Philips, a convict tailor, was sparking a free nineteen year old girl of the neighborhood before he ran off, probably in her company.⁶⁷ One female convict servant "in the Neighborhood of Chesterfield" became the "Doxy" of "a dark mulatto who called himself Portuguese."⁶⁸ After "lurking" about the neighborhood for several weeks the Portuguese disappeared, along with

⁶³Va. Gaz., April 24, 1746.

⁶⁴Va. Gaz. (D. & H.), March 7, 1776.

⁶⁵King George County Orders (1735-1751), f. 137 (Jan. 6, 1737/8); Westmoreland County Orders (1731-1739), p. 252a (Dec. 1, 1737).

⁶⁶Va. Gaz., Feb. 3, 1737/8.

⁶⁷Va. Gaz., (P. & D.), March 11, 1773.

⁶⁸Va. Gaz., Oct. 10, 1755.

several horses and his doxy.⁶⁹

Some convict servants were able to retain a vestige of married life even while in service. In Virginia the indentured party was proscribed from marriage until the contracted service expired, whether he was a convict, an indentured servant, an apprentice, a super cargo from Britain, or a clerk.⁷⁰ But some convicts arrived in Virginia with their spouses, and some were able to be married, however that term may be defined.

While the two convict tinkers William and Hannah Daylies may possibly have been siblings, it is more likely that they were husband and wife.⁷¹ In the 1740s an English convict mason and his "jolly and fat" Irish wife were living and working together in the frontier county of Frederick.⁷² At about the same time, in the much more settled county of Prince William, a Welsh blacksmith convict servant had a wife in the neighborhood, although it is not clear whether they lived on the same plantation.⁷³

The convict's life, after he was free from his indentures, was not devoid of romance. Some convicts clearly ran away due to an affair of the heart, like the two women who fled back to the ship that brought them, one seeking the second mate who

⁶⁹ Ibid.

⁷⁰ For the status of the young supercargo William Allason of Falmouth, see Spoede, "William Allason."

⁷¹ Va. Gaz., (P. & D.), March 26, 1767.

⁷² Pa. Gaz., Feb. 5, 1744/45.

⁷³ Pa. Gaz., June 9, 1748.

had "parted with her with much reluctance," and the other seeking a passenger "who would have married her if her temper had not been too disagreeable."⁷⁴ The Irish convict servant Daniel Hern fled his owner in Prince William County and later settled down-river in Lancaster County "where he had married."⁷⁵

Although the eighteenth century saw more convicts than indentured servants in Virginia, the indentured servant didn't die out altogether. Most of the indentured servants were Irishmen brought directly from Ireland, and many convicts, at least one in ten, worked at least part of their time with white indentured servants from Great Britain. Of course, many Virginians distrusted Irish Catholics as much as they did English convicts, and although the distinction is usually made in the runaway advertisements, there is very little evidence that day to day life was much different for indentured as for convict servants. The indentured servant probably distrusted and looked down upon the convict, but the master looked down on both. What is striking is that except for the advertisement distinction, the two types of servants were worked, clothed, and treated not on the basis of the nature of their indenture but by their level of training and the jobs they were expected to do.

A comment ought to be made here about runaway advertisements in newspapers. While convicts began landing in Virginia in 1719 the first Virginia Gazette was not begun until

⁷⁴Va. Gaz. (R.), April 17, 1774.

⁷⁵Pa. Gaz., April 8, 1742.

1736, and few runaway advertisements were printed until the 1750s, for which decade most of the Virginia newspapers are lost. Since runaway advertisements provide the richest single source for studying convict servants, all of the Virginia Gazettes, plus the Maryland Gazette and the Pennsylvania Gazette, were examined for convict servant run away advertisements through 1776, producing a total of 494 individual convicts who ran away from Virginia owners, or about five percent of the total. Obviously this is not a sample, even a random sample, and hence does not lend itself to any mathematical system now in use by social historians. But the runaway advertisements provide the best extant evidence on a topic for which there was little enough evidence to begin with, and they are useful not so much for the study of runaways per se as for making the attempt to penetrate lower class life in colonial Virginia.⁷⁶

Of all the convicts who were advertised as runaways at least one in five had been working with one fellow convict or more. The true percentage of convicts who worked with fellow convicts was probably one in two. For the convict with convict company it must have meant a great deal just to know that he was not only "not alone," but that he had at least one fellow worker who, whether charming or sour, was also white, also spoke English, and also was familiar with the home country.

⁷⁶In his comprehensive and imaginative use of slave runaway advertisements in Virginia up to 1800, Gerald Mullin found about 750 slaves runaways in the pre-Revolutionary period, Flight and Rebellion, pp. 40, 174.

Living with blacks, however, could be a different matter. No matter how strong were the preconceived notions that the convict held regarding Africans, daily contact would change attitudes for both the better and the worse. Blacks fresh from Africa would be exotic, while country-born blacks would be much more approachable. The introduction of a lower class Englishman or Irishman to a slave who spoke good English, attended the established church, and lived with a family, must have been an educational experience, especially if the slave's skin ran to one of the two extremes of a deep ebony black or a soft brown mulatto.

Some of the convict servants got along well enough with blacks to share with them their plans for running away. The two convict blacksmiths at a cross-roads smithy in Loudoun County took along a "remarkably black" eighteen year old slave in a runaway attempt in 1768.⁷⁷ Twenty years earlier Thomas Winey "took with him a Molattoe slave" who claimed his uncle kept a coffee house in London.⁷⁸ When two convict servants at an iron works ran off they were accompanied by a twenty year old black.⁷⁹ This slave, who was such a "notorious runaway" that he had been put in an iron collar, could probably guide his fellow servants, although his record for successful escapes up to that time was zero.

Nor were the convicts always the seducers of the slaves. Despite frequent attacks by colonists on the use of convicts,

⁷⁷Va. Gaz. (R.), May 12, 1768. ⁷⁸Pa. Gaz., Aug. 31, 1749.

⁷⁹Va. Gaz. (Pi.), Nov. 25, 1775.

who "spoiled servants who were formerly good"⁸⁰ like the convict James Penticost who "persuaded away with him a Negro boy named Frank,"⁸¹ some slaves undoubtedly took the initiative with their fellow servants. Thomas Winey, who had only recently arrived in Virginia, made a quick conspirator of a fellow mulatto servant who apparently laid out the escape plan.⁸² It was probably the "country born" inveterate runaway slave Will who took on two convict servants in another runaway attempt.⁸³ Collusion in running away was the most confidential collaboration servants might make with one another, and some convicts were not above sharing plans and secrets with slaves.

Because the planning and preparation for running away was at once the most important and the most confidential phenomenon of the servant's life in Virginia, the coordination and execution of a multiple runaway depended upon good communications, secrecy, and mutual confidence. This was particularly true in light of the cross-examination by the master of the runaway's fellow servants who were left behind. Samuel Holmes made the mistake of telling fellow servants who could not hold their tongues that he "would get a vessel and go to sea,"⁸⁴ and George Newton's owner elicited similar information about his plans from his fellow servants whom he left behind.⁸⁵ Thomas Winey's owner William Fitzhugh interrogated the remaining servants, whom Fitzhugh referred to as "their confederates,"

⁸⁰ Jones, Virginia, 53. ⁸¹ Va. Gaz. (R.), Sept. 21, 1769.

⁸² Pa. Gaz., Aug. 31, 1749. ⁸³ Va. Gaz., Nov. 25, 1775.

⁸⁴ Pa. Gaz., May 15, 1766. ⁸⁵ Va. Gaz. (Pi.), June, 1775.

following the disappearance of Winey and a mulatto servant. Fitzhugh was told that the two were bound for Pennsylvania and then either to England or New England.⁸⁶ Whether the remaining servants generally told the truth is an open question, but at least in some cases their masters acted on their information. Fitzhugh wasted no money on a runaway advertisement in Virginia newspapers; the notice went into the Pennsylvania Gazette.⁸⁷

Whether socializing occurred in the tavern in the evening or in the fields and shops during the day, the convict servant had ample opportunity to associate not only with one another and with others in the servant class but with free whites in the neighborhoods as well. Where the convict tradesman dealt with gentry, family farmers, and poor whites as customers in the shop during the working hours, any convict servant who was not a habitual runaway could develop on his own time relationships with Virginians who were below the gentry class.

Some were well below. A convict could easily spend time with other men who, although free, were often transients, and tended to be on much the same level as the white servant class, including those who were convicts. Francis Redman struck up a friendship in his Loudoun County neighborhood with "one John Lankins, a lusty swarthy fellow" who lived in Redman's neighborhood.⁸⁸ In 1750 William Grace ran off from the Boyd's Hole neighborhood in Stafford County with "a north country

⁸⁶ Pa. Gaz., Aug. 31, 1749. ⁸⁷ Ibid.

⁸⁸ Va. Gaz. (R.), Sept. 7, 1769.

Irishman" named Alexander McQuillin, a "hireling that served his time to the hon. Col. Thomas Lee."⁸⁹ Thomas Lee lived about thirty-five miles down the Potomac River from Boyd's Hole. William Morgan, convict silversmith of the Blandford-Petersburg neighborhood, took up with a house painter who had a "gallows look" about him, according to Morgan's master.⁹⁰

The Virginia neighborhood, of course, was made up of free men as well as servants and slaves, and the vast majority of the free Virginians lived a lowly and modest existence. As a result, it should not be surprising that convicts incorporated free men into their neighborhood circles, sometimes for crime. Two convict jewelers who lived in the hamlet of Blandford in the 1760s took up with a painter who, by the nature of his trade was highly transient.⁹¹ In one neighborhood in the middle Rappahannock River valley two convict servants, a biscuit maker and a plasterer, spent some of their evenings with a lame shoemaker and a local "Woman of evil Fame."⁹² That acquaintance later became helpful when the two convicts fled to the city of Norfolk, to find shelter with their friends who had previously left the neighborhood to settle in that port city.⁹³

Convicts also were befriended by more established free whites of some substance, like John Cokil's friend "one Frank Martin (a Freeman)," who owned his own horse and even enjoyed

⁸⁹Pa. Gaz., May 31, 1750.

⁹⁰Va. Gaz. (P. & D.), July 25, 1766.

⁹¹Va. Gaz. (P. & D.), July 25, 1766.

⁹²Va. Gaz., May 23, 1745. ⁹³Ibid.

the convenience of "a Negro Waiting Boy."⁹⁴ A convict who would not run away on his own could be "enticed" by a free-man travelling through the neighborhood. The sixteen year old boy Dennis Shields jumped ship in the lower Potomac River one September day, possibly "enticed off," by the skipper of a schooner out of Hampton, Virginia, who had been "up this river collecting some debts due him."⁹⁵ The boy's owner offered a two pound reward to anyone who "could make it appear he was carried off."⁹⁶ When the convict William Todd wasn't tending to his farming chores or laying brick and stone, he would sometimes go over to visit a neighborhood tailor who lived "not far off" from Todd's home.⁹⁷ In time the convict mason and the free tailor became so "very intimate" that when Todd ran off in 1768 his owner suspected his friend the tailor of forging Todd a pass.⁹⁸

In fact, tailors seem to be part of the convict's servant's daily life more often than free Virginians of any other calling except sailors and perhaps publicans. Alexander Thoms, a tailor in Leedstown in the late colonial period, figured in this world in more ways than one.⁹⁹ Thoms bought at least one convict tailor to be put to work in his shop late in 1767.¹⁰⁰ Earlier that year Thoms was under suspicion of

⁹⁴Va. Gaz. (P. & D.), Mar. 19, 1772.

⁹⁵Va. Gaz. (P. & D.), Sept. 17, 1767. ⁹⁶Ibid.

⁹⁷Va. Gaz. (R.), April 14, 1768. ⁹⁸Ibid.

⁹⁹Westmoreland County Deeds and Wills, 14 (1761-1768), pp. 8-9.

¹⁰⁰John Pownall to Mr. President John Blair, July 9, 1768,

keeping a weaver, along with his wife and child, who had "run away from this neighborhood" wrote a merchant in Hobb's Hole who was trying to collect his debts.¹⁰¹

Other convicts struck up friendships with free men after they had deserted their masters for freedom; this was particularly true of convict sailors.¹⁰² Six days after William Wells deserted his owner in Richmond County he had crossed the Rappahannock River to the port town of Hobb's Hole where he "waited to engage as a Sailor . . . but failing of employment, he quitted that place with two Sailors."¹⁰³ If Wells had kept his wits about him he could have doubled back and applied for one of the two newly vacant jobs on shipboard, but the camaraderie and the more immediate chance for freedom may have seemed too promising to give up.

While most convicts were restricted to their own home area during working hours, few were so restricted when on their own time. Gathered around the home house yard, the local stable, or the local ordinary, the convict servants, male and female, spent their evenings and Sundays much as their fellow workers did. The convict who was able to buy or borrow a fiddle could entertain himself and his fellows for hours on end. When Andrew Franks played "very well on the violin" in New Kent County or in Williamsburg,¹⁰⁴ or

P.R.O., C.O. 5/1375, f. 9, microfilm Col. Williamsburg.

¹⁰¹ John Boyd to William Allason, April 25, 1767, Allason Papers, Letters and Papers, 1764-1767, Box 4.

¹⁰² Va. Gaz. (P. & D.), Dec. 7, 1769.

¹⁰³ Va. Gaz. (D. & H.), June 10, 1775.

¹⁰⁴ Va. Gaz. (P. & D.), August 15, 1771.

Hugh Dean played "well on the Violin" in his neighborhood in Hanover County,¹⁰⁵ their fellow workers could count themselves as extremely fortunate to be able to hear as good music as there was available in Virginia.

More common among the convicts and their associates--indentured and free--was singing the songs of home. Where Bartholomew Fryat talked "much of his singing"¹⁰⁶ others sang at work as well as for recreation, like the easy-going tailor Thomas Scott, who was "fond of singing songs."¹⁰⁷ On occasion the convict fellowship could be entertained by an expert like John Murphey, who sang "extraordinary well, having followed it in the Play-houses in London."¹⁰⁸

One of the most popular and least expensive recreations was that of performing tricks and playing cards. Dennis McCarty's owner observed that his convict servant "pretends to slight of Hand in the Night."¹⁰⁹ McCarty did his tricks at night, of course, because he was supposed to be working during the day. Evening hours were his to entertain himself and his fellows. If McCarty used cards for his tricks he would find himself in the company of others who were "fond of playing cards."¹¹⁰ In cards the game was not the only thing when bets were included, and a "great gamester and swearer like William Grace, who was particularly adept at playing "the slight of

¹⁰⁵Va. Gaz., July 4, 1751. ¹⁰⁶Va. Gaz., Dec. 14, 1739.

¹⁰⁷Va. Gaz. (Pi.), Aug. 3, 1775; Pa. Gaz., Aug. 28, 1760.

¹⁰⁸Pa. Gaz., Aug. 28, 1760. ¹⁰⁹Pa. Gaz., Aug. 15, 1765.

¹¹⁰Va. Gaz. (P. & D.), July 28, 1774.

hand," may have given good cause to his fellow card players for some swearing of their own.¹¹¹

The most popular and most common pastime of all in Virginia was drinking, which for most Virginians meant drinking rum, "strong beer," cider, or punch. Much of this drinking was done in company, during which the servants might sing, play cards, or merely talk and spin tales. Such a convivial convict servant was Thomas Philips, who was "very talkative in company,"¹¹² or another servant who would tell stories of his sailing days to any who would listen.¹¹³ Thomas Scott, a convict tailor in Westmoreland County, was "much inclined to drinking, fond of playing cards," and also sang songs during much of his free time.¹¹⁴ When Barnaby Allay got "in Company to drinking" he could not hide his condition from his owner, for he would totter home in his "odd Way of walking" in which he seemed "to go almost to his knees."¹¹⁵

The most convenient and attractive place for convicts and others to sing, play, talk, and drink was in a local neighborhood tavern or ordinary, and the Virginia tavern was the major neighborhood social center for both sexes, most ages, and all levels of society. Horse races, barbeques, militia musters, elections, auctions and estate sales, mail and newspapers, broadsides and advertisements (including those

¹¹¹Pa. Gaz., May 31, 1750.

¹¹²Va. Gaz. (P. & D.), Mar. 11, 1773.

¹¹³Pa. Gaz., Sept. 7, 1774. ¹¹⁴Va. Gaz., Nov. 7, 1754.

¹¹⁵Va. Gaz., Nov. 7, 1754.

for runaway servants and slaves), celebrations, singing, dances, card playing, "clubbing," business deals, and the exchange of news and gossip--all were part of the daily and nightly tavern life.

Most working people, especially those, free or slave, who worked for another, had only evenings and Sundays free for rest and recreation. This meant that, for the convict and his fellow servants, however he wished to spend his own time, half of his personal life was passed in the context of darkness. This context must have served subtly to shape the free hours in a servant's life, and, by definition, brought servants together away from their master literally under cover of darkness.

The neighborhood tavern was a major center for the meeting of convict servants, indentured servants, apprentices, and free whites. From both the number of convicts mentioned as heavy drinkers and the tone of runaway advertisements it can be surmised that much of the convict's drinking took place at the local tavern. Such taverns would cater to confirmed convict drinkers like the "great drunkard" Hugh Dean,¹¹⁶ or Christopher Fiddes, who, as a "lover of strong drink [was] very subject to take too much when opportunity offers,"¹¹⁷ or Jonathan Pollard, who, having "plenty of cash," could afford to become "drunk as often as he [could] get Liquor."¹¹⁸

In some neighborhoods there were two types of taverns,

¹¹⁶Va. Gaz., July 4, 1751.

¹¹⁷Va. Gaz. (R.), Nov. 2, 1769.

¹¹⁸Va. Gaz. (R.), Feb. 19, 1767.

which can only be distinguished as upper class and lower class. A mid-century tavern in the Valley of Virginia maintained a large frame building across the road from the main tavern, "where the servants of the gentry lodged."¹¹⁹ Another tavern owner and his wife in Westmoreland County in the 1760s made a regular distinction between gentlemen and commoners; they made "a constant Practice" of giving wrong directions to travelling gentlemen.¹²⁰ In 1732 William Byrd visited the Caroline County courthouse, "where Colonel Armistead and Colonel Will Beverley have each of 'em erected an ordinary well supplied with wine and other polite liquors for the worshipful bench." Besides these, Byrd went on, "there is a rum ordinary for persons of a more vulgar taste."¹²¹

The new convict soon learned which taverns were friendly and which were not. When young Benjamin Franklin was travelling along the road to Philadelphia in 1723, he happened to make "so miserable a figure" in one tavern that he was "suspected to be some runaway indentured servant."¹²² But other tavern keepers were less suspicious. Two runaway servants, one a convict, who were being taken back to their owner, were

¹¹⁹ Mynna Thruston, The Washingtons and their Colonial Homes in West Virginia (n.p., 1950), p. [7].

¹²⁰ Va. Gaz. (R.), May 30, 1766.

¹²¹ William Byrd [II], The Prose Works of William Byrd of Westover, ed. by Louis B. Wright (Cambridge, Mass., 1966), p. 374.

¹²² Jared Sparks, ed., The Life of Benjamin Franklin; containing the Autobiography, with Notes and a Continuation (Boston, 1856), I, 31. The Sparks edition is used because as of this writing the Leonard W. Labaree edition of the papers of Benjamin Franklin has not yet published Franklin's Autobiography.

put up by their captor in an Essex County ordinary on an August evening in 1773. The innkeeper proceeded to lecture the servants on the best way to run away, and then, when their captor turned his back for a few minutes, the innkeeper released the servants from their handcuffs and sent them on their way.¹²³ Tavern keepers could accept convict servants as well as other whites in a country where money counted for more than either the morality or the station of the customer.

It was in and around these taverns, as well as at horse-races, town fairs, and similar neighborhood events, that the convicts were able to meet servants from other plantations, farms, towns, and shops, and the intercourse must have been relatively free and general. This world in which convict servants lived while on their own time was a lively world of privacy, socializing, and not a little petty theft, complete with "fences" and receivers of stolen goods. The theft was the type that many employees in all ages and lands often engage in, using the reason (or rationalization) that they were only helping themselves to what was owed them for their labor. In a sense such servants may be described as acting on the Marxist theory of surplus value, taking the full value of goods produced by the labor. Hence, they could make a distinction between stealing what did not rightfully belong to them and "taking" what they felt was owed them for their labor.

Much of the crime committed within this social group was theft on a petty scale. Indeed, a convict who stole a

¹²³Va. Gaz. (P. & D.), Aug. 19, 1773.

horse in order to desert his master's service was stealing goods of greater value than most convicts who remained in service and pilfered out of the neighborhood store houses. This petty pilfering was sometimes simply an "inside job" by a lone convict against his own master. Francis Brown of Augusta County, accused of stealing eighteen pounds from his master, was sent to Williamsburg to be tried in the oyer and terminer court there.¹²⁴ If the worth of the stolen goods was adjudged by the county court to be less than forty shillings the convict could be tried in that court. Thus Thomas Spencer was tried in Augusta County court in May 1765 for illegal entry. Spencer was found guilty, but "as what he had taken was of small value" he was sentenced to receive 39 lashes "on his bare back."¹²⁵

Convicts involved in petty theft more often raided the property of someone in their master's neighborhood. William Mallard entered the house of a neighbor in the winter of 1769 and stole some silver worth forty shillings, just enough to be sent to Williamsburg for trial.¹²⁶ Thomas Bruft, a convict and servant to William Walker, broke into a neighbor's home under cover of darkness and stole several articles of clothing.¹²⁷

¹²⁴Augusta County Order Book 6 (1757-1761), p. 342.

¹²⁵Augusta County Order Book 9 (1764-1765), p. 338 (May 18, 1765).

¹²⁶Spottsylvania County Order Book (1768-1774), p. 26 (Jan. 25, 1769).

¹²⁷Richmond County Criminal Trials (1710-1754), p. 102 (July 7, 1725).

More commonly raided than private homes were the storehouses of planters and merchants of the neighborhood. In 1732 the female convict servant Ann Weldon was accused of breaking into "a storehouse of Col. James Tarlton," a neighbor of her owner, and of "taking sundry merchandise in the night."¹²⁸ Lawrence Green was hauled into Westmoreland County court in the summer of 1730 for "breaking the Lock" of his master's store house and "Stealing some meat," at which time he apparently roughed up one Katherine Thomas, possibly a white servant of Green's master.¹²⁹ The convict's master testified that "he bought the said Green as a Convict Servant, for Seven Years, and that most of the Time Since he had him the said Green had often, and Repeatedly, practised pilfering, and Stealing from him, and Several of the neighbors etcetera."¹³⁰

The court decided that "as there appears No Danger of the Loss of Life" to Thomas "and there being not any Certain Proof of the Said prisoners Stealing any thing [sic] which in Value will amount ot Felony," Green was let off with thirty-nine lashes and was ordered to jail until he made a behavior bond regarding Katherine Thomas. Five months later Green was still unable to make the bond and his frustrated master refused to put up any money to free such an experienced neighborhood thief. So the court ordered Green and two other prisoners,

¹²⁸Westmoreland County Order Book (1731-1739), pp. 37a-37b (Sept. 27, 1732).

¹²⁹Westmoreland County Order Book (1721-1731), p. 331a (July 3, 1730).

¹³⁰Ibid.

who had been "a Great Charge to the Said County in Supporting them in the said Goal," to be forthwith released from jail after receiving twenty-five lashes "on their bare backs well Layed on."¹³¹

Many of the convicts, acting on their own against their masters or neighbors, were committing a single act, often quite unpremeditated, and with little thought of an alibi. More common was the convict working in league with others, including all types of white servants, occasionally free people, and not uncommonly with local neighborhood slaves. The convicts might steal for one of two reasons: either to use the goods themselves or to sell or barter them off for money or other goods. It was in this context that much of the netherworld operated.

In the fall of 1767 at least four convict servants in the Fredericksburg-Falmouth neighborhood broke into the "Storehouse of Arthur Morson Gent. Merchant in . . . Falmouth."¹³² Thomas Spencer, who received thirty-nine lashes for his petty theft, had at least one and possibly two accomplices, both of whom were women.¹³³

For such a system to function there had to be receivers who would and could "fence" the merchandise, preferably out of the neighborhood. In 1739 a convict, whose "term for which

¹³¹ Ibid.

¹³² King George County Order Book (1766-1790), pp. 92-93 (Nov. 5, 1767), p. 95 (Nov. 12, 1767).

¹³³ Augusta County Order Book 9 (1764-1765), pp. 338-39 (May 18, 1765).

[he] was transported is not yet expired," was "feloniously receiving and concealing Sundry Goods" belonging to one of the large planters in Caroline County."¹³⁴ In the late colonial period there existed "night shops" which, in the view of Landon Carter, "inclined suffering a Slave or servant on any pretense or with license from a master to sell anybody anything whatever."¹³⁵ Such license that was allowed servants and slaves was anathema to the planter and county justice Landon Carter, who for all his wealth and influence, could not prevent such common trading by servants and slaves even though he was certain that "at best they must steal what they sell."¹³⁶

Although it was possible for all of the convict servants' money to be spent in the local tavern, all of their time was not. For a society with such strict and comprehensive laws for the control of servants and slaves there is evidence that day-to-day life in a given neighborhood was generally informal, eclectic, unregulated, and amazingly fluid.¹³⁷ In any given neighborhood convicts and other whites were constantly travelling, wandering, "lurking," and, of course, running away from their masters.

Convict servants sometimes "wandered" about, from neighborhood to neighborhood, and, although usually not runaways,

¹³⁴Caroline County Order Book (1732-30), Part 2, p. 544 (June 18, 1739).

¹³⁵Carter, Diary, 649. ¹³⁶Ibid.

¹³⁷For some Virginia acts attempting to control such activity by servants see Hening, Statutes at Large: III, 447-62; VI, 356-69.

often "wandered" on their owner's time. A good many remained in their neighborhoods and maintained a life style not altogether agreeable to either their owners or their neighbors. Elizabeth Young wandered into a vestry meeting in Fairfax Parish and asked for support, only to be sent home to her owner in that neighborhood with the admonition that she would not be eligible for parish relief until her service was up the following year.¹³⁸

Rummaging about the neighborhood offered both possibilities and problems to the convict and his betters. One Saturday afternoon Charles Philips, a convict servant of Robert "King" Carter wandered over to the plantation home house of John Turberville and helped himself to some of Turberville's cider, probably out of a storage shed.¹³⁹ By the time Turberville discovered Philips the servant was sufficiently drunk to make a scene. The planter admonished the tipsy servant to go home, which Philips did grudgingly.

That night, however, Philips "returned back . . . in the night skulking" near a building under construction, and lay down "in a heap of Shavins till he was accidently discovered by a carpenter that lay in the same building." The planter was called and ordered the convict home, and the convict in turn "used very ill and menacing language" in what must have been a lively argument. Turberville, however, in appre-

¹³⁸Fairfax Parish Vestry Book 1765-1928, p. 44.

¹³⁹The following two paragraphs are based upon Westmoreland County Orders, (1721-1731), Aug. 26, 1730, ff. 332-33.

hension that Philips "had some Vilainous Design," took the servant before the local justices in the county court, who clapped Philips into jail until the next court date, when his owner Robert Carter was obliged to give the county bond "for the Said Charles Philips's keeping the peace and good behavior towards all his Majesties Leige Subjects but more especially toward the Said George Turberville."¹⁴⁰

Turberville, it should be noted, had Philips arrested not for the theft of some cider but for returning in the night and scaring him half to death. In this kind of patience with errant convict servants Turberville was not unique. In terms of labor supply for Virginians the convict servant accounted for an important part of that need. In terms of labor control, however, the convict servant brought with him problems that Virginians were never adequately able to solve.

During the time the convict lived and worked as a servant in Virginia he lived in a neighborhood that was vaguely defined but clearly understood.¹⁴¹ One of the chief determinants for defining a neighborhood, ironically enough for the convict, was the location of the resident justice of the peace. Although he gave several days a month sitting on the county court, most of the justice's work was done in the neighborhood, where he literally worked at keeping the peace,

¹⁴⁰Ibid.

¹⁴¹For a concise definition of neighborhood defined in terms of economics, see Max Weber, "The Neighborhood: An Unsentimental Economic Brotherhood," in Economy and Society, an Outline of Interpretive Sociology, ed. by Guenther Roth and Claus Wittich, (New York, 1968), I, 360-63.

sometimes between the convict and his owner. When the planter Nathaniel West Dandridge had trouble with his convict weaver he "carried him before a magistrate . . . who ordered him a small flogging."¹⁴² The presence of a local justice who lived in the neighborhood reminded the convict that problems too big for his owner but too minor for the court could be summarily settled by a magistrate who combined a knowledge of the neighborhood with the authority of the law.

In this neighborhood community the relationship of most immediate importance to the convict was that with his owner-employer, who, while not holding anything like total power over the convict, enjoyed a wide area of discretion in determining the quality of his servant's life. The servant could not help but appreciate this fact, and since each convict dealt with his master according to his own personality and abilities, undoubtedly a variety of relationships developed.

In their treatment of their owners convicts ranged from those who were "affable"¹⁴³ to those who were "very saucy"¹⁴⁴ or "impudent."¹⁴⁵ Most commonly, however, the convict servant dealt with his master with some care. The servant who maintained a sense of individual worth could not help but impress his owner as having a "very smooth tongue."¹⁴⁶ When the convict

¹⁴²Va. Gaz. (P. & D.), May 24, 1770.

¹⁴³Va. Gaz. (R.), Feb. 19, 1767.

¹⁴⁴Va. Gaz. (D. & H.), June 10, 1775.

¹⁴⁵Va. Gaz. (P. & D.), May 16, 1766.

¹⁴⁶Va. Gaz. (R.), July 25, 1768.

used his intelligence to outwit his owner he came across as a "cunning, artful" fellow,¹⁴⁷ or simply as being downright "deceitful."¹⁴⁸

The convict servant's most immediate, spontaneous, and candid relationships, however, were with his fellow workers and others in the neighborhood. Although all of the colonial Virginia populace could be considered as one society, there also can be detected a colonial sub-society, populated by white servants, black slaves, tenants and tradesmen, free blacks and mulattoes, apprentices and laborers, wandering tradesmen, carters and wagoners, sailors, vagrants, beggars, and fleeing debtors, a variety of whom have appeared in previous chapters.

The convict's most successful acculturation during his service in Virginia was into this sub-society, which, although incorporating his neighborhood, was not exclusively bound by it. Many convicts came to terms with their new society on that level and served out their terms with a minimum of trouble, crime, or running away, as noted in the previous chapter. Yet, among the convicts who accepted and functioned reasonably well in the sub-society of the neighborhood there were those who had trouble, sometimes continual trouble, with the dominant societal context--the Virginia of the ruling gentry and merchants, of towns and trade, of speculation and finance, culture and law, of politics, war, and

¹⁴⁷Va. Gaz. (Pi.), June 1, 1775.

¹⁴⁸Va. Gaz. (P. & D.), Oct. 29, 1767.

imperial relations. Into this general society many convicts simply could not, or would not, fit, and they regularly ran afoul of the law. Daniel Whealon, a smith who could make locks and was just as "dextrous at picking of any," became accused of several felonies and was "suspected of others."¹⁴⁹ Such a convict would soon be considered a "notorious offender"¹⁵⁰ like John Turner, or a "notorious Villain" like Billy Hughes.¹⁵¹

The convict who became obstreperous in the larger Virginia society also became, like Thomas Rankin, an "old Run-away,"¹⁵² meaning he would repeatedly run away, only to be repeatedly caught and returned. The main reason these obstreperous convicts were caught, however, was that they didn't run too hard. They fled their owner (or their work) but not their new society. David Hughes, after having fled his master, "work'd a considerable time at the Eastern shore as a free person."¹⁵³ After John Jones fled his owner in the Shenandoah Valley he turned up four weeks later in Fredericksburg with a new name.¹⁵⁴ Others, like Daniel Whealon, fled to a previous owner.¹⁵⁵

These obstreperous runaway convicts often merely melded into a sub-society in a different neighborhood. John Booker, who left his master's plantation up-river from Fredericksburg,

¹⁴⁹Va. Gaz., Dec. 12, 1745.

¹⁵⁰Va. Gaz. (R.), Feb. 19, 1767.

¹⁵¹Va. Gaz., May 9, 1751. ¹⁵²Md. Gaz., Sept. 15, 1747.

¹⁵³Pa. Gaz., June 9, 1748.

¹⁵⁴Va. Gaz., (R.), July 12, 1770.

¹⁵⁵Va. Gaz., Dec. 12, 1745.

came into town, and lurked about the town for four days before he was caught and returned to work.¹⁵⁶ In another runaway, Booker roamed Virginia for six months before being taken and returned to his master.¹⁵⁷ Joseph Loveday fled up the Potomac River from John Tayloe's Neabsco iron works in the Occoquan neighborhood to later appear lurking about Isaac Zane's iron works in the Marlboro area of Frederick County, whereabouts his owner suspected the fugitive might take a local job "in the farming or team driving business."¹⁵⁸ Mary Davis, who left her home by the King's highway in King William County in the winter of 1773, changed her name and began "lurking about" various neighborhoods of Gloucester and Middlesex counties, "passing as a Beggar, saying she has lost her Husband, and has two Children to maintain."¹⁵⁹ These reports of the convicts' whereabouts were given by their owners, who often knew where they were and still had difficulty in digging them out of the receptive local sub-society.

One of the prices paid for the intransigence of such troublemakers was that when caught, they were often sold to a new owner. In 1770 Matthew Thorp fled his owner in Westmoreland County and stole a horse. After his arrest and conviction he was sold by his owner to a neighbor in the same

¹⁵⁶ Va. Gaz. (P. & D.), Feb. 25, 1773.

¹⁵⁷ Va. Gaz. (R.), Oct. 8, 1772.

¹⁵⁸ Va. Gaz. (R.), July 15, 1773.

¹⁵⁹ Va. Gaz. (R.), July 12, 1770.

county.¹⁶⁰ Robert Milby, whose "behaviour was too notorious not to be well known" in his first neighborhood, was eventually sold to a new owner and thereupon ran away,¹⁶¹ while John Higginson was resold on an average of once a year.¹⁶² On occasion the convict's owner, frustrated and disgusted with an inveterate runaway, finally gave up the fight. After his convict servant had run away once too often, John Martin closed his advertisement description with a pathetic coda: "He has four Years and a Half to serve. Whoever secures the said servant, shall have the remainder of his Service."¹⁶³

Even though these "notorious" convicts had trouble with the dominant Virginia social structure, they neither fomented social revolution nor totally rejected their new home in America. Along with most of their fellows they effectively participated in the colonial sub-society, although they had more trouble than most in living a socially acceptable life in the neighborhood at large.

There was a type of convict, however, who, no matter how well he got along with his peers, his master, and the society at large, never lost his urge to escape. No matter how completely he accepted the society around him he refused to accept his fate. This was the serious runaway, for whom many of the runaway advertisements in colonial newspapers

¹⁶⁰Va. Gaz. (R.), Oct. 29, 1772; Aug. 5, 1773.

¹⁶¹Pa. Gaz., Sept. 22, 1748.

¹⁶²Va. Gaz. (P.), April 7, 1775.

¹⁶³Va. Gaz., May 29, 1746.

appeared.

He was serious enough to pay attention to details; almost all of the advertisements mention the convict taking extra clothing, and sometimes also tools and weapons. He often chose the time of his flight with care, fleeing at night, during a holiday, or while away from the owner on a job at another location. Many fugitive convicts, as we have seen, chose accomplices, whether a fellow worker, a neighbor, or a lover. A fleeing convict had a choice of using a land or a water route, and the availability of a boat or horse that could be easily stolen must have been a factor in determining the means of flight. Where the water route promised speed, the roads of Virginia offered a special kind of sanctuary. Although the convict lived in a particular neighborhood he had ready access to and through almost every neighborhood sub-society in the colony, and into the outer world, via the eighteenth century road patterns in Virginia.

The major criticism of colonial Virginia's road system which was made by travelers was that they usually got lost. Isaac Weld, traveling in 1795, found that "so many of [the roads] cross one another in different directions, that it is a matter of great difficulty to find out the right one."¹⁶⁴ The poetic John Edwards Caldwell found that in 1808 he could "say with truth I have found the roads in Virginia to be, as the Poet represents the ways of Providence, 'puzzled in mazes

¹⁶⁴Weld, Travels, p. 92.

and perplexed in errors'.¹⁶⁵

Travelers got lost not because there were so few roads, but because there were so many. Since cities, which serve to rationalize and centralize road systems, were not dominant in Virginia, every plantation, ferry crossing, tobacco warehouse, church, and mill demanded at least one road for each approach. This state of things gave rise to a vast and informal network of main roads, wagon roads, and paths that often shifted to accomodate shifts in settlements and commercial patterns.

It was this shifting maze of highways and byways which understandably confused the earnest traveler while providing complete convenience for every resident in the neighborhood. Thus the neighborhood in which the convict was acculturated was in this sense a larger version of the plantation. That is, while by their nature each functioned around a certain centripetal force that gave orientation and context to the daily lives of their inhabitants, neither was isolated from the larger world by either intent or fact. The serious runaway, then, had ready access to a myriad of roads and bypaths which lent itself to safe and ready travel from neighborhood to neighborhood for those in a sub-society who did not wish to be discovered.

Whether traveling by land or water the convict knew he might be stopped and questioned, and that servants and slaves

¹⁶⁵ John Edwards, A Tour Through Part of Virginia in the Summer of 1808, ed. by William M.E. Rachal (Richmond, 1951), 41. For a detailed study of Virginia roads see Edward Graham Roberts, "The Roads of Virginia, 1607-1840" (Ph.D. dissertation, University of Virginia, 1950).

traveling for their master carried a pass stating their origin and destination. The easiest way to pass through the hamlets, towns, and ferries of Virginia was to show a pass to any inquiring justice, constable, or suspicious citizen. Many convicts wrote their own passes before leaving, and others, often illiterate, had passes written for them by friends--some free, some in service. The intrepid convict George Pitt obtained "pen, ink, and paper" the night before he fled his owner, with which he undoubtedly forged a pass, and possibly even a discharge from service.¹⁶⁶ Over a third of the convict owners who advertised for their runaways warned that they probably had passes.

Passes could also be obtained from government officials, usually local justices of the peace. In the late summer of 1772 the imaginative convict and inveterate runaway Matthew Thorp left his employer in Westmoreland County, "went down to Williamsburg, and applied to John Randolph, Esquire, for a pass, which he obtained."¹⁶⁷ John Randolph, Esquire, in the late summer of 1772, was the Attorney General of Virginia, and had been, in law if not in fact, the chief prosecutor of Thorp the previous year on a charge of horse-stealing.¹⁶⁸ Two convict runaways, a plasterer and a bricklayer, managed to obtain "false Passes, sign'd by several Justices of the Peace" in 1744.¹⁶⁹

Convicts armed with passes and enjoying confidence in

¹⁶⁶ Va. Gaz. (R.), July 25, 1768.

¹⁶⁷ Va. Gaz. (R.), Aug. 5, 1773. ¹⁶⁸ Ibid.

¹⁶⁹ Va. Gaz., May 23, 1745.

themselves were not necessarily shy of the main roads and crossings. Two runaways from Fredericksburg were plainly seen crossing the Potomac River at the falls,¹⁷⁰ while another fugitive from Fredericksburg was later spotted crossing the Susquehanna River in Pennsylvania astride a stolen but well-branded horse.¹⁷¹ While fleeing their King William owner in 1752 two Irish convicts stopped for the night at a home on the Pamunkey River and the next morning crossed the river on the ferry and proceeded on towards Fredericksburg.¹⁷² After eleven months of seeking his two missing convicts, Richard Taliaferro traced the pair from the Port Royal neighborhood to Suffolk, then to Hampton, and from thence to Norfolk.¹⁷³

One errant convict went from Fredericksburg to Williamsburg where he stayed the night in one of the major taverns before moving on the next morning.¹⁷⁴ A tavern or ordinary was attractive, especially if it were a "friendly" one, for there one could rest, feed himself and his horse, learn the news, and inquire his way from either local or travelling people. Indeed, if the convict were a runaway he might very well see a broadside or advertisement tacked on the front porch, describing him with a different name, different clothes, but often with physical characteristics which could not be changed. This would be particularly true for an escaped con-

¹⁷⁰Va. Gaz., March 30, 1739. ¹⁷¹Pa. Gaz., April 19, 1757.

¹⁷²Va. Gaz., June 18, 1752; see also Thomas Belcher crossing at Todd's Bridge, Va. Gaz. (R.), March 16, 1769.

¹⁷³Va. Gaz., May 23, 1745.

¹⁷⁴Va. Gaz. (R.), Dec. 24, 1767.

vict servant like William Booth, who, with a wooden leg, tried to hide the fact by wearing trousers.¹⁷⁵ If the local tavern were at a major intersection of roads or at a common ferry crossing it would be a regular stop, too, for confident convicts who travelled the main roads. In the summer of 1768 three runaways were seen at Todd's ordinary in Caroline County,¹⁷⁶ and seven years later another runaway stopped at the same busy ordinary on his way to Williamsburg.¹⁷⁷

Nor were runaways shy about asking directions. The two tinkers who had been hired out to travel from job to job merely kept traveling. Not only were they not stopped, they themselves would stop along the way, saying they lived in Augusta County, and inquiring which route would be best.¹⁷⁸ The practice of asking directions in Virginia, a colony almost the size of England, was common practice, and any convict, after having lived in his neighborhood for a few months, would soon be giving directions to others.

The convict who was at all "clever" and could keep his wits about him could move from neighborhood to neighborhood for weeks at a time. One such runaway, Patrick Carroll, escaped from his tidewater neighborhood into the southwest country, "being acquainted with the Roads, having made a Trip

¹⁷⁵ Va. Gaz. (R.), Sept. 22, 1768.

¹⁷⁶ Va. Gaz. (R.), Sept. 22, 1768.

¹⁷⁷ Va. Gaz. (Pi.), Nov. 10, 1774.

¹⁷⁸ Va. Gaz. (P. & D.), March 26, 1767.

to those Parts."¹⁷⁹ Two decades after Carroll's escape Samuel Holmes, who had "long been in this Country," managed to learn "most Places, and the Names of the Counties, and the most noted Persons in Pennsylvania, Maryland, and Virginia" through use of "cunning Inquiry," according to his master.¹⁸⁰ Such "run away" convicts were quite at home on the roads and might never be stopped by suspicious residents or travelers.

There was always the danger, however, the justices of the peace or sheriffs might, upon encountering the fugitive convict traveling through the neighborhood, arrest him "on Suspicion of being a Convict Servant" who was fleeing his master.¹⁸¹ Thus was the fugitive William Adams taken up by the sheriff of Goochland County "on suspicion of being a runaway."¹⁸² After having given "various accounts of himself since he was taken up," Adams confessed he was "a convict servant . . . by trade a weaver," in flight from his owner in Loudoun County.¹⁸³ Two convict servants who fled John Chiswell's lead mines in southwestern Virginia in 1765 were able to get as far east as Prince Edward County when they were taken up and brought into court for horse stealing.¹⁸⁴ Since they were strangers and clearly were not gentlemen they were brought before the county justices for a hearing. The justices, after deciding that they had the wrong men, also

¹⁷⁹Va. Gaz., May 29, 1746. ¹⁸⁰Pa. Gaz., May 15, 1766.

¹⁸¹Va. Gaz. (P. & D.), Aug. 29, 1771.

¹⁸²Va. Gaz. (P. & D.), Oct. 4, 1770. ¹⁸³Ibid.

¹⁸⁴Prince Edward County Order Book, 1765-1767, p. 15 (March, 1765).

found that their two innocent suspects were also "great Imposters . . . it appearing from their own Confessions that they are [runaway] Convict Servants."¹⁸⁵ The unlucky pair received ten lashes each before being sent back to the mines.

Of course, all of the residents of the Virginia neighborhood were obliged to obey the law, and support the sheriffs, undersheriffs, and constables on the lookout for any fugitive, and Virginia wrote law after law to cover all possibilities regarding runaways.¹⁸⁶ In their daily lives the local citizenry was expected to pay attention to news and reports of runaways, and to even be suspicious of strangers in the neighborhood. Thus the owner of the runaway James Lee, when he learned which ship Lee had hailed on the Rappahannock River, requested that "any Gentlemen who may happen to live in this man's [the ship captain's] neighborhood was requested to make inquiry" regarding the fugitive Lee.¹⁸⁷

The law depended upon citizen involvement by providing rewards from the government to citizens for "taking up" such a runaway. The owners usually added private rewards of their own, which often ran to four or five pounds by the late colonial period. These rewards appeared in the runaway advertisements in colonial newspapers, including those of Maryland and Pennsylvania as well as Virginia for Virginia runaways. Handbills were also used, which could be sent through the mails

¹⁸⁵ Ibid.

¹⁸⁶ The major acts were Hening, Statutes at Large, III, 447-62 (1705); VI, 356-69 (1752).

¹⁸⁷ Va. Gaz. (P. & D.), June 1, 1769.

or tacked up at ferry crossings, court houses, ordinaries, and other public places. Handbills were so common that one traveler observed how ordinaries were "easily identified by the great number of miscellaneous papers and advertisements with which the walls and doors of the public houses are plaistered."¹⁸⁸

While the fleeing convict was using the network of roads and associates of his own sub-society, his master could put into motion another network, that of friendship and business association which was knit together by courier, mail, and word of mouth. If an owner thought he knew which direction the fleeing convict was headed he could alert his friends and associates along the way, and thus not have to depend upon advertisements alone. The planter Peter Presly, expecting his runaway convicts to make for North Carolina, alerted the postmaster at Edenton, North Carolina.¹⁸⁹ The owner of four convicts who fled Fredericksburg gave warning to several merchants down the Rappahannock River to aid in returning them if and when they were captured.¹⁹⁰

Because most merchants were established in ports they were in a position to be particularly helpful to owners of runaways. Archibald Ritchie, owner of several servants who escaped from the Rappahannock valley, wrote directly to William Lux of Baltimore, who was the largest convict dealer

¹⁸⁸Schoepf, Travels in the Confederation, II, 30.

¹⁸⁹Va. Gaz., Nov. 17, 1738.

¹⁹⁰Va. Gaz. (R.), Feb. 4, 1768.

in Maryland in the late colonial period. Ritchie sent along copies of his handbills describing the fugitives and asked Lux to be on the lookout. Lux promised that "if they should be taken near this Place I will send them to you."¹⁹¹ When four of Robert "King" Carter's white servants deserted their jobs at a mine Carter warned his agent that he expected the overseer to be "forthwith pursuing them with Hue and Cries."¹⁹²

The use of the old English practice of "Hue and Cry" was of little use to the extensive Virginia society of the eighteenth century. But between the advertisements, the agents, the pursuers, and the suspicions of innkeepers, ferry operators, and travelers, the runaway had his problems. When the fugitive convict tailor Thomas Scott "made an Attempt to get over Mr. Fantleroy's Ferry" he "did not succeed" on that try, but probably tried again elsewhere, as he was still at large two months later.¹⁹³ Charles White, a convict stocking weaver, stole a mare and fled to Fredericksburg, where he signed onto a ship, was recognized, and escaped.¹⁹⁴ Having lost the mare, White wrote a pass for himself and walked down to the falls of the James River, just above the village of Richmond, where he was seized and jailed again, but once again "made his Escape."¹⁹⁵

¹⁹¹ William Lux to Archibald Ritchie, Baltimore, April 13, 1765, William Lux Letterbook.

¹⁹² Robert Carter to Benjamin Grayson, July 13, 1731, Robert Carter Letterbook.

¹⁹³ Va. Gaz. (P. & D.), July 28, 1774; Oct. 6, 1774.

¹⁹⁴ Va. Gaz. (P.), Nov. 22, 1776. ¹⁹⁵ Ibid.

Some runaway white servants, including convicts, were pursued intensively, usually by agents of the owners, and the pursuit could be dangerous to both parties. When two convict and one indented servant fled adjoining plantations in Westmoreland County in 1749 they "were pursued and had a skirmish, and one of the men [was] shot in the arm, or shoulder."¹⁹⁶ One pursuer of an escaped convict servant returned to his master with a dismal story of collusion against him. After pursuing the convict and a fellow servant for about six weeks he finally caught up with them and proceeded to march them back in handcuffs to their master in Westmoreland. While staying over one night in an ordinary, however, the innkeeper the next morning "would not get his Horse for him, and while the captor was getting his horse himself his captives escaped, "let loose on Purpose" by the conniving innkeeper.¹⁹⁷

Some owners, especially merchants with good connections, took great pains to retrieve their lost servants. John Hook, merchant in the upper James River valley in the late colonial period, was almost indomitable in pressing the pursuit of servants in flight. In a 1772 letter to his employer, Hook tried to give every assurance that none of the investment in servants would be lost. Hook's account offers a rare insight into the sometimes desperate situation of a runaway servant:

I heard of the 3 Servant men that ran away from Mr Hunt Crossing at James River [at] Stovall's and sent Mr Holt after them, he heard of them at Mr Thomson's, but could not learn wether they made for Stanton

¹⁹⁶ Pa. Gaz., Oct. 26, 1749.

¹⁹⁷ Va. Gaz. (P. & D.), July 8, 1773; Aug. 19, 1773.

& Carolina or kept down the Country, at Stovall's they said they intended for Caroline, Richardsen [,] Poxed man [,] was seen going through Charlotte & in Cumberland making down the Country [.] Mr. Holt sent [some?] of Hunt advert[isements] . . . to Charlotte Ct House & Stauton to several of the Adjacent Ferries on[e] to Geo. Wrights & one further down I hope to here every day of there being taken up, the 2 men that left you crossing the mountain was taken up and got away again. They seized the man that was carrying them to prison took a new riffle out of his hands & carried it off, the [poxed?] has been heard of lately about Looneys ferry, the other two has been seen on James river some miles below there, they steel Hoggs & sheep and live in the Woods[;] they are searched for and expected to be taken again.¹⁹⁸

If those fugitive servants were not retaken it was certainly not for lack of pursuit.

The serious runaway might have chosen a number of destinations, either an adjoining colony or a port town in Virginia. When owners who advertized runaways mentioned possible destinations, most spoke of the fugitive seeking a port town or city, where a runaway could "endeavour to get on Board some Vessel"¹⁹⁹ and thus "endeavour to get out of the Country."²⁰⁰ The ultimate goal of these runaways seems to have been home, in the British Isles; how many got there is unknown. An occasional convict appears in Virginia under a second sentence of transportation,²⁰¹ but statistical evidence is lacking.

If complaints from England are any indication, however, it appears that during heavy periods of transportation

¹⁹⁸ John Hook to David Ross, May 20, 1772, John Hook Letter-book, University of Virginia, microfilm.

¹⁹⁹ Va. Gaz. (P. & D.), Aug. 5, 1773.

²⁰⁰ Va. Gaz. (P. & D.), Aug. 15, 1771.

²⁰¹ Va. Gaz., July 6, 1739; Va. Gaz. (R.), Feb. 16, 1769.

enough runaways returned to cause concern in England. In the earliest years of the transportation period some returned convicts became involved with the most notorious thief and receiver of stolen goods in London, Jonathan Wild. In Wild's trial in 1725 one of the accusations was "That the Person's employ'd by him were for the most part Felons convict, who have returned from Transportation before their Time was expired."²⁰² These fugitives, whom Wild supplied with "Money and Cloaths, and lodged them in his own House," were perfect for Wild's system "because they could not be legal evidence against him" and could be turned in to the authorities by Wild if they got out of line.²⁰³

Throughout the transportation period complaints appeared in England over how easy it was for runaway convicts to return home. In the late 1730s there was a flurry of excitement over a number of such cases, some involving well known criminals. Such news elicited pronouncements that it was "certain Numbers do return from Transportation,"²⁰⁴ which many "look upon only as a Country Journey, they returning as they please."²⁰⁵ Another writer complained that "Transportation does not answer the End propos'd, the Convicts are continually returning."²⁰⁶

²⁰² The Political State of Great Britain (London, 1712-1740), XXIX, 505-506, in William Roberts, The Making of Jonathan Wild (New York, 1941), p. 6.

²⁰³ Ibid. ²⁰⁴ Va. Gaz., Jan 21, 1737.

²⁰⁵ Va. Gaz., Dec. 30, 1737.

²⁰⁶ Va. Gaz., March 23, 1739; also see Va. Gaz., July 13, 1739.

As the sporadic but continual complaints on the ineffectiveness of transportation appeared, there appeared also, in almost counterpoint fashion, suggestions for reform or even abolition of transportation in favor of various alternatives, ranging from the humane to the barbarous. Englishmen began examining one logical area for improvement in the system, that of increasing the distance between the banished convict and the home country. The coast of Africa and the East Indies were two popular spots "from whence they cannot so easily return."²⁰⁷ By 1774 Virginians were advised that "a correspondent recomends the making a settlement on one of the newly discovered islands in the South Seas, and the sending our convicted felons there . . . as they would not have it in their power to return to England."²⁰⁸ The largest of the "newly discovered islands in the South Seas" was Australia.

In his life beyond his work the convict had a very good chance to develop a coherent and livable existence which could in many ways compare favorably with the daily life of a significant segment of Virginia society. He enjoyed the liberty, if not the "right," to personal possessions: money, papers, musical instruments, books, probably knives, possibly tools, but probably was denied guns, even for hunting. He wore what he was given, which was often new, and which probably fit as well as could be expected, but often added to his issued wardrobe by his own purchases, and probably also by theft. He

²⁰⁷Va. Gaz., June 9, 1774; Sept. 15, 1774.

²⁰⁸Ibid. See also Oldham, "Convicts."

often wore a wig, which he must have procured on his own. He had many of the material means to live a life of at least some flavor and color, and he did not live alone.

His acculturation was determined by two contexts, which may be called immediate and extensive. The immediate context was the local neighborhood in which he worked and lived, dealing with Virginians of all levels, types, and conditions. This life was inextricably bound up with his owner or master, his fellow workers, his neighboring masters and workers, and with all of the ancillary people, male and female, wealthy and poor, who made an eighteenth-century Virginia neighborhood more than a mere collection of people and things. The neighborhood life thus offered him an immediate and full microcosmic introduction to the larger Virginia society, while still, being only one neighborhood, maintaining the "slice of Virginia life" on a level with which a new-comer could deal.

The extensive context for the convict's acculturation opportunities was the sub-society which existed within and among all neighborhoods all over the colony. In the sub-society, whose existence was recognized but little understood by the gentry class, the convict could function among peers, and his personal talents could be exercised and respected. Through this society he might be introduced to Virginia at large, and could feel comfortable in it when in a different neighborhood.

The degree and depth of his participation in Virginia society varied, and many convicts-turned-servants had great difficulty in adapting satisfactorily to this world. Some

rejected only certain aspects of Virginia society, but were able and willing, on their own terms, to function within it. Others rejected their new world regardless of the treatment they received or the possibilities they found, except for the possibility of running away. Those who rejected Virginia were serious runaways, who often prepared in advance for their flight, carefully choosing their time, means, and confederates. Although they were sometimes pursued intensively, a great many must have succeeded in escaping, and many of those probably returned to the British Isles.

CHAPTER VIII

CONCLUSION

The phenomenon of British convict servants in colonial Virginia arose from the conditions of the mother country in the expansionist Elizabethan era. As England's population grew, as her economy expanded and shifted in priorities, and as her colonies were settled, crime and poverty increased apace, demanding effective action to control an increasingly serious problem of social deviancy in both the cities and the rural areas.

Throughout the seventeenth century various English governments instituted the punishment of banishment to rid England of felons and insurrectionists. Some of the felons were shipped to Virginia during the Virginia Company years and again during the Protectorate and the early years of the Restoration. But between the mid-1670s and 1719--a period of several generations--no felons were shipped to Virginia at all. Hence the story of convict servants in colonial Virginia is essentially an eighteenth-century phenomenon.

With the end of the European War by the Peace of Utrecht in 1714 the English army and navy no longer provided a repository for the social deviants of the realm. Hence, in 1717/18 a parliamentary act was passed providing for the judicial sentence in criminal cases of banishment through

transportation to one of his majesty's colonies in America. This act, the only concern of which was to rid the realm of its convicted felons, was the basis for the transportation of at least 10,000 male and female convicts to Virginia through the remainder of the colonial period.

By this act the system for transporting the convicted felons was established. Felons sentenced to transportation were signed over to a merchant, or captain, who would give bond that the felon would be landed in an American colony. Two transportation patterns evolved over the years under this system. Felons to be transported from London and the six surrounding Home Counties were collected by a London merchant on an annual contract with the Treasury, who paid the merchant three to five pounds a head for each felon transported. In time this Treasury contract became a sinecure, and was let to merchants with connections in the Treasury or elsewhere. Through the years the contract was handed down to relatives and junion partners, from merchant to merchant, until the early 1770s, when the Treasury decided the contract merchant did so well financially that a premium was no longer needed.

Although the literature, both contemporary and historical, has viewed the nature of the English and Irish convict who was shipped to Virginia as lower class, illiterate, unskilled, and immoral, he does not appear quite that way in this study. Many convict servants in Virginia were literate; many were skilled, and many enjoyed developed talents. They do not appear in Virginia as a class of dullish brutes, and although some writers have credited any attractive features

found in a Virginia convict to the purity of the new environment, indications are that, although no major study has been done of the social and economic origins of eighteenth-century English and Irish felons, many were experienced in trades and many more raised in the farming business. The mass of convict servants in colonial Virginia was not made up of the hardened criminals as assumed by previous studies.

The felons shipped to Virginia by these Treasury contractors usually rode in tobacco ships that functioned as transports, often carrying 100 to 150 souls in a trip. At least half of the convicts banished to Virginia came over on such a ship. The rest were shipped from the provinces, and while some provincial convicts were shipped to London or Bristol to ride in a large convict transport, many were shipped by the handful as a minor part of a cargo from an English outport.

Although the felon banished to Virginia usually suffered while awaiting transportation in an English prison, he often found the crossing the worst part of his whole legal exile. About eight-five percent survived the trip, with the female felons enjoying a somewhat better survival rate than the males. In a typical crossing the felons, chained together in the hold and fed in groups of six, shared with the crew the hazards of storms, pirates, enemy ships, wrecks, and disease. On a difficult voyage the felon suffered the worst of all, and even a quiet voyage, riding five to six weeks in the hold, turned out for most to have been the most difficult part of the whole transportation experience.

Sometimes the felons rebelled during the passage, and on occasion succeeded in freeing themselves from their bondage. More commonly their rebellions were put down, but such resistance by the transported convicts presaged a problem that Virginians never satisfactorily solved.

When the transported convict entered Virginia waters his prescribed status changed, for those who would subsequently determine his life were concerned less about his status under English criminal law than about his worth and usefulness in Virginia, and this concern among his new masters determined his experience in his introduction to the Virginia colony--his sale as a convict servant.

While an occasional convict might be sold as his ship worked up the Chesapeake Bay or one of the Virginia rivers, the sale for most transported convicts was determined by Virginia merchants who were responsible for all of the cargo on the incoming convict ship. Standard communications and advertising practice were put into practice when a shipment of convicts arrived in Virginia, and by the time the typical convict arrived at the merchant's dock the local merchandising machinery had established the dates for his sale and had attracted possible buyers.

Those convicts who were not previously "spoken for" through transatlantic connections were put on sale on the ship over a period of days until all were sold. The buyers would come on board and inspect, examine, and question any convict they were interested in, and then bargain with the captain, merchant, or supercargo for the convict's price,

which ranged between ten and thirty pounds, depending upon age, health, and skills. Whatever the price, most were bought on credit.

Although convicts were banished for various periods--from a few years to life--there is little evidence that any were sold for more than seven year terms. Most of the evidence supports the seven year term as being applied to every convict despite the period of his banishment, and this colonial practice was apparently observed from the beginning of the convict imports to their end in 1775.

The eighteenth-century convict came into a society much changed from the seventeenth-century settlement period, and the convicts fed a demand for labor that was becoming increasingly sophisticated and diverse, and the Virginia labor buyer had his choice of male and female, black and white, child, youth, and adult, skilled and unskilled, to satisfy his labor needs.

No matter what the convict expected Virginia to be, by the 1720s the range of possible situations was probably broader than he would expect, for by then Britain's prize mainland colony was no longer merely a series of tobacco fields. The key word for Virginia's economy in the eighteenth century was not "smoake" but "diversity," and the imported convict served in every aspect of the Virginians' constant quest for turning a profit. In that quest colonists were increasingly turning away from tobacco toward many economic opportunities real and imagined, including the wholesaling and retailing of convict servants as well as slaves.

By 1720 Virginia was actively and consciously moving toward an economic diversity which is reflected in its labor practices. Thus the "Golden Age" of Virginia, rather than being a product of tobacco, was an experience of diversification.

As the eighteenth century progressed in Virginia, buyers found the talents of imported white indentured and convict servants too attractive to pass up, as can be seen in the experience of the group of servants taken on the road to be sold through the upper Northern Neck and the lower Shenandoah Valley in 1765. If the buyers had been desperate enough for brute labor these servants would have been snatched up in Fredericksburg, or at least well before the coffle reached the Valley. But they were not, not because buyers didn't want or couldn't afford white labor, but because the colonial buyers were choosy. In every case where the type of buyer can be identified he proves to have taken a servant with skills which that owner could use; the baker was bought by a tavern keeper, the gentleman's servant by a lawyer and burgess, the metal worker by an iron works operator. We must, then, also revise our image of the convict being cheap, "low class" labor that was sold mainly to small planters in the frontier. The convicts were feeding the labor demands of an increasingly sophisticated and diversified economy in colonial Virginia.

Buyers who bought newly-arrived convicts at wholesale in parcels and drove them through the countryside to sell at retail were called "soul-drivers." These men were mostly enterprising younger men who would take a try in any economic

venture that promised a return. But whether the convict was sold out of the ship or in the country, his eventual buyer would be his employer, possibly for as long as seven years. Small planters sometimes bought a white servant in a "hired hand" capacity, but this was probably not too common, since convicts were expensive labor relative to slaves, who usually sold for more but were in service for life.

Most buyers of convicts fell into one of three categories: tradesmen, planter-farmers, or merchants. A large number of British convicts sold as servants in Virginia were skilled tradesmen, probably at least one third of the males. Many were bought by colonial Virginia tradesmen to work in the many shops scattered throughout Virginia. Woodworkers, teachers, metalworkers, blacksmiths, shoemakers, tailors, and many other tradesmen bought convicts skilled in their trades to service the expanding population of eighteenth-century Virginia.

Probably the majority of convicts became servants of large planter-farmers, who by the mid-eighteenth century were turning from tobacco to grain crops and husbandry for their agricultural income. On such plantations convicts who were trained in trades would be useful, while those who worked in the fields worked in farming conditions that in many ways must have been quite similar to those at home. The convict's farm often grew tobacco, but he tended to work in the fields of wheat, corn, and fodder crops, and husbanded the cattle, horses, sheep, and pigs that supported a large part of the Virginia farming operation. No gangs of convicts worked in Virginia's tobacco fields in the eighteenth century.

Virginia merchants also bought convicts with skills, particularly millers, coopers, barbers, waiting men, clerks, sailors, and wagoners. Hence many convicts lived and worked as servants in hamlets, ports, and the towns of Virginia. There were also eighteenth-century Virginians who could ostensibly be termed either planters or merchants, but who may be generally described as the entrepreneurial class in Virginia. These men were the organizers, the backers, the financiers, and the bosses in the various commercial enterprises that went beyond the growing of tobacco. In the development of coal and iron mines, and of iron works, in the construction and operation of flour mills, the construction of ships, houses, commercial and public buildings, the development of western lands, in every area of industry and commerce in the expanding Virginia of the eighteenth century skilled convict servants appeared.

Hence the transported convict servants worked in all fields in the economy but relatively little in the fields of tobacco, which finding is the exact opposite of previous literature on convicts' labor in colonial Virginia. The convict servant in Virginia worked and lived in the diversification areas of eighteenth-century Virginia--the Northern Neck and the Shenandoah Valley. Where he is found in the Tidewater and the Piedmont he is usually working in the most sophisticated economic environments--the hamlets, towns, and commercial and industrial locations.

The immediate and daily life of the convict servant in colonial Virginia was shaped by two types of environment: the

immediate neighborhood and the extensive Virginia sub-society. The most immediate aspect of his neighborhood, of course, was his home, where he worked and lived, and which was shaped to a great degree by his owner-employer. If the convict were performing a skill for his employer his day to day life paralleled that of the apprentice or journeyman. Less skilled convicts seem to have lived a combination life of apprentice and hired hand. The fact that these servants were felons under British law did not cause their employers to treat them any differently than they did other white servants; in fact, the servant's criminal record may have caused an employer to be more circumspect than he might otherwise be, especially if he had bought a murderer.

It is difficult to generalize about employer-employee relations regarding convict servants. Some owners taught their convict servants trades, sometimes even more than one trade or skill. The average owner, when he had occasion to mention how well and how hard his convict servant worked, gave him high marks as a worker. Some convicts handled money for their employers, and a number of them travelled regularly about the neighborhood, county, and colony on their employers' business. It was, then, a rather individual relationship between servant and master, set within the broadly-interpreted confines of law and custom. Much must have depended upon the personalities of the two, which was probably equally true in the case of individual servants and apprentices. The convict's owner appears to have treated him no differently than he did any other white servant.

The convict's personal life was fairly typical of that of indentured servants and not unlike that of many free whites in Virginia. From the scattered evidence regarding his love life and sex life indications are that they were typical of the servant class. Few servants under indenture were allowed to marry, a rule that surely caused more problems than it was meant to solve. Some convicts ran off with members of the opposite sex, and a few appear in Virginia with spouses.

Convicts were clothed like other servants; many wore wigs and few wore boots. Many convicts had money, sometimes bringing it over with them on the voyage from Great Britain. Others must have earned money on their own time, some may have been given small amounts occasionally by their employers as tips or for favors, and doubtless a number made some profit from local petty theft.

Most convicts probably ran away from their employer at least once during their service in Virginia. About five percent of all the convicts in Virginia were advertised in the newspapers, and this probably accounts for a small percentage of convicts who were absent without leave sometime during their service. Many of the runaways were almost incidental, but a number were serious about getting out of Virginia and returning home to England or Ireland. The majority of serious runaways probably escaped Virginia, but how many reached home is still an unknown. If they did not succeed, it was not for lack of trying.

The world of the convict servant, like that of his fellows and their masters, was the world of the neighborhood's

daily life. In his daily life in the neighborhood the convict servant shared the life of the whites and blacks with whom he came into contact. Besides socializing with his fellow workers in his own shop, plantation, or store, he enjoyed access to a rich variety of relationships about the neighborhood, including free whites and slaves. While extensive social relations were limited during the working hours, nights, Sundays, and holidays were free time, and the convict took advantage on his own time in the same ways as did the other workers of the neighborhood, which, as a microcosm of the colonial society, introduced the convict to that society.

The convict's society had its own lower class taverns--rum shops--in which he could drink, play cards, meet friends, sing, dance, gamble, fight, and discuss the topics of the day. There the convict socialized with his fellow workers of both sexes who lived in the neighborhood, as well as travellers who fit into such a society: the sailors, carters and wagoners, servants and slaves on errands, tinkers, travelling tradesmen, runaways, thieves, and fences of stolen goods.

While convicts have been accused of perpetrating most of the crime in colonial Virginia, the rising crime rate was probably due in large part to the rapid increase in population. Beyond petty thievery, in which many workers participated, those who practiced grand larceny moved in this society where-in they found their confederates and their fences. Convicts surely participated in this world of thievery, but they don't seem to have been any more prone to serious violence than indentured servants, slaves, yeomen, or even the gentry. When

it came to violence the British-born convict probably learned a few things from his buckskin cousins who were raised in Virginia.

Many of the approximately ten thousand convicts who were sold into service in Virginia in the eighteenth century served out their time and were freed. No official records were kept in Virginia regarding their service and freedom, so the fate and fortune of newly-freed convicts is in general unknown. From time to time an identifiable ex-convict servant turns up in an occasional record using his same name and still living in Virginia. But convicts received no freedom dues and no land, so those who stayed were on their own.

When finally free the ex-convict servant, if a male, may have had a reasonable chance to survive and even flourish in Virginia. After seven years of active participation in the society and work experience, he could function on his own as a free laborer. Although the transient white free labor pool in eighteenth-century Virginia has not yet been investigated, it may have been relatively large in the grain regions of the Northern Neck and Shenandoah Valley, and for skilled tradesmen there was always a demand. A common laborer who made the running wage of one shilling and six pence per day could make one pound a month by working an average of only fifteen days per month. Skilled tradesmen were often so expensive that many planters refused to hire them at such rates, but the tradesmen must have had all the work they wanted or their rates would have fallen. This suggests that many independent tradesmen in colonial Virginia were more inclined

to work part-time at high wages than full-time for lower but still good wages.

The fate of female convict servants is even less clear, but that they often became wives of planters seems at least probable. Because convict servants seem to have been similar in type and character to other servants, their fate in freedom would best be part of a larger study in the overall texture of eighteenth-century colonial Chesapeake society and the life of its laboring population. A major part of that larger story would be the relationship between free and bound, black and white labor, and their roles in the sub-society which apparently flourished in every eighteenth-century Virginia neighborhood.

Within this sub-society the convict servant moved to satisfy most of his social and personal needs. Within it he met male and female, free and bound, white and black, all of whom mixed a rich and varied maelstrom of underclass life for the convict during his stay in Virginia. His life was less within the law or without the law, it was almost literally beyond the law, and beyond the law-enforcers. A good example of this last point is the occasional experience of a church warden presenting in the county court a middle class or gentry class member of society for swearing an oath, contrasted with the colorfully Anglo-Saxon language that must have been part and parcel of the daily work and social life of the indented British or local buckskin worker. Since few of the latter were presented to grand juries it seems likely that the gentry made law for themselves and, seeing that they

couldn't make law (except for crises) for the denizens of the sub-society, arranged a kind of social compromise instead.

It is this societal experience of the convict servant that raises again the question of just how "stable" eighteenth-century Virginia society actually was. From the convict's relatively free life style among his fellow white workers and neighbors is suggested a socio-political compromise agreed to among the ruling families of Virginia. The presence of this large sub-society was surely known to the gentry class, and they knew that Virginia's ever-present sub-society ebbed and flowed back and forth across the lines of morality, custom, and law as its constant pulse throbbed to maintain its existence. This situation a ruling gentry class could accept; a society which coexisted with a large, surly, sometimes dangerous sub-society that produced many of the society's needed services but drew off little of its wealth and made few demands on the society's attentions. The ruling class got the wealth and political power and the sub-society enjoyed a relatively free hand in their own social world, which was sometimes patently illegal. Nothing else can explain the obvious proliferation of "night shops," under the very noses of the local justices of the peace, that were so vehemently attacked by Landon Carter in his diary.

Perhaps it was because the convicts, as servants, became a part of this world that so few convicts perpetrated so little rebellion against the fabric of the society itself. The sub-society was allowed a wide enough freedom so as not to be pressed to rebellion, but not so broad as to

threaten the stability of the society. If this is so, the convict in Virginia lived in a society that depended for its calm exterior in part at least upon the tight balance of dynamic social tensions existing beneath the surface.

By viewing the convict's role and life in the social and economic conditions of eighteenth-century Virginia we see colonial Virginia from a particular perspective. If this study tells us something more and asks something new about convicts and labor in colonial Virginia, its purpose will have been served.

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