

**Edward Bosman, Thief and Indentured Servant:
An Analysis of His Actions in 18th Century England
Prepared by Dr. John V. Richardson Jr., PhD**



Figure 1. Courtesy V&A Museum

Perhaps one-half to two-thirds of all emigrants came to America as indentured servants.¹ This fact is highly relevant to Bosman and Richardson family members in Maryland and Ohio. One of the children of our Bosman progenitor intermarried with a Richardson family once he was in America; specifically, Kerenhappuck Bosman married Vincent Richardson in Maryland in 1801. However, for any of this to have happened, he first had to come to America. The following is an analysis of the 1741 events leading up to his transportation rather than execution. This analysis may prove useful to others interested in understanding their ancestors and how they happened to arrive in one of the American colonies.

The Owner, Joseph Barnard:

A Joseph Barnard appears in the Old Bailey (that's London's Central Criminal Court) records a couple of time before 1741; first in 1720 as the owner of a coach whose seats had been stolen² and again in 1728 as a victim when one of his servants stole

¹ For more background, see Anthony Vaver's *Bound with an Iron Chain: The Untold Story of How the British Transported 50,000 Convicts to Colonial America* (Westborough, MA: Pickpocket Publishing, 2011).

² See <https://www.oldbaileyonline.org/browse.jsp?id=t17201012-15-victim122&div=t17201012-15#highlight> (accessed 30 March 2019).

several items, which belonged to him and his relatives, from his dwelling-house.³ Later, this name appears again in 1758 living in Kensington⁴ and 1763 where he plead guilty to the theft of satin and was transported.⁵ His occupation is unclear but appears he is wealthy enough to own his own dwelling, a coach to hire out, and many fine articles of silver etc.; and, finally he seems involved in a business of some type.

The Article, a Shirt:

In the 18th century, a shirt (in this case a “dowlas shirt”) was a hand-made⁶ item of cotton cloth⁷ or coarse linen and worn as underwear.⁸ See image above. It is difficult to determine its real value versus its appraisal value—but, the court valued the item at five shillings. The figure is significant because it will determine the outcome at trial. Nonetheless, as an article of clothing it was uncommonly shoplifted.⁹

³ See <https://www.oldbaileyonline.org/images.jsp?doc=172806050006> (accessed 30 March 2019).

⁴ See <https://www.oldbaileyonline.org/images.jsp?doc=175805100019> (accessed 30 March 2019).

⁵ See <https://www.oldbaileyonline.org/images.jsp?doc=175805100019> (accessed 30 March 2019).

⁶ By way of further background, note that in the United States, the first practical sewing machine for home use wasn't invented until 1846 by Elias Howe (patent number 4750), and much improved upon in 1850 by Isaac M. Singer (no. 8294, patented in 1851). Before then clothes were either hand made at home or made elsewhere by a tailor or dressmaker. Spinning cotton and/or wool from sheep which produced between 1-3 pounds (even the latter is still not enough for a man's suit--3 1/2 pounds would do it).

⁷ According to the *Encyclopedia Britannica* (1911), dowlas is “the name given to a plain cloth, similar to sheeting, but usually coarser. It is made in several qualities, from line warp and weft to two warp and weft, and is used chiefly for aprons, pocketing, soldiers' gaiters, linings and overalls. The finer makes are sometimes made into shirts for workmen.”

⁸ According to the [V&A](#), “The shirt was an item of underwear in the 18th century. It served a hygienic function in an age when daily bathing was not a common practice. Shirts were purchased in the dozens if the owner could afford them, so that a clean one could be worn every day. They were usually made of linen, a washable and durable fabric, in a simple construction. A shirt pattern was a series of squares (for gussets) and rectangles (sleeves, collar, cuffs, etc.) which ensured that no scraps were left over after the pieces had been cut from a length of linen. The hand stitching on 18th-century shirts is extremely fine, in order to prevent the seams from fraying during the harsh hand-laundry process. In this example, fine pleats have been ironed into the sleeves, to accommodate the tightly fitting sleeves of the coat worn over the shirt.”

⁹ See Shelley Tickell, *Shoplifting in the 18th Century England* (Boydell Press, 2018), p. 101.

The Accusers:

Although Joseph Barnard owned the shirt, the evidence of an actual theft seems to be based on two oaths in court given by a Jane Leger and a John Philips.¹⁰

The Thief:

At the time of the theft, Edward is about 14, meaning he would have been born about 1727.¹¹ However, no birth or baptismal records have been located as of yet.

Yet, we can consider Edward's lack of family¹² resources and moral guidance: first, his mother dies; then, at age 7, his father dies (29 January 1734 in Saint Martin-in-the-Fields); but not before, his father marries Hannah Lyddeard in Sep 1733 in Saint Anne's Church and then, when he is about 9, his new step-mother dies in the Poor House of Saint Martin-in-the-Fields in 1736.¹³ So, did he take the shirt because he needed one to wear or was he going to resell it?

The Crime:

¹⁰ Supposedly in the London Metropolitan Archive, MJ/SR/2753; Middlesex Sessions Rolls 14 George II No 2753. *****NEED TO LOCATE*****

¹¹ There is an interesting November 1721 baptismal record for an Edward Basemen, son of Thomas and his wife Mary in Saint Bride Fleet Street in London; however, if this is correct then he would be much longer than the court records.

¹² Dianne E. Payne, "Children of the Poor in London, 1700-1780," PhD Dissertation, University of Hertfordshire, February 2008, page 222 wherein she argues that boys were much more likely to be put to death than girls and girls were twice as likely to be acquitted; either gender stood an equal chance of being transported. See table 5.1.

¹³ See Chapter 6, "Children and the Metropolitan Workhouse," In Alysa Levene, *The Childhood of the Poor: Welfare in Eighteenth Century London* (New York: Palgrave Macmillan, 2012).

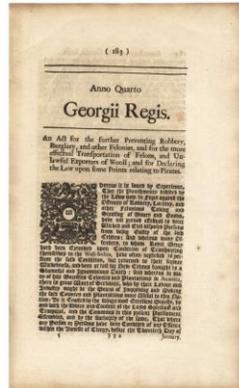


Figure 2. Transportation Act of 1718

Popularly known as the Transportation Act of 1718 its formal title is "An Act ([4 Geo. I, Cap. XI](#)) For the Further Preventing Robbery, Burglary and Other Felonies, and For the More Effectual Transportations of Felons, and Unlawful Exporters of Wool; and For the Declaring the Law upon Some Points Relating to Pirates."¹⁴ This Transportation Act of 1718 is the determining piece of legislation because transportation was the "direct sentence, thus simplifying and hastening the process of criminal sentencing."¹⁵ And, the age of the criminal is relevant as well; note that fifteen-year old males at large in London could engage their own indentured servitude abroad, so fourteen was not considered the age of majority then.

In any event, Edward was charged on 19 February 1741 in Old Bailey with theft,¹⁶ and not shoplifting nor fencing (which would be 14 years).

Theft is either grand larceny (for items worth more than one shilling) versus petit larcenies (less than one shilling).¹⁷ The magistrate, Sir Edward Hill,¹⁸ found him guilty and fined him 10 d. [i.e., 10 pennies, or, of the less crime of petit larceny; and, hence punishment rather than death. According to D. E. Payne (2008), boys were much more

¹⁴ "Approximately 50,000 were transported during the 18th century. Under the 'Bloody Code'...courts were looking for a punishment which was not as extreme as hanging, but tougher than a fine. In the absence of proper prisons [among other reasons], transportation seemed the answer and was used for over a hundred years," according to "[Crime and Punishment](#)."

¹⁵ J. M. Beattie, *Crime and the Courts in England, 1660-1800* (Oxford University Press, 1986), p. 503-504.

¹⁶ See <https://www.oldbaileyonline.org/images.jsp?doc=174102250005> (accessed 30 March 2019).

¹⁷ See <http://www.duhaime.org/LawMuseum/LawArticle-1116/The-Transportation-Statute-1717.aspx> (accessed 1 April 2019).

¹⁸ A regular magistrate at the Middlesex Sessions between 1738 and 1741.

likely to be put to death than girls and girls were twice as likely to be acquitted; either gender stood an equal chance of being transported; see table 5.1 on page 222.

The Judgement:



Figure 3. Courtesy of [Hyde Park Barracks Museum](#)

The court found Edward guilty.¹⁹ The fine was 10 d.²⁰ The court records do not have anything related to his young age, being the basis of mercy; so, he may have been tried as an adult, being older than 14. On 25 February 1741, the court further ordered transportation.²¹ Subsequently, summary transportation was provided on either of two ships, the Mediterranean [Capt. George Harriot] or the Speedwell [Capt. William Camplin].²² His departure date was sometime in April 1741. His arrival date and location are unknown, but it is likely that his seven-year service was in Maryland²³ since he appears there twenty years later in the records.

¹⁹ See <https://www.oldbaileyonline.org/images.jsp?doc=174102250005> (accessed 1 April 2019).

²⁰ That is, 10 pennies, or, of petit larceny only and hence a reduced punishment rather than death under common law.

²¹ See <https://www.oldbaileyonline.org/images.jsp?doc=174102250022> (accessed 30 March 2019).

²² Bosman appears to have come with 56 others including Samuel Cornish and John Headlow.

²³ A planter would have boarded his ship and purchased his labor for seven years, according to Nathan Murphy's NGS 2014 presentation.

Acknowledgements

The author appreciates....

Created: 29 March 2019; **revised:** 1 April 2019