

Populating the US Colonies with Convicts

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Time Frames

- 1600s to 1776 until our Independence
- 1717 to 1851 to Australia

King James I



Timeline

- Between 1615 and 1699- English courts sent approximately 2,300 convicts to the American colonies
- Between 1700 and 1776-52,200 or more arrived— about 30 percent of the number of white indentured servants and 20 percent of the number of enslaved Africans who entered the colonies at the same time.

England's Growth

- England's population had grown from less than three million in 1500 to more than five million by 1650
- No similar rise in employment opportunities for the poorer elements of society
- Wages did not match the cost of living expenses
- Between one-fourth and one-half of the population lived in poverty

Crime in Britain

Crime in Britain

- 1713 was end of 12 year war with France
- Returning soldiers and sailors looking for jobs
- No professional police force on national or county level
- Rising population in major cities
- Inflation
- Lack of jobs

Examples of Crime

- Robbery
- Forgery
- Prostitution
- Petty theft
- Pickpocket

What Was Stolen?

- Lead
- Cloth of all sorts
- Pots/pans
- Spoons and forks
- Handkerchiefs

Role of Private Citizens

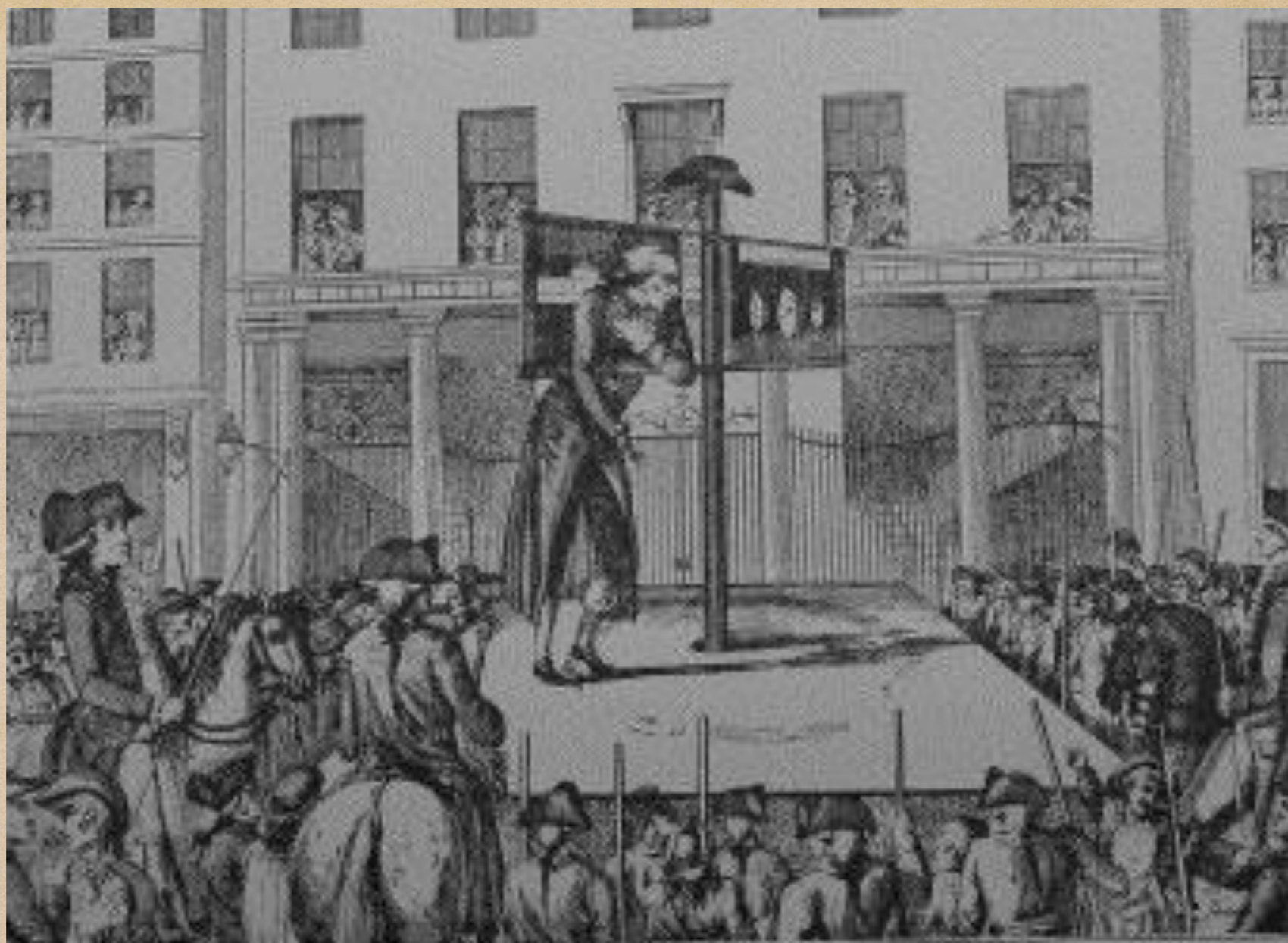
- 1674-1829
- No established police force
- Victim of a crime could capture criminal and hold for constable or justice of the peace
- Witness to a felony legally obligated to apprehend or if asked by a constable or JP had to join in the pursuit

"The Bloody Code"

- Laws enacted to specify the death penalty
- Courts looking for punishment not as extreme as hanging, but tougher than a fine

Emergence of Thief Takers

- High levels of crime in London
- Victims pay thief takers to find and capture
- Rewards and pardons for accomplices
- Used their knowledge of the underworld
- Victim paid reward for return of stolen goods



The Pillory

Rotated so people could see and thrown rotten eggs,
tomatoes, and such

Whipping



Thoughts About Punishment

- By early 18th century, '*shaming*' punishments like whipping, the pillory fell out of favor. So did public hanging.
- Belief that a criminal '*class*' existed so removing them from country would cause crime to decline
- Little known about new world so fear of unknown should deter crime
- Chance to think about changing his ways for felon
- Provide labor for overseas British colonies

T r a n s p o r t a t i o n

- Practice as old as Roman Empire
- England used it more than any other colonizing power until 1851

What is Transportation?

- Removing criminals from their homeland and sending them to a colony as punishment to work as an indentured servant for the term of their sentence.
- Started in early 16th century
- For most of 18th century and 1st half of 19th century, transportation most common punishment

Profits of Transportation

- Healthy, unskilled man = £10
- Skilled craftsman = £25
- Transatlantic passage = £1

Transportation Act of 1718

- The Act for Further Preventing Robbery, Burglary, and Other Felonies, and for the More Effectual Transportation of Felons
- Allowed the courts to sentence felons 7 years transportation to America

Passage of Act

- The second period of transportation began in 1718.
- This time the government made no attempt to charge merchants for the privilege of transporting convicted felons.
- Instead, the merchants were offered a subsidy of 3 pounds per transportee. On those terms transportation was profitable. The system was continued until the American Revolution

Transportation as Punishment

- Robbery, burglary and other felonies
- Grand larcenists and those convicted of non-capital felonies
- By 1769, 169 different crimes led to transportation
- Banished for 7 years
- Receivers of stolen goods got 14 years
- Capital offenders 14 years or life

English Courts

Sentencing Transportation

- Court of Assizes
- Courts of Quarter Sessions
- Old Bailey (Central Criminal Court)

Colonies Fight Back

- By 1697, colonies started refusing to receive convict ships
- Colonial Governors passed laws forbidding ships arrival
- Crown overturned laws

Ireland and Scotland

- Also used transportation to rid their countries of criminals
- Started in 1660s
- Ended with American revolution
- Scotland law typically used transportation for capital offenses and usually banished for life

Why?

- By 18th century, Britons tired of traditional punishment, jails full, crime still rampant
- Now thinking it's barbaric or uncivilized to hang a man for petty theft
- Rather ship them off and be done with them
- What happened after leaving Britain, who cared

Who Transported?

- Transportation was by private merchants. A merchant who wished to transport a felon was required to pay the sheriff "a price per head that included jail fees, the fees of the clerk of the appropriate court, fees for drawing up the pardon, and so on".
- After transporting the felon to the New World, the merchant could sell him into indentured servitude for a term depending on his offense. This was a profitable transaction if the felon was young and healthy or had useful skills.

The Numbers

- 50,000 to America
- 162,000 to Australia

Old Bailey

- London's chief criminal court
- 2/3 of convictions resulted in transportation

Indentured vs Convict

- A male enslaved person cost between £35-£44
- Most male convicts sold for less than £13 and the women for £7 to £10.
- Even semiskilled convicts could be purchased for £7 to £14 and skilled felons for £15 to £25.



The Voyage

- Many unscrupulous merchants withheld water and food
- Most wanted to increase profits by successful sales as servants so took better care
- 6-8 week voyage
- Chained below deck in close quarters with little light or air
- Mortality rates declined over the century but still high at 10-15%

Disease

- By 1760s colonies passed quarantine laws that would fine shipmasters if they landed diseased convicts
- Estimated that as many as 5,000 never made it to America due to disease, mistreatment, or accidents at sea

Where to in America?

- New England in 1600s
- Mostly Virginia (20k) and Maryland
- Pennsylvania received some (mostly Irish)
- Delaware and New Jersey got a few

Life in Colonial America

- Lined up to be sold
- VA and MD exported tobacco and grain back to England so great need for laborers
- TA never mandated servitude but granted contractors great latitude for what to do

- Slave trade very strong in this period
- Convicts worked along side slaves and indentured servants in all industries such as ironworks, mines, lumber, plantations
- Women convicts worked mainly as house servants or cooks
- Despite racial prejudice, black slaves treated better



Convicts represented as much as a
quarter of all British emigrants to
colonial America during 18th century

Virginia

- Potomac and Rappahannock rivers

England Crisis Continues

- Transportation ended before enough prisons were built
- 70% held in the "hulks" (out of use warships moored in Thames)

What Records Exist?

- Old Bailey Court papers
- Treasury records for the State

Finding Records

- www.ancestry.co.uk
- www.findmypast.co.uk
- www.nationalarchives.gov.uk
- London Metropolitan Archives (LMA)
- www.oldbaileyonline.org
- Peter Wilson Coldham various books



Convicts and
Transportation

Epilogue

- Transportation facilitated the growth of prisons
- Banishment did not succeed in shaming guilty unless led to ship
- Led to greater government effort to find ways to curb crime



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- Bonded Passengers to America for a detailed overview of all published sources of relevant records in The National Archives