

Incarcerated, Transported and Bound: Continued Resistance Amongst the Community of Transported Convicts from London to the Chesapeake, 1770- 1775

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"In England, there was scarcely an amount of order and protection to justify much national boasting. Daring burglaries by armed men, and highway robberies, took place in the capital itself every night; families were publicly cautioned not to go out of town without removing their furniture to upholsterers' warehouses for security; the highwayman in the dark was a City tradesman in the light" Charles Dickens, A Tale of Two Cities

The social historian Marcus Rediker has demonstrated in *The Slave Ship* that slave ships were sites of transformation, floating prisons where all people aboard were compelled to leave lives and roles behind and were transmuted into new roles and different existences. Captains became wardens, sailors became jailers, and the ensnaked individuals in the ships' holds were transformed from free members of a particular tribe or kinship group into human chattel referred to as "Africans." Convict transportation parallels these circumstances: the removal from native societies, confinement, transportation, sale, and unfree labor into a foreign world worked to transform convicts as well as form and solidify social ties among them, creating a criminal subculture among a subset of the transported convicts in the Americas. The majority of these criminals shared a common language and socio-

economic condition within the social stratification of London. These convicts, in their incarceration in Newgate jail, during their shipboard passage, and relocation to the colonies of Maryland and Virginia, created and extended bonds in much the same fashion as Rediker demonstrates slaves did during the Middle Passage. Within this criminal class, there was not only solidarity, but also continued resistance to social norms and values that sustained them during the transatlantic voyage. This solidarity and sense of community perpetuated their criminal activities upon arrival in the Americas as they assisted each other in running away from their masters and engaged in continued criminal behavior. Through the stories of several convicts, who all shared passage together on a transportation voyage, this paper attempts to reconstruct the development of the social ties and continued resistance among convicts transported from London to the Chesapeake in the period between 1770 and 1775.

On Friday, 16 February 1770, a moonlit night, near seven, Mr. Bond, Mr. Taylor, and a constable went walking down the turnpike on the opposite end of Buckingham-gate. Their stroll on this evening was not leisurely, but purposeful, as they had been sent on an errand by Sir John Fielding.¹ One suspects that events of the past week must have weighed heavily on their minds, Elizabeth Alderman and her sixteen-year-old companion Elizabeth Higgs had provided authorities with a vivid description of being struck in corporeal fear of their lives on the Sunday a week before. Alderman had been assaulted by a man in a

Michael Bradley, from Arcola, Illinois, is a senior History major. "Incarcerated, Transported and Bound: Continued Resistance Amongst the Community of Transported Convicts from London to the Chesapeake 1770-1775," which won the Alexander Hamilton History Paper Award and the Social Science Writing Award, was written for Dr. Charles Foy's American Maritime History course in the fall of 2013.

¹ Sir John Fielding was the Westminster Justice of the Peace, the Chief Magistrate, serving as replacement from the death of his brother Henry Fielding from 1754, knighted in 1761, and died in 1780.

drab-colored coat, carrying a large stick. The criminal demanded Elizabeth Alderman's money lest he knock her brains out. Stricken with fear Alderman hastily retrieved a nutmeg-grater where she kept some coin, but found that its contents had spilled within her pockets. While she frantically searched her garment the rogue helped himself to Ms. Higgs's cloak, and all her money amounting to only a halfpence. Upon locating her coin, only five and three-pence, Mrs. Alderman was relieved of it, along with her black satin cloak. The robber quickly disappeared over a broken place in the bank by the roadside. The week that followed, two other women had also fallen victim to similar robberies, a Mrs. Baker and another woman that lived in Tottenham-court-road in the same vicinity.²

As Buckingham-gate disappeared behind them, Mr. Bond indicated to Mr. Taylor to quicken his pace, and to remain a hundred yards ahead of him so that he might look an innocent victim as they proceeded down the way to the other end of the field, which they had prearranged as a rendezvous point upon the conclusion of their charade. To one side of the road was the notorious hedge and bank of Alderman's description, and as the two continued in observance of Mr. Taylor, they were met by a man who in passing carried a stick beneath his arm. As they parted ways, Mr. Bond turned to his companion beside him and exclaimed his belief that that was the very individual who had gone by them just then. At the far end of the field the three convened and discussed what they had found. When they returned back up the road, they discovered the man peering over the bank. Leaping over the verge Mr. Bond saw him in full body, leaning against the earth and looking out over the hedge five yards away. He confronted him, demanding his purpose, yet the man made no answer. Mr. Bond quickly called for his companions and the three set on the highwayman putting him into irons and

² *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 13 October 2013), February 1770, trial of William Warrecker (t17700221-42).

removing a large broomstick from his possession. Realizing his circumstance, the twenty-five-year-old William Warrecker, for that was the fellow's name, exclaimed in protest that he had been easing himself by the hedgerow, but it did him little good as he was carted off in the early evening to the jail.³

It had been fifty-two years since the Parliament of Great Britain had created the Piracy Act of 1718, officially titled: *An Act for the further preventing Robbery, Burglary, and other Felonies, and for the more effectual Transportation of Felons, and unlawful Exporters of Wool; and for the declaring the Law upon some Points relating to Pirates*. The act established a seven-year sentence of transportation to the North American colonies for those who were convicted of lesser felonies, those that had received benefit of the clergy, or had their sentences commuted by a royal pardon.⁴ Enhanced sentences of 14 years and life were also issued depending on the severity of the crimes. Over the course of British transportation to Colonial America, from its inception to its demise in 1775, the system would be responsible for the transportation of upwards of 50,000 convicts from the various reaches of Great Britain.⁵ While this figure is speculative, a more accurate figure can be attained from London courts for Hertford, Essex, Kent, Sussex and Suffolk, which comprise a total of 18,600 records of transportation from 1719 to 1772. Convicts from these areas peaked in the years before American independence with approximately 960 convicts shipped per annum from 1769 to

³ Ibid.

⁴ Great Britain. *An Act for the Further Preventing Robbery, Burglary, and Other Felonies And for the More Effectual Transportation of Felons, and Unlawful Exporters of Wooll; and for Declaring the Law Upon Some Points Relating to Pirates*. London: Printed by John Baskett, and by the assigns of Thomas Newcomb, and Henry Hills, deceas'd, 1718.; In the eighteenth-century Benefit of the Clergy or Privilegium clericale was a system in which first-time offenders could receive a more lenient sentence for some lesser crimes.

⁵ Farley Grub. "The Transatlantic Market for British Convict Labor", *The Journal of Economic History*, Vol. 60, No. 1 (Mar., 2000), 94-122, 94; See also Coldham, *Emigrants*, 1, 6; Ekirch, *Bound for America*, p. 27; Fogelman, "From Slaves," 55, 71; and Morgan, "English and American Attitudes," 416.

1776.⁶ Narrowing the field even more, it is found that from the years of 1770-75 2992 convicts were shipped on London ships to Virginia and Maryland, of whom, 2,407 came from London and Middlesex. Of this agglomeration of cutpurses, highwaymen (and women), thieves, forgers, and burglars, at least one hundred would flee after reaching the colonies generating runaway advertisements in colonial newspapers; at least 69 had originate in London and Middlesex.⁷

Written in 1859, Charles Dickens' artful description of London in 1775 in *A Tale of Two Cities*, and other works, has been widely regarded by literary critics for its gritty, realistic, portrayal of life in England during the period. The contemporary accounts of James Boswell from 1762 reveal a cosmopolitan London, a city that attracted plantation owners from the colonies like Henry Laurens, bent on mingling with London high society and refined culture in what could be described as the premier city in the world. Little did Laurens know that by 1780 he would be confined to the tower as Britain's only American prisoner from the Revolution. On Fludyer Street, one might find a room that was new, fashionable, and "very expensive" to rent, see the "king and queen pass from the opera," or the nearby spectacle of a pair of silver heeled avians tearing themselves to bits at a Royal Cockpit contained within St. James Park.⁸

London in the later part of the eighteenth century held over eleven percent of the English population.⁹ It was a population that largely came from afar, so much so that one resident of the metropolis would assert in 1757 that "two-thirds of the grown persons at any time in London come from distant parts." From 1715 until the 1760s the London population grew from 630,000 to

⁶ Bernard Bailyn, *Voyagers to the West: A Passage in the Peopling of America on the Eve of the Revolution*. (New York: Knopf 1986) 295-296.

⁷ Peter W. Coldham, *The King's Passengers: to Maryland and Virginia*. (Westminster, Maryland: Heritage 1997).

⁸ Julie Flavell, *When London was Capital of America* (Newhaven: Yale University Press 2010), 6-17.

⁹ Bailyn, *Voyagers to the West*, 105.

740,000.¹⁰ During this period, emigration to London grew so rapidly that plague deaths comprising 15% of the population were absorbed by newcomers in two years.¹¹ With this growth the city rapidly expanded out of its previous bounds; there was also endemic to this growth, an excess of labor, widespread poverty, an alarming and growing criminal element, and a city that matched the grandeur of Fludyer in depredation.

Benjamin Franklin, familiar with London from his time as Pennsylvania's agent to Parliament, commented that the darkness set in within a few hours of nightfall, despite the use of lamps, as the city grew "dark in a few hours" due to the smoke. He also "observ'd that the Streets when dry were never swept and the light Dust carried away, but it was suffer'd to accumulate till wet Weather reduced it to Mud." The only clearing of the mire, Franklin observed, was done by the city's poor with brooms; "with great Labour" they threw the filth into open carts, for coin from shopkeepers and pedestrians, until it was "suffer'd" to fall back onto the streets to "the Annoyance of Foot-Passengers."¹² It is these impoverished individuals that Londoner J.C. Lettsom encountered one December morning in 1780. Leaving his abode, Lettsom was "accosted by a tall thin man, whose countenance exhibited such a picture of distress and poverty as fixed [his] attention, and induced [him] to inquire into his situation." Lettsom would later seek out the man's "miserable habitation" and locate he and his family "up a dark passage and staircase" where a small apartment revealed the sights of "real misery," as being:

furnished with one bedstead; an old box was the only article that answered the purpose of a chair; the furniture of the bed consisted of a piece of old ticken and a worn-out blanket, which constituted the only

¹⁰ Clive Emsley, Tim Hitchcock and Robert Shoemaker, "London History - London, 1715-1760", *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 13 October 2013)

¹¹ Bailyn, *Voyagers to the West*, 105.

¹² Benjamin Franklin, and J. A. Leo Lemay. *Autobiography, Poor Richard, and Later Writings: Letters from London, 1757-1775, Paris, 1776-1785, Philadelphia, 1785-1790, Poor Richard's Almanack, 1733-1758, the Autobiography*. (New York: Library of America, 1997), 686.

couch, except the floor, whereon this afflicted family could recline their head to rest; and what a scene did they present! Near the centre of the bed lay the mother with half a shift, and covered as high as the middle with the blanket. She was incapable of telling her complaints. The spittle, for want of some fluid to moisten her mouth, had dried upon her lips, which were black, as were her gums, the concomitants of a putrid fever, the disorder under which she labored. At another end of the blanket was extended a girl about five years old; it had rolled from under this covering, and was totally naked, except its back, on which a blister plaster was tied by a piece of packthread crossed over its breasts; and, though laboring under this dreadful fever the poor creature was asleep. On the other side of its mother lay a naked boy about two years old this little innocent was likewise sleeping. On the other side of the mother, on the floor, or rather an old box lay a girl about twelve years old, she was in part covered with her gown and petticoat, but she had no shift...Near her stood another girl about four years old, barefooted; her whole covering was a loose piece of petticoat thrown over her shoulders.

Neither Franklin's account of an old woman sweeping the streets for coin or Lettsom's street beggar Foy, with his sickly, poverty stricken family, give any indication of associated criminality. And yet, some convicts would assert, as their lives were about to come to a sharp conclusion at the end of a rope, that it was this very want of sustenance that led them to commit their crimes.¹³ England was at the time plagued by an overabundance of available labor and a lack of available land and had been for some time. These conditions were partly responsible for drawing large numbers to English cities and to travel to colonial America. Within these urban centers such as London the working class developed its own norms and values,

¹³ *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 13 October 2013), *Ordinary of Newgate's Account*, October 1772 (OA17721014).

articulated through slang, and developed bonds within the socio-economic groups. One prisoner of the London system would write:

There is so vast a majority of lion-like Men among us possessed with the true English and Heroick Spirit, scorning to bow their Necks to Slavery and Oppression...Let us consider we are a little community among ourselves, a Body Politik, whereof not a single member should suffer but the whole should be concerned.¹⁴

Others, such as John Grimes, attested that “[he] was brought up to Idleness and thieving, which, instead of being corrected in me, was rather encouraged.”¹⁵ It was a typical retort for the explanation of criminal activity. James Revel, a passenger on the *Thornton* wrote, “into wicked company [he] fell,” and despite rectification of his behavior by his master, “with them a thieving [he] again did go.”¹⁶

Those unhappy misfortunates who found themselves at odds with the crown’s dispersion of justice, and who had, like Grimes had “follow’d courses that were most wild,” would await their fate in the gaols. The awful smell of Newgate prison hung in the air throughout its surrounding neighborhood. Despite the use of cleansing measures such as vinegar and ventilation, the odor was

¹⁴ Peter Linebaugh, *The London Hanged: Crime and Civil Society in the Eighteenth-Century* (London: Verso 2003), 179.

¹⁵ National Humanities Center, 2009: nationalhumanitiescenter.org/pds. In *The Last Speech, Confession, Birth, Parentage and Education, of John Grimes, John Fagan, and John Johnson, alias Johnson Cochran, who were executed at Gallows-Hill, in the City of Burlington, on Wednesday, the 28th of August, 1765, for Burglary and Felony, committed in the County of Burlington, 1765*; in Kerby A. Miller, et al., eds., *Irish Immigrants in the Land of Canaan: Letters and Memoirs from Colonial and Revolutionary America, 1675-1815* (Oxford University Press, 2003), 271-272.

¹⁶ *The Poor Unhappy Transported Felon's Sorrowful Account of His Fourteen Years Transportation at Virginia, in America In Six Parts. Being a Remarkable and Succinct History of the Life of James Revel, the Unhappy Sufferer. Who Was Put Apprentice by His Father to a Tinman, Nearl Moor-Ficias, Where He Got into Bad Company, and Before Ong Ran Away, and Went a Robbing with a Gang of Thieves; but His Master Soon Got Him Back: yet Would Not He Be Kept from His Old Companions, but Went a Thieving with Them Again; for Which He Was Transported Fourteen Years. With an Account of the Way the Transports Works, and the Punishment They Receive for Committing Any Fault. Concluding with a Word of Advice to All Young Men.* London?: s.n, 1780.

enough to repel residents from idleness in the prison's vicinity, so much so that they would not stand in their doorways.¹⁷ The prison was an "ornate and sumptuous structure" which was divided into four portions. Of these, the Master's side contained thirteen common wards in 26 feet by 32 feet confines that each accommodated thirty prisoners. Living in tandem with the criminals was a variety of "pets, pigs, pigeons, and poultry," wives who came and went, and children. Despite separation and ensnarement, prisoners could freely mix with visitors and the rest of the population, both male and female. Individuals imprisoned there who were sentenced to transportation lived in Newgate among a sea of hardened criminals comprising rapists, thieves, blackmailers, forgers, thugs and highwaymen. The societal microcosm contained purveyors of goods, strong drinks in gin and ale, and was "a dismal prison...a place of calamity...a habitation of misery, a confused chaos...a bottomless pit of violence."¹⁸

It was this scene that would have confronted William Warrecker as he was led into the prison in 1770. Upon his arrival, he would have been carted to the "hold," a room measuring 15 by 20 feet, cloaked in darkness, and encased in stone, permeated by only a small hatch. The confines further contained iron rings to shackle the disorderly residents, and a wooden barrack bed. If Warrecker could not pay the fee for removal from these confines until his trial for two shillings and six pence, he would have been confined there in heavy shackles. These shackles could of course be relieved by "easement" for a fee paid to the jailers, who were described as a "merciless race of men."¹⁹ If Warrecker did not come into Newgate with a series of social ties and bonds among those who would be transported, he and others who were soon to be sent

¹⁷ Anthony Vaver, *Bound with an Iron Chain: The Untold Story of How the British Transported 50,000 Convicts to Colonial America* (Pickpocket Publishing, 2011), 92.

¹⁸ Linebaugh *The London Hanged*, 29.

¹⁹ Peter Wilson Coldham. *Emigrants in Chains: A Social History of Forced Emigration to the Americas of Felons, Destitute Children, Political and Religious Non-Conformists, Vagabonds, Beggars and Other Undesirables, 1607-1776*. Baltimore, Md: Genealogical Pub. Co, 2007. 20, 27.

to the Americas were given opportunities to create such social connections in this facility.

Those convicted and sentenced to transportation typically found themselves occupying the most modest conditions in Newgate.²⁰ It was in one of these simple cells that Warrecker found himself, and John Creamer most likely sat when William Warrecker was cast into Newgate for holding. Creamer had been wallowing in these conditions since May 1769, when his sentence was commuted from death to transportation.

John Creamer's life began in Western Ireland. While the precise reasoning for the families' relocation is not documented, it is possible that like many other families the Creamers gravitated to London for economic reasons when John was young. Once in London he was made an apprentice to a tailor in Holborn.²¹ Creamer's master, however, died before the completion of the contract and Creamer was forced to "shift for himself." Having picked up a portion of his endeavored trade skills, Creamer was initially able to support himself and started a family. Hard times followed with the loss of work, and it was in the wake of this loss that Creamer found himself lodging in the house of William Figg one spring evening, in May 8, 1769.²²

John Lothian had traveled to London from Cumberland, in the far northwest of England near the Scottish border, and found himself on Vine-Street, by Chandos-street, seeking lodging in The Rising-Sun, whose proprietor was William Figg. The room he found was shared with another and he retired for the evening around ten o'clock, leaving his money in his breeches, which were rolled up under his head. After laying there for some time, sleep finally took him, and he did not awake until five o'clock where he found his breeches laying on the pillow, vacant of the currency he had placed in them. He suspected his chamber-mate immediately.

²⁰ Bailyn, *Voyagers to the West*, 105.

²¹ Holborn is an area of modern central London and also the name of the area's principal street, known as High Holborn between St. Giles's High Street and Gray's Inn Road.

²² *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 13 October 2013), *Ordinary of Newgate's Account*, October 1772 (OA17721014).

Creamer had left during the night in search of more spirits, being unable to pay the proprietor at his lodging earlier in the evening for a pot of beer. Creamer was suddenly full of coin when he left Figg's establishment for Thomas Easton's at the Bull Head, where he requested a pint of wine, settled for a quartern, and then half a pint of shrub. In his dealings Creamer exchanged a bad coin that was his undoing. Lothian later recognized the coin that had been returned to him the previous day, and Creamer was cast into the hold at Newgate.

The *Thornton* was at anchor away from the dock, moored at a distance from other transports and from the rest of the merchant shipping docked at Blackfriar, as the transports cared to sit solitarily.²³ Provisioning and refitting would have been concluded prior to the arrival of the human cargo, and could have taken some weeks to ready the vessel for the eight-to-ten-week journey across the Atlantic. A detail of the provisioning of a similar ship records the rations of a ship containing one hundred and thirty-eight convicts and a crew of twenty as follows: five bushels of salt, ½ firkin soft soap, 40 pounds ordinary tobacco, five tones small beer for ship's company, four chaldrons of coal, one cwt. cheese, four pounds pepper, four pounds mustard, eight pounds rice, two ounces of nutmeg, 12 pounds brimstone, one cask of vinegar, 30 mess bowls, 13 dozen spoons, four iron bound tubs, one gallon of oil, 480 candles, and 48 pounds of binnacle candles. Food was divvied into weekly rations to accommodate a mess of six, and consisted of 34 pounds of bread, 19 pounds of beef, 11 pounds of pork, seven pounds of flour, two pounds of suet, five gills (of brandy), 13¼ quarts of water, and four quarts of pease. This amounted to one pound and four ounces of food per convict per day.²⁴ The water would have amounted to roughly three quarts per day, per convict along with provisions for cooking and other

²³ Kenneth Morgan, "The Organization of the Convict Trade to Maryland: Stevenson, Randolph and Cheston, 1768-1775," *The William and Mary Quarterly* Third Series, Vol. 42, No. 2 (Apr., 1985): 213.

²⁴ Coldham, *Emigrants in Chains*, 103; The gill is a unit of volume measurement equal to a quarter of a pint.

activities.²⁵ This meager diet would have provided a mere twelve hundred calories per day if properly administered by both the transporter and the transported who could have, and did, on occasion embezzle rations or bully others out of equal shares.²⁶ Survival in such an environment often depended upon social bonds and networks and often would be directly related to what one could acquire along with whatever contraband could be stolen aboard the ship.

In May 1770, William Warrecker, John Creamer, and 187 other convicts departed the cold miserable confines of Newgate. They would have been chained two by two in heavy shackles as they left and were forced to march in bondage to the docks at Blackfriar. Only the very fortunate few who had money enough to procure alternative transportation by horse or carriage were spared this indignity.²⁷ Crowds of Londoners often greeted such processions of convicts, taunting and mocking the prisoners in the same fashion as the mobs that heckled those condemned to be hanged at Tyburn. An account from two decades earlier describes London's streets as "exceedingly crowded with people" shouting for retribution against one felon who found reprieve in transportation, and was bombarded with cries of "hang the dog," and volleys of dirt and stones.²⁸ The crowd was not solely a dissatisfied mob, however, and the criminal's loved ones and friends would have been intermingled amongst the procession. One can imagine Creamer's wife in the procession, engaging in final tearful goodbyes. A year later, on a summer's day in July of 1771, James Revel, along with one hundred and twenty-six other felons, embarked on this very journey in the footsteps of Warrecker and Creamer, to be stowed in the depths of the *Thornton*, again under Captain Dougal McDougal. Unlike his predecessors, Revel left an account of the journey, and commented that the departure "vex'd" his parents, who were attending the procession. His father said, "it cuts me to the heart, to think on

²⁵ Ibid., 106.

²⁶ Ekirch, 101. Coldham, *Emigrants in Chain*, 106-108.

²⁷ Vaver, *Bound with an Iron Chain*, 102.

²⁸ *Maryland Gazette* (Rind) Thursday August 20, 1752.

such a cause as this we part." Revel, his soul "pierced," was filled with "grief and shame," eventually breaking into tears.²⁹

The composition of the felons on board the *Thornton* in May of 1770 consisted of one hundred and eighty-nine convicts, 33 of which were female. Of the 189, 21 were sentenced to 14-year terms and 15 to life terms. The conviction of all the felons is unknown as records for every convict do not remain in Old Bailey, and those from the Assize and Quarterly Sessions were unavailable. However, of the bulk of the transported, which we can examine, and which comprised the London and Middlesex convictions and 114 of the 189 convicts, there was: one convicted of receiving stolen goods, two pickpockets, four shoplifters, five petty larcenists, five animal thieves, seven convicted of theft from a specified place, seven burglars, 26 grand larcenists, one defrauder, one forger, and 11 highwaymen and women convicted of armed robbery. Of these 189, 11 would run away once they arrived in Maryland, and of these 11, eight were from the London and Middlesex convictions.³⁰ Of the ship's 'cargo,' 82.5% were male and 17.4% female, 80.9% received seven-year sentences, those offences granted benefit of the clergy, 11.1% received 14-year sentences, non-clergyable offences that received pardon, and 7.9% received life terms, for serious or violent offences. These figures are comparable to Kenneth Morgan's study of 366 convicts of which he found 85% were male and 15% female. 75% of these individuals received seven-year sentences, 20% were sentenced to 14 years, and 5% life sentences spread evenly across both genders.³¹ Given that Morgan's sample is limited, this essay instead undertakes an analysis of London convict ships from 1770 to 1775 for which there were twenty voyages with two thousand nine hundred and ninety-two convicts. Of these almost three thousand convicts, specifically two thousand six hundred and sixty-

²⁹ *The Poor Unhappy Transported Felon's Sorrowful Account of His Fourteen Years Transportation at Virginia.*

³⁰ Taken from a comparison of Old Bailey Online records, a list of ship convicts as provided by Coldham in *The King's Passengers to Maryland and Virginia*, and convict runaway ads in both Coldham's work and individually examined.

³¹ Kenneth Morgan, "Convict Runaways in Maryland, 1745-1775". *Journal of American Studies*. 23, no. 02 (1989): 254-55.

five, or 89%, received seven year sentences, two hundred and fifty-two, or 8.4%, received fourteen year sentences, and seventy-five, or 2.5%, received life terms. An examination of runaway advertisements in Virginia and Maryland indicates that of this group, one hundred were known to have been runaways after landing in the colonies.³² Coldham's statistics are not without their problems however, as in conducting a more thorough examination of the voyage of the *Thornton* under Captain Dougal McDougal in 1770 has revealed omissions and errors that slightly skewed the data. Even with these errors there appears to be a divergence from Morgan's data set from the Bristol firms' transported convicts. It is possible that these are accounted for in the population disparities of metropolitan London versus the outlying, more agrarian communities where certain criminal behavior may have been dealt with in a different manner.

Once onboard, the convicts were likely searched as did the astute captain of the *Justicia* in 1743. Convicts on the *Justicia* were removed of all their "money, knives and razors...for the security of the ship."³³ Since 1718 surgeons were mandated on all transport ships, and it would be supposed that a physical evaluation would have followed in much the same manner as on slave ships to determine quarantining measures for disease that could incapacitate a ship at sea. These convicts were then, like the slaves in a hold left in what Rediker describes as "infamous symbols of control," as they were shipped in irons in the hold.³⁴ Rediker further discusses these conditions at length in reference to slave transports where the men were manacled in irons that "excoriated the flesh...[so that]...even minimal movement could be painful."³⁵ One description from 1770 describes the conditions on the convict ships in which one man was "chained to a board, in a hole not above sixteen feet long; more than fifty with him; a collar and padlock about his neck, and chained to

³² Taken from a statistical analysis of Peter Coldham's *The King's Passengers to Maryland and Virginia from 1770-1775* comprising only those vessels leaving London.

³³ Coldham, *Emigrants in Chains*, 106.

³⁴ Farley Grubb, "The Transatlantic Market for British Convict Labor" 104.

³⁵ Rediker, *The Slave Ship*, 267.

five” others.³⁶ In comparison slave ship captives were typically shackled at the leg and wrists to one another to limit resistance and movement.³⁷ Both groups would have suffered from the scars of this bondage leaving the flesh about their ankles “seamed and rugged” and penetrated the bonded prisoners’ psyches. As one slave described the effect of this ensnacklement, “the iron entered into our soul.”³⁸ Some ships were reportedly equipped with port-holed bulkheads, through which “great guns laden with case-shot leveled against” the convicts, or guarded by a “continual watch with blunderbusses and hangers.”³⁹ Similarly slave ships often possessed barricados, barriers that restricted the movements of the slaves on the decks of the slave ships.

In much the same manner that slaves were chosen to work on slave vessels, convicts were pitted against one another for rewards of extra rations and special favors.⁴⁰ This was a consistent practice extended from Newgate where prisoners in similar positions “garnished” subordinate prisoners.⁴¹ Revel’s account of the voyage notes that the “captain and sailors us’d us well, but kept us under lest we should rebel.”⁴² The necessity to utilize convict labor does not appear to have had the same level of frequency as upon the slaving vessels. This was, most likely due to the shorter length of voyage, slightly better conditions on board, and the fact that slave ships lost considerable numbers of seamen while on the African coast due to environmental conditions, something not true with convict ships. Notwithstanding the different conditions on convict ships emergency situations did occur on these vessels. In

³⁶ Vaver, *Bound with an Iron Chain*, 126-127. Taken from “The Earl of Fife to George Selwyn,” George Selwyn and His Contemporaries: With Memoirs and Notes, ed. John Heneage Jesse, Vol. II. (London: Bickers & Son, 1882), 389.

³⁷ Rediker, *The Slave Ship*, 267.

³⁸ *Ibid.*, 268.

³⁹ Coldham, *Emigrants in Chains*, 100-101.

⁴⁰ Rediker, 269, Coldham, *Emigrants in Chains*, 107.

⁴¹ Batty Langley. *An accurate Description of Newgate, with the Rights, Privileges, Allowances, Fees, Dues, and Customs Thereof.* (London: Printed from T. Warner, 1724. ECCO)

⁴² *The Poor Unhappy Transported Felon’s Sorrowful Account of His Fourteen Years Transportation at Virginia.*

1720 a convict transport ship damaged by a storm, and taking on water, was forced to release several convicts to keep the ship from plummeting into the deep blue depths.⁴³

Death did cast its shadow over the wooden hull and canvas-covered heights of the masts like a great fog creeping up. Some ships were more fortunate than others, and the *Thornton* seems to be among the more fortunate. Revel in his account that “five of our number in the passage dy’d.”⁴⁴ Comparing his figure with the Middlesex England Convict transportation contract and Coldham’s list we find one hundred twenty-seven convicts on Revel’s voyage aboard the *Thornton*; meaning the ship had a 3.9% mortality rate. Morgan in studying the Bristol firm found a figure of twenty-five deaths among nine hundred and seventy-four convicts transported over twelve voyages from 1768 to 1775. These equate to either 2.5% or 4% depending on if you add in those who died shortly after arrival in the colonies.⁴⁵ These figures seem to be relatively consistent when taken together and both either repudiate prior contentions of a fourteen percent mortality rate or represent a vast improvement over mortality in the period 1718-1736 from which the 14% figure had been premised.⁴⁶

That the passengers shared a common language is certain, and in many cases the group, comprised of the common working people of London, would through their “common linguistic culture”, possess further, an alternative means of communication, comprising unique jargon and slang terms, commonly referred to as “thieves’ cant.” Dictionaries of this ‘language’ of the underground subcultural tongue began to appear in the late seventeenth and early eighteenth centuries. These dictionaries gave readers a glimpse at a “vigorous, threatening underworld or an outlawed deviant population,” but were not solely related to the criminal sub-culture per se.⁴⁷ The bonds in language would have provided a further

⁴³ Vaver, *Bound with an Iron Chain*, 140.

⁴⁴ *The Poor Unhappy Transported Felon’s Sorrowful Account of His Fourteen Years Transportation at Virginia*.

⁴⁵ Morgan, *The Organization of the Convict Trade to Maryland*, 213.

⁴⁶ *Ibid.*, Coldham, *Emigrants in Chains*, 99.

⁴⁷ Linebaugh, *The London Hanged*, 72, 274-275.

means for those imprisoned onboard the ships to solidify and bond into a singular group.

Although infrequent, this cohesive group was able to engage in insurrections. Unlike slaving vessels they were seldom brought above decks and remained confined to ships hold for the length of the journey. The reason for this practice can be seen from a 1724 insurrection on a vessel that transported convicts to London in which eighteen convicts over powered the crew and escaped on the longboat. An instance that occurred in Nova Scotia revealed the escape of a large quantity of convicts after the murder of the captain and crew. The *Honor*, which was bound for Virginia met with a similar fate when several convicts were able to mutiny and force the captain to set them on shore in Vigo Spain, the leader of which would find infamy in print and immortalization in a Hogarth illustration.⁴⁸ Instances of insurrection are not recorded for the vessels sailing from London to the Chesapeake between 1770 and 1775. This does not mean however, that insurrections by convicts were not feared, but leads one to believe that the ships were efficient in subjugating the convicts that they were transporting.

Just as slaves in their disruptive, disorienting ordeal attempted to preserve kin relationships, so must have the convict populations aboard the *Thornton* and other vessels. These bonds either created in England through familial ties or accomplices in criminal behavior for whatever reason, onboard the ship as kin-people in bondage, or in servitude in the colonies were prevalent throughout each ship's and criminal's story. Upon the *Thornton*, after arrival in the colonies, the convict's resistance continued on the night of the 21st of August, when lying in the ferry branch of Patapsco River, in Maryland, a twenty-five year old former barber named William Symonds and a twenty-six year old glassblower named John Hill stole away from the convict ship. Their relationship was most likely formed in transit, as Symonds, or Simmonds as listed in Coldham's research, was convicted in Surrey and Hill in London. They are described as probably attempting to pass for "master and man," a strong indication of them working

⁴⁸ Vaver, *Bound with an Iron Chain*, 140.

together.⁴⁹ Thomas Tipping had a partnership with John Yardley in London. The men stole two hens together, and were both cast to Maryland on the *Thornton*. Tipping, a Welshman in his forties would steal away from Benjamin Dorey on the 4th of August, 1770 with John Lawrence who had been in Anne Arundel County since his arrival from Middlesex in 1769 for a 14 year sentence for theft from a specified place. The 3rd of January 1771 would see 24 or 25 year old Abraham Peters, convicted of shoplifting in London, and 26 year old John Brown of Surrey, flee their masters. Both men had been on the *Thornton* during their transport and are likely to have formed bonds while on the convict ship; they fled together from their master, Buckler Bond. They would not be successful in the attempt, but they fled together a second time four years later. In taking flight from Bond a second time the men extended their network, running with five others on the 3rd of May 1775, and taking with them this time a rifle, pistol and several other firearms along with a boat to secure their escape.⁵⁰

At some point during their incarceration, transportation, sale, or bondage in Anne Arundel County, William Warrecker and Anthony Jackson also became entwined in a similar vision of freedom. Anthony Jackson was a nineteen or twenty-year old Englishman from Yorkshire had been convicted and sentenced to transportation at Surrey, and found himself in the confines of the *Thornton* with Warrecker. Together with Warrecker he was sold to John Hood of Maryland. John Hood appears to have been a fairly wealthy man; the 1790 census indicates he possessed 26 slaves, and had a household with four white females, two males over the age of 16, and six under the same age. Whether for yearnings for freedom, continued general resistance to society, abuse or political dissent, William Warrecker and Anthony Jackson likely gathered together on the Sunday evening of September 2, 1770, after what would have been roughly three months in colonial Maryland. After gathering up what clothing and possessions they could they disappeared into the night and the following day Hood advertised

⁴⁹ *Pennsylvania Gazette*, August 30 1770.

⁵⁰ *Pennsylvania Gazette*, January 3 1771; *Pennsylvania Gazette*, May 3 1775.

their flight in the *Maryland Gazette*. John Hood must have presumed that they were endeavoring to travel a great distance as he offered a tiered reward at twenty miles, thirty miles, and one for recovery of the runaways out of the province. He went to extra lengths to list these men in the *Pennsylvania Gazette* as well, and must have assumed that the two might engage in flight by the very same means they arrived in the colonies, by vessels, as he warned captains not to take them aboard.⁵¹

John Creamer's thoughts were, during his time in the colonies, focused on his family. Since his banishment his wife and children had been placed in a parish workhouse, and he had conceived a plan to return to them in England, where he might be able to work in the country and send for them. His plan came to pass in March of 1772, when he managed to run away and find passage back to England. Once there, and loose in the country, he was able to find work and soon sent for his beloved family who then came to live with him. His fate took a turn for the worse, when he returned to London though; he ventured to London to see a friend, and when the two entered a public house, Creamer was recognized and soon imprisoned for return from transportation. Dragged to Newgate again, he repeated the dismal dance of the gaol, again receiving a death sentence. His fortune had run out for he was not commuted or pardoned and awoke on the morning of October 14th to breathe the prison's choking air for the final time.⁵² He had confided in the Orderly of Newgate that his crime, for which he repented, had been the one occurrence of theft and was due to destitution. He and the other five malefactors that shared his fate soon took to melancholy as they were brought from their cells a

⁵¹ *Maryland Gazette*, 13 Sept 1770; *Pennsylvania Gazette*, Sept 10 1770. It is also likely that this is the same John Hood who in 1778 took the Oath of Fidelity. In his belief that his servants had fled via the sea Hood was far from alone. Maritime flight was common among both slaves and indentured servants in the Chesapeake. Philip D. Morgan, *Slave Counterpoint: Black Culture in the Eighteenth-Century Chesapeake & Lowcountry* (Chapel Hill, 1998), 340-41; Charles R. Foy, "Seeking Freedom in the Atlantic World, 1713-1783," *Early American Studies: An Interdisciplinary Journal*, 4:1 (Spring 2006): 46-77.

⁵² Returning convicts were sentenced to death for returning from transportation before the conclusion of their sentences.

quarter before seven in the morning. Creamer being especially glum believed it unjust that he should suffer for his good intentions. Retaining his Irish Catholicism he refused the Protestant service. Two of his five companions were deeply ill with fever and barely able to carry themselves. Creamer lamented, "God forgive them that have taken away my life for returning to my own country!" Standing at the brink of the long sharp drop, he came to terms with his fate, when reminded that he had been condemned before for his crime. "True," said Creamer, "it is so; well God forgive everyone." He died at eleven o'clock on that Wednesday morning.⁵³

William Warrecker and his accomplice disappeared into the annals of history after their flight. What became of these rogues? It is possible that Warrecker was able to find the resources to lead a productive life as a wage laborer, artificer, or land owner. It is equally possible that Warrecker and his accomplice re-embraced the water to make their escape, or sought to return to England like Creamer. John Poulter related how convicts that ran away would "lay in the Woods by Day, and travel by Night for Philadelphia, New York, or Boston, in which Place no question was asked of them."⁵⁴ A similar trend persisted among colonial slaves who sought freedom to the northern port cities of Philadelphia, Newport, and New York where they, like the convicts, were able to create new identities in the ever moving hustle and bustle of mercantile port business. Common laborers exhibited mobility and represented an ever-shifting periphery of society. Slaves, indentured servants and eloping women all sought refuge in these "ports of freedom."⁵⁵

It is equally possible that Warrecker fell to his old habits as a highwayman. He may have been the unidentified criminal who, in February 1770, robbed a man in Queen Ann county Maryland.⁵⁶ Convict servant accounts of continued criminal behavior were

⁵³ *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 14 October 2013), *Ordinary of Newgate's Account*, October 1772 (OA17721014).

⁵⁴ John Polter, *The Discoveries of John Poulter, Alias Baxter* (London: R. Goadby 1754).

⁵⁵ Charles R. Foy, "Ports of Slavery, Ports of Freedom: How Slaves used Northern Seaports maritime Industry to Escape and Create Trans-Atlantic Identities, 1713-1783," Rutgers University, New Brunswick, Ph. D. diss., 2008.

⁵⁶ *Pennsylvania Gazette*, February 8 1770.

commonplace in colonial newspapers. On the 10th of January 1770 a convict servant “ripped open [the belly of one John Jennings] with a knife.”⁵⁷ The 5th of April, the same year the runaway convict John Thomas, alias Richard Smith, made his escape from the New Castle gaol, after being apprehended for running away from his master.⁵⁸ Continuing forward, the December paper dispatched news relating the practice of coiners counterfeiting in the area.⁵⁹ The criminals did not always make good their escapes however and on the November 10, 1773 was an account of how on Friday, 22 November, four convict servants that “barbarously murdered their master...were executed at Fredricktown.”⁶⁰

The choice that the convicts made in their continued resistance to authority and the constraints of the social system is one of many options that were available to them. From the time of commission of their crimes in London through incarceration and transportation, to their sale in colonial Maryland and Virginia the convicts were able to create and strengthen social ties and then use these ties for continued resistance. Trial records of those that fled indicate that while in London the majority acted alone in the crimes of their conviction, while instances of accomplices that worked together in the colonies to escape show that this phenomenon inverted and more worked together than alone. For some resistance was escape back to their homeland, for others, it meant freedom to continue a life of liberties otherwise unavailable to them in mainstream society. While this paper reflects the choices of resistance contained in the lives of the convicts additional research is needed to complete the picture of these men and woman and the place they filled in society. What is suggested is a pattern of social ties and in some instances kinship that existed or was built in these individual’s lives as they occupied the confines of jail and ship confinement and used these ties to escape their final punishment in the colonies.

⁵⁷ *Pennsylvania Gazette*, February 1 1770.

⁵⁸ *Pennsylvania Gazette*, April 5 1770.

⁵⁹ *Pennsylvania Gazette*, December 6 1770.

⁶⁰ *Pennsylvania Gazette*, November 10 1773.