

[ CHAPTER 6 ]

CONVICT TRANSPORTATION

AFTER 1718

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WITH THE ENDING of the French wars and the disbanding of armies after 1713 the problem of what to do with convicted felons became so serious that a solution could not long be postponed. It was no longer practicable to send surplus males into the army, nor had any plan for disposing of females been found which was even moderately successful. Still more difficult was the situation caused by the changes of law made in 1705, which allowed any convict to plead benefit of clergy, whether or not he could read, unless his crime was one of a list expressly designated as non-clergyable. Numbers of malefactors thus appeared likely to escape any punishment adequate to their misdoings, while at the same time public sentiment had become too humane to permit their execution, and the penalty of imprisonment was practically unknown. The colonial market for felons as servants had collapsed, mainly because the principal plantation colonies which still used white labor, Virginia and Maryland, refused to admit them. Their transportation to other colonies would not reward the merchant for his expense and trouble.

The major reorganization thus appearing necessary was accomplished by Parliament in "An act for the further preventing

robbery, burglary, and other felonies, and for the more effectual transportation of felons . . .,"<sup>1</sup> passed in 1717, which became the cornerstone of policy for the disposal of convicts throughout the century. The preamble of this statute called to mind that punishments then in use had proved ineffectual and that many who had been pardoned for transportation had neglected to perform the same; it also stated that in many of the colonies there was a great want of white servants. Therefore it enacted that "where any person or persons have been convicted of any offence within the benefit of clergy" and were still awaiting their mild chastisements, and also when "any person or persons shall be hereafter convicted of grand or petit larceny, or any felonious stealing . . . who by the law shall be entitled to the benefit of clergy, and liable only to the penalties of burning in the hand or whipping," it should then be lawful for the court instead of ordering these punishments to order the convicts sent "as soon as conveniently may be" to the colonies for seven years.<sup>2</sup> The court also "shall have power to convey, transfer and make over such offenders, by order of court, to the use of any person or persons, who shall contract for the performance of such transportation to him or them . . . for such term of seven years." Furthermore, any persons convicted of non-clergyable felonies for which death was the penalty, and whom the king should pardon for transportation, "and such intention of mercy be signified by one of his Majesty's principal secretaries of state," should likewise be handed over to the contractor for a period of fourteen years, unless another term should be specified. The person so contracting was to have property and interest in the service of such offenders for their terms of years, and the service of the term was to have the effect of a pardon.

It was also provided in this act that the penalty for returning prematurely from transportation should be death, and that

contractors should give security for the proper transportation of their convicts and procure a certificate of their arrival from the governor or customs officer of the plantation to which they were taken. Two years later, a supplementary act provided that in the provinces the court might nominate two or more justices of the peace to make contracts with the transporter and attend to other formalities.<sup>3</sup>

This remarkable statute thus created a new legal punishment, that of transportation, for all offenders in clergy on whom the court should think fit to inflict it. It confirmed the old practice of pardoning convicts sentenced to death on condition of transportation, but lengthened the standard term of their exile to fourteen years,<sup>4</sup> and provided for a rather simpler machinery so that they should not have to wait until their pardons had been made out and sealed. It therefore tightened the whole criminal code very considerably; the old days were over when a criminal could by reading "the book" escape practically all consequences of his crimes, and a greatly increased number of candidates for the plantations would soon be available.

Meanwhile the Treasury had taken a step to make transportation more effectual, before the statute was passed, which was to form an important precedent for the rest of the century. On December 7, 1716, it made an agreement with one Francis March, that he should "on or before the 25th of the said Month of December at his owne proper Expence cause the Commanders of some of the Merchant ships bound to his Majesty's Plantations, to receive on board all such Malefactors (being in health) as his Majesty should direct to be transported, and would agree or consent to serve the said Francis March or his Assigns in some of his Majesty's Plantations for 8 years." For this March was to be paid forty shillings per malefactor upon producing a certificate signed by the captain of the ship giving

the number and names of those embarked, witnessed by the jailers or by such persons as were trusted to convey them on board. March took fifty-four felons to Jamaica, and was duly paid £108, but soon afterwards William Pitt, Esq., keeper of Newgate prison, sent in to the Treasury a bill for £170.1.3, being the amount of his fees, the cost of "passing a Pardon," and of irons and conveyance to the ship. The Treasury allowed Pitt the full sum of his account.<sup>5</sup>

After this contract was executed the act of Parliament was passed, and had as one of its most important and far-reaching effects the opening of the market for convicts in Virginia and Maryland, for no one on either side of the Atlantic seems to have doubted that a colonial law flatly prohibiting their importation could not stand against the new parliamentary statute. Accordingly Jonathan Forward, a merchant of London with connections in Maryland, applied for the first lot of convicts early in the summer of 1718, loaded about forty of them on his ship, and sent them off. Soon afterwards, learning perhaps of the advantageous contract which had been made with Francis March, Forward approached the Treasury and proposed a similar arrangement for himself. He wanted to be paid £3 apiece for Newgate felons, and £5 for those from the provinces, and he explained that because of death, sickness and other accidents he could not continue to transport them without subsidy. The solicitor general reported on July 9 that no one else would do it as cheaply, and that although the last contract had been for only forty shillings a head, the charges for irons and prison fees had doubled the expense to the government.<sup>6</sup> On August 8, 1718, the agreement was signed, and Jonathan Forward began his long career in the business of transporting convicts. His contract was at first renewed annually, and the amount of his stipend was gradually increased; for prisoners out of Newgate

it went to £4 in 1721 after he had complained of losses due to the low price of tobacco, and to £5 in 1727, where it remained for the rest of the period for him and his successors.<sup>7</sup> Besides Newgate felons the Treasury paid only for the transportation of convicts from the "Home Counties" of Hertford, Essex, Kent, Sussex and Surrey, and the amount was £4 each in 1719, rising to £5 in 1722.<sup>8</sup>

The terms of these agreements remained practically the same throughout the century. The contractor undertakes to receive "all and every such malefactors" as are to be transported; later it was specifically stated that he must not except or refuse any by reason of age, lameness, or infirmity. He agrees to pay all charges such as those for conveying them on board ship, supplying irons, and rewarding jailers. He promises that they shall not return before their time is up by any fault of his, and that before their delivery he will enter into bonds of £40 per malefactor that they shall not return thus. And he "doth also further Covenant that he will as soon as conveniently may be procure an Authentick Certificate from the Governour or the Cheif Customhouse Officer of the Place whereto they shall be so transported of the Landing of such Offenders as aforesaid (the Dangers and Casualties of the Seas excepted)." He does not have to await this certificate before receiving payment, however, for the money is handed over upon presentation to the Treasury of a certificate signed by the captain of the ship on which the felons embark, giving their number and names, and witnessed by the jailer or by the guards who saw them on board. Under these conditions Forward continued as contractor for the transportation of Newgate and Home Counties felons until April, 1739, when the Treasury made a new agreement on the same terms with Andrew Reid.<sup>9</sup> Reid was succeeded in March, 1757, by John Stewart, whose ships had in fact been conveying the

convicts for some time.<sup>10</sup> Stewart died in February, 1772, and though his partner, Duncan Campbell, asked the Treasury to renew the contract with him they would not consent because the market for servants was by that time so good that several merchants were willing to do it for nothing; Campbell in fact continued to transport convicts without subsidy until the system broke down in 1775 as a result of the Revolution.<sup>11</sup>

Prisoners were also transported regularly from all the provincial circuits, and while an allowance from the Treasury was made for their maintenance in jail a county levy was raised to pay the expenses of conveying them to a seaport and transporting them. In early days the justices seem to have made contracts with whatever merchant presented himself at the right moment with the necessary qualifications; thus convicts were assigned to six different contractors by the justices in the Western Circuit during the period July, 1718–March, 1720.<sup>12</sup> Those from the Midlands were sometimes taken to London and turned over to Forward or Reid, who gave a receipt for them to the officer bringing them. Later on regular contractors appeared, some of whose names can be discovered; thus Jonathan Forward Sydenham, of London, wrote to the Earl of Shelburne in 1768 that he was “the Contractor with the greatest Part of the Counties in England for the Transportation of their Felons,” and he sent many of his shipments from the port of London to Maryland.<sup>13</sup> Samuel Sedgley & Co. of Bristol were transporting nearly all convicts from the western part of England to Maryland by 1750; ten years later the firm was called Sedgley and Hillhouse. One William Randolph entered the business at Bristol about 1766, and later combined with William Stevenson to take over the convict trade formerly held by Sedgley.<sup>14</sup> These are the only ones of whose activity extensive evidence remains, but several others appear once or twice in the records; for example, William

Cookson of Hull is named as a contractor in 1747, James Baird of Glasgow in 1770, and Patrick Colquhoun, also of Glasgow, in 1772.<sup>15</sup> Some of the later contracts made with Stevenson and Randolph at Bristol may also be seen, and the terms are practically the same as those which the Treasury made with Reid and Stewart, providing also for a subsidy of five pounds for each prisoner transported.<sup>16</sup>

The number of convicts transported to America has been the subject of various calculations and speculations,<sup>17</sup> most of which could have been set at rest by a few days' work in the Public Record Office. Warrants for the payments of subsidies to Forward, Reid and Stewart are all entered in the Treasury Money Books, and the names of all the convicts, with the ships on which they sailed and the date of shipment, are transcribed in the same records. Hence it may easily be ascertained that from 1719 to 1772 the three contractors took 17,740 felons from the Home Counties and from Newgate, put them aboard ship, and started them for the colonies. Statistics for the provincial circuits are not quite so easy to procure, for most of the evidence is not available and has probably disappeared for good. Western circuit records happen to be nearly complete, and by taking three periods of five years each in the century we get an average annual transportation of fifty-one felons from this circuit.<sup>18</sup> The reformer Howard printed figures from the Norfolk and Midland circuits covering the years 1750 to 1772; these yield averages of fifty-four and fifty per year respectively.<sup>19</sup> Duncan Campbell, who had had twenty years' experience in transporting convicts to America, wrote in 1787 that he had always looked upon the number from the other parts of the kingdom as equal to that coming from London and the Home Counties.<sup>20</sup> Perhaps this was a generous estimate, in view of the figures we have from three provincial circuits, but accepting it as roughly accu-

rate we should certainly be justified in saying that Great Britain bestowed upon America a total of 30,000 felons during the eighteenth century.

To get an idea of what this meant to the English penal system some figures collected by A. L. Cross from a set of Old Bailey Sessions Papers may be used.<sup>21</sup> Taking eight years from the period 1729-1770 as specimens, it appears that an average of 560 persons annually stood trial at the Old Bailey; of these sixty-three per cent, or about 352, were convicted of felony or misdemeanor. Of these, sixty were sentenced to death, and 235 to transportation. Cross appears to ignore the fact that about half of those condemned to death were subsequently pardoned on condition of transportation, while a few who were sentenced to transportation had that penalty remitted by the king's mercy.<sup>22</sup> It is plain that at least 70 per cent of those convicted at the Old Bailey were sent to America. Another calculation, taking into account only those convicted of felony, finds that about 7.5 per cent of them were executed "and the remainder, with very few exceptions transported."<sup>23</sup>

Very nearly all of these convicts were taken to Maryland or Virginia. Out of 190 ships leaving London with Newgate and Home Counties felons, fifty-three may be traced definitely to Maryland, and forty-seven to Virginia, despite the fact that the records which make this possible are incomplete and for part of the period non-existent.<sup>24</sup> Only two may be followed to other colonies; one to South Carolina and one to Nevis, while another probably sold some convicts in Barbados before proceeding to Maryland. As for the eighty-eight shiploads which cannot be traced, there are good reasons for believing that they must have gone to the same destination. They generally belonged to the contractors whose business connections were



principally in those two colonies and who had perfected arrangements for disposing of convicts in them. Occasionally a group may have been turned over to another shipowner by the contractor himself, but such was not the rule. Duncan Campbell told a committee of the House of Commons that in his twenty years of business he had sold only in Virginia and Maryland. Maryland, wrote William Eddis, "is the only province into which convicts may be freely imported," and a French traveller in 1765 reported that they came only there and to Virginia.<sup>25</sup> Failure to find evidence of their arrival in the shipping returns cannot be considered as proving that they did not arrive, for the returns themselves are incomplete and can be demonstrated to have omitted mention of several convict ships which are known from newspaper sources to have reached the colony. It must be remembered, however, that ten or fifteen per cent of these passengers commonly died during the voyage, so that of the 17,740 carried on Treasury contracts not more than 14,000 or 15,000 lived to reach their destinations.

Convicts from the provinces can be traced with nearly as much accuracy as those from London and the Home Counties. It is plain from the Maryland shipping returns that the Bristol contractors traded there, and the number which they are credited with bringing is so large that it is difficult to believe that they had many left to take elsewhere. Sydenham also shipped to Maryland, and several of the other contractors. Yet it is certain that some convicts were taken to other colonies. The evidence for this is chiefly in the fact that laws were passed to regulate their admission in Jamaica, New Jersey, and Pennsylvania, and perhaps also in other places. One shipment has already been mentioned as sent to Jamaica by Francis March; one from Bristol arrived at South Carolina in 1729, and a group of seven found their way to Boston from Hull in 1747.<sup>26</sup> Irish felons

were sent to Philadelphia in considerable numbers,<sup>27</sup> and also probably to Jamaica. Yet such evidence is only scattering, and there is no reason to believe that any colony received more than a small fraction of the number going to Maryland and Virginia.

The Maryland shipping returns show with absolute certainty that 9,332 convicts arrived there between 1748 and 1775; I would estimate that the total number actually reaching Virginia and Maryland during the whole century was slightly more than 20,000.<sup>28</sup>

After so many years of freedom from such undesirable immigrants the sudden influx of them after 1718 did not fail to arouse alarm and apprehension in all the colonies concerned. As early as the summer of 1719 the Maryland assembly discussed an act to deal with the situation, but the upper house secured its postponement, apparently on the ground that such hasty action would be unfair to Jonathan Forward.<sup>29</sup> The governor refused finally to sign it. Virginia was the first actually to pass a law on the matter, and in the session of 1722 the assembly inserted a long section concerning convicts into the act for regulating white servants.<sup>30</sup> Apparently they took it for granted that nothing like the rule of 1670, which forbade importation, would be allowed, and so they drew up elaborate provisions which may be outlined as typical of what various other colonies tried. After reciting that many frauds had been committed by the importers of convicts and crimes by the convicts themselves the law provided that, 1. Any shipmaster bringing in felons and selling them for less than their terms of transportation, or concealing from the buyer the true cause of their transportation, should forfeit £10 to the informer, and not be allowed to plead any statute of limitation. 2. Shipmasters allowing felons ashore before they had been actually and *bona fide* sold should pay

twenty shillings to the person who should take them up and return them to the ship. 3. Shipmasters must declare under oath the number and names of all imported convicts, and give bond of £50 not to let them ashore until sold, while everyone having charge of the disposal of such convicts must give bond of £100 for their good behavior for two months after the sale. 4. Each purchaser of a convict must bring him before the first or second court after the purchase and declare his name with the cause of his transportation, and enter into recognizance of £10 for the good behavior of the convict, under penalty of twenty shillings for each court after the second during which this duty should be neglected.

This act was obviously designed to make the importation and sale of convicts so troublesome as to be unprofitable. No sooner had its terms been reported to England than Jonathan Forward sent a letter to the Board of Trade desiring them to have it repealed. On June 27, 1723, the Board heard Forward personally on the subject, and the same day sent their attorney, Mr. West, a copy of the act for his opinion. The whole business moved with extraordinary speed: West reported on July 3 that the act amounted to "a prohibition of any convicts being imported," and remarked that if this example should be followed in other colonies the execution of the act of Parliament concerning transportation would be rendered wholly impracticable. Two days later the Board recommended that the law be repealed, and on August 27 the Privy Council formally disallowed it.<sup>31</sup> An act couched in similar terms which the Maryland legislature passed in 1723 was disallowed by the proprietor in the following year because of its incompatibility with the act of Parliament, and the assembly of the colony appointed committees to consider a special address of remonstrance to the king himself on the subject.<sup>32</sup>

Later attempts by these two colonies to exclude convicts fared no better. In the revenue act of 1754 Maryland imposed a duty of twenty shillings on each servant imported "to serve for the Term of Seven Years or upwards," and of five shillings on those with shorter terms. The contractor Stewart again filed objection to this as being directed against convicts, though other shippers who transported from the inland prisons paid it without protest. Lord Baltimore wrote from London to Governor Sharpe that he had been roundly criticised by the attorney-general for this act, but had managed to pacify that officer by showing him that the word "convict" did not appear in it. "I will do what I can to keep quiet Mr. Stewart But fear it," wrote Calvert. "This Manifests the danger there is in touching upon Acts of Parliament, and upon which I have observed in my former Letters." Mr. Stewart was not kept quiet; his factors refused to pay the duty, and it was abandoned in 1756.<sup>33</sup>

In 1767 Stewart again protested to the Privy Council and to Lord Baltimore against laws passed both in Virginia and Maryland providing for the quarantine of convict ships. According to Governor Sharpe many of these vessels were grossly overcrowded, and the jail fever which raged on board was commonly transmitted to inhabitants of the colonies when the convicts landed. Stewart managed to get the Virginia law disallowed, but the Maryland one was permitted to stand, perhaps because it was more carefully drafted to escape the criticisms which the Privy Council managed to find against Virginia's rules of procedure. A similar act passed by the latter colony in 1772 was also thrown out.<sup>34</sup>

On the other hand, those colonies to which the large contractors did not send convicts were sometimes able to pass laws restricting their importation and keep them in force, at least for a time. In 1722 Pennsylvania levied a duty on imported

felons, and repeated the act in 1729 and 1743, the amount being five pounds per head. None of these laws came to the attention of the Privy Council until 1746, when they were all disallowed.<sup>35</sup> Jamaica in 1722 levied £10 on each convict by its annual revenue act, and in 1731 raised this to £100. The Board of Trade took notice of this latter huge figure, and instructed the governor that the law must not be reenacted, but since the act was limited to one year's duration it did not trouble to recommend a repeal. New Jersey imposed a duty on felons in 1730, and it was two years before the Privy Council threw it out.<sup>36</sup> One may be quite sure that if Jonathan Forward or Andrew Reid had been shipping convicts to these colonies, no time would have been lost in securing the disallowance of such laws; the whole business is in truth an edifying example of the intimate relations between vested interests and statutory law.

The profits made by the contractors were normally good, and Governor Sharpe said that they were exorbitant. According to his statement, convicts were sold for from eight to twenty pounds apiece.<sup>37</sup> Duncan Campbell himself testified that the price averaged ten pounds, females bringing eight or nine, and men of useful trades going for from fifteen to twenty-five. The old and infirm had to be given away to such people as would take them, and with some he was obliged to give premiums.<sup>38</sup> Campbell turned in an account of his operations from April to July, 1772, after the Treasury subsidy had been discontinued, which is the only piece of detailed evidence we have on the profits of the trade.<sup>39</sup> From this it appears that he shipped 348 felons, at a cost of £1740.9.7, and sold them in Virginia for £2957.9.0. Deducting ten per cent for bad debts, and allowing also for a commission of £233.6.8 to his agent, this was still a very comfortable margin of profit, and since during most of the century his £1740 of expenses would have been fully covered

by the Treasury grant of five pounds per convict it may be seen that there was good reason for Sharpe's description of the trade. Nevertheless, on this particular series of ventures Campbell lost money. After the convict transactions he loaded his ships with 872 hogsheads of tobacco, which cost him no less than £7669.4.5. When brought to England this tobacco sold for only £4683.16.9, and after balancing all accounts, a loss of £2410.1.10 was shown. This is a good example of the way in which the trade in servants and convicts frequently depended for its profits on other factors than the selling price of the cargo in the plantations. In this case the tobacco market was bad, but obviously during most of the period merchants made a profit from the return as well as from the outward voyage.

Duncan Campbell submitted these accounts in the hope that his losses would move the government to restore the £5 subsidy. Observing that the losses were in tobacco and not in convict trading, the Treasury quite properly refused to do so, yet Campbell nevertheless continued transporting convicts to Maryland until the Revolution stopped the business.<sup>40</sup> He would not have done this if it had been unprofitable. Indeed it may be questioned whether at any time in the century after the Virginia and Maryland markets had been opened there was a real need of paying the subsidy. When Forward first demanded it he was having some trouble in getting the trade started, but in his subsequent communications to the Treasury he complains of the state of the tobacco market. It seems most likely that the real effect of the government's payments was to cover the contractor's losses in years when trade was poor, and enormously raise his profits in those when it was good.

When peace was signed in 1783 the English appear to have thought that the old system of convict transportation could be resumed, and they immediately set about arrangements for ship-

ping more to America. One cargo of eighty felons was actually landed in Maryland, but there is no certain evidence of further successful shipments.<sup>41</sup> Occasional attempts were made, until finally in 1788 one Leonard White Outerbridge transmitted to John Jay information of the expected arrival of a considerable number. The matter was then brought up in the Continental Congress, which, on motion of Abraham Baldwin, "Resolved That it be and it is hereby recommended to the several states to pass proper laws for preventing the transportation of convicted malefactors from foreign countries into the United States."<sup>42</sup> This advice was speedily followed, and a permanent end put to the business. England was obliged to seek other outlets for her criminal population, and almost immediately established true penal colonies in Australia.

The populace of London and the provincial towns accounted it no small diversion to see the convicts leave for America. Three and sometimes four times a year a procession of these unfortunates would emerge from Newgate and wend its way with clanking irons through the narrow streets to Blackfriars, where a lighter waited to furnish conveyance to the ship. During this march it was the privilege of bystanders to hoot at the convicts, and even on occasion to throw mud and stones at them, while the departing reprobates replied with whatever abuse their wits could invent. We read of a scene at Bristol in 1752, when eleven felons were taken out of the jail, chained two by two on horseback, and taken off to Bideford for shipment. A large number of people turned out to see this sight, and were especially entertained by one Bishop, who had murdered his sweetheart, and who returned their obscene shouts with such interest that he was showered with dirt and stones.<sup>43</sup> No accounts remain of the long journeys which convicts had to make from inland towns

to the seaport; they must have presented a strange and ignominious sight, whether on foot or chained on horseback.

Some fortunate transportees did not have to mingle with the common herd. If a man had money and some influence, he might free himself from becoming the "property" of the contractor, and travel to America in whatever state his resources would permit. Thus four convicts in 1736 rode down to the shore in two hackney coaches, while a fifth, who was "a Gentleman of Fortune, and a Barrister at Law" guilty of stealing books from the library of Trinity College, Cambridge, rode in a third coach with no less a person than Jonathan Forward himself. These five paid their own passage and had a cabin to themselves on board ship, while the inferior sort were put immediately under hatches.<sup>44</sup>

It was customary to keep all ordinary felons below decks and chained during the entire voyage. Like other cargoes of servants they were divided into groups of six, and fed with stated amounts for each group of bread, cheese, meat, oatmeal, and molasses. On Saturdays two gills of gin were allotted to each group.<sup>45</sup> The diet was probably better balanced than most of them had been used to; certainly the allowance of gin was uncommonly scanty. Conditions below decks were nevertheless very bad, especially in the earlier years of the century. "I went on board," wrote a visitor to one of contractor Stewart's ships, "and, to be sure, all the states of horror I ever had an idea of are much short of what I saw this poor man in; 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 five of the most dreadful creatures I ever looked on."<sup>46</sup> Under such circumstances jail fever and smallpox carried off generally at least fifteen per cent of the convicts before they reached America. Sometimes the death rate was appallingly high; when the



*Honour* arrived at Annapolis in 1720, twenty of her sixty-one convicts had died; thirty out of eighty-seven perished on the *Gilbert* in 1722, and thirty-eight out of ninety-five on the *Rapahannock Merchant* in 1725. It was no wonder that Jonathan Forward protested to the Treasury that his profits were rendered uncertain by "death, sickness and other accidents," and asked for a regular subsidy to cover his losses.<sup>47</sup>

These conditions were somewhat improved in the late 1760's, when the Sedgleys of Bristol put a ventilator on their ships, while Stewart and Campbell "made theirs quite airy by opening a Range of Ports on each Side between Decks." Nevertheless Duncan Campbell testified twenty years after this date that he had been accustomed to losing more than a seventh of all felons. He remarked that smallpox carried off most of them, and that the number of women who died was only half in proportion to the men, which he attributed to their greater sobriety and stronger constitutions.<sup>48</sup> Apparently it was never worth the contractor's while to adopt strict measures for insuring the health of his cargo.

Many captains and ships continued in the convict trade year after year. One of the seamen longest in the business was Captain Darby Lux, who made his first voyage with convicts as master of the *Gilbert* in 1720. Subsequently he commanded eleven more trips, seven of them on the *Patapsco Merchant*. His last voyage was in 1738, and he appears then to have settled in Maryland as Forward's general agent, where he was still flourishing in 1749. The ship *Thornton* made eight trips to Virginia and Maryland with convicts between 1767 and 1775; she had been built in Maryland in 1765, was of 175 tons, carrying a crew of thirteen, and brought more than 1,100 convicts to the two colonies. Captain James Dobbins first arrived in Maryland with convicts in 1744; he made eight more voyages, and was

esteemed in the colony as "a Gentleman of honour, in whom strict Discipline and Humanity are equally temper'd, in his Behaviour towards those unfortunate Wretches."<sup>49</sup> For five years he commanded one of the largest convict ships, the *Thames*, an English-built frigate of 210 tons, carrying eight guns and a crew of twenty. Captain Dobbins was involved in one of the most remarkable incidents of convict transportation, when on February 21, 1746, his ship the *Plain-Dealer* was overhauled by the *Zephyre*, "a French Man of War of 30 Carriage Guns and 350 Men." Turning the convicts loose, Dobbins fought an engagement "of two Hours and a Half, in which forty of the Convicts on Board behav'd well, and fought with great Courage." Nevertheless they were overpowered, and the Frenchman took Dobbins and a few of his passengers on board the man-of-war, leaving a prize crew on the *Plain-Dealer* with most of the convicts. Dobbins soon got safely back to England, but the *Plain-Dealer* was lost on the coast near Brest with everyone on board save seven Frenchmen.<sup>50</sup> One other ship is worth mentioning; the *Justitia*, which made at least seven voyages to Virginia after 1764, under the command of Colin Somerville. After the business of transportation broke down she was turned into a hulk, and used for keeping felons employed in dredging the channel of the Thames River.

The only other convict ship of whose wreck we have certain knowledge was one belonging to James Baird, the Glasgow contractor, and filled with felons from Northumberland and Durham. This came to grief on the coast of Kent in 1770, and was a total loss, though the convicts were saved and kept by the sheriffs of London and Middlesex until another disposal could be made of them.<sup>51</sup> It does not seem possible that more ships should not have been lost, but there is no record of further catastrophes. Vicissitudes of other kinds were not lacking, but they

were neither very frequent nor disastrous. The first lot of convicts for which Jonathan Forward received payment from the Treasury was started for Maryland on the *Eagle* in 1718; while on the way the ship was captured by a pirate, then rescued by South Carolina vessels and taken into Charleston. The ship *Honour* set out for Virginia in 1720 with eighty convicts, of whom twenty came from the provinces. Fifteen of these mutinied, overcame the crew, and forced Captain Langley to put them ashore at Vigo in Spain; after this event the ship proceeded to Virginia with what was left of her cargo.<sup>52</sup> Another mutiny occurred on the *Sally* in 1741, and the convicts took her into Holland. In 1761 the French captured a shipload of felons and set them ashore in Spain. They found their way to Oporto and "committed some irregularities," whereupon at the request of the consul they were put aboard a British warship and returned to Spithead.<sup>53</sup> None of these incidents was of much moment, and it is remarkable that a trade extending over so many years should have left so few evidences of mutinies, wrecks, and misfortunes.

English opinion held that the transportation of criminals to the colonies was an excellent and humane thing. Sir John Fielding, writing in 1773, summed up the whole matter: ". . .the wisest, because most humane and effectual, punishment we have, viz., transportation,—which immediately removes the evil, separates the individual from his abandoned connexions, and gives him a fresh opportunity of being an useful member of society, thereby answering the great ends of punishment, viz., example, humanity, and reformation. . . ."<sup>54</sup> And indeed there was much truth in this. We have already remarked that the convicts, immediately upon embarkation, were put on a diet which was at least regular, and their gin consumption cut down to a minimum. Granted that they survived the voyage and the first weeks of colonial climate, they were then put to a life of

physical labor in the open air, with adequate food and careful supervision. Such conditions were of no benefit to the physically and morally ruined, but they certainly gave some modicum of decent opportunity to those who could grasp it; they were better conditions than the convict could have found for himself in Newgate prison or in the slums of London.

But apparently the convicts themselves did not agree with this view. Fielding wrote that he had heard several give accounts of their sufferings, and declare that they would rather be hanged than transported a second time. They ran away when they could, and returned to England if possible before their times were out.<sup>55</sup> Nor was transportation regarded as a light punishment by those who inflicted it. Often the judges and the king's secretary were importuned to grant free pardons to those under sentence of transportation, and they did so often enough to arouse Fielding's protest that some very daring robbers were thus let loose, "to the terror of society."<sup>56</sup> It was assuredly as difficult a path of reformation as could well be invented, but at least the way was not altogether closed.

Colonial opinion could scarcely find the same satisfaction in contemplating the humanitarian aspects of the system, for the spectacle of thousands of thieves, robbers and murderers descending upon the settlements was calculated to make men fear for their lives and goods. There can be no doubt that the convicts vastly increased the amount of lawlessness and crime in those colonies where they lived. We read in the newspapers of brutal murders committed by them, of robbery and arson attributed to them.<sup>57</sup> His Majesty's Attorney-General in Virginia successfully petitioned for a raise in salary because of the extraordinary business he was put to in prosecuting so many criminals.<sup>58</sup> An article in the *Virginia Gazette* of May 24, 1751, had this sinister passage:

When we see our Papers fill'd continually with accounts of the most audacious Robberies, the most Cruel Murders, and infinite other Villanies perpetrated by Convicts transported from Europe, what melancholy, what terrible Reflections must it occasion! What will become of our Posterity? These are some of thy Favours Britain. Thou art called our Mother Country; but what good Mother ever sent Thieves and Villains to accompany her children; to corrupt some with their infectious Vices and murder the rest? What Father ever endeavour'd to spread the Plague in his Family? We do not ask Fish, but thou gavest us Serpents, and more than Serpents! In what can Britain show a more Sovereign contempt for us than by emptying their jails into our settlements; unless they would likewise empty their Jakes on our tables!

Benjamin Franklin's ironical letter suggesting that rattlesnakes be transported to England in return is well known.

Although direct statutory limitation of the importation of convicts was rendered impossible by the disallowances of the Privy Council, various measures more or less ineffectual were taken to deal with the special conditions which arose. The Provincial Court of Maryland in 1721 took notice of the increase of crime due to the influx of convicts and ordered that all such persons thereafter arriving were to be deemed persons "of Evill fame," from whom security might be taken by justices of the peace for their good behavior.<sup>59</sup> This order was repeated a year later, and reinforced by the act of 1723; it led to an acrimonious dispute between the magistrates of Annapolis and Forward's agents, who refused to give the required bonds.<sup>60</sup> The disallowance of the convict statute in 1724 seems to have settled the question in favor of the contractor. Nevertheless, in 1751, after a year of particularly heavy importations, the magistrates of Baltimore and Anne Arundel counties took it upon themselves to order a security of fifty pounds taken for the good behavior of every imported felon; this time the Provincial Court over-

ruled the justices, saying that they had "exceeded their jurisdiction."<sup>61</sup> In 1736 Virginia passed a law requiring the masters of convict servants to give them the usual freedom dues, and this was supposed to be some small discouragement to those purchasing newly arrived felons. Four years later the same colony legislated concerning the raising of recruits for the campaign against Carthagera, and allowed the enlistment only of "able-bodied persons fit to serve his majesty who follow no lawful calling or employment." It has been suggested that this was an ingenious attempt to get rid of convicts, but this is at least doubtful.<sup>62</sup>

Curious problems arose because convicted felons were, in law, dead, and during the period of their transportation could not validly give evidence or act as witnesses to legal documents. Maryland in 1728 required by statute a statement from ship captains as to the offences of imported convicts, because some had been brought in as good servants and their testimony received at law; this act was strengthened in 1769.<sup>63</sup> In 1748 Virginia, and in 1751 Maryland, provided by statute that the testimony of convicts should be held good in cases involving other convicts, but not otherwise.<sup>64</sup> A problem of remarkable difficulty is exhibited in the Order Book of Lancaster County, Virginia, for 1740, where it is recorded that a proposition was sent to the General Assembly asking whether, if convict women-servants had bastard children, their oath as to the father of the child should be held valid in case the reputed father should be a free man.<sup>65</sup> What the answer may have been does not appear, but the question illustrates well some of the less obvious ramifications of the situation caused by the presence of these felons in colonial society.

It is sometimes said that Virginia and Maryland became practically penal colonies. In one sense this is true, for the

convicts of England were sent there in great numbers certainly, but in another and more correct definition it is not. A penal colony is properly a place maintained and managed by the home government, to which convicts are brought in government ships and in which they live under constant supervision of official guards. This was the sort of establishment which England later set up in Australia, and France at Devil's Island, and of course it bears no resemblance to the colonies of Virginia and Maryland, where felons were brought by private merchants and blended into the civil population. Certainly the general character of society was lowered by the practice, and in particular the reputation of the servant population suffered, for William Eddis remarks that planters ceased to make distinctions between good indentured servants and the riff-raff which appeared on the convict ships.<sup>68</sup>

Resentment against the English government for this transportation has nevertheless been considerably overdone. Despite the loud outcries in the press and the ineffectual attempts of colonial legislatures to stop the influx of felons, the truth of the matter is that they were received with open arms by the greater proportion of planters, who wanted cheap labor. The British government never forced convicts on these communities, because it did not need to do so. All it did was to prevent the more responsible colonists from enacting laws which would keep the less responsible from buying them, and when no law forbade it, the ordinary planters of those two colonies made haste to the sea-ports, and eagerly purchased the commodity which was offered them. Had there been any united sentiment of opposition to convict transportation a boycott would have been perfectly effective for a time, and then the British government might have had actually to force them in. But the demand for cheap labor outweighed the sense of social responsibility. It was perhaps to

the discredit of the English that they shipped their felons to America, though they had at least the virtue of a certain humanitarianism; but it was certainly to the discredit of Virginia and Maryland that those felons were shipped at a handsome profit.

NOTE ON THE TRANSPORTATION OF SCOTTISH AND  
IRISH FELONS

The penalty of banishment was not foreign to Scottish law as it was to English, and it was frequently imposed. Sometimes the sentence would require the convict to go to the plantations, but more often it was merely one of banishment from the country. In the machinery of transportation, however, felons were classed with rogues and vagabonds, and it will be more convenient to give what scanty information there is on the subject in the next chapter.

An examination of the Justiciary Records recently acquired by the General Register House at Edinburgh discloses that it was often the custom of an accused man to petition the judges as follows: "That whatever might be the result of the Petitioners undergoing a Trial he cannot after being Accused of such Crimes think of passing the remainder of his life in this Country with any degree of Comfort or Satisfaction and therefore and in order to save the trouble of a trial he makes this Application to Your Lordships to be banished to one or other of his Majesty's Plantations in America." Such requests, which I presume were instigated by the judges in the first place, appear never to have been refused. They are frequent in the eighteenth-century records.

The Parliamentary Act of 1717 respecting the transportation of felons did not apply to Scotland, but in 1766 its provisions were extended to cover that country as well as England.<sup>67</sup> No



changes as a result of this extension can be discovered in the Justiciary Records. Two isolated documents prove that as early as 1728 felons were being transported under the condition that the transporter should give bond for their safe conveyance. The fact that there was a contractor for the transportation of felons in Glasgow in 1772 shows that many must have been shipped, but I have not come upon any collections of statistics.

From the Ormonde Papers it is evident that felons were reprieved and transported from Ireland to the plantations after 1661 in much the same manner as from England.<sup>68</sup> The Lord Lieutenant issued the necessary reprieves and pardons. By an act of the Irish Parliament passed in 1704, judges acting with the grand juries were permitted to respite the execution of certain classes of felons and allow merchants giving security of £20 to transport them to the plantations, giving a certificate within eighteen months that they had been properly landed. Other acts modelled on the English statute of 1717 were passed by the Irish Parliament in 1719 and 1722, and in 1726 the payment of a subsidy to the transporting merchants was authorized by statute.<sup>69</sup>

The destruction of the Irish Public Record Office in 1922 together with all the records, both general and local, which were deposited there, renders it impossible to collect statistics for the whole century. It so happened, however, that a committee of the Irish House of Commons investigated the whole subject of convict transportation in 1743, and printed its report, together with complete statistics for the preceding seven years.<sup>70</sup> According to these figures, 1,890 persons were transported from Ireland during that period, and one would scarcely be far wrong in estimating that nearly 10,000 must have been sent during the century. Over half of the 1,890, however, were not felons but vagabonds, condemned to transportation at Quarter Sessions.

Some other points of interest were brought out in this report. When any group of convicts and vagabonds were transported, a levy on the county was made of five or six pounds for each person sent away. The sheriffs collected this levy, but several of them testified that they paid merchants only £2.10 or £3 of it, and kept the rest for themselves. The committee also discovered that magistrates had been very lax in demanding certificates of arrival from the transporting merchants. One shipload of seventy-three was certified as having arrived at Annapolis. Another merchant produced an account of his sales of twenty convicts in Maryland, for whom he received two hundred pounds. Others gave lists of those shipped to Pennsylvania, but could not produce certificates in proper form. The committee did not suggest that many had not been transported, but they criticized the magistrates. Since it was also true in England that the certificates required by law were not filed, despite the fact that convicts were certainly shipped, we have no reason to believe that there was any great shortcoming in the shipping of Irish convicts.

It is also interesting that "Mr. Henry Gonne, Town-Clerk of Dublin, being examined, produced two Books to the Committee, where in [are entered] the Names not only of all convict Felons and Vagabonds ordered for Transportation, but also the Names of other Persons who enter into Indentures with Merchants Transporters to be transported to his Majesty's Plantations, and the Term of Years for which they bind themselves respectively, and that have been bound by Indentures before the Lord Mayors of the City of Dublin."<sup>71</sup>

## CHAPTER VI

1. 4 Geo. I, c. 11.

2. For other crimes subsequently added to this list, see Stock, *Debates*, IV, xviii-xix. An excellent discussion of "The Criminal Laws and Punishments," with special reference to transportation, is in ch. ii of Eris O'Brien, *The Foundation of Australia* (London, 1936).

3. 6 Geo. I, c. 23. This act also provided that all charges for transporting the felons should be borne by the county, and that the contractor might use whatever means he thought fit for securing and conveying them to the seaport, while anyone rescuing them should be held guilty of felony. In 1721 the Board of Trade ordered printed copies of the convict act sent to colonial governors (*Journal*, 1718-1722, p. 334).

4. A small number were annually pardoned "on condition of transportation for and during the terms of their natural Lives." I can find no evidence of any kept in servitude for this period.

5. Treasury Money Book, T. 53/25, pp. 224, 281. It will be remembered that in 1697 the Lords Justices had agreed to pay £8 apiece for the transportation of convicts in naval vessels (see above, p. 105). They said that it would be better for the government to pay than for convicts to be let loose (*C.S.P. Domestic*, 1697, p. 160). In April, 1716, the Treasury made a contract for the transportation of Scottish rebels which was very similar to the later one with Francis March here described. (See below, p. 197).

6. *Calendar of Treasury Papers*, 1714-1719, p. 389.

7. These contracts are entered in the Treasury books called "Warrants not Relating to Money" (T. 54), but I have taken their various dates and rates of payment from the warrants for the payment of Forward and his successors, entered in the Treasury Money Books (T. 53). On May 4, 1722, Forward was granted a special bonus of £114 for his pains and losses in transporting convicts to date (T. 53/29, p. 454).

8. Just why these counties were favored with grants from the Treasury, while others had to pay for the transportation of their felons by a county levy, is not clear.

9. *Calendar of Treasury Books and Papers*, 1739-1741, p. 18. Forward

was notified of the change, and told not to meddle (*ibid.*, p. 20), but the reason for his replacement does not appear.

10. The first payment to Stewart was on March 2, 1757 (T. 53/46, p. 110).

11. Wilfrid Oldham, "The Administration of the System of Transportation of British Convicts, 1763-1793" (Typewritten doctoral thesis, 1933, in University of London Library), pp. 78-80.

12. Assizes 23/5 (unpaged), Western Circuit Gaol Book.

13. S.P. 44/232, p. 40. In the Maryland Shipping Returns Sydenham appears frequently as the owner of ships bringing convicts. He was apparently a nephew of Jonathan Forward; in 1749 the latter announced his intention "of declining the Maryland trade, and delivering it up to Messieurs Sydenham and Hodgson (as he has already done the Virginian)" (*Maryland Gazette*, Jan. 4, 1749).

14. Maryland Shipping Returns (MSS in Hall of Records, Annapolis, and in library of Maryland Historical Society, Baltimore).

15. Massachusetts Historical Society, *Proceedings*, 1915-1916, pp. 328-29; *Calendar of Home Office Papers*, III, pp. 169, 615. See also *Hertfordshire County Records*, VII, 184, 231, 259, 280, 312.

16. These contracts are transcribed in an entry book of Baltimore County, Maryland, labelled "Convicts" (Hall of Records, Annapolis).

17. See O'Brien, *Foundation of Australia*, pp. 125-28, for a review of these.

18. Assizes 24/24 and 24/25, Western Circuit Order Books.

19. John Howard, *An Account of the Principal Lazarettos in Europe* (Warrington, 1789), pp. 252, 253.

20. Campbell to Evan Nepean, quoted by Oldham, p. 80.

21. *American Historical Review*, XXII, 560.

22. Pardons may be studied in the *Calendar of Home Office Papers*. For the year 1766, e.g., one finds that 116 sentences of death were commuted to transportation for 14 years, 12 to transportation for 7 years, and 19 to transportation for life. Eleven sentences of transportation were cancelled by a free pardon, and 8 of death also (*ibid.*, II, 112-24). These figures

refer, of course, to the whole country, and not merely to the Old Bailey convicts. For years previous to 1760 figures for pardons have to be collected from the "Criminal Books" (S.P. 44/81 ff.) which are as yet uncalendared.

23. Oldham, p. 35.

24. The names of the ships may be ascertained from the Treasury Money Books, together with the number of convicts on board and the name of the captain. In the Guildhall, London, are 44 certificates of the arrival of convict ships in the colonies, of dates between 1718 and 1736; these are conclusive evidence for these ships. Maryland Shipping Returns are fairly complete from 1756 to 1775, and exist incompletely from 1742; these give the names of incoming ships, with their captains and owners, and furthermore they usually record the number of convicts on board. The *Maryland Gazette* printed notices of incoming ships and convicts for a few years around 1750 and 1751; and one may learn from the newspaper of arrivals which are not listed in the Shipping Returns. Virginian Shipping Returns (in the Public Record Office) are available for the latter part of the period; they very rarely mention the arrival of convicts, but one may trace the movement of ships in them. By fitting together these various evidences, the facts stated in the text were ascertained. For a more precise description of the Shipping Returns, see the Bibliography.

25. *Journals of the House of Commons*, XXXVII, pp. 310-11; *Letters from America*, p. 66; "Journal of a French Traveller in the Colonies," *American Historical Review*, XXVII, 84.

26. *South Carolina Historical Magazine*, XII, 170-71; Massachusetts Historical Society, *Proceedings*, 1915-1916, pp. 328-29; Historical Manuscripts Commission, *Records of the City of Exeter*, p. 237.

27. See Note at the end of this chapter.

28. See John T. Scharf, *History of Maryland*, I, 371: "The number of convicts imported into Maryland before the revolution of 1776 must have amounted to at least twenty thousand." It should be remarked that the estimate given above does not include Irish felons, of whom there were certainly several thousand transported.

29. *Archives of Maryland*, XXXIII, 345, 349-50.

30. C.O. 5/1387 (Acts of Virginia, unpagged). This law is listed, but not

printed, in Hening's *Statutes*, IV, 106, "repealed by proclamation, 18th Jan. 1723."

31. *C.S.P. Colonial*, 1722-1723, nos. 613, 616, 629, 637; *Board of Trade Journal*, 1723-1728, pp. 30, 31; *Acts Privy Council, Colonial*, III, 54-55.

32. The act is in *Archives of Maryland*, XXXVIII, 320-22, and the disallowance, *ibid.*, XXXV, 212.

33. *Ibid.*, L, 562; VI, 294-95, 328-29, 422. Governor Sharpe wrote: ". . . all the Persons who contract for the Transportation of Felons from Great Britain except Mr Steuart of London have paid the Duty on such as they imported into this Province without murmuring & tho it might be justly said that he is much more affected by the Act than the others because he transports a much greater Number yet I cannot help thinking that he ought to have readily submitted to the payment of so small a Sum when his profitts from trading hither are so exorbitant." Sharpe to Joshua Sharpe, May 27, 1757, *ibid.*, IX, 5.

34. *Ibid.*, XIV, 411-13, 524, 535; *Acts Privy Council, Colonial*, V, 115, 116, 163-64, 363. For the whole subject see Basil Sollers, "Transported Convict Laborers in Maryland during the Colonial Period," *Maryland Historical Magazine*, II, 17-47.

35. *Acts Privy Council, Colonial*, IV, 20-21; *Board of Trade Journal*, 1742-1749, pp. 215-16, 226-27, 239-40, and also 424; *Pennsylvania Colonial Records*, V, 499. Despite these repeals, Pennsylvania contrived to collect a duty of £5 on imported convicts throughout the colonial period (Herick, *White Servitude in Pennsylvania*, p. 127).

36. *C.S.P. Colonial*, 1722-1723, no. 382; *ibid.*, 1730, no. 544. *Acts Privy Council, Colonial*, III, 161-62; *Board of Trade Journal*, 1729-1734, pp. 284, 314.

37. Sharpe to Calvert, October 20, 1755, *Archives of Maryland*, VI, 294.

38. *Journals of the House of Commons*, XXXVII, 310.

39. T. 1/500 (bundle of Treasury In-Letters). Campbell's account is headed "A State of the Contract for Felons for Six Months after the Death of Mr Stewart."

40. The Maryland Shipping Returns show 493 convicts entering the colony in ships owned by Campbell after April, 1772. Those for which he submitted an account, and no doubt others as well, went to Virginia,

41. Oldham, pp. 149, 225ff. See also Sollers, in *Maryland Historical Magazine*, II, 45.

42. *Journals of the Continental Congress* (Library of Congress edit., Washington, 1904-37), XXXIV, 494-95, 528. Governor Paca informed the legislature of Maryland in 1783 that the agent in London had sent notice of a plan to transport more convicts, but no action was taken by the assembly (*Archives of Maryland*, XLVIII, 484). For a report of 140 convicts arrived at Fisher's Island, in Long Island Sound, during 1788, see *William and Mary College Quarterly*, 1st ser., VII, 113.

43. *Maryland Gazette*, Aug. 20, 1752.

44. *Virginia Gazette*, November 19-26, 1736. In the Baltimore County entry book "Convicts", is a list of felons brought on the ship *Trotman*, in 1770, five of whom are said to have "Freed themselves in London." Duncan Campbell said that many bought themselves off, and were subjected only to banishment (*Journals of the House of Commons*, XXXVII, 310).

45. Sir Walter Besant, *London in the Eighteenth Century* (London, 1902), p. 556. In the Library of Congress MSS is a picturesque, rhyming account of the experiences of a transported convict written by one James Revel.

46. Quoted by Sollers, in *Maryland Historical Magazine*, II, 41n.

47. *Calendar of Treasury Papers*, 1714-1719, p. 389. The examples given are taken from the certificates of the arrival of ships, filed at the London Guildhall.

48. *Archives of Maryland*, XIV, 413; *Journals of the House of Commons*, XXXVII, 310-11. About one-quarter of all transported convicts were women.

49. *Maryland Gazette*, January 3, 1750. The names and statistics of ships, and the names of their captains, come from the Maryland Shipping Returns and the Treasury Money Book entries.

50. *Virginia Gazette*, May 22-29, 1746.

51. *Calendar of Home Office Papers*, III, 169.

52. Guildhall MSS certificates of arrival.

53. Historical Manuscripts Commission, *Fourteenth Report*, pt. ix, p. 77 (Trevor MSS); *Calendar of Home Office Papers*, I, no. 198.
54. *Calendar of Home Office Papers*, IV, no. 39.
55. “. . . our subtle Criminals have found out Means hitherto to render [transportation] ineffectual; some have made their escape in the Voyage itself; others, condemn'd to this Punishment, never have been put on board; several have reach'd the Plantations, but been returned by the first Shipping, and Great Numbers have come back before half their time was expir'd.” B. Mandeville, *An Enquiry into the Causes of the Frequent Executions at Tyburn* (London, 1725), p. 47. An odd case happened in Maryland: one Evan Jones bought a servant, Jonathan Brinley, in 1719. The servant ran away and went to England, but returned as a convict transported in 1722. Jones demanded that Brinley return to his service, and the Provincial Court ruled that he should do so, and serve out his original time. Provincial Court Records, April, 1722, p. 639 (Hall of Records, Annapolis).
56. *Calendar of Home Office Papers*, IV, no. 39. See Henry Fielding: “this I am confident may be asserted, that pardons have brought many more men to the gallows than they have saved from it.” *Causes of the Increase of Robbers*, sec. x.
57. There is a collection of examples from Virginia in Fairfax Harrison, “When the Convicts Came,” *Virginia Magazine of History*, XXX, 250-60.
58. *Executive Journals of the Council of Colonial Virginia*, IV, 281-82.
59. Provincial Court, April, 1721, p. 362. The court said: “it is become the Common Complaint of the Honest house Keepers Inhabitants within this province that the peace is not sufficiently Secured to them whilst so many of those people are suffered to goe without security.”
60. This time the ruling was mandatory; security of fifteen pounds was to be taken for every imported convict (Provincial Court, April, 1722, p. 639). The dispute came before the Council on Jan. 2, 1724/5, and the Council ruled in favor of the magistrates. See *Archives of Maryland*, XXV, 437; and *Maryland Historical Magazine*, II, 30-32.
61. *Maryland Gazette*, Aug. 21 and Oct. 16, 1751; Provincial Court Record, September, 1751, p. 838.
62. Harrison, in *Virginia Magazine of History*, XXX, 256. Dinwiddie



wrote on Aug. 25, 1755, that he had been ordered to enlist no convicts, and accordingly there were none in the drafts (Dinwiddie Papers, II, 178), but two years later Loudoun said that the Virginia recruits were bad, "most of them being *Convicts*, & many of them bought out of the Ships before they landed." In Stanley M. Pargellis, ed., *Military Affairs in North America, 1748-1765* (New York and London, 1936), p. 319.

63. *Maryland Historical Magazine*, II, 33, 41.

64. Hening, *Statutes*, V, 546-47; *Archives of Maryland*, L, 623-25. See also Harris and McHenry, *Maryland Reports* (New York, 1812), II, 378.

65. Lancaster County Order Book, 1729-1743, p. 275 (Virginia State Library).

66. *Letters from America*, p. 69.

67. 6 Geo. III, c. 32, sec. 1.

68. Historical Manuscripts Commission, *Tenth Report*, pt. v, pp. 26, 35, 47, 73, 85, 91-92, 94-95.

69. Stock, *Debates*, III, 518, 532, 534, 536, and xv.

70. *Journals of the House of Commons of the Kingdom of Ireland*, IV, Appendix, pp. cciii and following.

71. See *Maryland Gazette*, Aug. 1, 1754, where is an account from Dublin of the indenturing of more than twenty convicts before the Lord Mayor, for transportation to America.

#### CHAPTER VII

1. Quoted from Ribton-Turner, *History of Vagrants and Vagrancy* (London, 1887), pp. 128-29.

2. *Ibid.*, p. 133.

3. *Virginia Company Records*, II, 526.

4. Many references and quotations are given in Beer, *Origins of the British Colonial System*, ch. ii.

5. 12 Anne, c. 23. For a few records of vagabonds sentenced to transportation see *Middlesex County Records*, ed. by Jeaffreson, II, 225, 305.
6. Ribton-Turner, pp. 143-44; E. M. Leonard, *Early History of English Poor Relief*, pp. 229-30 and note.
7. *Virginia Company Records*, I, 253, 259, 271-72, 287-89.
8. *Ibid.*, I, 520; II, 108; "Decisions of Virginia General Court, 1626-1628," *Virginia Magazine of History*, IV (1896-97), 250; Bruce, *Economic History of Virginia*, II, 41n.
9. Leonard, pp. 229-30. See Edward G. O'Donoghue, *Bridewell Hospital* (London, 1923). Most of the illustrations given above were taken from some manuscript notes containing excerpts from the Bridewell Court Books, furnished to the Virginia State Library by Rev. Mr. O'Donoghue.
10. *Virginia Magazine of History*, XXV (1917), 50.
11. *North Carolina Colonial Records*, II, 371-72.
12. M. Dorothy George, *London Life in the XVIIIth Century*, p. 143; Richard Ligon, *True and Exact History of Barbadoes*.
13. Newgate Calendar and Gaol Delivery Book, MSS at Guildhall, London. For Pate, see *American Historical Review*, XXXIX, 245.
14. Here are two entries from the mayor's "Waiting Book" at the Guildhall: July 4, 1684, five "pilfering boys that lye day & night in the marketts and streets of this City and haveing no freinds or Relacons to take care or provide for them came before his Lordship and of their own free accord bound themselves" for ten years in the plantations to John Haslewood, mariner.
- August 18, 1684, "This day John Sewell was bound apprentice to Abraham Wilde, merchant, to serve in Maryland for 7 yeares and discharged out of Bridewell per warrant." Such entries are not plentiful; there are not more than half a dozen for the year 1684.
15. Samuel R. Gardiner, *History of the Commonwealth and Protectorate* (London, New York and Bombay, 1901), III, 117, 244-45; S.P. 25/177, pp. 329-31.
16. Thurloe, *State Papers*, IV, 686. Also *ibid.*, V, 211; IV, 218, 394, 439, 695.
17. S.P. 25/77, p. 283.

the Home Counties, not to the rest of Great Britain and Ireland.

The contract expired in 1772; figures for that year are therefore incomplete. The dates are of sailings; hence a variation in numbers from one year to the next does not mean much, as a ship leaving in January or February would take felons from the previous year's condemnations. Attention may be called, however, to the lower numbers carried during war times; this was due to the fact that many were used in the army.

*g. 1774. Emigration from England.*

Beginning in December, 1773, and continuing to May, 1775, records of emigration from Great Britain were kept by customs officials and are among the Treasury Papers. Those for Scotland are of little use in a study of servants. Those from England are printed in the *New England Historical and Genealogical Register*, Volumes 62 to 65, *passim*. Here are presented tabulations only from those of the calendar year 1774; that of servants from London is taken from George, *London Life in the XVIIIth Century*, p. 145

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SERVANTS FROM	TO						TOTAL
	<i>Mary-land</i>	<i>Vir-ginia</i>	<i>Phila-delphia</i>	<i>Georgia</i>	<i>Caro-lina</i>	<i>Ja-maica</i>	
London	1,124	548	456	35	23	8	2,194
Bristol	119		40				159
Liverpool			4				4
							2,357

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Free emigrants: from London, 492; from other ports, 858.

The most striking thing about these figures is the relatively large number of indentured servants sailing from London, as

compared with free emigrants. Many of those who were free were children, travelling with their parents, others were colonists returning after a visit home, a few were leaving for the continent of Europe. Hence the true proportion of servants is even greater than the figures show. As for those leaving from other ports, it is not necessarily true that so large a proportion were free; they are not described as under indenture however, and so are counted as being their own masters.

It does not seem to me that these statistics are accurate for ports other than London. Reference to statistics for Maryland shown below will indicate how far they may be checked; and will show also that this was a year of very heavy emigration, which cannot be taken as typical of the century.

## II. EMIGRATION FROM IRELAND

### a. 1725-1727.

W. H. G. Flood, in the *Journal of the Irish American Historical Society*, XXVI (1927), 204, after examining the files of the Dublin newspapers, writes: "Between the years 1725 and 1727 there are records of about 5000 persons emigrating including 3500 from Ulster, many of whom had contracted with masters of ships for four years' servitude."

### b. 1725-1728.

Archbishop Boulter stated in 1728 that "above 3200" had been shipped off in three years, and that only one in ten could pay his own passage. Hanna, *Scotch-Irish*, II, 180.

### c. 1725-1768.

"A writer in the *Dublin University Magazine* for 1832" calculates that from 3,000 to 6,000 annually emigrated in these years. *Ibid.*, I, 622.

### d. 1750-1800.

200,000 emigrated during this half-century; and during the three years 1771-1773, by exact statistics, 28,600. Sir Thomas

grants for whose importation a headright of fifty acres each was claimed. Practically all are described as servants. It is unlikely that all arrivals were registered, as headrights became a drug on the market (see McCormac, *White Servitude in Maryland*, pp. 17ff.) If we assume that the annual immigration of servants was about 500 by the year 1670, some checks will be provided by the quotations given below.

*b. 1660.*

1,078 servants in a population of 12,000. Estimate by McCormac, pp. 28-29.

*c. 1698. Servants imported.*

600 or 700 servants, "chiefly Irish" were imported during the year. Estimate of the governor, *C.S.P. Colonial*, 1697-1698, p. 390.

To November 1, 1698, there were 901 servants imported, according to the Naval Officers account, kept for the sake of levying the duty on servants. From a Journal of the committee appointed to inspect the public accounts of the revenue of the province, in C.O. 5/749, no. 6.

*d. 1707. Census.*

33,833 souls; 3,003 servants; 4,657 slaves. Greene and Harrington, p. 124. N.B. To maintain a population of 3,000 servants, with an average term of five years each, would require an annual importation of 600.

*e. 1755. Census.*

98,357 free whites; 6,871 servants; 1,981 convicts; 3,592 mulattoes; 42,764 Negroes.

*f. 1752-1755. German Immigration.*

1,060 arrived. Society for the History of Germans in Maryland, *Fifth Annual Report*, p. 19. This is an underestimate, based on the Port Books. Newspapers show more cargoes of Germans arriving; Scharf estimated that at least 3,000 came in 1752-1754 (*History of Maryland*, I, 373).

*g. 1745-1775. Immigration of servants, mainly to the port of Annapolis.*

The following figures were tabulated from the Naval Officer's Returns, of which two volumes are at the Mary-

Year	from London	from Bristol	from Ireland	from Gt. Britain other ports	Total servants	Convicts	Total servants and convicts
1745	—	—	218	63	281	—	281
1746	—	—	124	—	124	7	131
1747	—	—	29	4	33	21	54
1748	—	—	—	3	3	153	156
1749	—	43	—	—	43	222	265
1750	2	40	—	29	71	225	296
1751	262	7	—	8	277	206	483
1752	120	30	—	31	181	297	478
1753	126	—	199	—	325	465	790
1754	233	118	39	—	390	352	742
1755	153	107	34	7	301	366	667
1756	43	53	1	1	98	298	396
1757	8	18	—	39	65	459	524
1758	3	2	—	—	5	133	138
1759	3	—	—	—	3	321	324
1760	1	7	—	—	8	197	205
1761	—	3	—	—	3	159	162
1762	11	—	—	—	11	215	226
1763	20	—	—	—	20	81	101
1764	157	—	55	—	212	164	376
1765	15	—	40	—	55	464	519
1766	—	—	176	61	237	564	801
1767	78	1	189	35	303	430	733
1768	185	—	139	92	416	581	997
1769	152	12	237	54	455	498	953
1770	156	35	553	—	744	362	1106
1771	9	22	667	21	719	288	1007
1772	43	13	636	2	694	320	1014
1773	304	17	616	75	1012	589	1601
1774	910	101	1175	83	2269	507	2776
1775*	415	78	708	1	1202	416	1618
	3,409	707	5,835	609	10,560	9,360	19,920

\*To October 1.

land Historical Society, Baltimore, and one at the Hall of Records, Annapolis. Others are in the Public Record Office, but do not add any statistics on this matter.

The figures given in this table are by no means complete for the colony of Maryland. Except for a few years when returns from Port Oxford and Patuxent are available, the records cover only the port of Annapolis, and that not completely. The *Maryland Gazette* published notices during the early 1750's of ships arriving with servants or convicts, and from these notices several hundred servants were added to the list, though they did not appear in the Returns. The *Gazette* soon ceased to print more than a very occasional notice of a servant ship's arrival, and hence further checking is impossible. Sometimes a convict ship, whose name we know from the London records, is entered in the Naval Officer's Returns without any mention of its human cargo; the *Gazette*, however, confirms the arrival of the felons.

As for servants entering other ports than Annapolis, we know only from various examples that they did so, and that they were not recorded by the Naval Officer. For instance, the brig *Grove*, owned by Samuel Galloway, came in several times from London during the early 1750's with servants which were sold in the West River, and advertised in the *Gazette*. After finishing the sales the *Grove* proceeded to Annapolis, and registered as arriving from London in ballast. Likewise the *Charles*, from London with forty-five servants, took them to "Patapsco," but registered at Annapolis as arriving in ballast. Were there no other proof, a reference to the census of 1755, showing 6,871 servants in the colony, would demonstrate that the annual immigration must have been far greater than that shown in our table, even granting that many came in overland after disembarking at Philadelphia.

Nevertheless these figures are valuable. They illustrate the numbers of Irish coming; the remarkable falling off during the Seven Years' War, and the even more remarkable increases of the early 1770's. One check may be applied to them which works fairly well. According to the Treasury figures for 1774, cited above, 1,124 servants left London for Maryland during that calendar year. These began to arrive during March, and if we add together all servants from London registered in the returns from March 1, 1774 to March 31, 1775, the figure is 817. Apparently about 300 servants died during the voyage, went to a different colony than they were registered for, or entered Maryland at a port other than Annapolis.

The convict statistics seem rather more satisfactory, and doubtless more care was used in collecting them. They may be checked from the census of 1755, which showed 1,981 convicts doing their time in Maryland; during the seven years before 1755 the returns show the entry of 1,920 felons. Some of these died, some ran away, and on the other hand a number of fourteen-year exiles from previous shipments were still serving their time. The figures agree well enough to indicate that nearly all convicts must have entered at Annapolis and been properly registered at least in those years.

The preceding table gave total figures for convict importations to allow comparison with figures for servants. We now present a table showing the ports from which these convicts came, most useful as indicating the number from Bristol, for which no English statistics were available. It must also be remembered that those coming from London were shipped not only by the Treasury contractors, but also by such men as Sydenham who disposed of those from the Midlands and the south coast. Of the total of 5,428 coming from London, only 2,881 are in fact specifically noted as coming on ships owned by Reid



enough to attract more than a handful of merchants to the town. Surviving issues of the *Maryland Gazette* between 1728 and 1734 record but one merchant advertising drygoods for sale in Annapolis, and he faced competition from nearby Londontown.<sup>25</sup> But by the 1740s a change was apparent. The permanent population doubled between 1715 and 1740 (see table 1-1), and, as government became more important, people came in growing numbers from all over the colony to conduct their affairs and to stay for a brief time.<sup>26</sup>

Table 1-1 *Population Growth in Annapolis, 1699-1783*

Year	St. Anne's Taxables (#)	Regression Regression (#)	Rate of Regression (%)	Total Population of Annapolis (#)	White (%)	White (#)	Black (%)	Black (#)
1783	1,400	-50	+3.6	1,280	64.9	831	35.1	449
1775	1,450	233	83.9	1,326				
1768	1,217	82	93.3	1,113				
1764	1,135	32	97.2	1,038				
1760	[1,103]	75	93.2	1,008				
1755	[1,028]	117	88.6	939	67.4	633	32.6	336
1740	[911]	61	93.3	832				
1730	850	106	87.5	776	68.0	528	32.0	248
1725	744	230	69.1	679				
1720	514	71	86.2	469				
1715	443	13	97.1	405				
1710	430	67	84.4	393	75.8	298	24.2	95
1705	363			332	88.4	293	11.6	39
1699				252				

Source: See chapter 1, note 26.

Note: 1740-1755 number of increase: 107; percentage increase 12.8

1764-1775 number of increase: 288; percentage increase 27.7

1764-1768 number of increase: 75; percentage increase, annual average: 1.8

1768-1775 number of increase: 213; percentage increase, annual average: 2.7

<sup>25</sup>See appendix A, "Merchants Advertising in the *Maryland Gazette*, 1728-1774," in Edward C. Papenfuss, "Mercantile Opportunity and Urban Development in a Planting Society: A Case Study of Annapolis, Maryland 1763-1805" (Ph.D. dissertation, Johns Hopkins University, 1973).

<sup>26</sup>Except for the census returns for 1782 and 1783 in the Scharf Col., there are no separate population figures for Annapolis before 1800. The figures given in table 1-1 are based on the rate of regression from 1783 to 1705 in the number of taxables in St. Anne's Parish, of which Annapolis was a part. Taxable data were taken from Appendix A of Karinen, "Maryland Population," except for 1740, 1755, and 1760, when the known ratio of St. Anne's taxable population to that of neighboring St. James Parish (a constant throughout the colonial period) was used to ascertain the probable number of taxables for St. Anne's. The rate of regression was then multiplied by the known 1783 population to determine the population for the previous year for which there was taxable data, and so forth backwards until the year 1705 was reached. Expressed as formulae: the rate of regression (R) equals  $\frac{T'-T''}{T'}$  when T'=taxables for one year, and T''=taxables for any previous year. The regressed population (RP) equals

Minor craftsmen and servants were quick to recognize the opportunities presented by the growing market. Letters captured during the French and Indian War written by Annapolis residents to their relatives in Britain all sound the same note of optimism about the prospect of selling drygoods and luxury items. Richard Tuggett had prospered as footman to Benjamin Tasker, prominent planter and government official, and was writing to encourage his relatives to send him "some knives, some buckles and butens and anything you think proper for I can make you money here . . . ." <sup>27</sup> Edward Watts, who from the tone of his letter had never succeeded at anything, nevertheless pleaded with his brothers to send such goods as "shirts stocking breeches hats and all things that is fitting thereto," for, he argued, "I could, if it whas posable you could believe me after my manyfould transgressions to you all, sell your goods to great advantage." <sup>28</sup> But those with capital fared best in meeting the increasing demand for goods and, of those who had it, shipbuilders and tanners were prominent. Between 1745 and 1753, the number of people advertising drygoods in the *Maryland Gazette* grew from three to twelve. Of these, Robert Swan, Robert Couden, and Thomas Hyde had been tanners. William Roberts was first a saddler-tanner and then a shipbuilder before becoming a merchant. As Patrick Creagh prospered, he combined shipbuilding and housebuilding with mercantile interests, and dealt in slaves and servants as well as goods. <sup>29</sup>

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100-R'×P', R"×P", . . . when P'=a known population, P"=100-R'× P', . . . R'=the first rate of regression, R"=the second rate of regression, and so forth.

The percentage of the total population that was black was calculated by using the census data for 1704, 1710, and 1730, cited in Karinen; the census for 1755 published in *The Gentleman's Magazine* 34 (1764), 261; and the census of 1783, adjusting for the slightly lower concentration of blacks in the town than was the case in the county.

The calculation for 1699 is based upon the number of people per family, assuming single family dwellings, times the number of houses. (Expressed as a formula:  $\frac{P'}{H} \times D = P''$  when P'=the total population of the county (4,512), H=the number of heads of households (716), D=the number of dwellings (40), and P"=the projected population of Annapolis.) The result is close to the population regression estimate for 1705 and suggests that the regression method works with some degree of accuracy. The county data come from the census of 1704 cited in Karinen and the number of houses is taken from Oldmixon, *British Empire*, 1:333.

<sup>27</sup>Great Britain, Public Record Office, High Court of Admiralty Papers (hereafter cited as PRO, HCA), 30/258. The letter is dated November 2, 1756, and is written to Tuggett's mother and father.

<sup>28</sup>PRO, HCA 30/258. The letter is dated Annapolis, December 24, 1756, and is written to his brother.

<sup>29</sup>Not all tanners went into trade. Allen Quynn, one of the town's leading citizens, began his career as a shoemaker in the 1760s, bought Robert Swan's tanyard, and died a wealthy man, without investing any capital in mercantile activities. For Quynn's career see Papenfuse and McWilliams, "Appendix F," Parcels 5 and 6; *Maryland*

Mr URBAN,

I Herewith send you a distinct Account of the Number of Inhabitants, white and black, bond and free, which were in the Province of Maryland in the Year 1755. Many Observations, political and commercial, may be drawn from these Tables; but I shall now only beg room for one of another Kind. It hath been always allowed that more than two Males to one Female, white and black, bond and free, have arrived in this Colony; how

then comes it to pass that the Number of Males and Females, white and black, whether above or under sixteen Years of age, should at this Time bear so near a Proportion of the Sexes, and likewise the Number of sensible Men, to the Proportion in old and settled Countries. What say the Sceptics to this? Is this Chance? or is there a ruling Providence? Maryland, Nov. 20, 1763. I am, &c. NUMBER.

An Account of the Number of Souls in the Province of MARYLAND, in the Year 1755.

Name of the county.	Taxable Persons sixteen Years of Age,								Persons not taxable.								Persons under sixteen Years of Age.																		
	Whites.				Mulattos.				Blacks				Whites		Molat	Black	Whites.			Mulattos.			Blacks												
	Free.		Servants.		Free.		Slaves.		Free.		Slaves.		Free		Servants	Black	Free	Servants hired, or indentured.		Serv. convicteds.	Free	Slaves		Free	Slaves										
	Men	Men	Men	Women	Men	Women	Men	Women	Clergy	Men	Women	Hired or indentured.	Convicts.	Free	Slaves	Free	Slaves	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls								
Baltimore	2630	595	472	36	21	25	16		1144	833	4	58	2587	200	87	14	4	8	6	92	1913	1705	82	26	16	63	28	35	31	23	10	5	959	1041	
Ann Arundell	1534	438	184	16	22	25	11		1472	1660	3	64	1539	93	51	4	15	6	92	1913	1705	82	26	16	28	35	31	23	10	5	671	1321			
Calvert	609	124		24	8		4		550	519	2	20	639	61	2	15	7	39		861	745	48	28		30	31	15	17			1314	1321			
Prince George	1515	255	73	17	21	37	43		1278	151	3	44	1680	55	27	8	7	28		1840	1674	33	10		42	26	46	55			645	645			
Frederick	2775	216	94	23	4	10	24		437	314	1	45	2213	163	32	6	2	4	13	3246	3105	80	56	9	1	22	23	19	19	3	1	1340	1239		
Charles	1929	173	205	60	36	48	33		1196	950	4	51	1777	106	78	17	5	2	32	1681	1799	228	41	16	7	69	57	52	51	7		465	473		
St. Mary's	1561	194	29	16	17	38	27		822	761	3	61	1806	164	13	16	4	3	49	1845	1764	29	24	5	3	24	22	94	98	13	17	1145	1197		
Worcester	1768	45		31	12	3	7		401	359	1	2	1664	37	1	10	7	44		2067	2083	28	12		28	28	29	7	8	13	6	862	839		
Saunder	1348	31		23	16	15	15		637	571	3	61	1446	37	1	1	1	2	37	1330	1232	12			24	19	21	25	1	1	561	511			
Dorset	1950	172		7	9	7	9		624	514	3	44	2097	126				22	44		2347	2222	54	17		12	22	35	32	6	1	666	681		
Talbot	1223	294		25	24	18	72		647	595	2	34	1296	160	4	10	1	4	30	1322	1197	57	9		20	19	74	82	1		579	657			
Queen Anne's	1745	284	287	18	20	33	32		643	572	2	31	1843	159	73	3	6	3	32	2037	1864	82	44	9	31	24	57	58	2	4	621	603			
Kent	1454	365		82	13	7	9		691	523	2	34	1448	181	12	6	9	2	35	1527	1423	134	76	4	1	16	19	9	20	3	650	653			
Cecil	1345	390		47	2	12	86		286	216	1	33	1186	282	8			2	15	1505	1372	55	20	1	1	10	4	89	108	5	275	252			
Total	14	23389	3576	1507	307	247	432	392	119	69	10828	8938	35	637	2352	1824	386	95	93	58	595	26637	24141	1048	422	67	21	419	392	577	638	71	40	10983	11063

Number of Inhabitants in Maryland. 261

rees, H.M. land, money granted for; CXCVI.  
14; CCXIV. 37; CCXVI. 21.  
....., estimated charge of; CXCVIII.  
11; CXCIX. 60.  
....., in Piedmont and Catalonia;  
CXCVI. 43.  
....., in Minorca and Gibraltar;  
CXCVIII. 11.  
....., in Spain and Portugal, money  
paid for; CXCIX. 27; CCXVII. 2.  
....., sent to the King by the states-general,  
estimated charge of 6,000 men; CXCVIII.  
11.  
reign and Inland Office clerks, their privi-  
lege of franking; CCVI. 29.  
reign, expense of; CCXII. 46.  
....., expense of; CLXXXIX. 53.  
....., south, lighthouses on;  
....., forest land; CCXXIII. 6.  
....., Woods.  
....., wounded by a rebel; CXCVIII.  
....., 9; CCXIV. 60, 71.  
....., Earl of, H.M. envoy to the King of  
Prussia; CXCII. 12.  
....., his regiment; CLXXXI. 36.  
....., estates, (Scotland); CCVI. 5; CCVIII.  
29; CCXI. 17; CCXIV. 60, 62, 63, 65;  
CCXV. 71, 74; CCXVI. 15, 26, 39;  
CCXX. 11; CCXXII. 26.  
....., trustees for sale of; CCXVI. 15;  
CCXX. 11; CCXXIII. 4.  
....., solicitor to, memorial;  
CCXX. 4.  
....., quarterly bill of; CCXX.  
....., 40; CCXIX. 23.

Fort William; CLXXXI. 11; CCXXII. 7.  
Forth, Mary, memorial; CLXXXVI. 28.  
....., the; CCXII. 82; CCXIV. 32.  
Fortescue, Mr. Baron, on the special commis-  
sion for trying the rebels at Carlisle;  
CCVII. 6.  
Fortifications. See Portsmouth, Harwich,  
Chatham.  
Forward, Mr. Jonathan, of London, merchant,  
contractor for transport of felons;  
CCXIV. 50; CCXX. 42.  
Foster, Mr.; CXCIX. 20.  
Foubert, Major; CCXV. 30.  
Foulness; CLXXXVI. 44.  
Fouquierie. See Fauquier.  
Fowey, supervisor of Excise to reside at;  
CXIII. 61; CCXVII. 39; CCX. 5; CCXII.  
60.  
Fox, Charles, Esq., late paymaster of the  
forces; CLXXX. 19.  
....., Francis, lieutenant in Col. Philip's regi-  
ment, Placentia, petition; CCVII. 14.  
....., Rowland, rector of Evedon; CCIX. 2.  
....., Sir Stephen; CLXXXII. 6; CCXXII. 42.  
Foxe, Hon. Col., his regiment of foot;  
CLXXXIX. 65.  
France; CCXII. 15; CXCIX. 25.  
....., and England, commissaries for settling  
commerce between; CLXXX. 58;  
CLXXXVIII. 43.  
....., and Scotland, trade between; CCVI.  
14.  
....., cession of lands in St. Christopher's;  
CCVII. 28.  
....., carriage of letters through, avoided;  
CLXXXIII. 7.  
....., correspondence from ports in, touch-  
ing the Pretender; CCV. 36.  
....., Duke of Shrewsbury's embassy to;  
CLXXXI. 56.

....., extra-  
of Tur-  
Genoa,  
CLXXXVIII.  
fighters;  
....., CLXXX.  
....., 7, 31;  
....., CCXII. 9;  
....., 2.  
....., hand.  
....., against;  
....., 44.  
....., to  
....., bury;  
....., 12.  
....., 4d in  
....., Duke  
....., (see);  
....., XXV.  
....., 16.  
....., CCIV.  
....., XVII.  
....., 41;  
....., the  
....., III.

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1718.

Taylor deceased, nor between General Wills and Mr Turner and Mr Leheup, to whom the two assignments were severally mortgaged by Mr Peters, and who afterwards assigned their respective interests therein to Sr Bibye Lake, all matters having been settled by a decree in Chancery, and by two reports of Mr Rogers'. Further certifies that on the 16th of June last a decree was pronounced by the Court of Chancery concerning Peters' estate, to which cause General Wills is not a party, the minutes of which decree are annexed. 8 July 1718.

*Minuted*:—"Read."

The memorial and the minutes referred to. 2½ pages.

9 July.

50. *Solicitor-General* (Wm. Thomson) to—. A merchant has offered to him to contract for the transportation of all convicted felons throughout England at 3*l.* per head from hence (out of which he must pay 20*s.* per head for fees of officers), and 5*l.* per head for those transported from other parts, where he must have correspondents and pay some fees also. His name is Mr Forward. He took away 40 the other day without reward, but cannot do so any more, considering death, sickness, and other accidents. There are now about 100 lying ready for him, for which he has ships prepared. No one else is ready to take them at so low a rate. It would be of great service to the public to have them carried away every year. By the late Act there is no power in the court to order the under-sheriff to defray these expenses.

P.S.—Believes the Government will save considerably in rewards for highwaymen and housebreakers by this method. The last contract was 40*s.* per head, delivered on board, but the charges of irons and other expenses to get them to the ship cost the Government as much more per head, so that this is really cheap. 9 July 1718.

*Minuted*:—"9th July 1718. To be consider'd when the Clerk of the Pipe hath return'd an account of the charge the Crown hath been at for apprehending felons." 2 pages.

[? About  
9 July.]

51. Memorial of William Berner, Esq., late sheriff of the county of Norfolk, to the Lords of the Treasury, praying payment of 10*l.* 15*s.*, the sum which he is entitled to receive under the Act for the better enabling sheriffs to sue out their patents and pass their accounts.

*Minuted*:—"9th July 1718. The 4000<sup>li</sup> will be set apart as the Act directs, out of w<sup>ch</sup> all the sheriffs will have their proportions when they become payable." 1 page.

[? About  
9 July.]

52. Memorial of Mr David Cresser and Peter Careye of the Island

never can be any want of good stone in the neighbourhood of this island which happened in January or February 1695, could never be discovered by the strictest inquiry. The charge of recovering the pier and way was paid by the Com<sup>rs</sup> of St Paul's, but did not amount to near the sum suggested, and as for the slide of the way which happened since, it was repaired for a less sum than 20*l*.

It has numerous signatures which were added on 17 and 18 Mar. 1718-9. Marked A.

Also a certificate of the owners and masters of ships using the coasting trade of the freight for stone from Portland to London. Dated Weymouth, 17 March 1718-19.

With numerous signatures. Marked B. 2 large pages.

1 Jan.-  
4 March. 40. Certificates by Archibald Douglas of Cavers, Esq., General Receiver of the Land Tax, Crown Rents, &c., and new duties upon houses in Scotland, and paymaster of salaries, pensions, and allowances there, &c. of all receipts, payments, and remains, &c. from 11 Jan. to 22 March 1718-19. 4 pages.

4 March. 41. Memorial of the Treasurer of the Chamber for payment of his quarter's account due at Christmas. Dated 24 March 1718-19.

*Minuted*:-"8<sup>th</sup> April 1719. Order'd."

Among the items is:-"To Sir Godfrey Kneller, Bart., principal painter in ord<sup>r</sup> for drawing two of his Ma<sup>ty</sup>s pictures at whole length at 50<sup>li</sup> each, besides fees of officers; in all, p bill, 107*l*. 10*s*." 3 pages.

2 About  
4 March.] 42. Proposal of Jonathan Forward, of London, merchant, to the Lords of the Treasury. About 60 criminals lying in the several gaols within the Home Circuit (*viz*), in the counties of Hertford, Essex, Kent, Sussex, and Surrey, are ordered, pursuant to the late Act of Parliament, to be transported to His Majesty's colonies and plantations in America. These he proposes to transport at 5*l*. per head; besides which there are about 30 criminals in Newgate, whom he offers to transport at 3*l*. per head as heretofore he hath done.

THIS  
DOCUMENT

1719.

Accompanied by another paper entitled, "Reasons offered by Jonathan Forward for the more effectual transportation of the convicts and fellows."

*Minuted* :— "24<sup>th</sup> March 1718-19. Read." 2 pages.

25 March.

43. Report, signed George Treby, to the Lords of the Treasury, on a memorial of the colonels commanding the six regiments of foot lately sent to Ireland, who had subsisted their men upon the large establishment, and being paid in Ireland upon the lesser. The difference between the two establishments falls upon their personal pay. Is of opinion, that according to practice, the difference ought to be allowed. Whitehall, 25 March 1719.

*Minuted* :— "28<sup>th</sup> March 1719. Agreed to." 1 page.

[? About  
13 April.]

44. Memorial of John Applebee and Henry Hines to the Lords [of the Treasury]. Are employed to serve the Mint with copper for coinage of halfpence and farthings. It is now three months since their L<sup>ds</sup> stopped the coinage, to their great loss. A few days after the stop "New Roles" were finished, whereby they can prepare the copper smoother and make the money more beautiful. Pray to be allowed to "import" into the Mint the copper which they have prepared.

Also a note referring it to Sir Isaac Newton.

*Minuted* :— "April 13<sup>th</sup> 1719. To be sent to Sir Isaac Newton for his opinion." 14 pages.

16 April.

45. "Report of the Lords Committee concerning the State of the Exchequer and other records, 1719."

A paper so docketed commencing thus :— "Die Jovis 16<sup>th</sup> April 1719. The Earl of Clarendon (according to order) reported from the Lords Committee appointed the 5<sup>th</sup> of December last to inspect the repairs of the Parliament Office, pursuant to the Address of this House to his Majesty, of the 4<sup>th</sup> of July 1717, and his Majesty's directions thereupon; and to report to the House what hath been done therein, and whether there hath been any and what hindrance, and the reasons thereof; and to whom it was refer'd to inspect the condition of the Records in Office."

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Company pressed in amongst them, got a footing, and fortified some few places. To encourage them to secure the trade by building castles and forts, it was requisite that the adventurers should be owners of the lands on the coasts of Africa. The Crown granted them several charters, and the Adventurers built three small forts; they were beaten out by the Dutch in the war of 1665. In 1672 the original members of the present Company proposed to buy out the former Company, and to adventure again with a fresh stock; and King Charles II. granted to the Company all the coasts and lands in Africa, between Cape Verd and the Cape of Good Hope, for 1,000 years, to the intent that they might, by fortifications, get the sole trade and secure it from the French, Dutch, and other Europeans. The Company subscribed in all 698,418*l.*, and got possession of the most beneficial "platts" on the African coasts and fortified three, and in 16 years built 14 new forts and enlarged the three old ones. By these fortifications the Company excluded the French, Dutch, and other Europeans. The happy effect of this was, the cheapness of negroes, for they bought negroes cheap in Africa, and sold them cheap in the plantations in America, which cheapness of negroes was the very foundation that caused such an improvement and growth of the sugar plantations by the negroes' labour, improvements in trade, &c., so that the plantation business became the most flourishing and valuable branch of the whole British trade. The Company represents that the African trade being secured at their sole expence, they ought to be esteemed the purchasers thereof for a valuable consideration. The Company's property in the lands and coasts of Africa is founded upon these principles, viz., that no subject of Great Britain can gain for himself a property by conquest or occupancy of lands in barbarous countries; that it is the prerogative of the Crown to grant the propriety of lands in barbarous countries to such of its subjects as can conquer or gain possession of them; that this prerogative has been constantly exercised in granting the lands in America, as in Barbadoes, Virginia, Maryland, Carolina, Pennsylvania, and Jamaica, without controversy or contradiction; that the Company as grantees of the lands in Africa, and the planters as grantees of lands in the American plantations, claiming equally under the Crown, both are entitled to the protection of the laws and Government of Great Britain. The Company has been harmed by previous losses in the late wars with the French, and by the interlopers, who have invaded their territories. Parliament in 1697 granted to all British subjects for a term which expired in July 1712, liberty to trade in the Company's territories paying a rent or duty of 10*l.* per cent upon all exports; but this liberty brought the Company to the brink of ruin, for trade can never be beneficially carried on without compelling the natives to deal only with the Company, and not to buy, sell, or deal with French, Dutch, or other rivals, as those nations do when they have power. This parliamentary liberty brought in crowds of separate traders, who, instead of commanding the natives, troubled them, and by that mean behaviour delivered the natives from under the British authority. The Company complain further of these interlopers that the

Company pressed in amongst them, got a footing, and fortified some few places. To encourage them to secure the trade by building castles and forts, it was requisite that the adventurers should be owners of the lands on the coasts of Africa. The Crown granted them several charters, and the Adventurers built three small forts; they were beaten out by the Dutch in the war of 1665. In 1672 the original members of the present Company proposed to buy out the former Company, and to adventure again with a fresh stock; and King Charles II. granted to the Company all the coasts and lands in Africa, between Cape Verd and the Cape of Good Hope, for 1,000 years, to the intent that they might, by fortifications, get the sole trade and secure it from the French, Dutch, and other Europeans. The Company subscribed in all 698,418*l.*, and got possession of the most beneficial "platts" on the African coasts and fortified three, and in 16 years built 14 new forts and enlarged the three old ones. By these fortifications the Company excluded the French, Dutch, and other Europeans. The happy effect of this was, the cheapness of negroes, for they bought negroes cheap in Africa, and sold them cheap in the plantations in America, which cheapness of negroes was the very foundation that caused such an improvement and growth of the sugar plantations by the negroes' labour, improvements in trade, &c., so that the plantation business became the most flourishing and valuable branch of the whole British trade. The Company represents that the African trade being secured at their sole expence, they ought to be esteemed the purchasers thereof for a valuable consideration. The Company's property in the lands and coasts of Africa is founded upon these principles, viz., that no subject of Great Britain can gain for himself a property by conquest or occupancy of lands in barbarous countries; that it is the prerogative of the Crown to grant the propriety of lands in barbarous countries to such of its subjects as can conquer or gain possession of them; that this prerogative has been constantly exercised in granting the lands in America, as in Barbadoes, Virginia, Maryland, Carolina, Pennsylvania, and Jamaica, without controversy or contradiction; that the Company as grantees of the lands in Africa, and the planters as grantees of lands in the American plantations, claiming equally under the Crown, both are entitled to the protection of the laws and Government of Great Britain. The Company has been harmed by previous losses in the late wars with the French, and by the interlopers, who have invaded their territories. Parliament in 1697 granted to all British subjects for a term which expired in July 1712, liberty to trade in the Company's territories paying a rent or duty of 10*l.* per cent upon all exports; but this liberty brought the Company to the brink of ruin, for trade can never be beneficially carried on without compelling the natives to deal only with the Company, and not to buy, sell, or deal with French, Dutch, or other rivals, as those nations do when they have power. This parliamentary liberty brought in crowds of separate traders, who, instead of commanding the natives, troubled them, and by that mean behaviour delivered the natives from under the British authority. The Company complain further of these interlopers that the



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15.] bitter fruit of this open trade and violation of the Company's property is, the raising negroes in Africa to an excessive dearness, even about four times the former price. The gold mines can never be possessed and improved by transitory traders. The South Sea Company are now attempting to send a great number of ships to invade the Company's territories. Ask that the South Sea Company shall be restrained from oppressing the Company. Submit their case to the King and Parliament. Undated, but the accession of [Geo. I.] alluded to. Signed by John Pery, Secretary to the Company.  $\frac{1}{4}$  pages.

60. "Civil list revenues, aggregate fund, and general fund." A paper thus docketted showing the sources of revenue, &c. 2 pages.

61. An account of annual salaries and allowances payable out of the royal revenue of the Island of Minorca. In or after 1714?  $1\frac{1}{2}$  pages.

62. A proposal touching stamp duties, giving a schedule of the same, and the amounts the items were likely to raise. Undated, but perhaps the beginning of the reign of George I. 2 pages.

63. A paper headed "*Customs, Scotland,*" containing various observations as to methods to improve the Customs there. The principal of which are,—Improving trade is the first step to improve the Customs. Importation cannot rise without some method to increase consumption, the want of which is the great defect of Scotland. Nothing can increase the consumption but an increase of people. The revenue is very much impaired by frauds and clandestine trade. Two cruisers might be stationed between the bar of Tynemouth and the firth of Edinburgh. They had these before the Union, and there have been great losses for want of them. The officers on shore are not sufficient, and spies should be employed. The justices of the peace are deficient in their duty, or have not sufficient influence over the people to awe them from running goods. The people have an aversion to the officers as if they were thieves, and upon all occasions "assist against them," as was very remarkable at Preston Pans, where the rabble took away a seizure from the officer by force. The officers who are placed where there are inhabitants, and who are vassals to the laird, connive at frauds, and dare not act against him or his dependants. There is an uncommon confederacy between officers and traders in the giving of certificates of payment of duties, &c. If the ministers could be persuaded to discourage the people from stealing customs, as was done by the Kirk session (a meeting

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8. Same to the Customs Commissioners in Scotland to appoint Sir Henry Rollo as Collector of the Salt Duties at Borrowstounness at the established salary of 30*l.* per an. *Ido* John Crawford, whom the said Rollo has succeeded as Collector of Customs there. *Out Letters (North Britain) IV*, p. 362.

9. Treasury allowance of the salary bill, detailed, of the Stamp Office for 1718 Michaelmas quarter: total 2,115*l.* *Money Book XXVII*, pp. 29-31.

Same of the salary bill, detailed, of the Office for the Apprentices Duties: for said quarter: total 60*l.* *Ibid.*, p. 31.

Money warrant for 321*l.* to Jonathan Forward of London, merchant: without account: in pursuance of certain articles of agreement dated Aug. 8 last between the Treasury Lords on behalf of the King of the one part and the said Jonathan Forward of the other part for the allowance of 3*l.* per head for and upon 107 malefactors who, being under sentence of transportation and then lying in Newgate and the Marshalsea, were received by order of the said Jonathan Forward on board the ship *Eagle* galley, Robert Staples master, to be transported to Maryland and Virginia, as by the certificate as follows, in consideration of which allowance the said Jonathan Forward agreed at his own cost and charges to transport the said malefactors to some of his Majesty's Plantations in America and hath given security accordingly. (Money order dated 13 Oct. hereon.) (Letter of direction dated 10 Oct. hereon.)

Appending: certificate dated 28 Aug. 1718 by Robert Staples of his having received on board the *Eagle* galley bound to Maryland and Virginia 107 persons whose names are as followeth "which I shall transport to Maryland or Virginia, the danger of the seas and death excepted": viz.

Thomas Milkop	Mary Wade	Benjamin Tyoe
Mary White alias	Thomas Booth	Mary Hooper
Cass	Frances Jacobs	William Giles
John Marshall	Hugh Alford	Edward Stanlamb
James Follard	Robert Berryman	John Wood
Richard Danzie	William Bullock	James Hayes
Geo. Harris	Susan Chapman	Peter Atguy
William Paxton	William Cutler	Charles Furdue
Thomas Stoughton	Christopher Matthews	Eliz. Stoney alias
Richard Washington	John Williams	Wright
Thomas Smith	Benjamin Brand	Sarah Coades
William Price	James Dillon	Thomas Basset
Thomas Lucas	Sarah Ward	Josue Wood
Joseph Smith	Eliz. Sanders	Deborah Stent
Henry Johnson	Grace Parker	John Mills
Jos. Spear	Mary Wright	Mary Wilson
William Burridge	Thomas Needham	Elisomer Wade
Anne West	Margaret Boyle	Samuel White
Abigail Newstead	Benjamin Smith	John Danford
Eliz(beth) Jones	Robert Roberts	Richard Biske
Margaret Price alias	Anne Harrup	John Ellis
Puissell	John Clark alias Hall	John Ellis
Mary Hunt alias Spy	Richard Wood	John Pierpoint

## TREASURY WARRANTS, Etc.

1718  
p. 8.

Treasury warrant to the Attorney General to enter a *noli prosequi* as to the King's part of the seizure of the ship *Evelis*, lately arrived from Jamaica and owned by John Caswall of London, merchant.

*Profiting*: report dated 1718 Sept. 10 from the Customs Commissioners on said Caswall's petition. The ship was fitted out for ministers on said Caswall's petition. The ship was fitted out for the South Sea Company to go to Guinea, where she took in negroes for Jamaica: the Captain paid his crew at Jamaica upon receipt for Jamaica: the crew went on shore and left the vessel, by which of which several of them went on shore and left the vessel, by which the crew was reduced to nine hands, which were so many as were necessary to navigate the ship: but at the Governor's request, in company to some Dutch women who had been taken by pirates, the master took in six of them, there being 90 in all who had no opportunity of getting home but by way of England: the master made an agreement with them for wages as sailors not promised in any manner of gratification except to two of them: on arrival in the river of Thames she was seized by Mr. Scott, Surveyor of the Navigation Act, together with her cargo as being sailed by six foreigners, and but nine English. The affidavits favour the petitioner's case, and Mr. Scott affirms he has plain and positive proof sufficient to forbid the ship and desires to be left at liberty to try the case at his own charge. "We are of opinion he should be permitted to do so, he having a right thereto by law." *Out Letters (Customs) XVII.* pp. 118-19.

Same to same to pass, Duty free, 10,000 arms lately imported from Ireland pursuant to royal warrant which are landed and received into the Ordnance Stores here: "pursuant to the opinion of Sir Edward Northey, his Majesty's late Attorney General, given upon the importing these arms which were formerly brought from Holland, that the same or any other arms or ammunition which should be brought from abroad for his Majesty's service might be imported Duty free." *Ibid.*, p. 118.

Treasury reference to Mr. Secretary Craggs of the petition of Henry Maister (a subject of Great Britain), a merchant residing in Sweden, shewing that to avoid the great exactions of the King of Sweden he as well as other merchants had determined to remove their estates from Sweden and that in order thereto he had put on board the ship *Bachel* 20 tons of iron, not knowing that it was prohibited by Proclamation: therefore praying that said iron may be restored. *Reference Book IX.* p. 407.

Treasury warrant to the Stamps Commissioners to stay process against Robert Payne on condition that within 14 days he give better security to assure the payment of his debt at the end of six months.

*Profiting*: report from said Commissioners on said Payne's petition. By Treasury warrant of 26 June 1716 he was appointed Distributor of Stamps for on Berks, and executed that office till Jan. 9 last, when he was indebted 1,149*l.* 5*s.* 4*d.* on the Stamp Duties and so extent was ordered against him. After deduction of returned and recovered stamped paper he owes 627*l.* 11*s.* 5*d.* The head Distributors are responsible for the stamped goods disposed of by their sub-distributors, but we cannot say how far his debt was due to the insolvency of his under-distributors. *Warrants and Relations to Money XII.* pp. 126-7.

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Oct.

Oct.

Same to the Customs Commissioners in Scotland to appoint Sir Henry Rollo as Collector of the Salt Duties at Borrowstounness at the established salary of 30*l.* per an. *See* John Crawford, whom the said Rollo has succeeded as Collector of Customs there. *Out Letters (North Britain) IV*, p. 362.

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*Appendix: certificate dated 28 Aug. 1718 by Robert Staples of his having received on board the Eagle galley bound to Maryland and Virginia 167 persons whose names are as followeth "which I shall transport to Maryland or Virginia, the danger of the seas and death excepted": viz.*

Thomas Milkop	Mary Wade	Benja(min) Tyeor
Mary White <i>alias</i>	Thomas Booth	Mary Hooper
Cass	Frances Jacobs	William Giles
John Marshall	Hugh Alford	Edward Stanlamb
James Follard	Robert Berryman	John Wood
Richard Dannie	William Bullock	James Hayes
Geo. Harris	Susan Chapman	Peter Attey
William Paxton	William Cutler	Charles Purdie
Thomas Stoughton	Christopher Matthews	Eliz. Storey <i>alias</i>
Richard Washington	John Williams	Wright
Thomas Smith	Benjamin Brand	Sarah Cooley
William Price	James Inlton	Thomas Hower
Thomas Lucas	Sarah Ward	Jane Wood
Joseph Smith	Eliz. Sanders	Deborah Stent
Henry Johnson	Grace Parker	John Mills
Joe Spear	Mary Wright	Mary Wilson
William Burridge	Thomas Needham	Eleanor Wade
Anne West	Margaret Boyle	Samuel Whittle
Abigail Newstead	Benja(min) Smith	John Dandford
Eliza(beth) Jones	Robert Roberts	Richard Blake
Margaret Price <i>alias</i>	Anne Harrap	John Ellis
Powell	John Clark <i>alias</i> Hall	John Ellis
Mary Hunt <i>alias</i> Pye	Richard Wood	John Pierpont

Thomas Tree	Sarah Morgan	Anne Smith
William Wallington	William North	Thomas Warman
John Long	John Blunt	Robert Griffith
Mary Varran	John Mess <i>alias</i> Mason	Richard Hutchins
Cath. Lackey	William Aldridge	William Pearce
Mary Jones	James Fox	Gerard Poole
John White	James Hartley	John Shippy
Mary Willoughby	Mary Scott <i>alias</i> Husk	William Ward
John Rochford	Mary Adsey	Thomas Bodden
Hugh Oakly	Anne Thomas	John Masters
Robert Barnett	Margaret Cox	Elizabeth Mosdy
Anne Smith	Thomas Harris	Eliz. Lacerel
Richard Capstick	Cath[erine] Roffe	Mary Cooper
John Ryley	Bridget Noland	

*Money Book XXVII*, pp. 36-7. *Order Book X*, p. 182. *Disposition Book XXIV*, p. 172.

Oct. 9. William Lowndes to Secretary Craggs enclosing a Representation [missing] from the Customs Commissioners relating to a riot committed at Lynn Regis wherein the Customs officers were beaten and abused and the goods they had seized rescued from them. My Lords desire you to lay same before the King in Council for his pleasure thereupon. *Out Letters (General)* XXXI, p. 356.

Same to the Navy Commissioners to prepare and lay before my Lords a certificate of what naval stores, provisions or other things were supplied to the States of Holland or their subjects during the late wars or since, for which no satisfaction or repayment hath been made. *Ibid.*

Same to the Earl of Halifax (Auditor of the Receipt) to inform my Lords what house or houses in or near the Exchequer lately made use of for an Office by the Comptroller or Paymaster of any of the Lotteries are now empty. *Ibid.*

Same to the Comptrollers of Army Accounts enclosing two lists [missing] signed by the Deputy Governor of Gibraltar of the number of persons victualled in that Garrison between 21 April 1718 and 15 June following and a certificate signed by some of the quantity of provisions laid into his Majesty's store houses there by the contractor 29 June 1718. Please report to my Lords what is due to the contractor on the said lists and certificate. *Ibid.*

Same to Mr. Poppel to lay before the Commissioners for Trade and Plantations the enclosed copy [missing] of a letter from Mr. Bridger, the Surveyor of Woods in North America, by which it appears that the woods are in danger of being destroyed, and also his Majesty's title is brought into question with relation to some woods discovered by the said Bridger. My Lords desire the said Commissioners to inform them as to the said woods and his Majesty's right thereto with their opinion thereon. *Ibid.*, p. 357.

Same to the Customs Commissioners. My Lords desire you to permit Charles Doleyn to attend at the water-side at uplying