

Abstract

Title of Thesis: "FREEDOM WEARS A CAP": THE LAW, LIBERTY, AND OPPORTUNITY FOR BRITISH CONVICTS IN VIRGINIA, 1718-1788.

A thesis submitted in partial fulfillment of the requirements for the Master of Art in History at Virginia Commonwealth University.

Virginia Commonwealth University
May, 2010

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Great Britain's passage of the Transportation Act of 1718 was intended to relieve Great Britain of an unwanted criminal element while at the same time providing much needed labor for her North American colonies. This thesis argues that the legislative body of Virginia initially responded by passing legislation intended to limit the dangers presented by the introduction of convict servants into the colony. However, the significant demand for labor in Virginia resulted in the colony receiving a substantial share of those convicts transported to North America. Contemporaries argued that the importation of convict servants led to an increase in crime. This study employs the court records of eighteen counties in Colonial Virginia. The author contends that the evidence reveals that theft was the most common criminal activity of convict servants in Virginia. However, despite claims to the contrary, convict servants did not commit crimes in excess of their percentage of the tithable population. Moreover, over the course of the eighteenth-century justices county justices increasingly relied on providing lighter sentences than

that prescribed by the law. This enabled planters to punish the criminal while maintaining control over their labor. The last chapter moves away from the legal system of Virginia and examines the opportunities the American Revolution provided to convict servants.