

John Kidney's "Rude and Vile Conduct"  
by Ross W. Beales, Jr.

In late 1738, Ebenezer Parkman's brother Samuel of Boston bargained with Captain Solomon Lombard for the indenture of fifteen-year-old John Kidney, a native of Ireland. Parkman purchased the indenture from his brother, and Kidney agreed to be bound to service for Parkman (Dec. 5, 7, 1738). Kidney was the first, and only, indentured servant whom Parkman employed, and their brief but difficult relationship reveals some of the problems that masters faced in bringing strangers into their homes. On a larger scale, the case of John Kidney was but one, albeit extreme, case in which the values of the community were put to test and in which, at some fundamental level of justice, they were found wanting.

Parkman's sons Ebenezer and Thomas, aged eleven and nine, were able to do some work, but Parkman needed a stronger worker. Ten years earlier, he had purchased an enslaved man, Maro, from his father for £74 (Aug. 8, 1728), but Maro died after only sixteen months in Parkman's household (Dec. 6, 1729). Parkman thus lost not only his worker but also a substantial investment. The purchase of a servant's indenture must have appeared less risky, but clearly Parkman did not bargain for the other risks that would be involved. Why did he not simply hire local workers for the season? Free labor was not necessarily available at a price that Parkman could afford. Alternative pursuits and more attractive employers may have been available. After all, not all young men would necessarily choose a minister as their master, especially if there was work that paid as well and provided more freedom. Then, too, the simple demographics of a community might make free labor scarce.

The indenture that bound John Kidney to Ebenezer Parkman has not survived, but the terms were undoubtedly similar to those found in other indentures. His original indenture for passage to America probably bound him to Captain Lombard or his assigns for a specified number of years, with Lombard or his assigns to employ him "according to the Custom of the Country." For his part, Lombard would have contracted to pay for Kidney's passage and "to find and allow Meat Drink apparrell and Lodging with other Necessarys during the Said Term." At the end of the term, Kidney would receive "the usuall allowance according to the Custom of the Country." The key word here is "assigns," for a ship's captain contracted with servants as a business transaction, hoping to cover the costs of transportation and food and make a profit by selling the indenture.<sup>1</sup>

During John Kidney's first six months with the Parkmans, his work must have been unexceptionable, for Parkman made only a few references to his work and none to his conduct or demeanor. From mid-winter to late spring, Kidney worked alone or with others at a wide range of tasks. He thrashed barley (Jan. 10, 1739); went on errands (Feb. 3); cleared land (Mar. 3); sledged wood (Mar. 8); helped carry a log to the saw mill (Mar. 10); drove a team loaded with hay (Apr. 18); hauled sand (Apr. 19); carted manure (Apr. 19, 25); plowed the fields for planting (May 3); and sheared sheep (May 17). Thus, Parkman's investment appeared to be working out satisfactorily.

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<sup>1</sup>Lawrence William Towner, *A Good Master Well Served: A Social History of Servitude in Massachusetts, 1620-1750* (Ph.D. dissertation, Northwestern University, 1955), 67-68, citing an indenture between Ebenezer Kingsby and William Gibb, Feb. 7, 1717, mss. Public Notary Books of Stephen Sewall and Mitchell Sewall, I, 141.

All of this changed dramatically on a Thursday in late May. On Monday, May 28, Parkman went to Boston to attend the annual convention of ministers. The trip lasted six days, and while he was away,<sup>2</sup> his wife Hannah went to Marlborough to visit friends, leaving her four step-children at home.<sup>2</sup>

On his return from Boston on Saturday, Parkman stopped in Marlborough at the home of Colonel Benjamin Wood, a Justice of the Peace for Middlesex County,<sup>3</sup> and while he was there Aaron Forbush arrived with the news of Kidney's "Rude and Vile Conduct" toward thirteen-year-old Molly, who was alone at the house with her sister, four-year-old Lucy:

though he had button'd the Door and assaulted and Striven with her, thrown her on the Ground and was very indecent towards her, Yet was not suffer'd to hurt her — except what was by the Fright and bruising her arms in struggling with her. When disengag'd She ran out to go to her uncles, but he ran after her and forc'd her back and made her wash the Blood from her arms, which she did upon his Swearing to her that he would not go into the House again till night. As soon as She had got him out to his work, She ran to Ensign Maynards who rode to Marlborough and at Eve brought up her Mother. (June 2, 1739)

Ensign John Maynard's son Stephen stayed at the house that night and Noah How the next night, "My wife being afraid to be alone with so brutish a Creature."

When Parkman returned home, he examined Molly "very Strictly" and sought advice from his brother-in-law, John Hicks, and Ensign Maynard "at so important a Juncture." For his part, Kidney "upon his Knees" asked Parkman's pardon and "again fell on his Knees and ask'd his mistresses Pardon." Parkman was at a loss "to know what was fittest to be done, the Sabbath being approaching and the Holy Exercises thereof to be prepar'd for." He decided to defer the matter until the start of the next week. This did not mean that he put it out of his mind. On Sunday, in consideration of "the Great Goodness of God to Me and my Dear Daughter Molly in her late Remarkable Deliverance," he preached a sermon on Psalm 116:12, "What shall I render unto the LORD for all his benefits toward me?" (June 3, 1739).

On Monday, it rained, and Parkman described himself as "confin'd at Home, meddled not with the Affair of John till I could take advice" (June 4, 1739). Did it rain hard enough to prevent Parkman from venturing out, even when he had the important business of Kidney's attempted rape of his daughter, or was Parkman in a quandary, not knowing how to proceed? Although it was again rainy on Tuesday, Parkman rode to Shrewsbury, where he consulted with his colleague, the Rev. Job Cushing, and then visited Colonel Nahum Ward,<sup>4</sup> to whom he

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<sup>2</sup>Mary (or Molly), aged 13; Ebenezer, 11; Thomas, 9; Lucy, 4.

<sup>3</sup>Benjamin Wood was appointed Justice of the Peace, Oct. 10, 1729; William H. Whitmore, *The Massachusetts Civil List for the Colonial and Provincial Periods, 1630-1774. Being a List of the Names and Dates of Appointment of All the Civil Officers Constituted by Authority of the Charters, or the Local Government* (Albany: J. Munsell, 1870), 136.

<sup>4</sup>Nahum Ward, Justice of the Peace, appointed June 30, 1731; Whitmore, *Massachusetts Civil List*, 149. He was also appointed as a Special Justice of the Court of Common Pleas, Feb. 21, 1734; *ibid.*, 119.

"propos'd several General Cases, made Enquirys and consulted his Law Books" (June 5, 1739). Parkman was apparently unwilling to talk about the specifics of Kidney's conduct.

Parkman's diary is vague about the nature of the consultation, but it is clear that he had not yet determined what to do about Kidney. After dinner on Wednesday, he "made a Business of talking to John Kidney but he answer'd me nothing" (June 6, 1739). Was he seeking a confession? Whatever his intention, Parkman mentioned nothing more about Kidney until the following Monday, a militia training day. He asked Captain Benjamin Flagg<sup>5</sup> to talk with Kidney, "who manifested some Degree of Humiliation and made Promises of great Reformation," but Parkman "remain'd dissatisfy'd unless he Should undergoe some suitable Punishment in some Kind or other" (June 11, 1739). Parkman's language suggests that he did not know what the punishment should be. Indeed, he really did not know much about Kidney, for three days later he had "Some Talk...with James Jeffrey about ship Mate John Kidney" (June 14, 1739).

Whatever Kidney's reputation might have been, his actions the next day did nothing to improve it. That evening he was "charg'd with having pilfer'd his mistresses Comb — but he at once deny'd that he had seen it or knew any Thing about it." Parkman "immediately took up his Cloths and put my Hand into his Pockets and found it there" (June 15, 1739).

This incident apparently gave Parkman new resolve, for the next morning he went to Ensign Maynard, "but he could not go with me to a Justice against John Kidney." When Parkman returned home, "a new Contest arose." Kidney had put on "his Best stockings to go to work in the Bushes," and Parkman ordered him to take them off and put on his old ones, "which were fitt enough for his Business." Kidney's recalcitrance added to Parkman's resolve:

but he was disobedient and worded it and delayed for some Time, till I added Resolution and severe Chiding, and oblig'd him to both pull 'em off and bring 'em to me, against his Stubborn Stomach and Saucy Answers but I gave him no Blows although it much disturb'd me, and put me into much Trouble, for I resolved to bear with him no longer at all.

Parkman sent for Lieutenant Edward Baker, whom he asked to help him take Kidney to the house of correction. Baker went home to get ready, then returned to dine with Parkman. After dinner, Parkman "bid John shirt him and putt on his best Stockings that he might go with me." Kidney again "delay'd and deny'd and began to shew himself as in the Morn," but when Parkman insisted and demanded, Kidney got dressed, and Parkman borrowed a mare for Kidney to ride, and he himself rode Ensign Maynard's mare.

If Kidney's behavior and attitude were not enough, Ensign Maynard added to Parkman's grief with "unseasonable Replys to me near his House and his talk of his readiness to have bought John, but Now etc." Parkman was hardly receiving the kind of support that he wanted. Baker and Parkman rode, with Kidney in front of them, to Major John Keyes of Shrewsbury, a

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<sup>5</sup>Benjamin Flagg was later (June 23, 1743) appointed sheriff of Worcester County; *ibid.*, 119.

Justice of the Peace,<sup>6</sup> where "after a great Deal of Consultation and Captain Flagg's advice join'd to the rest," Parkman "accepted Johns Humiliation on his Knees with flowing Tears so far as to putt a stop to his going to the House of Correction." With Parkman's consent, Major Keyes placed Kidney in the custody of John Clark, and Parkman returned home (June 16, 1739).

On Monday, John Clark came to Westborough from Shrewsbury and offered to buy Kidney, that is, to assume his indenture (June 18, 1739), and at the end of the week Clark and his brother-in-law, William Gray of Worcester, came to buy Kidney. Parkman went to Ensign Maynard's where he consulted with the town's assessors. He then went to Major Keyes's with his brother-in-law Hicks, and for £12 he "threw up the Indenture and Mr. Gray and John Sign'd new Indentures mutually." Gray paid Parkman £7 in cash, and Clark gave him a note for £4, ten shillings (June 22, 1739). Parkman was thus relieved of a major headache and, one might unkindly note, received more for Kidney than he had paid.

The case of John Kidney involved key elements of rural life: the need for labor, sexual impulses, anger, and the role of leading men of the world. Parkman never again purchased the services of an indentured servant, for John Kidney's behavior underscored the desirability of hiring laborers who were known either directly or on recommendation. The point here is that a servant like Kidney was not merely a laborer whose hard work, respectful obedience, and sense of responsibility were crucial elements in the economics of the farm and household. He was also a young man who became part of his master's household, living and eating in the house, attending family devotions, and presumably privy to some of the intimate details of family life.

Kidney's assault on Molly Parkman violated every element of the trust that was essential to the ideal indenture and to a minister's family. How, then, should one account for Parkman's response? Another father, whose occupation involved greater physical exertion and whose associations and friendships were more combative, might have thrashed Kidney as a first response. But Parkman was not a physical man, that is, he did not customarily work with his hands (which was, in part, why he needed to hire workers), and nowhere in his diary is there evidence that he ever struck anyone, whatever the provocation. Why, then, did he not immediately — or at least on Monday — have Kidney jailed and press charges against him? Parkman faced several dilemmas. There were no witnesses to the assault other than the victim (and possibly her four-year-old sister); this might account for the fact that Parkman closely examined Molly when he returned. (Was he also revealing a male suspicion that Molly had somehow provoked Kidney's assault?) And what about neighbors and other residents of Westborough: why had they not acted in Parkman's absence? The assault took place a Thursday, Mrs. Parkman returned that evening, and Parkman arrived home on Saturday. Mrs. Parkman had called on neighbors for assistance, securing the help of Stephen Maynard and Noah How to stay with the family until her husband's return. Why had no one stepped in other than to guard the family? Was the evidence imprecise? Was the minister's status too great? Was the assault perceived as a particular kind of crime, that is, a violation against the head of the household and therefore to be settled by him?

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<sup>6</sup>John Keyes was appointed a Justice of the Peace for Worcester County, May 4, 1733; Whitmore, *Massachusetts Civil List*, 149.

One may second-guess Parkman's response and believe that the matter could have been handled differently and possibly more satisfactorily. In any event, John Kidney was out of Parkman's mind, or at least out of his diary, for the next three years. Then he reappeared, not as a threat but, perhaps, as a happy denouement. In April 1742, Parkman and a number of other ministers gathered in Rutland for a fast and an ecclesiastical council. In his summary of the first day's business, Parkman noted, "N.B. *John Kidney*" (Apr. 27, 1742). At the end of the next day, Kidney acquainted Parkman "with the Methods of Gods Spirit with him in awakening him" and asked his pardon and that of his family — "was ready to give it me under his Hand." Several "Gentlemen" — the choice of words is significant — told Parkman that "in acquainting them with the wondrous Methods of Gods Grace with him he had made respectful mention of what he had received from me in the Time he lived with me." Kidney told Parkman much the same:

And among other Things when he was in Darkness and Distress from Day to Day and not able to find what method to take nor what to do, he was greatly relieved and directed by calling to mind those Lines he was wont to repeat with my Children, at the End of the morning and Evening Hymns, *Praise God from whom all Blessings Flow etc.*

Kidney expressed "his abhorrence of the Romish Religion" and said that he had been baptized and admitted into the church at East Hadley by the Reverend David Parsons, Jr.<sup>7</sup> Despite "the Joys he had experienced about those Times," Kidney was "in Darkness again and in great Fear and Trouble." Parkman's last reference to Kidney was pastoral: "I directed and advised him as I thought his Case required."

Parkman's troubled relationship with John Kidney highlights several facets of the sometimes difficult relationships between masters and servants. Kidney came into the Parkman household as a stranger: Parkman knew his approximate age but at first mistakenly thought his last name was Ridley. There is no reason to think that Samuel Parkman, in acting as an intermediary in this labor transaction, knew anything more about Kidney, nor is it likely that Captain Lombard could or would have said anything definitive. Thus, Kidney passed through several hands — from the ship's captain to Samuel Parkman to Ebenezer Parkman — without providing them with clues as to his character or background.

As noted above, Kidney seemed to be working out satisfactorily in the first months of his indenture, carrying out a variety of tasks to Parkman's apparent satisfaction. The attempted rape, the subsequent refractoriness and disobedience, and the theft all changed the relationship between master and servant. But what was Parkman to do? If he had Kidney jailed and pressed criminal charges, he might find himself out of money for Kidney's time in jail and for the loss of his contract as well as out of his own time that would be spent in court — all in the context of a case that might not be won for lack of corroborating witnesses. As a result, Parkman hesitated,

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<sup>7</sup>Parsons (Harvard 1729) supported the Great Awakening. The Church of Christ in Hadley, East or Third Precinct, was gathered on Nov. 7, 1739; in 1759, the precinct became the town of Amherst. According to Worthley's inventory, the book of church records for the years 1735-1820 (deposited in the town library) is "spotty" to 1781; the New England Historic Genealogical Society has a printed item, origins unknown, that lists baptisms, 1739-1844. Harold Field Worthley, *An Inventory of the Records of the Particular (Congregational) Churches of Massachusetts Gathered, 1620-1805* (Harvard Theological Studies XXV; Cambridge, Mass.: Harvard University Press, 1970), 11.

seeking advice from those men of the world who had some knowledge of the law or at least more practical experience than Parkman. The result was a decision not to prosecute but to sell Kidney's indenture to another man, one who was presumably more direct in his management of servants. Although Parkman received more for the indenture than he paid, this is not to suggest that he really made a profit. The servant whom he sold was, at least in a couple of respects, more valuable than the servant whom he had bought. Kidney had survived the seasoning period, and he had presumably learned something about farm work. He was thus a more valuable commodity, less likely to die and better able to carry out the tasks assigned to him. With John Kidney no longer a member of his household, Parkman had to turn to other sources of labor. Never again would he purchase bound labor: the costs, both material and familial, were simply too high.