



# Carlyle House Docent Dispatch

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Northern Virginia Regional Park Authority

## Convict Servants: A Necessary Danger

*Alexandria, September 7, 1767. RUN AWAY from subscriber's schooner flat, lying at Nomony, on Sunday the 23d of August last, a convict servant named Dennis Shields. About 16 years of age, about 4 feet 3 or 4 inches high, by trade a chimney sweeper, but has been at sea to the East Indies, and pretends to be a seaman; he is an Irishman, is much addicted to lying, and loves drink...John Carlyle*

Who was Dennis Shields? How did he end up in Alexandria? Why was he running away? Convict servant runaway ads, like the one placed by John Carlyle, raise a number of questions about the lives of the individuals listed. By looking at what historians know about convicts in the eighteenth century, we can begin to piece together a part of Dennis's story.

Convict servants have been a part of our nation's history from the beginning. From the earliest days of the settlement of Virginia by the English, labor shortages have always been a problem. In order for planters to secure any profit from growing crops like tobacco, it was necessary to find cheap labor. Slaves and indentured servants were relatively expensive, but convict labor was a cost effective alternative for even the smallest planter. Increased reliance on convict labor was even further facilitated by the British policy enacted in 1717. This edict formalized the process of transportation of English

criminals to America to serve for terms of seven or fourteen years depending on the seriousness of the crime. Subsequent to the passage of the Transportation Act, more than thirty thousand convicts were sent to America and the Caribbean. Most of the convicts transported to America ended up in Virginia and Maryland. According to historian Roger Ekirch, "within Virginia, convicts tended to be concentrated in a circumscribed area, namely the northern half of the colony above the York River. The Northern Neck, the broad peninsula between the Rappahannock and Potomac Rivers with its thriving tobacco and grain economy, received the greatest quantity."



Transportation of convicts was a big business in England. English merchants, such as Jonathan Forward, were paid five pounds per convict by the English government for their transportation to America. Planters additionally paid the merchant for the purchase of a convict servant. This trade became a lucrative practice for many merchants. Jonathan Forward, for example, held a contract with the British government that provided him an income of over a thousand pounds a year.

The imposing threat of escalating numbers of

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### Carlyle House

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## Convict Servants: A Necessary Danger (con't)



transported convicts to Virginia and Maryland after 1718 was of great concern to many colonists. Colonists feared these outcasts from British society because they thought the convicts would continue their lives of crime in America. In addition, both Virginians and Marylanders feared the spread of disease, specifically gaol fever and other maladies brought from aboard ships. William Byrd II wrote to an English acquaintance, "I wish you would be so kind as to hang all your felons at home." Benjamin Franklin suggested that rattlesnakes be transported to England in return. There were unique advantages in using convict labor. First, convict servants were a great deal cheaper than slaves. Also, planters did not have to pay the freedom dues that were owed indentured servants at the end of their service. In spite of the growing fears of the effects convicts would have on safety and morality, planters continued to purchase them. In fact, if there had not been a ready market for convict servants, English merchants would not have been able to make so much money selling them.

Regardless of the fears that convict servants would continue their criminal behavior in the colonies, studies have shown that there were very few cases of

convict servants who were tried again for crimes. In fact, according to Ekirch, the large majority of criminal acts were committed by other "more respectable" segments of the colonial society, even in areas where convict concentrations were heaviest. A visitor to Virginia in 1702 observed, "Much evil is absent here, because there is no opportunity for it." Ekirch observes, "counties and towns in the Chesapeake were less populated and much smaller than those in Britain, so that courts and other agencies of law enforcement were able to operate with greater effectiveness. Partly because of the intensity of local surveillance, convicts and other servants were more likely to commit thefts as fugitives on the run, rather than as workers employed on a plantation." Small communities in a rural setting afforded fewer opportunities for crime than bustling cities like London.

Even though harsh punishments awaited them after capture, newspaper ads from the time are full of ads for runaway convict servants. In Maryland, runaway servants had to give back ten days of service for every one day they were absent. In Virginia, twice the time was required plus extra service to help compensate masters for the costs of their recapture. Unlike slaves, who absconded to nearby towns and plantations to visit loved ones, convict servants often fled plantations in an attempt to make it

back to England. Traveling by foot was the most common means of escape, but sometimes, as in the case of John Carlyle's convict servant John Jardine, convicts stole horses. Carlyle's ad in 1772 reports "he took with him a bay pacing Mare Thirteen Hands high, branded on the near Shoulder and Buttock C, and has a colt." Most convict servants were trying to get onboard a ship traveling back to England. Newspaper ads alerted readers that convicts would attempt to board ships and shipmasters were warned not to permit convicts on board. British officials were determined to punish offenders harshly in an attempt to deter convicts from re-crossing the Atlantic. But some convicts managed to get a passage home despite the penalty of death if they were discovered.

A remarkable number of convicts managed to return to England despite the imposing odds. In fact, Bernard Mandeville noted in 1725, "Great numbers have come back before half their time was expired." Hard work, harsh living conditions, social ostracism, and unfamiliar surroundings drove many convict servants to risk getting caught in order to return home. Some convicts successfully returned home and were never recaptured. Many of them moved to different towns and because law

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enforcement information was not shared between various magistrates, there was very little chance that these convicts would be recognized.

Convict servants are a frequently overlooked part of the early American story despite the fact they played an important role. Falling on the social ladder somewhere between a slave and an indentured servant, convict servants filled an important gap in the need for labor in Virginia and Maryland. After learning a little about the plight of convict servants, it makes you wonder about the lives of Dennis Shields and John Jardine and how they fit into the Carlyle story.

**Sources Consulted:**

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- *Colonists in Bondage*, Abbot Emerson Smith.
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