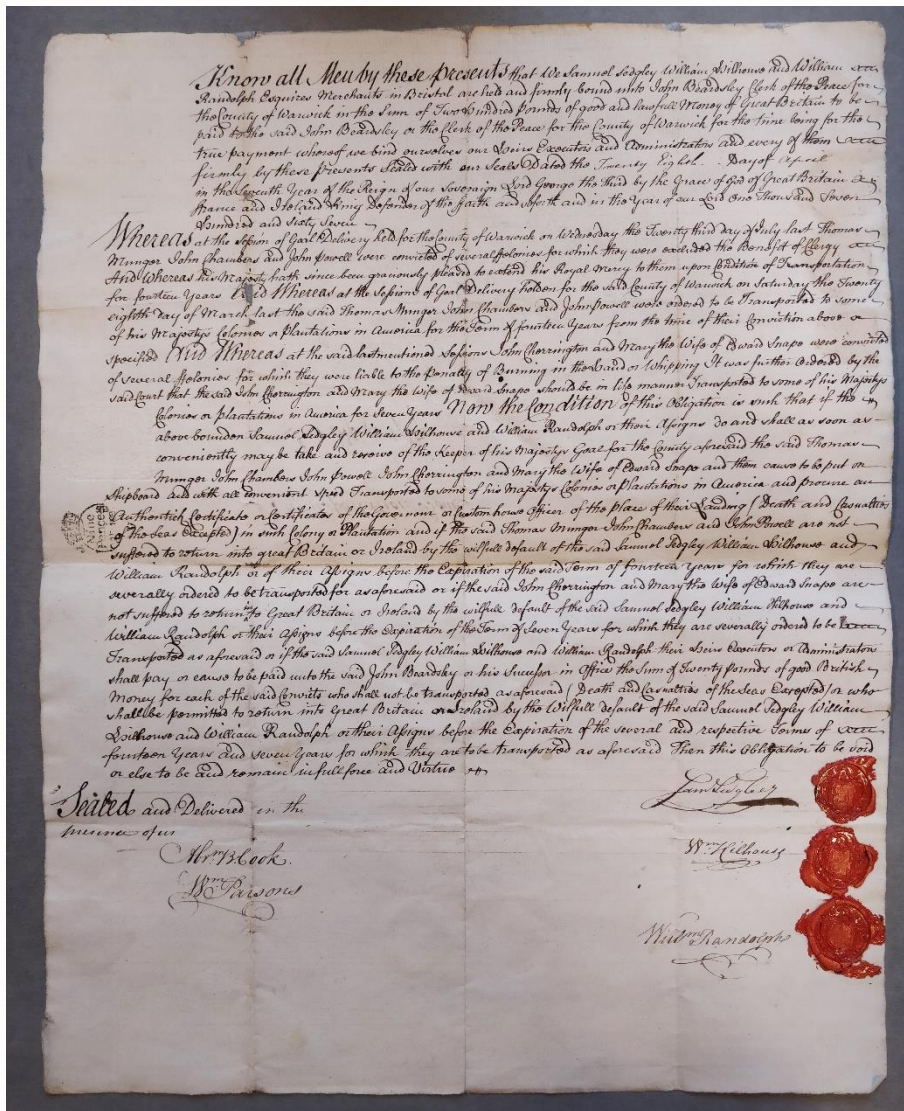


A bond for transportation to the American colonies

QS0035A/9

The Document of the Month for May is a transportation bond made on 8th April 1767 between John Beardsley, clerk of the peace for Warwickshire, and the Bristol merchants Samuel Sedgley, William Hillhouse and William Randolph. Via the bond, the merchants agree to transport the convicts Thomas Munger, John Chambers, John Powell, John Cherrington and Mary Snape to 'some of his majesty's colonies or plantations in America'. This bond highlights the growing trade around penal transportation, with Sedgley, Hillhouse and Randolph due to receive £500 for this contract alone.



Warwickshire County Record Office, QS35A/9

Though it began in the seventeenth century, transportation of convicts was formalised by an Act of Parliament in 1718 which permitted courts to send felons to America. The law was updated again in 1720 to enable the government to engage merchants in paid contracts to transport criminals. Transportation constituted a significant innovation in penal practice: it presented an alternative to the death penalty which was still thought to act as powerful deterrent to crime, while also providing valuable labourers for Britain’s colonial territories.ⁱ

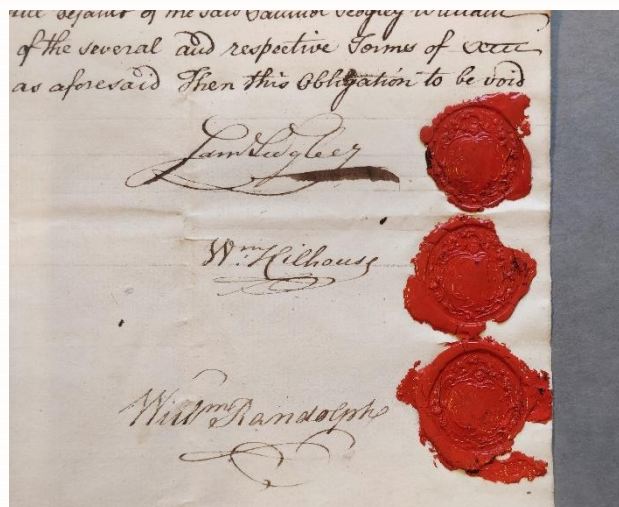
Sentencing at the assizes

The transportation bond only states the sentences of the criminals, who were charged at the county assizes. However, in the absence of court records, reports of their offences can be found in local newspapers of the time. The four convicts sentenced to 14 years were all charged for theft at the Warwickshire assizes of summer 1766, with their crimes stated as follows: ‘John Chambers, alias Bate, for stealing a Black Mare from Mr. Archer; Thomas Munger, for stealing a sheep, from Mr. Applebee; and Thomas Powell, for stealing a Pair of Silver Tea Tongs and Gold Watch, were capitally convicted.’ⁱⁱ

John Cherrington was jailed at Warwick in November 1766 ‘for breaking open a Bureau of Mr Lee, Attorney, of this Town, and taking away Twenty-five Pounds or upwards’.ⁱⁱⁱ All five criminals were given their sentences at the county assizes the following April, with Mary Snape, the final convict, being condemned for ‘stealing Wearing Apparel’.^{iv}

Warwickshire felons in North America

Although these Warwickshire felons are difficult to trace post-transportation, the names of the merchants on the transportation bond give us an idea of their fate. Sedgley, Hillhouse and Randolph were a firm of merchants based in Bristol, trading primarily in the sale of convicts to Maryland; the company transported almost all criminals departing from the west of England in the 1750s and early 1760s, before its bankruptcy later in the decade.^v



Warwickshire County Record Office, QS35A/9. The signatures of Samuel Sedgley, William Hillhouse and William Randolph.

Based on records of ships carrying convicts, it is likely that the five offenders named in the bond travelled on a ship called *Randolph* from Bristol to Maryland, which departed in April 1767.^{vi} There is little information about this journey, however a voyage of the same vessel the following September is alluded to in an advert in the Maryland Gazette. Once the ship docked in Annapolis, Smyth & Sudler, merchants in the convict trade, advertised the sale of 'ONE HUNDRED and FIFTEEN CONVICTS' stated to be 'JUST IMPORTED from BRISTOL, in the Ship RANDOLPH'.^{vii} The convicts from Warwickshire would likely have been subjected to a similar sale.

The colonies of Maryland, Virginia and South Carolina came to be known as the tobacco colonies over the seventeenth century, due to the highly profitable trade developed around the crop. Colonial industry was supported by indentured workers and enslaved Africans, of which there were hundreds of thousands by the 1770s, so the arrival of transported criminals constituted only a small injection into the labour force.^{viii} Besides agricultural labour, some transported criminals may have been employed in their existing trades, providing skilled work for the colonies.^{ix}

Records of criminal transportation

With the onset of the American Revolutionary War, transportation to America was halted, and Britain sought a new destination: Australia.^x Through court records and contemporary newspapers, evidence of criminals transported to North America and Australia can be identified. A guide to records of Australian transportation held at Warwickshire County Record Office can be found on our website,^{xi} while The National Archives has its own research guide for criminal transportation records, some of which can be accessed via Findmypast.^{xii}

ⁱ *The Proceedings of the Old Bailey*, 'Punishment Sentences at the Old Bailey'. Available at: <https://www.oldbaileyonline.org/about/punishment#transportation> [accessed 22/03/2024].

ⁱⁱ *British Newspaper Archive*, 'Aris's Birmingham Gazette', Monday 28 July 1766, page 3. Available at: <https://www.britishnewspaperarchive.co.uk/viewer/BL/0000196/17660728/004/0003?browse=False>

ⁱⁱⁱ *British Newspaper Archive*, 'Aris's Birmingham Gazette', Monday 3 November 1766, page 3.

Available at: <https://www.britishnewspaperarchive.co.uk/viewer/BL/0000196/17661103/015/0003?browse=False> [accessed 22/03/2024].

^{iv} *British Newspaper Archive*, 'Aris's Birmingham Gazette', Monday 6 April 1767, page 3. Available at: <https://www.britishnewspaperarchive.co.uk/viewer/BL/0000196/17670406/027/0003?browse=False> [accessed 22/03/2024].

^v 'The Organization of the Convict Trade to Maryland: Stevenson, Randolph and Cheston, 1768-1775', *The William and Mary Quarterly*, 42 (2), pp. 201-227, by Kenneth Morgan (1985). Available at: <https://www.jstor.org/stable/1920428> [accessed 22/03/2024].

^{vi} Peter Wilson Coldham (2002). *More Emigrants in Bondage, 1614-1775*. Baltimore: Genealogical Publishing Company. P. 214.

^{vii} *Maryland Gazette* (MSA SC 2731), January 30, 1766 - December 26, 1771, Microfilm MSA M1281, Image No. 692. A Publication of the Archives of Maryland Online. Available at: <https://www.msa.maryland.gov/megafile/msa/speccol/sc4800/sc4872/001281/html/m1281-0692.html> [accessed 22/03/2024].

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- viii *Encyclopedia Virginia*, 'Tobacco in Colonial Virginia'. Available at:
<https://encyclopediavirginia.org/entries/tobacco-in-colonial-virginia/> [accessed 22/03/2024].
- ix *Encyclopedia Virginia*, *Convict Labor during the Colonial Period*. Available at:
<https://encyclopediavirginia.org/entries/convict-labor-during-the-colonial-period/> [accessed 22/03/2024].
- x *The Proceedings of the Old Bailey*, 'Punishment Sentences at the Old Bailey'. Available at:
<https://www.oldbaileyonline.org/about/punishment#transportation> [accessed 22/03/2024].
- xi *Heritage and Culture Warwickshire*, 'Transportation records'. Available at:
<https://heritage.warwickshire.gov.uk/talks-research-guides/transportation-records/1> [accessed 22/03/2024].
- xii *The National Archives*, 'Criminal transportation'. Available at:
<https://www.nationalarchives.gov.uk/help-with-your-research/research-guides/criminal-transportation/> [accessed 22/03/2024].