Agents of Colony and Crown:

The Politics of Sea Raiding in English Jamaica, 1655-1701

By

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For Katie

TABLE OF CONTENTS

Acknowledgements iii

List of Abbreviations and Note on the Text vi

Introduction 1

Chapter One
Motherless Children: "Piracy" and "Privateering" From Pompey to Peter Pan 22

Chapter Two
At Home At Sea: The Conquest of Jamaica and Early Sea Raiding, 1655-1671 48

Chapter Three
At Sea At Home: The Transformation of Private Sea Raiding, 1671-1675 106

Chapter Four
Out of Bounds: The Changed Circumstances of Jamaica's Private Seamen, 1675-1687 139

Chapter Five
Piracy Spoken: The Uses of "Pirate" and "Privateer" in Jamaica 184

Chapter Six
Regulating: King William's War and William Beeston's Jamaica, 1688-1701 213

Conclusion 254

Bibliography 258

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LIST OF ABBREVIATIONS

Frequently cited archives and collections:

BL British Library

- Egerton Egerton Manuscripts
- Add. Additional Manuscripts
- Sloane Sloane Manuscripts

NLJ National Library of Jamaica, Kingston, Jamaica

NMM National Maritime Museum, Greenwich, UK

TNA: PRO The National Archives, Kew, UK: Public Record Office collection
(References within PRO series are to series number, volume number, and then item number or page number, whichever is used for the volume consulted)

- CO Colonial Office papers
- HCA High Court Admiralty papers
- T Treasury papers

Frequently cited books and periodicals:

CSPC Calendars of State Papers, Colonial Series, America and West Indies
(Unless otherwise indicated, references within CSPC are to item numbers)

JAJ Journals of the Assembly of Jamaica, vol. 1

JHR Jamaican Historical Review

WMQ William and Mary Quarterly

NOTE ON THE TEXT

In the following text, I have updated capitalization when quoting historical sources, but have retained the author's spelling and grammar except when doing so would cause the reader confusion. I use the old-style English dating system, but assume the year to begin on January 1.

INTRODUCTION

"We haven't got the syllables," writes Barbadian poet Edward Kumau Brathwaite of the process of writing in English in the Caribbean, "the syllabic intelligence, to describe the hurricane, which is our own experience; whereas we can describe the imported alien experience of the snowfall." Analyzing European-inspired cultural education models in the late twentieth-century Caribbean (still known by its colonialist moniker "the West Indies"), Brathwaite finds them insufficient to help the modern Caribbean woman or man express her or his daily experience, because the Caribbean is different from Europe. "The hurricane does not roar in pentameter," Brathwaite observes.[1]

This dissertation wants to use the language of Europe – white Jamaican sailors, merchants, and planters in the seventeenth century used it – in the rhythm of the hurricane, or, in this case, the earthquake, like the one that toppled Jamaica's forts and houses and plantations in 1692. It traces a community of private – meaning not affiliated with the English navy or a state-sponsored Company – sailors who operated from the city of Port Royal, Jamaica, from its founding in 1655 through its destruction in1692 and, in a much reduced manner, from other ports for the remainder of the century. These men (nearly every professional sailor in this time was male) significantly aided Jamaica's political economy during the island's first few generations as an English colony. Although the English empire claimed ownership of the island, Jamaica's political life and its economy of plantations, plunder, and trade, did not derive, fully-formed, from England. Rather, Jamaicans took European models and adapted them to Caribbean realities,

[1] Edward Kumau Brathwaite, "English in the Caribbean" in Julie Rivkin and Michael Ryan, eds. *Literary Theory: An Anthology*, 2nd ed. (Malden, MA: Blackwell, 2004), 1153-1154.

and the inhabitants of other European-held colonies in and around the Caribbean Sea did the same thing. The early-modern West Indian political economy responded to the rhythms of the hurricane and the earthquake. The West Indies differed from Europe in the seventeenth century.

"Agents of Colony and Crown" examines the history of Jamaica's (and the Caribbean's) political economy and the central place of private, non-navy, seafarers within it. It details the history of Jamaican sea raiding in the Caribbean Sea from its inception during the island's conquest by England in 1655 to the beginnings of Queen Anne's War in 1701. It argues that, especially from the 1660s until the 1690s, Jamaican leaders, merchants and sailors authorized, funded, and conducted the bulk of these raids with no imperial control and little crown consent. They did so with the primary goal of fulfilling the colony's need for goods, labor, and currency as well as for defense, and with only the secondary intention of serving what they perceived to be the interests of the English crown.

By 1660, Jamaican elites had developed an island political culture that lacked much connection with London but was, instead, deeply rooted within a multi-national Caribbean political sphere. Jamaica's leaders enacted a Caribbean-wide foreign policy for the island that responded to regional – but not always imperial – concerns. They employed the sizable group of private seamen inhabiting the island to enforce that policy and to aid the colony's growth. From 1655 through 1671, Jamaica's private seamen raided local Spanish targets and captured currency, goods and slaves for sale in Port Royal, thereby adapting for Atlantic purposes a centuries-old English culture of taking prizes on the high seas. After the Treaty of Madrid declared the first American peace between England and Spain in 1670, those same men no longer united for

massive attacks, but most took opportunities to conduct the island's growing illegal trades in logwood, cattle, and slaves, while others became government-sponsored "pirate" hunters.

Jamaican leaders and merchants found less utility for private seafarers in the 1680s, as changing political conditions within the Caribbean conspired to push the sailors out of illegal trading, while altered imperial policies under King James II denied Jamaicans a role in hunting illegal raiders. Finally, in the 1690s, a newly-centralized imperial war effort against France stripped Jamaican leaders of the authority they had had over regional conflict, and English naval fleet commanders assumed greater control in the Caribbean. The 1692 Port Royal earthquake scattered the remaining underemployed raiders, forcing some to leave the island permanently and others to accept new "privateering" licenses from the crown to fight King William's War.

This dissertation also analyzes the language used to describe these private seamen. It contends that the labels we typically use today, "pirate" and "privateer," are misleading because those words gained their modern legal meanings only in the 1690s, after, and in part because of, this period of colony-sponsored sea raiding in Jamaica. In Jamaica from 1660 through the 1680s, it is evident, "pirate" and "privateer" held local definitions, separate from the meanings solidifying in English imperial and international law. Jamaica's private seamen occupied a legal space which ceased to exist after the seventeenth century.

The sailors on the following pages acted as agents of their colony and, occasionally, the English crown; they inherited an English culture of taking prizes, abetted local Caribbean trades, and aided the growth of a dynamic, multi-national, multi-cultural Atlantic world.

* * *

By an "Atlantic world," I refer to the movement and encounters of people, goods, cultures, flora and fauna from Europe, the Americas and Africa across the Atlantic Ocean during the period of imperial exploration, exploitation, and colonization of the Americas. This definition is sometimes lost in scholarly portraits of qualified Atlantic worlds, such as those thought to belong particularly to the English, French, Dutch, Spanish, or Portuguese. I have not set the action of this dissertation in an "English Atlantic world" because I believe that only one Atlantic world existed – one that was "as much Spanish as British, as much Dutch as Portuguese, as much African as American."[2] Paul Gilroy writes that "the reflexive cultures and consciousness of the European settlers and those of the Africans they enslaved, the 'Indians' they slaughtered, and the Asians they indentured were not, even in situations of the most extreme brutality, sealed off hermetically from each other."[3] But for the lack of indentured Asians, the seventeenth-century Caribbean exemplifies Gilroy's assertion of the porousness of cultural borders in the Atlantic world. The seventeenth-century Caribbean was a cultural borderland in which everyone – European, African, and Native American – met, mixed, and mingled, often violently and often unintentionally.

It was also, I contend, home to a multi-national Caribbean political sphere. By this I mean that governors, merchants, and sailors from Caribbean colonies controlled by different European empires interacted frequently with one another. They based political and economic decisions

[2] Bernard Bailyn asserts, usefully, that the concept of the Atlantic world is not "simply an expansion of the venerable tradition of 'imperial' history, either British, Spanish, Portuguese, or Dutch, though that tradition, immensely innovative in its time, was, and is, by definition at least transatlantic." Bernard Bailyn, *Atlantic History: Concept and Contours* (Cambridge, MA: Harvard University Press, 2005), 60, 5.

[3] Paul Gilroy, *The Black Atlantic: Modernity and Double Consciousness* (Cambridge, MA: Harvard University Press, 1993), 2.

more on those interactions than on infrequent orders from London, Madrid, Versailles, or Amsterdam. Private seamen sailed as the leaders' agents within the Caribbean political sphere. Jamaica's role within the Caribbean political sphere sometimes had imperial ramifications, as when island lawmakers – responding to fears that private seamen might aid a potential French invasion – crafted harsh anti-piracy legislation ratified in 1683, which imperial officials circulated to other American colonies as model legislation.

Scholars like Richard S. Dunn have traditionally argued that "the Indies lay 'beyond the line,' that is, outside the territorial limits of European treaties." Dunn refers to the sixteenth- and early seventeenth-century conception that the colonies were outside the "lines of amity" traditionally delimited in treaties between European powers, and which gave rise to the popular belief that there was "no peace beyond the line."[4] I argue, instead, that peace and war existed beyond the line, but that the creation of each depended on local Caribbean political realities. This dissertation highlights several moments when Jamaican leaders – either ignorant or uncaring of inter-imperial relations in Europe – created trade and foreign policies because of threats or friendly assurances from Cuba, Hispaniola, Curacao, or cities on the Spanish Main. Henry Morgan's attack on Panama in 1670, for example, resulted from a Jamaican council's decision to make war on Spanish colonies in retribution for Cuban attacks on Jamaican plantations despite a year of sustained peace between the islands and full knowledge that diplomats were authoring a peace treaty in Madrid. Only a few years later, Lieutenant-Governor Sir Thomas Lynch made Jamaica a hub for illegal trading with southern Cuba and Cartagena while also engaging the

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[4] Richard S. Dunn, *Sugar and Slaves: The Rise of the Planter Class in the English West Indies, 1624-1713* (Chapel Hill: University of North Carolina Press, 1972), 11.

colony in a regional trade war with Havana and Campeche over the right to cut and transport logwood.

When Caribbean political relations demanded that Jamaica's private seamen raid the Spanish (or, as happened occasionally, the Dutch or the French) for their colony, the sailors conducted their activities in keeping with a long-standing English culture of taking prizes on the high seas. Since the late medieval period, English kings had allowed navy men to attack and pillage any of the ships of England's enemies they came across in the course of normal activities. Typically, the sailors would be allowed to keep a percentage of the captured loot – called "prizes" – in partial payment. In the same period, most European sovereigns also granted "letters of marque" to individual seamen to recapture from the offending party any losses they had incurred as a result of foreign attacks. These private seamen also took prizes, brought them to admiralty officials and, if allowed, sold them to satisfy their account books. Although initially reserved for times of peace, over time, monarchs – like Queen Elizabeth I in her campaign against Spain – came to offer letters of marque against declared enemies to supplement small navies. During the English Civil Wars, private sea raiding and prize-taking blossomed as each side authorized attacks on English shipping. With naval sailors and these "private-men-of-war" taking prizes as a form of supplemental payment, state-sponsored piracy had long-standing legitimacy by the time Oliver Cromwell's Western Design forces – themselves allowed to take prizes on their mission – conquered the island of Jamaica in 1655.

Despite the legitimacy of state-sponsored piracy for hundreds of years before 1655, the word "pirate" gained its modern legal meaning in English only in the 1690s, a process I detail in Chapter One. Only at the end of the century did piracy – the act of raiding on the high seas

without official license – become an international crime and its perpetrators branded *hostes humani generis*, enemies against all nations whose very existence threatened civilization. At the same time, the word "privateer" – which itself had entered the language only in the 1620s – became the pirate's legal corollary, a licensed raider doing the bidding of a legitimate sovereign against his lawfully-declared enemies. This dissertation examines the period since "privateer" came into use and mostly before both words gained their modern legal definitions. During many of the years under discussion, the terms had flexible definitions and occasionally referred to exactly the same individuals doing exactly the same things. Jamaican leaders employed the words with seeming inconsistency during most of the period, but, I argue in Chapter Five, they often adhered to local definitions and had political reasons for doing so. Again, regional concerns weighed heavily on their decisions, as when Lieutenant-Governor Hender Molesworth unsuccessfully attempted to convince the governor of Cartagena in 1685 that the Jamaican sea raiders the Spanish official had imprisoned should not be treated as pirates but as simple traders. This local use of the language of sea raiding in the Caribbean during the seventeenth century remains unstudied, but further research beyond Jamaica could reveal even more evidence of regional political concerns driving speech and script acts. The examples provided in this dissertation should indicate the importance of studying language use carefully and should prove that sea raiding in this time and place – neither piracy nor privateering but sometimes considered both – differed from the imperially-sanctioned raiding that came before it and the multinational, unsanctioned, raiding that came after it.

Historiography

Writing the history of sea raiding has been a largely creative enterprise in recent years, owing to the dearth of reliable primary sources. Excellent scholars have written accounts of "piracy" in the seventeenth- and eighteenth-century Caribbean whose primary arguments differ so widely from one another that it would be impossible for them all to be right, though most of them are partially right. These accounts fall into three general interpretational frameworks, and this dissertation responds to each of these historiographical strands. First, some historians use largely incomplete or partially-fictional primary sources to imbue Caribbean raiders with particularly modern ideological concerns. These authors prefer to discuss the sea raiders sailing the region in the early eighteenth century – roving bands of pirates unaffiliated with any colony or empire but pursued by all – but some have read their ideas back into the seventeenth century, an understandable but risky activity. Second, based on observations and accounts from the seventeenth to the nineteenth centuries, some scholars de-humanize seventeenth-century raiders, portraying them as half-wild American-born "buccaneers," a tempting but inaccurate reading. Third, based mostly on meticulous research, some authors see these raiders as imperial agents in an Atlantic world dominated by European concerns. I believe that these historians come closest to accurately describing the role of private seamen in the seventeenth-century Caribbean, and I have modeled most of my research on theirs. However, their interpretations of politics and economics in the region over-emphasize imperial concerns and minimize local matters, an analysis I hope to question with the utmost care. Historians of all three positions have made essential and enduring contributions to this study, and I aim to offer a different analysis only in the generous spirit of scholarly debate.

Ideological Raiders

Real sea raiders in history are often difficult to distinguish from the legendary and romantic notions of pirates perpetuated by centuries of popular culture. With evidence from eighteenth- century popular literature, some historians have written accounts of sea raiding – especially of the lawless period of early eighteenth-century piracy – tinged with those romantic notions. They tend also to imbue their subjects with modern ideologies, examples of which they believe can be found in the sources. For example, a persistent theme in the history of eighteenth-century pirates is the argument that the pirates arranged themselves democratically. Daniel Defoe's 1724 collection of mini-biographies of early eighteenth-century adventurers, *The General History of the Most Notorious Pyrates*, contains several democratic "Pirate articles," one of which stated that "every man has a vote in affairs of moment."[5] Historians have taken this to be evidence enough of an early form of maritime democracy. In *Brethren of the Coast,* Peter Kemp and Christopher Lloyd assert that "a curiously democratic discipline was evolved by crews at sea. All captains were elected," even, they claim by reading Defoe back in time, by seventeenth-century raiding crews on the Pacific coast of the Americas.[6] That democracy story persists today. Colin Woodard's 2007 *The Republic of Pirates* describes an egalitarian pirate settlement that he claims existed on Madagascar in the early 1700s, a notion he draws from

[5] Charles Johnson [likely Daniel Defoe], *A General History of the Robberies and Murders of the Most Notorious Pirates, from Their First Rise and Settlement in the Island of Providence to the Present Year* (New York: Dodd, Mead, 1926), 182. The volume was originally published in 1724 under the name Charles Johnson, but most scholars believe the name to be a pseudonym for Defoe. For an argument against this consensus, see Angus Konstam, *Blackbeard: America's Most Notorious Pirate* (Hoboken, NJ: Wiley, 2006), Introduction.

[6] Peter Kemp and Christopher Lloyd, *The Brethren of the Coast: The British and French Buccaneers in the South Seas* (London: Heinemann, 1960), 4.

stories of Henry Avery.[7] Even a Princeton economist has recently attempted to explain pirate elections using rational choice theory.[8]

The story of democracy among pirate crews has led to a further assertion of ideological radicalism, particularly in the form of anti-capitalism. With scanty evidence, Kemp and Lloyd observe that some seventeenth-century Jamaican private raiders were "marching in the faded red coats of the New Model Army." Given that cashiered Western Design soldiers and sailors made up the bulk of English Jamaica's first sea-raiding crews, it would not be surprising that some of them had also served in, or wore the jackets of, Cromwell's army. Writing in 1984, historian Christopher Hill spun that single observation into an essay asserting a tradition of radical dissent – a hallmark of the New Model Army – among seventeenth-century Jamaican raiders.[9] Marcus Rediker, in *Villains of all Nations*, goes further, using Hill's thesis to argue that eighteenth-century raiders "resisted many of the practices of [the] capitalist merchant shipping industry, and maintained a multicultural, multiracial, and multinational social order" while meting out class-based justice on the high seas.[10] B. R. Burg does not argue for a democratic community, but he does assert that seventeenth-century privateers created an alternative social community "where

[7] Colin Woodard, *The Republic of Pirates: Being the True and Surprising Story of the Caribbean Pirates and the Man Who Brought Them Down* (Orlando, FL: Harcourt, 2007). Avery was featured in the 1712 play, "The Successful Pirate;" see Johnson, *General History*, v.

[8] Peter T. Leeson, *The Invisible Hook: The Hidden Economics of Pirates* (Princeton, NJ: Princeton University Press, 2009), chap. 2, "Vote for Blackbeard."

[9] Kemp and Lloyd, *Brethren of the Coast*, 17; Christopher Hill, "Radical Pirates?" in James R. Jacob and Margaret C. Jacob, eds., *The Origins of Anglo-American Radicalism* (London: Allen & Unwin, 1984).

[10] Marcus Rediker, *Villains of All Nations: Atlantic Pirates in the Golden Age* (Boston: Beacon Press, 2004), 17; see also Marcus Rediker, *Between the Devil and the Deep Blue Sea: Merchant Seamen, Pirates, and the Anglo-American Maritime World, 1700-1750* (Cambridge: Cambridge University Press, 1987), and Peter Linebaugh and Marcus Rediker, *The Many-Headed Hydra: Sailors, Slaves, Commoners, and the Hidden History of the Revolutionary Atlantic* (Boston: Beacon Press, 2000).

homosexual contact was … ordinary."[11] Elements of each tale are historically accurate or, at least, possible, but their authors have let (sometimes questionable) evidence of votes on one ship stand for an unlikely universal practice of democracy or of the color of a coat indicate improbable proletarian stirrings.

Buccaneers

Ideological assertions bleed into another historiographical strand, whose adherents believe that seventeenth-century sea raiders were a uniquely local phenomenon. In this portrayal, low-ranked European men from failed colonial enterprises gathered on an unpoliced imperial frontier in the early seventeenth century; their half-wild American descendants emerged in later decades as a violent seafaring brotherhood – "buccaneers" – whose members preyed upon the colonial system that had failed their fathers. This word was used widely in the seventeenth century, and many historians today – including those who do not write about raiders and those who do but do not adhere to what I call the "buccaneer theory" – use the term to refer to some form of Caribbean sea raiders. Buccaneers did exist in history, but most were not sea raiders, and this slight inaccuracy in language has led to problematic interpretations about the origins of Atlantic piracy.

Seventeenth-century French missionaries to the Caribbean were the first to advance the idea that a group of displaced colonists moved to the wilds of Hispaniola and its tiny island neighbor to the north, Tortuga, in the opening decades of the seventeenth century. Jean-Baptiste

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[11] B. R. Burg, *Sodomy and the Pirate Tradition: English Sea Rovers in the Seventeenth-Century Caribbean* (New York: New York University Press, 1995), xl.

du Tertre, a Dominican priest, wrote four volumes on the natives of the Antilles during the middle of the century, and he included observations of this group of men, many of whom he believed to be escaped criminals. Du Tertre noted them grilling meat on a wooden grate which, he reported, the inhabitants called a *boucan*.[12] Jesuit Raymond Breton, who had accompanied du Tertre, included the word in a "Caribbian Vocabulary" that saw publication in 1658 and reached English audiences when translated in 1666.[13] These mid-century clerical observers never indicated that their subjects lived as a brotherhood of sea raiders. Instead, their portrayal is consistent with my depiction in Chapter Two, that the original buccaneers were primarily cowherds and only occasionally seamen living under loose French rule on western Hispaniola and Tortuga.

Later seventeenth-century writers added the notion that buccaneers comprised a cohesive group of experienced seamen raiding Spanish trading vessels according to shared customs. The 1684 English translation of French adventurer Alexander Exquemelin's popular memoirs, *The Buccaneers of America*, was the first work to indelibly tie the word "buccaneer" to a sea-raiding practice. Exquemelin, who supposedly sailed with Henry Morgan's expeditions from Jamaica in the 1660s, tells a brutal and colorful tale clearly exaggerated in parts, as when French raider Francois L'Olonnais cuts open the chest of a living Spanish prisoner, rips out the man's heart,

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[12] Jean Baptiste Du Tertre, *Histoire generale des Antilles habitées par les François*, vol. I (Paris, 1667), 542.

[13] Charles de Rochefort, *The History of the Caribby-Islands, Viz, Barbados, St Christophers, St Vincents, Martinico, Dominico, Barbouthos, Monserrat, Mevis, Antego, &c in All XXVIII: In Two Books: The First Containing the Natural, the Second, the Moral History of Those Islands: Illustrated with Several Pieces of Sculpture Representing the Most Considerable Rarities Therein Described: With a Caribbian Vocabulary* (London, 1666). For Rochefort's authorship and intentions, see "The History of the Caribby-Islands," *World Digital Library*, accessed December 19, 2013, http://www.wdl.org/en/item/252/. Also see Everett C. Wilkie, jr., "The Authorship and Purpose of the 'Histoire naturelle et morale des iles Antilles,' an Early Huguenot Emigration Guide," *Harvard Library Bulletin*, n.s., 2, no. 3 (Fall 1991): 27-84.

and begins to eat it.[14] In contrast to the historical evidence presented in Chapter Two, he portrays Morgan's mostly-English crew of Jamaican private seamen as a multi-national band of buccaneers showing no loyalty to any nation. Despite the exaggerated and fictional elements present in Exquemelin's narrative, however, historians Stephan Talty and David Cordingly base works primarily on this source.[15] Others in the buccaneer or ideological strands rely too much on Exquemelin as well.

Exquemelin was followed by Jean-Baptiste Labat, Dominican missionary and engineer in the French West Indies during the 1690s and early 1700s, whose 1722 memoirs told many tales of piracy and plunder. He wrote infrequently about buccaneers, however, since the sea-raiding brethren mentioned in his work were always called *Flibustiers*.[16] The construction *Boucanier* appeared only six times throughout the eight-volume 1742 edition, and never did it refer specifically to the act of sea raiding. Instead, Labat discussed a well-fed, hard-drinking "L'Ordre Boucanier" of hunters among the French West Indian inhabitants he encountered.[17] This "order" frequently gathered around the *boucan* and held great feasts of grilled turtle, pig or goat; unlike his predecessors, Labat employed the term *boucan* primarily to refer to these feasts, the way Americans might talk about a barbecue today.[18] Though historians have conflated them with the

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[14] Alexander O. Exquemelin, *The Buccaneers of America*, trans. Alexis Brown (Mineola, NY: Dover, 2000), 107.

[15] Stephan Talty, *Empire of Blue Water: Captain Morgan's Great Pirate Army, the Epic Battle for the Americas, and the Catastrophe That Ended the Outlaws' Bloody Reign* (New York: Crown, 2007); David Cordingly, *Under the Black Flag: The Romance and the Reality of Life Among the Pirates* (New York: Random House, 1995).

[16] See Jean Baptiste Labat, *Nouveau Voyage Aux Isles de l'Amerique Contenant L'histoire Naturelle de Ces Pays, L'origine, Les Mœurs, La Religion & Le Gouvernement Des Habitans Anciens & Modernes: Les Guerres & Les Evenemens Singuliers Qui Y Sont Arrivez Pendant Le Séjour Que L'auteur Y a Fait*, new ed., vol. 1 (Paris, 1742), chap. IX.

[17] Labat, *Nouveau Voyage*, vol. 6, p. 12.

[18] This unique usage typifies the author's keen interest in food culture, a phenomenon just now receiving scholarly attention, Suzanne Toczyski, "Jean-Baptiste Labat and the Buccaneer Barbecue in Seventeenth-Century Martinique," *Gastronomica: The Journal of Food and Culture* 10, no. 1 (February 1, 2010): 61–69.

priest's *Flibustiers*, in truth Labat's buccaneers were hunters and feasters, not murderers and pirates.[19]

Since the nineteenth century, some writers have woven the French missionaries' observations with Exquemelin's stories, embellished them, and presented the whole as historical fact. American imperialist William Hazard created the first modern stories of the buccaneers in his history of Santo Domingo in 1873. Complete with plates taken from versions of Exquemelin's tales, Hazard revealed that, "after having united themselves into a society, [the buccaneers] began to make reprisals on the Spaniards and their commerce" in revenge for Spanish attacks on Tortuga.[20] In 1902, United States Admiral James Burney brought his naval knowledge to bear on maritime history, producing, in much the same vein as Hazard's, the first secondary work to deal exclusively with the buccaneers.[21] Clarence Henry Haring, a student under the tutelage of the British historian C. H. Firth, completed this turn-of-the-century trio in 1910 by publishing *The Buccaneers of the West Indies in the XVII Century*.[22] Though Haring's research was remarkable in its completeness, and his work remains relevant to scholars today, his interpretation relies too heavily on misreadings – like Hazard's and Burney's – of the seventeenth-century French source texts.

The most recent full-throated expression of the buccaneer thesis is Jon Latimer's *Buccaneers of the Caribbean*, published in 2009. Latimer argues that, starting in the middle of the seventeenth century, buccaneers – a Caribbean collective of opportunistic privateers of all

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[19] See, for example, Donald S. Schier, "The Missionary and the Buccaneers: An Episode from Father Labat's Nouveau Voyage Aux Isles de L'Amérique," *French Review* 17, no. 3 (January 1, 1944): 138–44.

[20] Samuel Hazard, *Santo Domingo, Past and Present, with a Glance at Hayti* (London, 1873), 74.

[21] James Burney, *History of the Buccaneers of America* (London: Unit Library, 1902).

[22] Clarence Henry Haring, *The Buccaneers in the West Indies in the XVII Century* (New York: E. P. Dutton, 1910).

nations but loyal to none – "fought a sporadic private war" with Spain, "maintaining tenuous alliances" with non-Spanish colonies for mutual benefit which "was an essential part of the rise of Britain."[23] Like Haring's a century earlier, Latimer's research is exhaustive, but his interpretational framework misses the mark. There was no buccaneer collective sailing the Caribbean acting as a roving polity, making war with some colonies and alliances with others. The herders and feasters on Hispaniola and Tortuga probably did arrange themselves into communities – the French missionaries were clear on that point – but the assumption that they were a single collective is as far-fetched as the assumption that Blackbeard was a democrat.[24] There is some truth to the notion that buccaneers lacked loyalty to a particular European empire: they did live in places contested (but only sporadically settled) by three imperial powers, and some buccaneers did move permanently to English Jamaica in the 1650s, while those they left behind fell under French rule. For most of the second half of the seventeenth century, however, most buccaneers lived comfortably under French governors on both Tortuga and Hispaniola. Many of them took sea-raiding commissions from those governors, acting as their agents within the Caribbean political sphere.

The problem with the buccaneer thesis is that it distances its subjects from Europe and European colonists. According to it, most of the Caribbean sea raiders, at least in the seventeenth century, were American-born frontiersmen and therefore inherently different from civilized Europeans. Buccaneers, the stories insist, occasionally worked with imperial authorities but never came under imperial control the way planters, servants, slaves, and militia or navy men in

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[23] Jon Latimer, *Buccaneers of the Caribbean: How Piracy Forged an Empire* (Cambridge, MA: Harvard University Press, 2009), 4-5.

[24] See Leeson, *Invisible Hook*, chap. 2.

European colonies did. The problem of sea raiding, then, became an American one, the result of too little empire rather than too much. Blaming uncivilized island inhabitants for raids masks the intentional role the raiders played in Caribbean and imperial politics.

Imperial Raiders

Historians writing within our final interpretational framework argue precisely the opposite. They portray seventeenth-century Caribbean sea raiders as private sailors identifying themselves mostly as Europeans whose actions were directed by officials of the English, French, or Dutch empires in order to benefit one or more of the three nations at the expense of the Spanish. Raiders were, at first, exponents of imperial expansion projects and, later, one of a number of imperial problems to be solved. This interpretation carries the most scholarly weight; the bulk of its adherents are careful historians of the seventeenth-century Atlantic who use state papers, personal and official correspondence, and financial transactions to piece together their accounts. This dissertation follows this historiographical strand but offers an account that the imperial viewpoint tends to overlook: the *regional* political and economic reasons for and effects of seventeenth-century Caribbean sea raiding.

The imperial perspective on sea raiding began with C. H. Firth's introduction in 1900 to General Venables' narrative of the Western Design, which spotlighted the imperial connection and direction of Jamaica's conquerors. Clarence Haring and Violet Barbour followed in the next decade with careful studies of seventeenth-century piracy that advanced interpretational frameworks from the buccaneer perspective. A. P. Newton summarized colonial Caribbean

scholarship with a significant focus on privateers in *The European Nations in the West Indies* in 1933, and A. P. Thornton edited some of Henry Morgan's letters in the 1950s.[25] Expressing the imperial perspective most clearly, Thornton called "the buccaneers" of Jamaica "agents of empire" as they assisted the growth of the English in the Caribbean.[26]

The imperial perspective has many recent adherents. Stephen Saunders Webb's *The Governors General* makes an ambitious but faulty argument that Charles II created a centralized, military empire in America with Jamaica at its core. Webb recognizes the presence (and value) of the island's privateers but assigns them little agency in developing the island or within regional political concerns.[27] Robert Ritchie's masterful study, *Captain Kidd and the War Against the Pirates*, takes an opposite approach, revealing an Atlantic and East Indian empire held together only loosely in the late seventeenth century but more tightly by 1701, when Kidd hanged for crimes called piracy that might have earned him praise in a prior era.[28] Work by Peter T. Bradley, Peter Earle, and Kris E. Lane in the 1980s and 1990s give pride of place to previously-underutilized sources in Madrid and re-read seventeenth- and eighteenth-century

[25] C. H. Firth, ed., *The Narrative of General Venables, with an Appendix of Papers Relating to the Expedition to the West Indies and the Conquest of Jamaica, 1654-1655* (London: Longmans, Green, 1900; New York: Johnson Reprint, 1965); Violet Barbour, "Privateers and Pirates of the West Indies," *American Historical Review* 16, no. 3 (April 1911): 529-566; Arthur Percival Newton, *The European Nations in the West Indies, 1493-1688* (London: A. & C. Black, 1966); A. P. Thornton, "The Modyfords and Morgan," *Jamaican Historical Review (JHR)* 2, no. 2 (October 1952): 36-60.

[26] This dissertation once was titled "Agents of Empire" until I realized Thornton had used the phrase already and that it failed to evoke the local concerns vital to my argument. "Agents of Empire: The Buccaneers" in A. P. Thornton, *For the File on Empire: Essays and Reviews* (London: Macmillan, 1968).

[27] Stephen Saunders Webb, *The Governors-General: The English Army and the Definition of the Empire, 1569-1681* (Chapel Hill: University of North Carolina Press, 1979).

[28] Robert C. Ritchie, *Captain Kidd and the War Against the Pirates* (Cambridge, MA: Harvard University Press, 1986).

English, French, and Dutch raids on Spanish targets as significant military and economic problems for a far-flung and declining Spanish empire.[29]

Carla Pestana's scholarship from the early 2000s returns to the English sources to explore issues of authority, gender, and religion in the mid-century conquest of Jamaica and the Restoration re-conquest of England's other American colonies. Her work rightly sees Jamaica's private raiders in the 1650s as exponents of the Cromwellian navy and, in general, seeks to place Jamaica within a cultural English empire, not in Webb's military one.[30] The only recent scholarship detailing the role of Jamaica's private raiders in the colonial and imperial economy is Nuala Zahedieh's essays of the 1980s and 1990s about Jamaican raiding and, more tangentially, her 2010 book connecting London merchants to the West Indies. She rightly argues that, from the 1650s to the 1670s, sea raiders brought Jamaica the currency, slaves, and illegal trade needed to create the colony's sugar plantations.[31] This dissertation builds on both Pestana's and Zahedieh's work to offer a full account of the politics of sea raiding in and around Jamaica in the late seventeenth-century, paying careful attention, as both scholars begin to do, to regional concerns within the Caribbean.

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[29] Peter T. Bradley, *The Lure of Peru: Maritime Intrusion into the South Sea, 1598- 1701* (New York: St. Martin's, 1989); Peter Earle, *The Sack of Panamá: Captain Morgan and the Battle for the Caribbean* (New York: St. Martin's, 2007); Peter Earle, *Pirate Wars* (London: Methuen, 2003); Kris E. Lane, *Pillaging the Empire: Piracy in the Americas, 1500-1750*, Latin American Realities (Armonk, NY: M. E. Sharpe, 1998).

[30] Carla Gardina Pestana, *The English Atlantic in an Age of Revolution, 1640-1661* (Cambridge, MA: Harvard University Press, 2004); Carla Gardina Pestana, "The Problem of Land, Status, and Authority: How Early English Governors Negotiated the Atlantic World," *New England Quarterly* 78, no. 4 (December 2005): 515–46; Carla Gardina Pestana, "English Character and the Fiasco of the Western Design," *Early American Studies: An Interdisciplinary Journal* 3, no. 1 (2005): 1–31. See also Pestana, "Early English Jamaica without Pirates," *William and Mary Quarterly (WMQ)*, Third Series, 71, no. 3 (July 2014): 321-360, which came out too late to be incorporated fully into this dissertation.

[31] Nuala Zahedieh, "Trade, Plunder, and Economic Development in Early English Jamaica, 1655-89," *Economic History Review*, n.s., 39, no. 2 (May 1, 1986): 205–22; Zahedieh, "The Merchants of Port Royal, Jamaica, and the Spanish Contraband Trade, 1655-1692," *William and Mary Quarterly (WMQ)*, Third Series, 43, no. 4 (October 1, 1986): 570–93; Zahedieh, "A Frugal, Prudential and Hopeful Trade: Privateering in Jamaica, 1655-89," *Journal of Imperial and Commonwealth History* XVIII (1990): 145-68; Zahedieh, *The Capital and the Colonies: London and the Atlantic Economy 1660-1700* (Cambridge: Cambridge University Press, 2010).

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In telling this story about the regional politics of sea raiding in the late seventeenth-century Caribbean, this dissertation contains six chapters, four proceeding chronologically from 1655 to 1701, and two offering synthetic looks at, first, the legal history of piracy, and, second, Jamaican leaders' use of the language of sea raiding. Each chronological chapter begins with a description of Jamaica's political and economic development during the period, including a narration of the island's role within the English empire. These sections are mostly descriptive and informational, providing necessary background, especially of the empire, allowing the rest of the chapter to emphasize local Caribbean concerns and to detail the development of sea raiding.

Chapter One examines piracy's legal history from the ancient period until the early eighteenth century, following several recent scholars who argue for a late seventeenth-century moment in which piracy became an international crime perpetrated by enemies of all – repurposing the Latin phrase *hostes humani generis* from other early-modern misreadings of Cicero. This chapter also presents original research on the linguistic roots and development of the word "privateer" in English, a gap in the otherwise careful scholarship on piracy's legal development. Finally, it introduces the concept of English prize culture, fundamental to the argument of this dissertation.

Chapter Two begins the chronological story of Jamaican sea raiding and politics, focusing on the dynamic period from 1655 to 1671, which emerges as three distinct periods: 1655-1660, 1660-1664, and 1664-1671. In the first, Western Design soldiers and sailors join a few immigrant buccaneers to form the basis of sea-raiding crews attacking Spanish targets to

gain supplies for the forgotten colony and to adhere to Cromwell's original orders. In the second period, Jamaicans continue the practice of sea raiding for currency and supplies despite orders against it from the new king. In the third period, royal governor Thomas Modyford – with the help of Admiral Henry Morgan – eschews crown commands and organizes Jamaica's now sizable population of sea raiders into an island navy enforcing his policies within the Caribbean political sphere and capturing slaves and goods vital to creating a plantation culture.

Chapters Three and Four discuss the two periods in which island leaders transition away from using private sailors for raiding Spanish targets but continue to use them for other purposes. Chapter Three opens with the Treaty of Madrid, the 1670 document that declared a unique Anglo-Spanish peace in the Americas but forbade trade between colonies of the two empires. Jamaican leader Thomas Lynch employs the island's private sailors to engage in lucrative illegal trades between Port Royal and Cuba and Cartagena. In Chapter Four, Lynch returns as governor in the 1680s but, due to changed circumstances in the Caribbean, he is unable to employ private sailors except as liaisons to powerful foreign raiders in the region and as "pirate" hunters sent to capture minor raiders disrupting trade or breaking the treaty. His successors stop these practices soon after Lynch's death, and James II even commissions a royal pirate-hunter-in-chief who takes over Jamaica's regional pirate-hunting business.

Chapter Five breaks the chronological thread to detail the use of the words "pirate" and "privateer" in Jamaican correspondence through the 1680s, arguing that leaders used the words following emerging local definitions and for political purposes despite unclear legal meanings. It can be read as a supplement to Chapter One, providing examples of local language use in a time when international legal meanings were unsolidified.

Chapter Six concludes the chronological story, arguing that Jamaica succumbed to imperial pressure in the 1690s to minimize the use of private raiders altogether, even during a period of intense Anglo-French war. Instead, the empire re-asserts control over regional warfare by sending large naval fleets and powerful fleet commanders to the Caribbean, and by commissioning hundreds of crown-licensed privateers. Jamaican governor William Beeston grudgingly accepts imperial control of the regional war because the island loses most of its remaining private sailors, not to mention much of its infrastructure and population, during the 1692 Port Royal earthquake. Concluding the story begun in chapter one, this period sees the imperial and international legal definitions of the words "pirate" and "privateer," intentionally leaving no room for those colonial agents who had successfully operated as both and neither in the four decades prior. The multi-national Caribbean political sphere, at whose center Jamaica had sat, diminished in the face of greater imperial control. As regional economies changed, private sailors could no longer be agents of colony and crown.

CHAPTER ONE

Motherless Children: "Piracy" and "Privateering" From Pompey to Peter Pan

None of the pirates in J. M. Barrie's *Peter Pan* had a mother, but they all wanted one. After they had captured Wendy, Michael, John, and the Lost Boys, and were preparing to make the children walk the plank, the pirate Smee offered to spare Wendy if only she would agree to be his mother. She refused flatly, saying, '"I would almost rather have no children at all.'"[1] Other pirates in late nineteenth-century English literature were motherless children, too. The Pirate King and his crewmen in *The Pirates of Penzance* were all orphans, a fact that helped prevent them from being particularly successful plunderers (they refused to kill other orphans or fight any ships manned by orphans). Jim Hawkins's commitment to his own mother in *Treasure Island*, a loyalty none of the barbarous mutineers ever had, always kept him from turning pirate when tempted to do so by Long John Silver. Why did these fictional sea rovers lack mothers, and why, as Wendy clearly believes of Smee, did they not even deserve to have mothers at all? This chapter approaches that question from a legal historical perspective, examining the changing legal status of sea raiders from ancient Greece to the early modern Caribbean. It aims to find the right language to describe the Jamaican agents at sea this dissertation examines. Were they motherless monsters, like the pirates Smee and Silver? Or did they more resemble the pirate's lawful counterpart, the privateer? Here we explore language and law from ancient Greece to modern England to find the answer.

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[1] J. M. Barrie, *Peter Pan*, Everyman's Library (New York: Alfred A. Knopf, 1992), 187.

Today, piracy is an "act of depredation, committed for private ends" by unlicensed brigands on the high seas. Pirates are enemies of humanity and subject to capture by any nation on earth.[2] Until the last few decades, historians have believed that this modern definition began to take root in the ancient world. This chapter brings together recent scholarship questioning that assumption, however, arguing that the present legal definition of piracy was not in place until the 1690s at the earliest. The Caribbean sea raiders examined in this dissertation, then, should not be classed as "pirates," at least not as we think of pirates today. This chapter then turns to the related but distinct history of licensed sea raiding in order to show that "privateer" also had unstable meanings before 1690. It describes a European culture of taking prizes at sea born during naval and private reprisal raids in the medieval period. This "prize culture" transformed into an English state project during Elizabeth's war with Spain. Licensed sea raids eventually came under the rubric of "privateering," a new English word in the early seventeenth century, which colonial and imperial officials used frequently to refer to Jamaica's private raiders in the 1660s through the 1680s. As the remainder of this chapter outlines, and the dissertation describes in detail, the word "privateer" also gained a legal definition in the early eighteenth century. A counterpart to the newly-defined "pirate," the "privateer" came to mean a crown-licensed and state-regulated supplementary naval force during times of war. Jamaica's sea-borne agents, raiding Spanish commerce and running illegal trades, had been called "privateers" at the time, but would not now fit into the legal category of either "pirate" or "privateer." I call these colonial agents simply "sea raiders" or "private sailors." These seamen occupied a legal space which ceased to exist after 1700.

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[2] United Nations, "United Nations Convention on the Law of the Sea," December 10, 1982, article 101, http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm.

For generations, historians assumed that ancient law had classified pirates as inhuman and that early-modern jurists simply codified that status into international law. Scholars in the last thirty years have, however, found that, in the days of Homer and Cicero, jurists made no distinction between legal and illegal raids. Those whom the ancients termed "pirates," some argue, were members of land-based political communities who engaged in raid and trade at sea that Roman leaders simply did not like. Moreover, nearly all recent legal histories agree that the term historians have so long associated with the pirate – *hostis humani generis*, "the enemy of all mankind" –was not successfully associated with unlawful sea raiding until the early modern period. Further, these scholars reveal, pirates were subject to "universal jurisdiction" (liable to be captured by agents of any nation) beginning only in the late seventeenth century. Despite the similarity of the revisions they offer, the particular collection of sources used in this chapter have not been critically examined together, a lacuna this chapter helps to overcome.[3]

The Legal History of Piracy

Scholars used to believe that piracy as the modern world understands it – unlawful depredation at sea conducted by vagabonds with the aim of acquiring plunder through attacking

[3] This chapter examines the following works: D. P. O'Connell, *The International Law of the Sea*, ed. I. A. Shearer, vol. 1 (Oxford: Clarendon Press, 1982); Alfred P. Rubin, *The Law of Piracy*, International Law Studies, v. 63 (Newport, RI: Naval War College Press, 1988); Janice E. Thomson, *Mercenaries, Pirates, and Sovereigns: State-Building and Extraterritorial Violence in Early Modern Europe*, Princeton Studies in International History and Politics (Princeton, N.J: Princeton University Press, 1994); Philip de Souza, *Piracy in the Graeco-Roman World* (Cambridge: Cambridge University Press, 2002); Harry D. Gould, *The Legacy of Punishment in International Law* (New York: Palgrave Macmillan, 2010); Harry D. Gould, "Cicero's Ghost" in Michael J. Struett, Jon D. Carlson, and Mark T. Nance, eds., *Maritime Piracy and the Construction of Global Governance* (New York: Routledge, 2012); Dan Edelstein, "War and Terror: The Law of Nations from Grotius to the French Revolution," *French Historical Studies* 31, no. 2 (April 1, 2008): 229–62; Daniel Heller-Roazen, *The Enemy of All: Piracy and the Law of Nations* (New York: Zone Books, 2009).

the seaborne trade of maritime powers – had existed since the ancient establishment of large polities in the Mediterranean. Henry Ormerod revealed this paradigm on the opening page of the early twentieth century's major scholarly work on ancient piracy: "Throughout its history the Mediterranean has witnessed a constant struggle between the civilised peoples dwelling on its coasts and the barbarians, between the peaceful trader using its highways and the pirate who infested the routes that he must follow." He added, as a caution, "at different stages of their history most of the maritime peoples have belonged now to one class and now to the other," but he never questioned that those classes were firmly established either in his own time or that of his subjects.[4] His and others' assumptions typically relied on three major pieces of evidence. First, Greek and Latin words similar to the English "pirate" (*peirates* and *pirata* respectively) were used in ancient documents pertaining to raiding at sea. Second, in Homer's *Odyssey*, an ogre asks Odysseus and his crew whether they might be "Pirates perhaps, who seek through seas unknown / The lives of others, and expose your own?"[5] Finally, Roman jurist Marcus Tullius Cicero took a famously dim view of pirates in his treatise *On Obligations*: "if an agreement is made with pirates in return for your life, and you do not pay the price, there is no deceit, not even if you swore to do so and did not. For a pirate is not included in the number of lawful enemies, but is the common enemy of all."[6]

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[4] Henry A. Ormerod, *Piracy in the Ancient World* (Baltimore, MD: Johns Hopkins University Press, 1924), 13.

[5] Homer, *The Odyssey of Homer. Translated from the Greek by Alexander Pope, Esq. In Two Volumes* (London, 1795), l:9.301–2. Heller-Roazen translates the interrogatory as: "'Do you roam for trade/ Or for adventure, crossing the seas, like pirates,/ Risking their lives and bringing harm to others?'" *The Enemy of All*, front matter. The latest translation also uses the word pirate: "'Are you here on a trading voyage, or do you wander/ at random over the seas, like pirates, risking/ your own lives and bringing ruin to other men?'" Homer, *The Odyssey*, trans. Stephen Mitchell (New York: Atria, 2013), l:9.246–248.

[6] This is Heller-Roazen's translation, Heller-Roazen, *The Enemy of All*, 16. The most recent published English translation of Cicero's treatise reads: "a pirate is not specified as belonging to the ranks of combatants, but is a foe in all men's eyes," Marcus Tullius Cicero, *On Obligations*, trans. P. G. Walsh (New York: Oxford

Compelling as this evidence is, it does not reveal the social or legal meaning that ancients ascribed to their words *peirates* and *piratae*, and scholars have recently called into question the assumption that they indicate widespread sea brigandage in the ancient world. Alfred P. Rubin asserts that the ancients made little distinction between lawful and unlawful raiding at sea (they used *peirates* and *piratae* to indicate both acts interchangeably), nor did they link "piracy" with any definable criminal acts. In reference to the Cilician "pirates" ravaging Rome when Cicero was writing, Rubin finds that they consisted of members of "traditional Eastern Mediterranean societies operating in ways that had been accepted as legitimate for at least a millennium," and that the Romans sought to suppress them simply because they did not submit to the Latin economic hegemony in the region.[7] They were enemies but not stateless brigands. Philip de Souza offers a much more in-depth textual and linguistic analysis of piracy in the ancient world, finding that, for much of ancient Greek history, "people using ships to plunder coastal settlements are not called pirates, so they cannot really be said to be practicing piracy."[8] Moreover, he reveals a common link between the Greek words *peirates* and *leistes*, a form of land-based banditry, meaning that "piracy" should not always be associated with the sea in this time. And though Souza calls first-century B.C. Cilician sea raiders "pirates," he surmises that Roman writers may have exaggerated their bad deeds in order to inflate the status of Pompey, the Roman general credited with defeating them.[9] Daniel Heller-Roazen concurs with his predecessors in his thorough philological analysis of the words for "pirate," concluding that "the familiar image, therefore, hardly holds: the pirates known to the ancient authors were by no

University Press, 2000), 121. Heller-Roazen's distinction of "lawful enemies" as opposed to the more ambiguous "combatants" is important to his argument. Gould splits the difference and offers the translation "enemy proper," Gould, "Cicero's Ghost," 25.

[7] Rubin, *Law of Piracy*, 6.

[8] Souza, *Piracy in the Graeco-Roman World*, 17.

[9] Ibid., chap. 4.

means exclusively sea-faring, individual, or primitive. It would not be difficult to demonstrate that they were also not 'barbarian'…". In other words, *peirate* and *piratae* did not signify a stateless sea raider, the way "pirate" does today. Heller-Roazen speculates that some modern and early-modern scholars willfully propagated a myth that the words always meant the same thing simply because they wanted to separate the act of piracy as much as possible from their own time.[10]

These and other scholars have also sought to debunk the misinterpretation that, since Cicero's time, courts have consistently viewed pirates as outside the realm of human fellowship, believing sea raiders to be *hostes humani generis*.[11] Heller-Roazen identifies the source of this myth as the ancient differentiation between enemies of the state and plundering antagonists who "lacked the positive characteristic of equality" with the state, and were therefore deemed illegitimate or private enemies.[12] When Cicero dissertated on obligations, he rooted pirates firmly in the illegitimate enemy camp, an enemy to whom, it seems, one did not need to keep one's promises. Rubin questions this assumption, however, arguing that if Cicero "was speaking as the technical lawyer later scholars have assumed" – and it is clear Rubin did not believe he was – "then what he really seems to have meant was that 'pirates' are not robbers or brigands but legal enemies with the sole exception regarding promises to them."[13] Harry D. Gould agrees with

[10] Heller-Roazen, *The Enemy of All*, 38.

[11] On this point, Harry Gould finds much evidence that international law scholars frequently assume an ancient link when none exists, citing two seminal twentieth-century legal writers: J. L. Brierly, who considered the practice ancient and Lassa Oppenheim, who noted that the link was made "before International Law in the modern sense of the term was in existence." See Gould, *The Legacy of Punishment in International Law*, 167 n. 19; Lassa Oppenheim, *International Law: A Treatise*, ed. Ronald Roxburgh, vol. 1 (London: Longmans, Green, 1920), 434; J. L. Brierly, *The Law of Nations: An Introduction to the International Law of Peace*, ed. Humphrey Waldock (Oxford: Clarendon, 1963), 311.

[12] Heller-Roazen, *The Enemy of All*, 101.

[13] Rubin, *Law of Piracy*, 11–12. Andrew Lintott has recently reminded all historians of the dangers of reading Cicero: "Cicero is not a detached and impartial narrator of either the world in which he himself moved or

both Rubin and Heller-Roazen to a point, noting that "talk about the ancients considering pirates the enemy of humanity rests upon a fundamental misconstrual of that term." Gould reminds us that Roman law did include the concept of *hostis humani generis*, but that the label applied to tyrants, not pirates.[14] The first text applying the construction previously used for dictators to pirates came from a fourteenth-century Italian writer, Bartolus of Saxoferrato,[15] but, according to Gould and Emily Tai, Bartolus was writing about property law, not making a claim about universal jurisdiction or the relative heinousness of the pirate's crimes.[16] All agree that those claims come even later, with the genesis of international law in the sixteenth and seventeenth centuries.

There is great significance to these revisions of the history of sea raiding in the ancient world. First, it is clear that, in ancient law, "pirate" did not have the modern connotation of "stateless brigands, enemies to all." Contrary to what scholars previously believed, we now know that the modern legal definition of the word has not been fixed since the ancient period and that "pirate" is, therefore, a mutable legal and social category. Second, these scholars' linguistic analyses reveal that ancient Romans dubbed the Cilician seamen "pirates" for political purposes having to do with getting around certain laws governing wars and captured property, not based on any particular acts the sailors performed at sea. Looking at language in this context suggests

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the past history of Rome," A. W. Lintott, *Cicero as Evidence: A Historian's Companion* (Oxford: Oxford University Press, 2008), 3.

[14] Gould, "Cicero's Ghost," 23, 25-27.

[15] Rubin does not mention Bartolus, but Heller-Roazen explains that Bartolus was "employing a turn of phrase not found before him," *The Enemy of All*, 103. Gould takes Heller-Roazen's remark as proof that he believes Bartolus himself invented the phrase *hostes humani generis*; it is very unlikely Heller-Roazen made such an oversight, however.

[16] Gould, "Cicero's Ghost," 30. See also Emily Sohmer Tai, "Marking Water: Piracy and Property in the Premodern West" in Jerry H. Bentley, Renate Bridenthal, and Kären E. Wigen, eds., *Seascapes: Maritime Histories, Littoral Cultures, and Transoceanic Exchanges*, Perspectives on the Global Past (Honolulu, HI: University of Hawaii Press, 2007), 215.

that any examination of a political community with sea raiders might benefit from similar linguistic scrutiny; ancients were not the only ones to use words politically. Chapter Five of this dissertation conducts just such an examination of the use of the words “pirate” and “privateer” in late seventeenth-century Jamaica.

Recent scholars agree that the modern conception of piracy owes its origin to the codification of international law from the sixteenth through the eighteenth centuries. Furthermore, in English legal practice and international theory, most argue, pirates became stateless enemies of all humanity – subject to universal jurisdiction – only after 1690. The date is important, for it shows that “pirate” – in the modern sense – was not a clearly defined legal category from the 1650s through the 1680s, the heyday of Jamaica’s agents at sea. It is, therefore, very unlikely that “piracy” in the modern sense would accurately describe all of these agents’ activities. Our authors contend that the legal creation of a monstrous “foe beyond the line” was very important to a modernizing Europe in the late seventeenth century.

International law – a system of rules separate from any nation’s legal code that governed the way those nations interacted with one another – was relatively new in the early-modern period, but it had classical origins. Cicero and other Roman jurists defined rules for when to declare and how to conduct war, and for dealing with property claims involving goods seized at sea, and each set of ideas had multinational implications. Early modern legal theorists, beginning with Pierino Belli and Alberico Gentili in early-mid sixteenth century Italy and Hugo Grotius in the early-seventeenth century Dutch Republic, codified these Roman ideas into the two major

pillars of international law: the law of the sea and the laws of war. Each, naturally, had a great deal to say about pirates.

The idea that the sea represented a unique legal space went back millennia, but the modern notion of the masterless high seas, enshrined in the United Nations Law of the Sea Convention, can be reliably dated only to the turn of the eighteenth century. Ancients, contends Heller-Roazen, took up one of the most vexing questions about the sea: whether (and how effectively) it could be owned or controlled by humans and the states they formed. He challenges accepted scholarship about ancient Rome when he concludes that, "more often than not, the ancients may have accepted that the seas – no matter the occasional pronouncements of despots – could have no lawful master," and, by extension, that no state could claim sovereignty over it.[17]

English maritime law scholar D. P. O'Connell argues that a similar debate over ownership of the sea took place nearly two millennia later in regards to Northern European waters, but it had strikingly different results. The debate opened in 1608 when Hugo Grotius, interested in securing Dutch trading rights in the Iberian-controlled East Indies, opined that no state could legally prevent others from operating in certain parts of the sea. English scholar John Selden disputed Grotius's aptly named *Mare Liberum* ("The Free Sea") with his own *Mare Clausum* ("The Closed Sea"), stating that England had the authority to control access to waters surrounding the British Isles. O'Connell notes that, by 1700, most jurists sided with Selden: "the sea was conceded by all of the prominent authors to be susceptible of occupation." This "doctrine" of sea ownership, he states, "dominated juristic thought for the next two hundred and fifty years."

[17] Heller-Roazen, *The Enemy of All*, 74.

Though they resolved the theoretical debate in Selden's favor, Europe's maritime states then faced the more vexing problem of "the effectiveness of possession rather than … its possibility." Though they tried to own the oceans, O'Connell contends, these naval powers learned they had no capability for effectively possessing any part of the sea except that which they could control from shore.[18] So, although Europeans in 1700 believed, unlike the ancients, that a state could claim ownership of the sea, they realized, like the ancients, the impossibility of exercising those claims. They lacked the technology to exert dominion over any part of the sea beyond a few miles off their coasts. Thus the modern international legal concept of territorial waters dates from the early eighteenth century as a compromise between the theory of ownership and the reality of masterlessness. Territorial waters could be controlled from land, but the high seas could not fall under the jurisdiction of any nation.

Since states recognized the jurisdictionless nature of the high seas, jurists throughout the ages questioned what to do with property – including goods and slaves – taken at sea. Ancient Romans followed the property law of *postliminium*, stating that ships, laboring animals, or slaves captured in war or on the sea and taken out of their state of residence must return to their former owner if they ever came back into that state.[19] Heller-Roazen examines *postliminium* cases and concludes that, even if a person or thing were taken by pirates and kept at sea, classical legal scholars followed a maxim, "restated by many of the founders of modern international law," that "'the pirate does not alter ownership.'"[20] Rubin traces similar cases in early-modern England and finds that "pirate" lacked a criminal connotation there until the seventeenth century. Though

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[18] O'Connell, *Law of the Sea*, 1:13–15.

[19] Hugo Grotius, *De Jure Belli Ac Pacis Libri Tres [On the Law of War and Peace Three Books]*, trans. Francis W. Kelsey, Classics of International Law, no. 3 (Oxford: Clarendon, 1925), 701.

[20] Heller-Roazen, *The Enemy of All*, 207 n. 19, 74.

Admiralty court cases involving property owners seeking to re-claim goods stolen at sea were quite common in the sixteenth and seventeenth centuries, in these cases "pirates" were identified simply as violators of property rights. Despite Henry VIII's well-known statutes against pirates and Queen Elizabeth's pronouncements against raiders, Rubin argues, "the usage [of the word 'pirate'] did not reflect a concept of criminal law, but of property law; the sixteenth [-] and seventeenth [-] century English Civil Law version of the ancient Roman law of postliminium."[21] Until the end of the seventeenth century, then, "pirates" were universally classified in English Criminal Law as neither those who raided at sea without commissions nor as criminals.

While working out the laws of the sea, early modern legal writers sought also to establish international laws of war. The debate over these laws, based as they were on ancient paradigms about enemies, had great implications for sea raiders. The two early theorists of international law most cited in discussions of piracy and the laws of war were the Italian Alberico Gentili and Hugo Grotius. Upon authoring *De Jure Belli Libri Tres* ["Three Books on the Law of War"] in the mid-sixteenth century, Gentili became one of the earliest international lawyers to assert that "pirates are the common enemies of all mankind" and not, therefore, subject to the laws of war.[22] Greatly expanding upon Cicero's thoughts on obligations owed pirates as well as the classical taxonomy of "legitimate" and "illegitimate" enemies, Gentili argued that one need not declare war against pirates in order to fight them.

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[21] Rubin, *Law of Piracy*, 50.

[22] Alberico Gentili, *De Jure Belli Libri Tres*, trans. John Carew Rolfe, Classics of International Law, no. 16 (Oxford: Clarendon, 1933), 22.

Gentili also noted that some who raided at sea did so lawfully, as long as they possessed, in Rubin's words, the "license of an established sovereign."[23] Rubin observes that in practice, therefore, it was up to the state capturing a sea raider to determine if the sailor held a valid license or, even if he did, if the sovereign who issued it was sufficiently "established." The capturing state could determine, with finality, who was a "pirate" – an illegitimate and universal enemy to whom one need not keep oaths and against whom one need not declare war in order to capture – and who was a lawful raider acting for an opposing state. Heller-Roazen sums up the implications of Gentili's assertions nicely: "a single ruler could, by fiat, decide which enemies were legitimate representatives of a state and which, by contrast, were mere 'bandits.'"[24] Though the Italian jurist intentionally left no universal definition of the term "pirate," two things were new in his treatise: he established that "pirates" were common enemies of humanity, and he created a legal counterpart to the unlawful brigand – a licensed private raider who would become, within the next century, the privateer.

In the early seventeenth century, Grotius disputed Gentili by asserting that a moral definition should govern who was called a "pirate." Grotius created the first universal legal definition of piracy, arguing that the word applied only to communities that banded together specifically for wrongdoing. According to Heller-Roazen, Grotius made plain that one must examine the character of one's antagonists before determining their class: were they "formed, like the pack of robbers, 'for the sake of wrongdoing' or, like the commonwealth, 'for the enjoyment of rights?'"[25] Like Gentili, Grotius believed in "legitimate" and illegitimate" enemies,

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[23] Rubin, *Law of Piracy*, 20.
[24] Heller-Roazen, *The Enemy of All*, 109.
[25] Ibid., 110. Grotius, *De Jure Belli Ac Pacis*, 631–2.

but Heller-Roazen asserts that the jurist found some room for movement between categories.[26] He argues, importantly, that Grotius thought that individuals or communities could shift between the two classes: one could go from being a representative of a legitimate state formed "for the enjoyment of rights" to being a mere illegitimate robber or pirate depending on his action, and vice versa. Perhaps Grotius took to heart the question posed by Augustine of Hippo: '"what are kingdoms but great robberies? And what are robberies themselves, but little kingdoms?'"[27] The porousness of the boundary between legitimate and illegitimate is very significant, for as long as sea raiders could drift between the two classes, "pirates," though they may have been called universal enemies, were still men, not yet monsters.

Pirates achieved inhuman status in legal theory only in the last quarter of the seventeenth century. In this time, harsh definitions and treatment of pirates increased, so that maritime lawyer Charles Molloy could write in the late 1670s: "A pirate is a Sea Thief, or *Hostis humani Generis*, who for to enrich himself, either by surprise or open force, sets upon merchants and others trading by Sea, ever spoiling their lading."[28] English admiralty judge Sir Leoline Jenkins declared in the following decade that pirates "are therefore esteemed to be out of Protection of all Princes, and of all Laws; because every *Magistrate that bears the Sword for the Terror of those that do evil*, is to draw it against them; and is made a Minister to execute Justice upon them."[29] By 1758, Emer de Vattel, the Swiss codifier of the Law of Nations, identified a certain class of enemy that went beyond the standard illegitimate antagonist:

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[26] Rubin, *Law of Piracy*, 30.

[27] Heller-Roazen, *The Enemy of All*, 56.

[28] Charles Molloy, *De Jure Maritimo et Navali, Or, A Treatise of Affairs Maritime and of Commerce: In Three Books* (London, 1682), 29.

[29] William Wynne, *The Life of Sir Leoline Jenkins Judge of the High-Court of Admiralty, ... Ambassador and Plenipotentiary for the General Peace at Cologn and Nimeguen, ... And a Compleat Series of Letters, ... Never before Published. In Two Volumes. By William Wynne* (London, 1724), 1:91. Emphasis Wynne's.

> those who seem to delight in the ravages of war, who spread it on all sides, without reasons or pretexts, and even without any other motive than their own ferocity, *are monsters, unworthy the name of men*. They should be considered as enemies to the human race, in the same manner as, in civil society, professed assassins and incendiaries are guilty, not only towards the particular victims of their nefarious deeds, but also towards the state.[30]

Vattel's words, culminating the thoughts of his late seventeenth-century English predecessors, represent a significant shift away from Grotius's imaginings of permeable categories of enemies.

Alfred Rubin believes that English jurists made this theoretical change in the definition and treatment of "pirates" a reality in the 1690s because of the sea war that deposed king James II made on England. Rubin casts the transformation as a debate about how to try the Irish sea raiders whom James had commissioned to attack English shipping and whom the English brought to court in 1692. Leading up to the trial, jurist Mathew Tindal argued that the Irish raiders should be charged with and convicted of piracy, since they bore commissions from an unrecognized authority. Dr. William Oldys contended that the seamen not only had commissions very much like English privateers did but, more importantly, they did not bear "the character of a pirate, who is a robber, and has thereby lost his right in the law of nations." Tindal's position won out in the end, and Oldys was replaced as an advisor to the King. That England in practice adopted a Gentilian attitude towards its foes in the 1690s, says Rubin, let the nation apply the legal label "pirate" to any raider it so chose, despite Oldys's cautions that such a label carried great weight in international law in which the subject, being "a foe beyond the line," had "lost his right" and was "out of Protection of all Princes, and of all Laws."[31]

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[30] Emer de Vattel, *The Law of Nations Or, Principles of the Law of Nature: Applied to the Conduct and Affairs of Nations and Sovereigns* (1758; Dublin, 1792), 305. Emphasis mine.

[31] Rubin, *Law of Piracy*, 70.

According to Harry Gould, this English debate over trying pirates was part of a very gradual process of speech acts in the late seventeenth and early eighteenth centuries that eventually formed the single international definition of "pirate" and the universal agreement to punish all illegal raiders regardless of nationality evident in later writings like Vattel's. He contends that "calling pirates the enemies of humanity... is what *made* them enemies of humanity, and that this is ultimately the basis for pirates being subject to universal jurisdiction."[32] Whereas legal scholars have claimed that pirates were liable to be captured by agents of any nation because of the havoc they wreaked on international economies or the heinousness of their crimes, Gould asserts that calling pirates universal enemies is the only thing that really made them so. "Over the course of multiple centuries, and repeated assertions in multiple venues, the primary claim was accepted. The illocutionary purpose of getting interlocutors to accept that pirates are the enemy of all humanity was fulfilled."[33] He concludes by observing that the legal phrase *hostis humani generis*, regardless of when it was first uttered, is a social construction, like piracy itself, "the product of human minds and human language."[34]

At the end of the seventeenth century, simply by being called such, "pirates" became the enemies of all, lost all rights in international law, were transformed into monsters rather than men, and could be extirpated by agents of any nation without a declaration of war. Jamaican raiders in the decades immediately preceding this sea change do not fit the definition English and international legal theorists were creating. As the remainder of this dissertation makes clear, they acted frequently with and for Jamaican elites, defended the island, and brought in goods, slaves,

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[32] Gould, "Cicero's Ghost," 24.
[33] Ibid., 37.
[34] Ibid., 41.

and currency for the benefit of the new colony. Hardly the enemies of all nations, they often held commissions from either Jamaican or French colonial backers and maintained a latent loyalty to England and its king. Jamaica's sea raiders in the late seventeenth century were not pirates according to today's standards, but, as I explore in Chapters Five and Six, their actions may have helped inspire jurists in England to create the harsh definition that has persisted in international law to today.

Prize Culture and the Birth of Privateers

If not pirates, were Jamaica's agents "privateers," licensed sea raiders considered the lawful counterpart to pirates in international law? At first glance, the term seems a better fit. Jamaican sailors frequently held commissions for their raids, and imperial and colonial officials alike employed the word "privateers" to describe them on many occasions. But "privateer" – new to the English language in the early seventeenth century – gained a strict legal definition only at the very end of that century, and it, too, did not describe Jamaica's agents at sea during the latter seventeenth century.

The practice of licensed sea raiding had a long history, beginning as reprisals in ancient Greece. Philip de Souza reveals that most Greek references to "pirates" in the fourth and third centuries B.C.E. were to seafaring mercenaries employed by a monarch.[35] Ancient monarchs might authorize raids at sea as a way of letting seamen take back, by force, the value of goods stolen from them. This concept of reprisal, Heller-Roazen, observes, quickly evolved to the point

[35] Souza, *Piracy in the Graeco-Roman World*, chap. 3.

where a sovereign would grant one of his subjects the right to plunder towns or vessels of another sovereign, one of whose subjects had taken the first individual's goods. This practice was so common that the Greek and Roman terms *peirate* and *pirata* did not distinguish between lawful and unlawful raiders. Heller-Roazen writes, "the classical authors disposed of no term, be it Latin or Greek, by which they might divide the wide expanse of roving sailors, separating, in a single gesture, the lawful maritime raiders from the lawless."[36]

Ancient reprisal practices turned into an entire culture of taking prizes at sea, common in medieval England and expanding greatly through the early modern period. Over the course of those centuries, English private seamen and naval sailors alike lawfully captured ships, money, and goods – "prizes" – at sea and subsequently sold them according to maritime regulations or embezzled them for personal gain. This culture became firmly entrenched throughout the Atlantic – especially the Caribbean – during the seventeenth century, and formed the basis for English sea-raiding activities in the region during and after the conquest of Jamaica.

Prize culture originated with the regulation of the reprisal system in the thirteenth century. King Edward I issued the first English letter of marque – a seaman's written commission from his sovereign to "transgress the borders that separated one state from another" in order to conduct the validated plunder of reprisal.[37] English maritime law also emerged in the thirteenth century, as did the new post of admiral, who interpreted the law and oversaw letters of

[36] Heller-Roazen, *The Enemy of All*, 79.
[37] Ibid., 82. Heller-Roazen contends that the word "marque" in this case refers to going over a border, which he traces etymologically to the German word *marcha*, meaning limit or boundary. The *Oxford English Dictionary* differs, defining "marque" only as part of "letter of marque." Heller-Roazen also traces the first instance to Edward I, whereas the OED places it later. *OED Online*, s.v. "marque," accessed July 20, 2013, http://www.oed.com/view/Entry/151605.

marque and from which the modern Admiralty office developed.[38] Despite this additional regulation of acts of reprisal, Rubin finds that, as late as the sixteenth century, "at least in the popular mind there was no distinction between privateering and 'piracy;' a 'pyrate' could make 'lawful prize' of a captured vessel."[39]

Prize culture was not just the province of private reprisal men. In medieval England, the king's ships set out not just to defeat an enemy in battle but also to steal the enemy's goods and bring them to England. English leaders encouraged the practice of taking enemy prizes during naval operations because it benefited the state: first, it directly debilitated the enemy by depriving them of captured ships, goods, and currency; and second, it provided those resources to England by requiring all prizes to go through state agents. By the fourteenth century, English kings were also using prizes to pay navy men, habitually granting from one-third to one-half share of prize goods (and sometimes the entire loot) to the captors.[40] This is the basis of the "no purchase, no pay" scheme – in which a seaman's only payment was a varying proportion of the total value of the goods he and his crewmates actually took – which later became commonplace for private men-of-war. Prizes became even bigger business in late Tudor England, providing a cash infusion for Elizabeth's naval and private war with Spain.[41]

As historian Kenneth Andrews has detailed, once hostilities with Spain erupted in the summer of 1585, fleets of private raiders cropped up eager to engage in this culture of prize-taking. Captains lined up to request letters of marque from the Admiralty Court. Since these

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[38] Rubin, *Law of Piracy*, 34.

[39] Ibid., 17.

[40] N. A. M. Rodger, *The Safeguard of the Sea: A Naval History of Britain, 660-1649* (New York: W. W. Norton, 1998), 127.

[41] Ibid., 294.

commissions were all for lawful reprisals in the medieval fashion – the word "privateer" had not been invented – Andrews contends that they did not constitute legal acts of war upon Spain, though the fact of war soon became apparent.[42] Once war came, he argues, a "bellicose alliance of revengeful traders and rapacious gentry gained the adhesion of a powerful body of merchants, and the social force which was to dominate the sea war reached its full shape."[43] The practice of obtaining and issuing these letters of reprisal quickly became corrupted and lax, he contends; the "standard of efficiency and honesty" of Lord High Admiral Charles Howard and the High Court of Admiralty over which he presided was truly appalling.[44] It is not hard to see why: "The weakness of the Admiralty machine lay in its historical character: it was… a private province or liberty of the Lord Admiral… a private concern making a profit out of the public."[45] This combination of a dominant "social force" clamoring for reprisals and the mismanagement of commissions was unique to Elizabethan England, but Andrews's overall point is not:

> International Law was in its infancy and governments freely manipulated what law there was to suit the political needs of the moment. Thus once hostilities with Spain had begun legal niceties gave place to practical considerations. A captain without letters of reprisal would not be treated as a pirate so long as he confined his attentions to Spanish commerce.[46]

Reprisals had become a legal fiction – separate from the realm of "piracy" – undergirded by a rampant culture of prize-taking. Privateers existed in fact, but not in name, before the seventeenth century.

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[42] Kenneth R Andrews, *Elizabethan Privateering; English Privateering During the Spanish War, 1585-1603* (Cambridge: University Press, 1964), 3–4.
[43] Ibid., 18.
[44] Ibid., 23.
[45] Ibid., 30.
[46] Ibid., 5.

As the English navy expanded in the mid-seventeenth century, so too did prize culture: men of the interregnum navies took many more ships and goods at sea than had their predecessors. Parliament used the lure of plunder to ensure that their fleet fought hard when, in 1643, they promised officers and men "One full Third Part of all Prizes that they shall take."[47] Once Cromwell took power, he made sure to put all captured ships to good use. Historian Bernard Capp estimates that, of the 216 ships added to the navy between 1649 and 1660, "about half of them – 110 – were former prizes." English administrators, Capp notes, were especially pleased to be able to attack Dutch targets using former Dutch ships when at war with the Netherlands in 1654.[48] During the Western Design, Cromwell ordered Admiral William Penn to pillage the Spanish, taking all "ships and vessels which you find in any of their Harbors." Though he failed to bring in Spanish prizes, the Admiral used the opportunity to seize Dutch trading vessels in Barbados harbor and treated them as prizes for circumventing English navigation law. They were easier to acquire than Spanish ships, and some of their contents proved useful for supporting the army once it reached Jamaica.

But prize culture was built on a contradiction that caused great tension: seamen were encouraged to pillage but not to take for themselves. In order for the state to achieve the greatest benefit from the practice, its agents ashore (in the form of commissioners, prize courts, or Admiralty Courts) had to assess the prizes, sell them or keep them for the state, and properly distribute the proceeds. In a reality, however, where those in the navy could expect to receive little or no pay, failing to report possession of prize goods (especially fungible items like

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[47] C. H. Firth, R. S. Rait, eds., "March 1643: Ordinance for allowing One Third Part of Prize Goods to the Captors," *Acts and Ordinances of the Interregnum, 1642-1660*, British History Online, http://www.british-history.ac.uk/report.aspx?compid=55789.

[48] B. S. Capp, *Cromwell's Navy: The Fleet and the English Revolution, 1648- 1660* (Oxford: Clarendon, 1989), 4.

currency or jewels) made sense. Elizabethan sailors had seen prizes as fair game: "when a prize was brought into port," explains naval historian N. A. M. Rodger, "the men pillaged and stole, while the owners cheated the men of pay and prize money."[49] Plunder of this kind was so popular among interregnum seamen that, upon taking the throne, King Charles II had to remind his navy not to take any money or cargo from a prize ship before bringing it to the proper authority.[50] Embezzling and cheating also extended to officials, as when Commonwealth prize commissioners – who happened to be merchants as well – sold themselves prize goods.[51] In this environment, General Robert Venables' accusation that Penn and his men secretly kept some of the Dutch goods for themselves seems perfectly in keeping with the culture of prizes (though not the letter of the regulations).[52]

The new word "privateer" came into use in seventeenth-century England as a result of an expanded culture of prize-taking. This new word, probably a contraction of "private" and "volunteer," seems to have entered the language mostly in reference to Jamaica and the commissioned sea raiders launched from her ports to attack Spanish-American targets. The *Oxford English Dictionary* finds the introduction of the word, referring to captains and crewmen on private vessels, in a 1664 letter from acting Jamaican governor Thomas Lynch, published in the Calendar of Colonial State Papers.[53] Lynch's usage is not the first, however, since the term –

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[49] Rodger, *Safeguard of the Sea*, 321.

[50] He did allow seamen and officers to keep anything they found above the gun deck, however, Charles II, *An Act for the Establishing Articles and Orders for the regulating and better Government of His Majesty's Navies, Ships of War, and Forces by Sea* (London, 1727).

[51] Rodger, *Safeguard of the Sea*, 423.

[52] C. H. Firth, ed., *The Narrative of General Venables, with an Appendix of Papers Relating to the Expedition to the West Indies and the Conquest of Jamaica, 1654-1655* (London: Longmans, Green, 1900; New York: Johnson Reprint, 1965), 114, 115, 14, 59.

[53] *Oxford English Dictionary Online*, s.v. "privateer," accessed July 20, 2013, http://www.oed.com/view/Entry/151605. The OED also finds a reference to "privateer," meaning the ship, in a 1641

referring to the vessel rather than the crew – appears as early as 1626 and 1628 in the Domestic State Papers of Charles I.[54] These uses appear to be the earliest instances in official documents, since the term is never used in James I's Domestic State Papers, nor does Henry Mainwaring, the reformed pirate who acted as consultant to James, use it in his 1617 treatise on suppressing pirates.[55] The word's popularity in the 1620s was brief, however, for, during the Interregnum and the early Restoration, the terms "prize" and "private ship of war" appear with much greater frequency than "privateer." In 1660, the word appears again in a proposal for King Charles II to send a fleet of privateers to defend Jamaica, and afterwards throughout the 1660s in correspondence to and from Jamaica.[56] Chapter Five examines many of these uses in Jamaica from 1660 through the 1680s, finding that "privateer" bore an emergent local definition on the island. Commissioned private men-of-war were common long before there was a separate word for them, but it is likely that the expansion of prize culture, the preponderance of private raiders in the West Indies, and the solidifying definition of the term "pirate" in international law forced the new word into existence.

The term "privateer" lacked further definition in international law for the first several decades of its existence, solidifying only in the 1690s. England's systematic use of licensed raiders during Elizabeth's war with Spain in the 1580s was a rehearsal, providing a glimpse of how raiders continued to be used and what the word came to mean. Because the armature of the state was not fully developed in the sixteenth century, however, Elizabethan raiding commissions

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satirical pamphlet, confirming that the definition applying to a ship entered the language first. Lynch's letter is in The National Archives, UK (TNA): Public Record Office (PRO) Colonial Office series (CO) 1/18/68.

[54] Calendar of State Papers Domestic, Charles I, vols. 43 (1626) and 529 (1628).

[55] Henry Mainwaring, "Of the beginnings, practices, and suppression of pirates," G. E. Manwaring and W. G. Perrin, eds., *The Life and Works of Sir Henry Mainwaring*, vol. 2 (London: Navy Records Society, 1922), http://hdl.handle.net/2027/inu.30000081606505.

[56] TNA:PRO CO 1/14/4.

were not standard and regulations were haphazardly enforced. A century later, both French and English monarchs employed a system of well-regulated privateers supplementing naval actions as the empires went to war in the 1690s. Each side licensed raiders for more than individual reprisals: privateers augmented navy ships, followed strict regulations governing their behavior on the seas, and provided securities to ensure they followed the rules. As Chapter Six discusses, these privateers worked for the crown directly and came to replace local sea raiders from Jamaica in the prosecution of the war in the Caribbean.[57]

"Privateer" remained an un-codified category in international law until the eighteenth century, at which time the category came to be reserved for wartime heroes. The debates between Tindal and Oldys dramatize the newness of the question of the legal meaning of the term: a conviction of piracy might carry harsh consequences for James II's captured Irish raiders on trial in the 1690s, clearly a concern for Oldys, but what would a determination that they had lawful status mean? Must English jurists then treat the seamen as legitimate enemies under the still-developing international laws of war? The answer was unclear in the 1690s, since England judged the raiders to be pirates. Vattel provided clarity in 1758: "… [sailors] unquestionabl[y] may with a safe conscience serve their country by fitting out privateers, unless the war be evidently unjust… They would even deserve praise for their exertions in such a cause, if the hatred of oppression, and the love of justice, rather than the desire of riches, stimulated them to generous efforts, and induced them to expose their lives or fortunes to the hazards of war."[58] Though a sea raider's motives may be very difficult to determine, Vattel makes it known that some deserve praise for their actions in war as long as they bear a valid commission denoting a

[57] TNA:PRO High Court Admiralty series (HCA) 26/2/7.
[58] Vattel, *Law of Nations*, 401.

"contract" between sovereign and seaman. By the mid eighteenth century, the ancient notion of a "pirate," one who could be lawful or unlawful plunderer, had been split into two categories by legal theorists. The subjects of those categories performed exactly the same actions as one another – raiding at sea – but received widely disparate treatment from their sovereigns.

Conclusions: What's in a Name?

Though sea raiding was not uncommon in Homer's Greece or Cicero's Rome, the ancient root words from which we get today's "pirate" did not distinguish between good raiders or bad ones, lawful raids or unlicensed ones, or, even, seaborne plunderers or land-based ones. Many recent scholars agree that the present definitions of "pirate" – and its legal counterpart "privateer" – did not come about until the development of international law in the early modern period, and that the process was neither simple nor immediate. The evidence reveals that the modern law of the sea was incomplete prior to 1700, the modern category of "pirate" in England was not fully formed until legal debates in the 1690s, and the word "privateer" did not enter the English language until the early seventeenth century or gain legal definition until the end of the century. Given these relatively late legal developments, does it make sense to refer to Jamaica's seaborne agents of the colony as either pirates or privateers? As sea raiders, they were pirates in the ancient sense, but as commissioned actors, they were not pirates in the modern sense. They inherited England's culture of prize-taking and were called "privateers" frequently, but, after 1660, they did not have authorization from the English state, though they bore colony commissions. They would hardly fit the category of privateers in eighteenth- or nineteenth-

century international law. Jamaica's raiders did not belong to the modern world and should not bear modern legal definitions.

This chapter has discussed the linguistic origins of "pirate" and "privateer" in the ancient Mediterranean, medieval Europe, and the development of international law. It has narrated the legal solidification of both terms around 1700 but has not examined the usage or political meaning of either word in the crucial decades prior to solidification. In order to answer those questions, the next several chapters analyze the late seventeenth-century Caribbean's political economy in detail, and one specifically traces language use in Jamaica. The slow solidification of these legal categories had not begun in the English Caribbean when the Western Design seized Jamaica in 1655. Official documents to and from the island in the 1650s and 1660s rarely mention pirates or privateers as legal categories. For example, King Charles II's 1663 letter to Deputy Governor Charles Lyttleton, discussed in Chapter Two, requesting that the colonial leader stop Jamaicans from raiding the Spanish does not use either word.[59] The 1670 Treaty of Madrid – declaring official Anglo-Spanish peace in the Americas and discussed in detail in Chapter Three – uses the word "pirate" only once, and then not to legally define any particular seafarer. It does not use the word "privateer."[60] Governors of Jamaica did prosecute raiders called "pirates" in this time, as Chapters Two and Three make clear, but they used the word

[59] TNA:PRO CO 1/17/23.

[60] The Treaty suggests that "pursuit of Pyrates or Enemies" may be a reason for an English or Spanish ship to take refuge in the other empire's Caribbean harbors, *A Treaty for the Composing of Differences, Restraining of Depredations and Establishing of Peace in America: Between the Crowns of Great Britain and Spain*, (London, 1670), sec. X.

largely to refer to violators of trade law, seamen who clearly were not the “enemies of all mankind.”[61]

A Jamaican law against pirates in the late 1670s was the first effort on the island to begin re-defining the categories. As I discuss in detail in Chapter Four, the law became a model regulation imperial officials promulgated throughout the Americas. They did not do so, however, until Jamaicans finally ratified the law in 1683 and individual colonies did not adopt their own versions of the law until later. “Pirate,” therefore, started to gain a modern legal sense in relation to Caribbean sea raiding three decades after Jamaicans launched their first raids against the Spanish following the conquest of the island in the Western Design.

When the king and imperial officials in England wrote to Jamaican leaders (and vice versa) about “pirates” and “privateers” in the late seventeenth century, they were working with terms that were very much in flux and that did *not* have definitions universally agreed upon either throughout the empire or in international law. Chapter Five traces these minute linguistic shifts in Jamaican correspondence from the 1660s to the 1680s, revealing emergent local definitions responding to Caribbean concerns and not based on universal legal definitions.

Given the multiplicity of terms in use at the time, the changing language around sea raiding in the Caribbean, and the fact that modern legal definitions for the terms “pirate” and “privateer” were not in force prior to the 1690s, it would be inexpedient to use those words when discussing Caribbean sea raiding in the seventeenth century. I refrain from doing so in this dissertation, even as scholarly categories of analysis, except when quoting or analyzing the

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[61] This interpretation is consistent with Rubin’s argument that before the late seventeenth century, pirates in England were those who violated Civil Law within the jurisdiction of the Admiral. Rubin, *Law of Piracy*, 46.

language of a specific historical actor. I refer to Jamaica's agents at sea as just that, agents of the colony, private seamen, non-navy sailors making island-commissioned raids or running illegal trades for the growth of the colony, as a boon to the island elite, and out of latent loyalty to England. We should not use our modern meanings of "pirate" and "privateer" to judge the actions of a Jamaican (or any other) private seaman in the seventeenth century. They belonged to a different world. Before the 1690s, though depredations at sea were a historical reality, there were no pirates of the Caribbean.

CHAPTER TWO

At Home at Sea: The Conquest of Jamaica and Early Sea Raiding, 1655-1671

The field officers serving in Jamaica's conquering English army during the second half of the 1650s hungered for peas from New England but, in those lean years, such a seemingly mundane food became a rare delicacy.[1] Their commanding officer, a quickly-aging colonel named Edward D'Oyley, though inexperienced running a colony, did his best to allocate a very small supply of provisions equitably, but there simply was not enough to go around. According to D'Oyley's meticulous journal, he was able to dole out staples – like flour and oatmeal – to all the men on a regular basis, and every once in a while he even sent brandy or "English spirits" to each regiment. On a few occasions, he distributed rare treats like Madeira wine, New England peas, and, once, a barrel of olives. Provisions were not always at hand, however, and often the regular soldiers had to supplement their diet with what could be foraged or hunted on the island, lest they follow many of their comrades to an early grave.[2]

This dire situation came about because D'Oyley, the field officers, and the soldiers, all occupying large swaths of land radiating out from the large natural harbor that dominates the south side of the lush island of Jamaica, had been abandoned. They were the remnants of Oliver Cromwell's massive Western Design army and navy, the appointed commanders of which had sailed back to England as soon as the opportunity arose, taking most of the naval forces with

[1] The army did receive shipments of English peas, but even in this meager environment, Col. Edward D'Oyley had to ask his suppliers to send no more because the men found them "good for nothing" and far inferior to the New England variety, Edward D'Oyley, September 1657, British Library (BL), Egerton MS 2395, 146r.

[2] "Coll. Edward D'Oyley's Journal of his proceedings during the time he held chief command in the island of Jamaica," BL Additional MS 12423. This chapter uses the transcription in S. A. G Taylor, ed., "Edward D'Oyley's Journal, Part 1," *Jamaican Historical Review (JHR)* 10 (1973): 33–112 and Taylor, ed., "D'Oyley's Journal, Part 2," *JHR* 11 (1978): 62-117.

them and forcing D'Oyley to become the de facto leader of the new colony. English state ships did arrive to support the small settlement, but the provisions they brought were either "much damnified" to begin with, spoiled quickly, or were "embezzled by theft."[3] Not surprisingly, D'Oyley's census of the units dwindled every month as death ravaged the unprepared soldiers and sailors.[4] D'Oyley and company were forced to shift for themselves, fighting Spanish guerillas and mountain-dwelling Maroons to hold the third largest island in the Caribbean – and one of the most strategically important outposts in the Americas – for the glory of the English state. It is remarkable that a struggling army was able to build one of the English empire's most important colonies, a land in the middle of a bustling Caribbean political and economic sphere and a true center of the burgeoning Atlantic World.

This chapter argues that the conquering army and its immediate successors dictated the early colony's political culture and built its economy largely through a series of English- and Jamaican-sponsored sea raids on Spanish and Dutch targets. Lacking naval support or effective administration from England, Jamaicans developed and encouraged a community of private seaborne agents – Atlantic heirs to England's culture of prize-taking – in order to serve the immediate interests of the colony. Former Western Design soldiers and sailors joined forces with crews of Tortuga's buccaneers to attack Jamaica's enemies and steal goods, slaves, and currency. Their actions helped build an island economy and political culture, which, by 1660, emerged as largely self-reliant from King Charles II's restored monarchy. Expanded support of sea raids in

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[3] Edward D'Oyley, et al. "A Certificate in Relacion to our Stores," Jan 16, 1656/7, Huntington Library MS BL 312.

[4] Taylor, ed., "Edward D'Oyley's Journal, Part 1," app. 1.

the following decade aided the creation of plantation culture in the colony and bolstered Jamaica's position in a multi-national Caribbean political sphere.

After a narration of Jamaica's founding, the empire's political changes, and the growth of Caribbean plantations in this period, three chronological sections detail the development of Jamaica's community of sea raiders. The first shows how English Jamaica's unique position in the West Indies led island leaders to support a culture of raiding. On these raids, Western Design soldiers and sailors were joined by, but not under the command of, buccaneers from nearby English Tortuga and French Hispaniola. The second depicts how Jamaicans who were skeptical of the empire's political shifts in the early 1660s encouraged the growth of an island economy and political realm outside of imperial control and continued to send out sea raids in the colony's name, despite crown warnings to the contrary. The chapter culminates in the third section, which describes the embodiment of Jamaica's self-reliant spirit in the person of Governor Sir Thomas Modyford, who arrogated a great deal of power to himself and sponsored massive raiding campaigns under island Admiral Henry Morgan. Though these raids drastically heightened Anglo-Spanish tension in the region, they were hardly the work of stateless pirates, as some contemporaries – and historians – have suggested. Instead, Morgan's men were the agents of a colony and maintained an occasional loyalty to England; their actions strengthened Jamaica's position in the inter-imperial Caribbean political sphere, a position that Jamaican leaders, traders, and raiders would exploit in the early 1670s.

Politics and Plantations in England's West Indian Empire

Sixty-four English warships headed to the Caribbean sailed out of Portsmouth in December, 1654, launched by England's military dictator, Oliver Cromwell. Cromwell – who came to power by leading Parliament's army to victory in the English Civil Wars – sought to expand his nation's influence in Europe and the Americas. His massive fleet, on an expedition ambitiously named "The Western Design," had orders to wrest the entire West Indies from Spanish hands.[5] In May 1655, it managed to conquer only poorly-defended Jamaica, "a consolation prize" that came with a surprisingly great loss of men and resources.[6] Early that year, the fleet had stopped in Barbados, where the men rested, recruited additional forces from that island and St. Christopher, and prepared for an ambitious assault on Santo Domingo de Hispaniola, the Design's intended target. With Hispaniola in hand, Cromwell and his advisors thought, the remainder of Spain's rich Caribbean empire would fall quickly into superior English hands. In April 1655, nearly 8,000 British and West Indian soldiers and sailors packed into the navy vessels and attacked; they failed miserably.[7] Pride and manpower severely diminished, the

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[5] Though the Spanish Caribbean became part of the English consciousness with the exploits of Francis Drake and John Hawkins, English leaders gained much useful knowledge of the area in the 1620s and 1630s from the first English colonists on Barbados and the Leeward Islands and from visitors like Thomas Gage. As early as 1623, Edward Hyde, later Lord Clarendon, also gained information (some of it false) about the Indies, including Jamaica, from a former secretary in the Spanish government: Edward Clarendon, *State Papers Collected by Edward, Earl of Clarendon: Commencing from the Year MDCXXI*, vol. 1 (Oxford, 1767), 18–21. Captain William Jackson had briefly held the capital of Jamaica in 1643, significantly adding to knowledge of the southern part of the island and its great harbor in particular, see Vincent Harlow, "The Voyages of Captain William Jackson (1642-1645)," *The Camden Miscellany* 13, no. 34 (1924): 1–61.

[6] The current general history of the expedition is S. A. G. Taylor, *The Western Design: An Account of Cromwell's Expedition to the Caribbean* (London: Solstice Publications, 1969). Unless otherwise noted, the account below is drawn from Taylor's work. The quotation is from page 35.

[7] Carla Pestana analyzes the resulting English discourse of the failure and concludes that many saw the army's inability to take Hispaniola as a negative commentary upon their manhood, Pestana, "English Character and the Fiasco of the Western Design," *Early American Studies* 3, no. 1 (2005): 1–31. The commanders famously blamed each other and the quality of the soldiery, C. H. Firth, ed., *The Narrative of General Venables, with an Appendix of Papers Relating to the Expedition to the West Indies and the Conquest of Jamaica, 1654-1655* (London: Longmans, Green, 1900; New York: Johnson Reprint, 1965).

commanders regrouped and ordered the men to nearby Jamaica instead, landing on May 10, and easily conquering the southern side of the island within the next week. The English invaders quickly took over the inland capital, St. Jago de la Vega, and the vital harborside port of Passage Fort, while starting construction on their own fortress and storehouses on Point Caguay – the cay at the great harbor's mouth – which would later become Port Royal. For the following three years, however, English control was threatened by the presence of Spanish guerilla fighters in the interior under Arnoldo Ysassi, who, as a former military leader of the Spanish colony, had for decades "kept the coast continually clean" of invaders.[8] Ysassi and his men did not give up their home easily, but their campaign eventually petered out after a couple defeats to D'Oyley in 1657 and 1658.

Though the settled part of the island lay in their grasp, the Design lost coherence quickly due to sickness and arguments among the leadership. Cromwell had, typically, divided command between the army and the navy, appointing General Robert Venables, who had distinguished himself leading the conquest of Ireland, head of the land forces, and Admiral William Penn leader of the sea forces. The two were supposed to share power, but they had grown jealous and distrustful of one another during the botched invasion of Hispaniola. Moreover, Venables came down with the same disease that affected many of the men and returned to England for his health on July 4. Though his departure amounted to abandoning the army under his care, criticisms that the general had never intended to stay in the Caribbean were probably unfounded: his wife accompanied him on the journey, and he is reported to have told Jamaica's Spanish leaders "that

[8] Joseph de Torres Morales, 10 November 1657, National Library of Jamaica (NLJ), MS 382, p. 4.

'he came not to pillage, but to plant.'"[9] Penn gave up his post within the same week, but poor health was not an excuse; thinking his mission over, he took most of the navy ships and sailors back to England by way of Virginia. Venables later accused Penn of absconding with the goods taken from Dutch ships that the fleet had seized while in Barbados in order to fence them for personal gain on the mainland. Cromwell consigned both leaders to the tower upon arrival in England, Venables for having "deserted the army," and Penn for having returned from Jamaica "without license."[10]

Command of the land forces passed quickly from hand to hand after the leaders left, and though English officials sent a few replacement commanders, each one died in under a year. Venables' military authority descended to Major-General Richard Fortescue, who took control of the army in July. Fortescue survived several more months on the island, succumbing to disease in October just twenty days after the arrival of much-longed-for relief forces (numbering 800 men) under Major-General Robert Sedgwick, an officer from Massachusetts Bay who had recently conquered Acadia.[11] Sedgwick found the colony in a deplorable state, especially the land forces, who had left their provisions "lying open to the winds and weather exposed to all the damages imaginable." In the eight months he survived, he supervised the seamen (the army refused to work) in the construction of a storehouse and the beginnings of a fort on the Point, but

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[9] Elizabeth Venables, a widow, had recently married the general when the expedition left England, and he had obtained Cromwell's special permission to take her along. In her memoir she supports her husband's actions in the Caribbean but places blame on the "wicked army" he commanded, Elizabeth Venables, "Memoranda of Mrs. Elizabeth Aldersey, Wife to Thomas Lee of Darnhill, esq., Afterwards Second Wife of General Venables" *Chetham Miscellanies* 4 (1872): 28. The quip about planting is quoted (unattributed) in Taylor, *Western Design*, 55.

[10] Public Record Office, *Calendars of State Papers, Colonial Series – America and West Indies* (CSPC) 1574-1660 (London, 1860), 20 September 1655.

[11] Frank Cundall, *The Governors of Jamaica in the Seventeenth Century* (London: The West India committee, 1936), xxviii–xxxii, http://ufdc.ufl.edu/UF00074120/00001.

he could not help lamenting that "what God will do with us here I can not tell."[12] With Fortescue and the ranking sea commander, William Goodson, Sedgwick was able to form a local council for army affairs, as was common practice in the New Model Army in England.[13] They appointed Colonel D'Oyley its president under which title he acted as commander of the army from November 1655 until relieved by the arrival – in December 1656 – of Lieutenant-General William Brayne. Dead in nine months, Brayne's bold commission – which also included command of the navy – passed back to D'Oyley in September 1657, so the ever put-upon Colonel now became "Commander-in-chief of all His Highnesses' forces in America."[14] Taking advantage of his combined land and sea command in 1657 and 1658, he launched successful attacks on the Spanish guerrillas, which solidified the English hold on the island's interior.

Naval authority in Jamaica was only a little more stable than the army leadership. Command of the sea forces descended from Penn to his second-in-command, Vice-Admiral William Goodson, in June 1655, when Penn left the station. Goodson outlived Fortescue and Sedgwick, assisting both with the difficult task of managing the army. Though they garnered some criticism from Sedgwick, Goodson made frequent raids around the Caribbean, trying to acquire Spanish wealth for Cromwell and keep the seamen employed. He did not leave the region until January 1657, after the arrival of General Brayne.[15] Like the rest of the seamen, Goodson had remained healthier than members of the army, owing, as some have speculated, to the naval officers' previous experience in the West Indies, as well as the navy's separate supply

[12] Robert Sedgwick, 6 November 1655, National Maritime Museum, UK (NMM) MS AGC 13.26. This letter appears calendared, but with the date of 14 November, in CSPC 1675-76, addendum 1655, 236.

[13] Mark A. Kishlansky, *The Rise of the New Model Army* (Cambridge: Cambridge University Press, 1979), 62.

[14] Taylor, ed., "D'Oyley's Journal, Part 2," 69.

[15] Brayne's title is recorded in Taylor, ed., "D'Oyley's Journal, Part 2," 65.

of stores.[16] Sedgwick lived onboard the *Marmaduke* during most of his command, hoping in vain to cheat death with the sea air. Though D'Oyley's commission gave him authority over the navy, in reality most of the seamen serving in 1658 and 1659 came under the command of Commodore Christopher Myngs, who had arrived from England in 1656 and served under Goodson. Myngs developed a bitter rivalry with D'Oyley over the disposition of prizes, but the navy found him useful, and he returned to Jamaica in 1662 bearing a knighthood bestowed by Charles II.

Cromwell had made provisions for civil authority, in the form of the Design's commissioners, but they, too, died or deserted. These five men had ultimate responsibility for the expedition and any settlement that might result, and were to provide the final accounting of expenses to the Lord Protector. Penn and Venables were the first two commissioners named, acting in concert with Daniel Searle, governor of Barbados, Edward Winslow, an eminent New Englander, and Gregory Butler, a captain in Barbados. The men also oversaw the disposition of prizes taken en route, acting as a kind-of floating Admiralty Court. Despite their important functions, no original commissioners remained on Jamaica past the fall of 1655. Searle remained on Barbados, while Winslow, who had accompanied the Design from England, died at sea off the island of Navassa. Of the three who made it to Jamaica, Penn and Venables returned to England in the summer, and Butler – roundly disliked by his colleagues – followed them soon after. Cromwell appointed Sedgwick a commissioner, and Goodson took on the role in order to act with him. General Brayne was similarly empowered, but no other commissioners remained to form any kind of council; after January 1657, there were never multiple commissioners residing on Jamaica, and commanders relied on councils of war with varying membership.

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[16] Capp, *Cromwell's Navy*, 90–91.

Oliver Cromwell desired to control more of England's American lands directly, and he tried to make Jamaica the center of his American empire, but the administrative problems were too great. Hoping to impose military administration over all English America, he had to settle for sporadic martial government on a single island. England claimed twenty-two separate territories in the Americas in 1640, but only one – Virginia – was administered by the state; consequently, Parliament and Cromwell had to gain each colony's stated loyalty, which effort involved sending a large fleet to the West Indies in 1651 to put down royalist rebellions. By 1653, writes Carla Pestana, "Westminster ruled all that the king had once commanded."[17] Rule by Cromwell's Council of State involved tightened trade regulations, new charters, and a reformed Somers Island Company that operated Bermuda, but it never involved direct military rule.[18] Military garrisons existed throughout English America during the interregnum, but only in Jamaica did they administer government, and that fairly haphazardly.[19] Thomas Povey may have called Jamaica the "center of the interests of his Highness and this Commonwealth in America," but running it involved a great deal of time and money.[20] By 1656 a Committee for Jamaica met regularly just to pore over mounting bills, schemes to encourage new settlers, and hundreds of petitions to care for the families of dead soldiers.[21] The militarized English state could handle only one military colony, and only for five traumatic years.

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[17] Pestana, *English Atlantic*, 162 and app. 1.

[18] Only one territory other than Jamaica – three French forts in Acadia and Newfoundland – was won by English forces in the 1650s, and it was quickly granted to a new proprietorship, CSPC 1574-1660, no. 4.

[19] The type of "English Garrison Government" for which Stephen Saunders Webb argues did not exist in America except in Jamaica during the protectorate, Webb, *The Governors-General: The English Army and the Definition of the Empire, 1569-1681* (Chapel Hill: University of North Carolina Press, 1979).

[20] Povey, et al. to Committee on Jamaica, 11 January 1658, BL Egerton MS 2395, fol. 157.

[21] CSPC 1574-1660, Oct 13, Oct 20, Dec 18 1657.

The restoration of Charles II to the English throne at the end of May, 1660, represented an about-face in imperial colonial policy, for the king did not support Cromwell's wars in Europe or his attempts to rule America militarily. After Cromwell's death in 1658, his son, Richard Cromwell, inherited the position of Lord Protector, but royalist elements around the three kingdoms, particularly General George Monck, orchestrated a return to monarchic rule, convincing the king to return from French exile within two years. Charles's government – which lasted until his death in 1685 – had little in common with Cromwell's, particularly in the realm of colonial administration. Having limited funds with which to enforce policy, and little experience creating order throughout an empire, the new king worked rather quickly to ground colonial governance in the rule of proprietors, who were, in some way, personally obligated to him. Through the end of 1660, for example, discussions of American affairs in Whitehall were dominated by the questions of equitably settling the complicated proprietorships of Barbados, St. Christopher, and Nova Scotia, thrown into confusion after the demise of the Protectorate.[22] The king followed by creating several new proprietorships in North America throughout the next decade, including in Carolina, New York, and the Jerseys.

J. H. Elliott argues that Charles's government would "inch its way towards the formulation of a more coherent imperial policy," but coherence remained a far-off goal.[23] Charles worked towards it by forming a standing Council for Foreign Plantations to replace the

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[22] See CSPC 1574-1660, especially for the months of July, August, and December 1660.

[23] J. H. Elliott, *Empires of the Atlantic World: Britain and Spain in America, 1492-1830* (New Haven: Yale University Press, 2007), 148. Stephen Saunders Webb argues against this interpretation: "the imperialists of the Restoration, many of them Cromwell's proconsuls, forced a reluctant Charles II to recognize the political and administrative necessity of adopting the Cromwellian system… [and] kept provincial government, in Britain and overseas, largely a military preserve." But Webb has no explanation for the rise in proprietary colonies, focusing only on the seeming military nature of England's two state-run American colonies, Jamaica and Virginia, Webb, *Governors-General*, 445.

old Committees for America and Jamaica. It labored under orders "to bring diverse remote colonies under an uniform inspection and conduct for their future." This council did, at least, have colonial experience, for its membership included Chancellor Edward Hyde, James Earl of Marlborough (the backer of a failed venture on St. Croix in the 1640s), and William Viscount Saye and Sele (a principal member of the Providence Island Company).[24] With forty-six other unsalaried members, however, the council was unwieldy to manage, and it fell into disuse by the middle of the decade, eclipsed by the much more efficient Lord Arlington, the Secretary of State for the Southern Department, who was responsible for the administration of American colonies. The king reformed the council in 1670, giving it a smaller, partly-salaried membership – which included Arlington – as well as clerks, assistants, and secretaries. This streamlined model remained in place for another half-decade, but it was then replaced by successive committees of the Privy Council.[25] Frequent turn-over of committees and their membership made the empire's colonial policy seem inconsistent; the councils began the "uniform inspection" of colonies by issuing lengthy questionnaires to governors, but they could hardly begin planning for future conduct. Colonial policy inched slowly in the early Restoration period.

As a new colony, especially one directed by and housing a sizable number of Cromwellian soldiers, Jamaica proved a particularly thorny issue for king and council. Starting as early as May, 1660, before Charles even landed in England, future colonial administrators offered several proposals for how to handle the unique outpost, and they were not all in agreement. One anonymous consideration estimated the viability of sending ten ships to protect

[24] CSPC 1574-1660, Dec 1 1660.

[25] John Christopher Sainty, *Officials of the Boards of Trade 1660-1870*, vol. 3, Office-Holders in Modern Britain (London: University of London Institute of Historical Research, 1974), 20–27.

Jamaica, but all as "privateers upon no purchase no pay."[26] Marlborough, on the other hand, proposed to "revoke all commissions of reprisal" on the island and instead make it a center for the sale of enslaved Africans around the region.[27] Others harped on the familiar themes of defense, trade, and planting, but all proposals were going to cost money the government did not have. The rumor that 5,000 Spanish American troops had invaded the island only aided in increasing the Ordnance Office's estimate that the supply of powder and shot needed to defend the colony would cost nearly £5,000.[28]

Though most proposals remained just that, the king did set changes in motion for the troublesome island: by February 1661, he had made Edward D'Oyley the first civil governor of Jamaica, but his commission came with limited powers. At the end of the year, the king gave much broader authority to his second royal governor, the staunch royalist Thomas Windsor, who, upon arrival in 1662, ordered D'Oyley to England and then followed his predecessor only a few months later. He left his deputy, Charles Lyttleton, to govern for no more than a year in 1663 before Lyttleton, in turn, sailed home as well. For a few months in 1664, the government fell into the lap of young Thomas Lynch, a captain in the Western Design army, who had convinced the new king to name him Provost-Marshal and President of the governor's council on the island. When Charles made Sir Thomas Modyford governor in 1664, however, Lynch sailed to England, unable to work with the new leader. He returned within several years, though, and, with his political rival, Henry Morgan, served to shape Jamaica's future for the remainder of the century. Lynch's story is the subject of Chapter Three.

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[26] TNA:PRO CO 1/14/4. This marks one of the earliest uses of the word "privateer" in connection with Jamaica, see Chapter Five below.

[27] CSPC 1574-1660, May 1660, Nov 1660.

[28] TNA:PRO CO 1/14/48, 51.

During the early years of military and civil government, many Jamaicans slowly erected a plantation culture on the island, basing their lives around planting, harvesting, and processing on mono-crop plantations, which varied in size from under one hundred to several thousand acres, and which mostly produced sugar and cocoa. Several full seasons were necessary to erect a profitable sugar plantation, however, so sugar exports grew slowly in the first decades of Jamaica's plantation culture. The process began as early as the end of 1656, when 1,000 white planters and African slaves shipped from the leeward island of Nevis to Port Morant, on Jamaica's east coast, with their governor.[29] At the same time, D'Oyley ordered the regiments on the south side to till fields to feed the colony, and he brutally suppressed rebellions against the practice. By the time Windsor departed in the fall of 1662, population estimates revealed over 3,600 white men, women and children and more than 500 enslaved Africans living on nearly 3,000 acres of planted land.[30] Thomas Modyford's arrival as governor in 1664 – attended as he was with Barbadian planters, servants, and slaves – signaled an intensification of this process.

Having moved to the West Indies in 1647, Thomas Modyford had already made himself extremely rich through sugar planting by the time he sailed to Jamaica from Barbados, and he continued to gain wealth as governor of Jamaica. Fellow Barbadian planter Richard Ligon reveals that Modyford had set himself a personal goal of acquiring "a hundred thousand pounds sterling and all by this sugar plant."[31] Barbadian sugar planting boomed in the early 1640s, making the tiny island in the far eastern Caribbean the center of the empire's cane business, thanks in part to Modyford's monetary zeal. Though he may never have achieved his personal

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[29] Taylor, *Western Design*, 114.
[30] "An Accompt of the inhabitants…" Rawlinson A, 347, fol. 35.
[31] Richard Ligon, *A True & Exact History of the Island of Barbados* (London, 1657), 96.

goal, Modyford acquired 500 acres of plantation land on Barbados (a sizeable estate given the colony's small landmass), which he forced 130 enslaved Africans and white servants to work. During his tenure as governor of Jamaica, he and his son together acquired more than 9,000 acres of land, and he granted more than 12,000 acres to other family members. Richard S. Dunn tabulated the impressive result: "the Modyford clan held twenty-two parcels of land in eight parishes."[32] Moreover, the 400 African slaves Sir Thomas owned in 1670 added a significant amount to his monetary worth.[33]

Modyford fostered plantation culture throughout the island as well. The power to grant land patents was entirely Modyford's own, and he used the authority to grant huge tracts of land to few individuals, having the king's dispensation to give out thirty acres per arriving family member (including servants and slaves). His population estimates from 1670 confirm his actions, revealing that over 190,000 acres were owned by about 720 "families" on the south side of the island (excluding Port Royal).[34] Nearly half of the plantations, 340, exceeded one hundred acres, but, of those, only forty-five measured between 1,000 and 5,000 acres. Only two plantations, the largest of which "Thomas Modyford Esquire and Company" owned, exceeded 5,000. Not counting those two massive plantations, according to Modyford's estimates, the richest one-half

[32] Richard S Dunn, *Sugar and Slaves; the Rise of the Planter Class in the English West Indies, 1624-1713* (Chapel Hill: University of North Carolina Press, 1972), 68, 81, 154.

[33] Ibid., 154. D'Oyley estimated the average value of an African slave at £30 in 1660. By 1675, Jamaican planters complained that they were forced to purchase the transported captives from the Royal African Company at an even higher rate. The monetary value of the humans Modyford owned, therefore, was at least £12,000.

[34] In 1662, when Lord Windsor left the island, he recorded a total of almost 3,000 acres of land patented. This figure means the land intended for cultivation on Jamaica grew more than sixty times in eight years. I have left Port Royal out of calculations because it was the only parish whose population and system of property-ownership was not agriculturally based.

percent of the population owned thirty-eight percent of the island's plantation land. Modyford's Jamaica was becoming an island of large planters.[35]

Not all of Jamaica's early landowners were male, an indication that some wealthy families were choosing to stay on the island. A survey of the first names listed in the governor's patent records reveals at least a dozen female landholders in 1670, most of whom are not listed solely as widows, and some of whom shared a last name with other separately-listed land owners.[36] Women also owned property in Port Royal. The real estate transaction records for the city list twenty-three individual women, ten of whom held land patents outright (with no other individuals). Seven of those patents date to the 1660s. At least two records clearly indicate a woman purchasing property from a seemingly unrelated male.[37] That women in Jamaica at this relatively early date owned land and slaves, as well as operating plantations and businesses speaks to how "settled" the island was becoming; some widows clearly chose to inherit property left them by their husbands rather than leave the island. Under Modyford, it seems, Jamaica was planted not just with sugar and cocoa but with English families too.

White men and women were not the only people migrating to Jamaica in this time; Modyford's Jamaica saw a rapid increase in the number of enslaved African men and women, whose forced labor eager planters thought to be the quickest way to profitable plantations. The trans-Atlantic Slave Trade Database reveals that, compared to the legal and illegal shipment of

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[35] The data used come from the survey of the island recorded in the Jamaica Entry Books in England, now TNA:PRO CO 138/1/61-79. Calculations are my own. Modyford simply estimated the population of each parish, so statistics based on total population should be treated as suspect.

[36] Ibid. Modyford lists 724 separate "families," but it is unclear what he means.

[37] "Real Estate Transactions Before 1692 Earthquake, City of Port Royal Jamaica," Card file (Kingston, Jamaica: Institute of Jamaica, 1961). The National Geographic Society indexed this file, consulted at the National Archives, UK.

fewer than 900 captive Africans to English Jamaica in all the years before Modyford arrived as governor, between 1664 and 1671 (inclusive) twenty-one separate slave ships rowed ashore over 5,500 slaves. No doubt Modyford's position as agent for the Company of Royal Adventurers, which brought in seventy-eight per cent of those slaves, helped make Jamaica a new West Indian base for slave sales.[38]

These recorded slave deliveries represent only a portion of the total number of Africans who found themselves on Jamaica. The many colony-sponsored sea raids coming in and out of port in these years, explained in detail below, aided island planters by seizing slaves from the towns or ships they raided. Such captives could come into the island through unregulated ports (or directly to any plantations with a coastline) and might be in small groups of ten or twenty at a time, making them unlikely to be recorded. Further, the raids with large fleets and crews sometimes captured hundreds of Dutch- and Spanish-owned slaves at a time and brought them to Jamaica; Company records do not record these slave deliveries. Both small and large sea raids brought the island at least 1,500 further captive Africans from around the region during Modyford's tenure. Nor was this a new practice; English and Dutch seamen from Bermuda, Providence Island, and Curacao had been routinely capturing the human cargoes of incoming slave ships and selling them to their home colonies since the first half of the century.[39] Modyford simply encouraged the practice and benefitted from the results.

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[38] Voyages Database, 2010, *Voyages: The Trans-Atlantic Slave Trade Database*, accessed August 31, 2012, http://www.slavevoyages.org.

[39] 1,500 is a conservative estimate based on the numbers of slaves known to have been captured on Edward and Henry Morgan's raids. For the practice of privateer slaving, see Linda M. Heywood and John K. Thornton, *Central Africans, Atlantic Creoles, and the Making of the Foundation of the Americas, 1585-1660* (New York: Cambridge University Press, 2007), 20–38.

In order to maintain the colony's position relative to an English empire in upheaval and an expanding Caribbean political sphere, successive military and civilian leaders fostered a unique political culture separate from the English crown, encouraged a plantation culture of wealthy white families and thousands of enslaved African laborers, and expanded a sea-raiding culture of attacking Spanish targets and taking rich prizes from Jamaica's conquest in 1655 until Modyford departed the island in 1671. The remainder of this chapter details the birth of prize culture in Jamaica during the Protectorate, its continued use during the first years of the Restoration, and Modyford's vast support of sea raids under Admiral Henry Morgan.

Jamaica's Prize Culture, 1655-1660

For nearly five years after its unplanned conquest by a defeated Western Design army, the island of Jamaica was supposed to be the West Indian arm of Oliver Cromwell's militarized English state, a unique position for an English colony in the mid-seventeenth century. Most colonies in this period were owned and operated by proprietors or private companies and received little assistance or direction from imperial officials in England. Jamaica, a military outpost occupied by an army and led by a commanding officer, was the exception. Jamaica was also unique for its isolation from other English American settlements. With authority – but very few direct orders – from the Protector, Jamaica's military leaders faced a very active theater of war surrounded by enemies. Consequently, they took an aggressive stance in the region, launching many sea raids to defend their position as well as to further an English state project to conquer the rest of the Caribbean. They succeeded in annexing the small island of Tortuga for a

few years before it returned to French hands, during which time D'Oyley invited Tortuga's buccaneers to hunt Jamaica's wild cattle to feed his hungry soldiers. Many of those hunters joined Jamaica's raiding crews, but they did not lead, or launch, the raids. D'Oyley and other leaders kept detailed accounts of prizes taken, deplored raids that went beyond the scope of their authority, and declared the glory of an England they hoped would one day rescue them and bless all they had done. Jamaica's culture of sea raiding emerged from its haphazard origins as a "consolation prize" in Cromwell's effort to extend English power into the Caribbean.

Jamaica's military command was unique in the Caribbean. Not only did the island stand out among English holdings in the Americas, but no other empire in the region operated such a martial colony. Despite claiming vast tracts of land in the Americas, Spanish imperial officials controlled only macro-level affairs, appointing an intricate hierarchy of viceroys and governors to manage most colonial operations. Government treasure fleets visited many of these Spanish colonies annually, and naval fleets appeared on occasion, but no Spanish American territory fell under Spanish military rule.[40] The late seventeenth-century American possessions of the French, Dutch, and Danish, though led at times by former military officers, remained, like most English colonies, relatively unaffiliated with their respective European armies or navies. These islands and outposts were, by and large, company-controlled. The French West India Company and the Dutch West India Company, the largest of these outfits, differed from English colonial companies in that they were organized by their respective states in order to oversee all of that

[40] The Spanish empire did spend money and energy fortifying the Caribbean during the second half of the sixteenth century, but the result of that campaign was sending fewer defensive fleets to the region, hence reducing costs and communication. These state of the art stone fortresses, designed by Italian military engineer Battista Antonelli, were impressive, and the one in Santo Domingo contributed to the English defeat in that city.

state's possessions in the West Indies, but none had a military command of the kind followed in Jamaica in the late 1650s.

Jamaica stood out among English Caribbean colonies also because of its relative geography and large size. Located in the middle of the Caribbean Sea rather than on the periphery like Barbados, the Leewards, and the Windwards, Jamaica lay much closer to Spanish and French territory than to any English-held plantations. Too, Jamaica ranks as the third-largest island by area in the region, far larger than Barbados, St. Christopher and Nevis combined. The only English territory that had come close to matching Jamaica in location and size was Providence Island, several miles off of the Mosquito Coast, a Puritan colony and sea-raiding base for nearly a decade until a Spanish fleet captured it in 1641. The loss of Providence had helped motivate Cromwell to launch the Western Design. The Lord Protector wanted a large central base from which to send raids into Spanish territory and to re-supply expeditions begun in England. Many major Spanish American ports lay out of reach of the smaller English islands, but fleets sailing from Jamaica would encounter favorable winds to the Main and other locales. Most written descriptions of the island published within its first fifteen years as an English colony highlighted Jamaica's location relative to Cuba and Hispaniola, an anonymous author incorrectly reporting in 1657 that it sat "twenty leagues from each."[41] Clearly, English observers were keen

[41] *A True Description of Jamaica with the Fertility, Commodities, and Healthfulness of the Place. As Also the Towns, Havens, Creeks, Promontories, and the Circuit of the Whole Island*, (London, 1657), 2. Other descriptions noted different distances. Richard Blome listed Hispaniola as 35 leagues and Cuba as 20 leagues distant, Richard Blome, *A Description of the Island of Jamaica with the Other Isles and Territories in America, to Which the English Are Related*, (London, 1672), 1. Edmund Hickeringill eschewed distances for sailing directions, revealing that "all the treasure that [the king of Spain's] Plate-Fleet brings home from *Carthagina* steer directly for St. *Domingo* in *Hispaniola,* and from thence must pass by one of the ends of this Island to *recover* the *Havana*." See Hickeringill, *Jamaica Viewed: With All the Ports, Harbours, and Their Several Soundings, Towns, and Settlements Thereunto Belonging Together, with the Nature of It's Climate, Fruitfulnesse of the Soile, and Its Suitableness to English Complexions. With Several Other Collateral Observations and Reflexions Upon the Island* (London, 1661), 46.

on noting the island's strategic importance as a large, central island mere days from the riches of the Spanish Indies. Of course, once it became clear that those planned-for fleets from England would not arrive or else would come bearing very few fighting men, D'Oyley and company realized that Jamaica's strategic importance had a downside: they were relatively isolated in enemy territory.

Jamaica's culture of sea raiding resulted from the island's isolation from English control and its unique position – geographically and politically – within the empire and the Caribbean at large. The English soldiers and sailors occupying Jamaica from 1655-1660 went on numerous sea raids, both in order to defend their territory and to fulfill Cromwell's intentions to build a raiding base in the middle of the Caribbean. Raiding at sea came naturally to Western Design sailors because English private raiders and navy-men had indoctrinated them into the centuries-old culture of taking prizes during operations. Parliament's seamen during the English Civil Wars regularly took their payment from the value of prizes stolen from royalists during sea raids. Cromwell's sea forces consistently used ships they had taken as prizes when fighting the Dutch only a few years later. A portion of Penn's Western Design orders authorized him to plunder Spanish ships and towns on the mission, and to use the stolen goods to keep the Design's extensive fleet afloat and sizeable army fed. Consistent with the behavior of prize culture, Penn and the men of the Design captured prize goods not just for the expedition's use but for their private gain as well.[42]

Even after Penn left his station in 1655, prize culture remained firmly rooted in the sandy soil of Jamaica's Point Caguay. The ranking naval officers on the Jamaica station launched five

[42] Chapter One discusses prize culture in more detail.

well-coordinated, massive attacks on Spanish targets during the colony's first five years, four of which reached their targets and took many valuable goods. In 1655, Goodson and his fleet attacked Santa Marta, a city on the Main, and secured for the island ordnance, currency and hides, not to mention the half proceeds that the men were allowed to keep for themselves. Though Sedgwick criticized the raid and downplayed the value of the goods, it should be remembered that any amount of provisions, currency, and hides (which could be traded for necessaries, especially in New England) helped feed the hungry inhabitants.[43] The next April, Goodson launched a second raid, this time to Rio de La Hacha, using ten of Cromwell's ships and 450 men, but he was unable to acquire much wealth through conquest or ransom and decided to burn the town.[44] The commander never felt that the fleet was strong enough to attempt well-fortified Cartagena, Spain's major trade port on the Main, though he did spend the summer of 1656 waiting in vain off of Havana for the silver plate fleet (which had already departed the region).[45]

Later raids also had mixed success but continued to provide for the colony and line the pockets of the raiders. Christopher Myngs made a successful raid against Tolu in 1658, and followed it the next year by capturing the towns of Coro, Cumana, and Porto Cabello, a raid which brought "into the harbor fifty thousand pounds in coined money," though a member of Parliament asserted that the seamen took fifteen thousand of it for their own.[46] Towards the end of the Protectorate, D'Oyley led an ambitious but unsuccessful attempt to capture the

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[43] Sedgwick, November 6 1655, NMM MS AGC 13.26.

[44] John Lambert, NLJ MS 986. Goodson's relation is in TNA:PRO CO 1/32/63.

[45] CSPC 1675-76, addendum 1656, 266-270, 275 (August 1656).

[46] C. H. Firth, "The Capture of Santiago, in Cuba, by Captain Myngs, 1662," *The English Historical Review* 14, no. 55 (Jul., 1899): 536-540; 30 July 1659, *Journal of the House of Commons*, vol. 7: 1651-1660, British History Online, http://www.british-history.ac.uk/report.aspx?compid =24827.

approaching Spanish plate fleet. By this time, the formerly untested colonel had turned into a formidable commander, having successfully led several sea and land raids on Spanish holdouts on the island, and this fleet action could have achieved some success had the Jamaicans not missed the treasure ships by mere hours.[47] In these five cases, the sea commanders used dozens of state-owned ships and hundreds of publicly-employed army men and navy sailors. Each raid followed Cromwell's intentions for the Western Design and for Jamaica.

Jamaican prize culture came with the inherent difficulties of embezzlement and, to the great frustration of certain commissioners, the problem seemed amplified due to distance from England. The protector ordered "a perfect account kept" by Fortescue, Sedgwick, and Goodson for every prize good before the commissioners paid the sailors from the proceeds.[48] Though captains at sea frequently made accounts of items taken as prizes, many other items taken never appeared on these lists and never made it back to the commissioners. Disease and storms also eroded commanders' commitment to follow orders to the letter. The consistent lack of provisions and pay from official English sources no doubt encouraged the men on these voyages to take what they could without reporting it. Sedgwick had no kind words regarding Goodson's contract with his sailors that they could take half of what was plundered, though the offer undoubtedly helped the Vice-Admiral man the vessels. Christopher Myngs brazenly engaged in a system of embezzlement to keep his sailors happy, a practice that no doubt contributed to his success capturing cities and prize goods. When Myngs attempted to involve Edward D'Oyley in the scheme for a cut of the proceeds, the latter took umbrage, prompting Myngs to spread "calumnies" about D'Oyley to English officials. D'Oyley took great offense, writing the

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[47] Webb, *Governors-General*, 188–194.
[48] CSPC 1675-76, addendum 1655, 232.

Admiralty commissioners in England in language that, hundreds of years later, still drips with sarcasm. "I should be sorry his words should have any truth or weight," penned the commander-in-chief, reporting names Myngs had called honored officers "for then Admiral Blake was a coward, his old Master Goodson an hypocritical… knave." D'Oyley assured his superiors he "could enlarge to a volume of this man's follies" but trusted the letter might suffice to prove him in the right.[49] D'Oyley hated Myngs, but he saw the immediate value of raiding at sea.

Major raids on Spanish targets were not just a part of the Design in the West Indies but a primary strategy for the European theater of the war as well, where prize culture also had a hold. Cromwell consistently ordered naval squadrons in European waters to pursue Spanish treasure ships returning from the Americas, hoping that the stolen money and goods would pay for the exorbitantly expensive navy. When Admiral Blake, whom Myngs would slander a few years later, returned from a mission in the Mediterranean in 1656, Cromwell ordered him to keep a close watch on Spain for just that purpose. One small squadron of the fleet was lucky enough to spot the same Spanish plate fleet for which Goodson had spent weeks searching off Cuba; the English intercepted it and managed to bring two galleons (and their rich cargo) home as prizes. Such a big score was subject to the embezzlement common in prize culture, and when Thurloe saw the relatively small sum gained from the ships, he guessed that "individual captains had helped themselves to £60,000 apiece and ordinary seamen £10,000." "'This is so universal amongst seamen, and taken in the heat of the fight,'" he raged, "'that it is not possible to get it again nor any part of it.'"[50] Even had the men left the prize alone, however, the silver from two galleons would never pay for a navy that by 1660 would carry a £1.2 million debt. The next year,

[49] Edward D'Oyley to the Commissioner of Admiralty, 24 January 1659, NLJ MS 383.
[50] Capp, *Cromwell's Navy*, 98.

Blake himself sailed against another returning treasure fleet, but it took shelter in the Canary Islands and unloaded the wealth; all the Admiral could do was destroy the galleons and prevent another fleet from reclaiming the silver.[51]

The Jamaican commander-in-chief hoped to have some similar success, if on a smaller scale. Consistent with the culture of prizes, D'Oyley commissioned the colony's first private sea raiders during his government to supplement naval action. All of these missions involved Jamaican soldiers and sailors, but they neither used state ships nor did they have authorization from English officials, and they could not expect the kinds of lucrative hauls that Goodson or Myngs brought in. These Jamaican-sponsored raids, along with the fledgling plantations some soldiers were forced to run, were part of the young colony's subsistence strategy (and the raids were probably more fun for the soldiers than was farming). From the colony's perspective, then, and contrary to popular opinion since the eighteenth century, there were no pirates sailing out of English Jamaica in its first few years. The island's first sea raids were all either navy missions or colony-sponsored expeditions, all rooted in a culture of keeping unreported prize goods – a culture not unique to the Caribbean.

Aside from the soldiers, sailors, Spanish renegades and settlers from England, Jamaica became home to another class of individuals about whom little is known but much has been said: the buccaneers. These men were among the earliest European inhabitants of the remote bays in the west of Hispaniola and the small island of Tortuga just north of that location. Thought to be runaway servants or stranded colonists, this collection of English, French, Dutch, Irish, and no

[51] Ibid., 10, 99.

doubt some Spanish, West African, and North American individuals gathered in small communities starting in the first few decades of the seventeenth century. Living off the now wild animals descended from livestock brought by Spanish visitors a century earlier, buccaneers were known for their abilities to cook and cure meat.[52] As island dwellers, they were adept at sailing and rowing small boats, which they used to trade their produce with passing ships or other communities.[53] They also excelled at sea raiding, practiced upon passing ships to acquire necessary goods, a talent which some observers highlighted in their reports of the men and which has led generations of historians to incorrectly dub all Caribbean sea raiders "buccaneers" and vice versa.

Buccaneers from Tortuga did make homes in Jamaica during the 1650s, but not, as some historians of the period have professed, in order to use the new port on Point Caguay to launch pirate attacks. Probably due to a confusion around the buccaneers' nature or a misreading of available evidence, some historians – like Port Royal experts Michael Pawson and David Buisseret, and Western Design scholar S.A.G. Taylor – relate that Colonel D'Oyley adopted the unwanted and "desperate expedient" of bringing "groups of English and French pirates" into Jamaica to make up for a declining navy.[54] As we have seen, however, the English navy maintained a presence in Jamaica during much of the late 1650s, and the sailors remained healthy, convincing its leaders to launch several major and minor raids without outside

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[52] Clarence Henry Haring, *The Buccaneers in the West Indies in the XVII Century* (New York: E. P. Dutton, 1910), 58; Peter R. Galvin, *Patterns of Pillage: A Geography of Caribbean-Based Piracy in Spanish America, 1536-1718* (New York: Peter Lang, 1999), 110; Arthur Percival Newton, *The European Nations in the West Indies, 1493-1688* (London: A. & C. Black, 1966), 169.

[53] Haring, *Buccaneers*, 66; Newton, *European Nations*, 169-170.

[54] Michael Pawson and David Buisseret, *Port Royal, Jamaica* (Oxford: Oxford University Press, 1975), 20–21.

assistance. The Western Design soldiers and sailors needed little help organizing sea raids in the 1650s, though undoubtedly captains accepted buccaneers as crewmen on the expeditions.

What did happen is that Jamaican leaders, fulfilling part of the Western Design vision, conquered Tortuga – itself a part of the English empire in the 1630s – and administered it from Jamaica from 1656 until 1660. D'Oyley did invite buccaneers from there and Hispaniola to Jamaica in 1657, but he did so explicitly for their skills as hunters, in order to better regulate the wild cattle population of the island. Pestana writes: "his invitation had nothing to do with filling Cagway Harbor with ships to keep the Spanish at bay and everything to do with filling hungry English bellies."[55] Finally, when the French empire – which had claimed Tortuga between 1640 and 1654 – re-took the colony in 1660, some of the English inhabitants moved to Jamaica. Buccaneers and returning English settlers may have served in Jamaica's naval or colony-sponsored raids, but the island – and the raiding – was under the control of Western Design soldiers and sailors. Buccaneers – whom Taylor calls "half-savage men" who "governed themselves by a curious code" and whose "success lay in the fact that they were amphibians" – never overran Point Caguay in this, or any other, time.[56]

Tortuga had been known to English colonists and officials for years, because it had once hosted early English Caribbean tobacco plantations and a slave society to run them. Seeking more space than lots available on cramped St. Christopher, Captain Anthony Hilton settled an adventurous group of Lesser Antilles English planters on the small, tortoise-shaped island in 1630, which already served as home for the primarily French and English buccaneers. Wanting

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[55] Carla Gardina Pestana, "Early English Jamaica without Pirates," *WMQ*, Third Series, 71, no. 3 (July 2014): 324.

[56] Taylor, *Western Design*, 135, 133.

the kind of legitimacy and protection offered by an established colonial company, Hilton and the planters appealed to the Puritan Providence-Island Company – which had recently settled Providence Island off the Nicaragua coast – to administer their small settlement.[57] The enterprising Company convinced the king to expand their dominion to include Tortuga, and they renamed it "Association." Perhaps some of the Association buccaneers started operating in Providence, accounting for some of Providence's sea raiding activity after 1636.[58] The Company set up Hilton as governor of the new possession and arranged to ship the new colonists enslaved Africans in order to cut the braziletta wood that grew all over the island and work the tobacco plantations they were starting.[59] Constantly in debt to the company for the slaves, colonists found life difficult. Many of them abandoned Association in 1637, noting that the slaves were "out of control."[60] The French who had been living on the island stayed and, in 1640, named their own governor, LeVasseur, who fortified the harbor and ruled for the next twelve years.[61]

After the Western Design army conquered Jamaica, Colonel D'Oyley easily recaptured Tortuga late in 1655, and so the island fell under English control again until 1660. At the moment Design sloops first landed on the island, it was conveniently uninhabited: LeVasseur had been deposed and murdered by his own militia in 1653, at which point Spanish troops from

[57] Haring, *Buccaneers*, 58; CSPC, 1574-1660, pp. 131-32.

[58] Most Providence sea raiding was the result of reprisal attacks authorized by the Company and organized by English seamen, but, as in D'Oyley's Jamaica, Tortuga buccaneers could have served as crewmembers. The recent study of Providence does not mention this possibility, Karen Ordahl Kupperman, *Providence Island, 1630-1641: The Other Puritan Colony* (Cambridge: Cambridge University Press, 1993), chap. 9.

[59] These remained Tortuga's chief exports while under Providence's control, CSPC, 1574-1660, 138, 146, 172.

[60] Ibid., 169, 174, 184, 194, 199, 227, 233, 249; Kupperman, *Providence Island,* 168 based on correspondence in TNA:PRO CO 124/1/103-109.

[61] CSPC 1574-1660, 313; Newton, *European Nations*, 184; Haring, *Buccaneers*, 65.

Hispaniola captured the French and lightly garrisoned the place,[62] only to abandon it once Penn and Venables attacked Santo Domingo.[63] D'Oyley appointed Colonel Elias Watts governor (under Jamaica's jurisdiction); he "raised a fort of 4 guns" and encouraged English settlement, intending to re-plant the island.[64] Watts departed the island in 1659, at which point one of the French inhabitants, Jeremie Deschamps (or de Champreys), secured a commission from the English Council of State to govern it. D'Oyley followed orders and installed the man, only to discover in 1660 that Deschamps had proclaimed a French government under a French commission he had apparently held since 1656.[65] Since they viewed their ownership of Tortuga as part of the Western Design strategy to control the West Indies, Jamaica's leaders were angry that the island had fallen out of the English grasp, and they made occasional attempts to re-conquer it. D'Oyley's last effort to take the island from the French failed spectacularly – the man who attempted the coup was captured, and later murdered, by Spanish sailors on his way home after failing to elicit support on Tortuga – and Tortuga appeared lost for the moment.[66]

While Tortuga remained an annex of Jamaica, D'Oyley requested the assistance of the buccaneers there and on Hispaniola to regulate the feral cattle population, not to raid ships. The Commander-in-Chief wrote to the Protector upon the death of General Brayne in 1657, detailing

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[62] Haring, *Buccaneers*, 81. Abraham Langford, who made an unsuccessful attempt to control the island in 1662, reported that the French governor who succeeded LeVasseur actually sold the island to the Spanish in 1653, TNA:PRO CO 1/18/115.

[63] "A briefe accompt of the Island Tortudos…," Rawlinson MSS A, vol. 347, Bodleian Library, fol. 31. A ship that touched at Tortuga in late 1655 or early 1656, found the island deserted, but discovered a Spanish proclamation, written in August of 1655, threatening anyone who attempted to settle on the island. The settlers, apparently, took little heed of the threat, Firth, *Narrative of Venables*, 170–171.

[64] Watts brought 10 setters with him and another 150 followed, TNA:PRO CO 324/1/259-262 and Rawl. A, 347, fol. 31. Haring suggests that Watts also encouraged buccaneer sea raiding, reporting that an expedition against St. Jago in Hispaniola yielded a ransom of 60,000 pieces of eight, which seems exaggerated, Haring, *Buccaneers*, 114–115.

[65] Pierre-Francois-Xavier de Charlevoix, *Histoire de l'Isle espagnole ou de S. Domingue*, vol. 2 (Paris, 1730), 36, http://hdl.loc.gov/loc.rbc/rbfr.0073.

[66] Haring, *Buccaneers*, 116–117; "A briefe accompt" Rawl. A, 347, fols. 31, 36.

that he was "sending to Hispaniola for about two hundred fifty Buccaneers viz. French and English that kill cattle who...might have that liberty here." He readily admitted the necessity for the men, noting that "the many cattle here relieve the Enemies," referring to the guerillas living in the interior and fighting the English colonists.[67] There were other reasons for inviting the hunters to the interior as well. Soon after landing on the island, the army had taken to forming hunting parties themselves, but they slaughtered much of the livestock population, and leaders feared there would be little meat left when supplies from England and North America inevitably dwindled. In fact, Brayne had forbidden the army from hunting on pain of death. Moreover, English soldiers alone (or in small groups) in the Jamaican interior could easily be captured by Spanish guerilla fighters who knew the island better than they did. Finally, better regulating the livestock population on the island would yield a greater number of hides, the production of which was another known talent of the buccaneers. Jamaican leaders had successfully traded hides for necessary goods from New England merchants, and had discovered that it was helpful to have something to trade when sailing north, for the merchants resented being paid in promises from the Council of State.[68]

Other English inhabitants of Tortuga no doubt went back and forth to Jamaica during Watts's governorship, and some may have defected to the larger island permanently once Deschamps took power. They either settled or, if buccaneers, joined hunting parties in the interior or raiding parties at sea. Such men, with their local knowledge, would certainly have been welcome additions to Myngs' crews, but English navy men needed no instruction in taking

[67] D'Oyley to Cromwell, BL Egerton MS 2395, fol. 146.
[68] CSPC 1574-1660, Jan 1, Jan 29, Mar 7, May 21, Dec 16, 1656.

prizes, whether for personal gain, colonial improvement, or the glory of England. Buccaneers remained subordinate to English sailors in Western Design Jamaica.

Raiding in the Early Restoration, 1660-1664

The culture of sea raiding continued to develop for the four years after the collapse of the Protectorate. Jamaica had an uncertain future, both from an imperial standpoint – Charles II had no experience administering colonies, and many feared he might hand the island to Spain – and from a local perspective – the new royal governors had little interest in the island, and each stayed for only a few months. Fear of abandonment, a clumsy transition to civil government, the cashiering of the Western Design army, the recall of the navy, and an influx of settlers and slaves led many Jamaicans to sustain their colony through familiar means: growing food, hunting and, most importantly, sea raiding. Though the raids launched from newly-renamed Port Royal from 1660 to 1664 looked much like those under Goodson and Myngs (in fact, Myngs himself led some of them), there were important differences: first, since the Royal Navy had all but disappeared from the region, early Restoration raids relied more on private ships and the buccaneers than previously; second, these fleets of private ships sailed more to sustain the colony's inhabitants and its economy than to claim prizes for the crown; and, finally, Jamaica's raids were inconsistent with the new king's foreign policy. Nevertheless, because Charles's hand in Jamaica was weak, islanders fostered an attitude of self-reliance and continued a local political culture – separate from crown and court – that encouraged and sponsored private raids. Jamaican leaders and imperial officials frequently referred to the island's sea raiders as "privateers" in this

period, but they did not ascribe a fixed legal meaning to the word; rather, the term existed as a short-hand meaning "a colony-sponsored private raider."

Jamaicans during the first few years of restored monarchy feared abandonment. They had good reason, for, since the death of Oliver Cromwell in 1658, D'Oyley and his war councils had been afterthoughts in English affairs. D'Oyley felt this sting acutely in 1659 when he told his superiors that "we do find by the distractions at home, there is little hope of having any relief of provisions here," but hoped that "god, that hath fed us hitherto by a miracle, will save us." Providential intervention aside, he hinted at many years of feeling forgotten, saying that "we shall use such means as are left us, and exercise the same patience we have had these four years," but revealed that those available means "admits of so much scandal" because they were not following trade laws or prize regulations in their efforts to survive.[69] D'Oyley's statements do not represent an overreaction to events; a reading of the state papers of Secretary John Thurloe and of the Council of State for these months reveals surprisingly little discussion of the island. D'Oyley's two letters to Thurloe in November 1658, even the one usefully detailing the movements of the Spanish plate fleet, went unanswered.[70] Though he began to send home the navy as per orders in the summer of 1660, after hearing that the restored parliament had replaced Richard Cromwell's protectorate, D'Oyley hesitated to "act without laws." In July he complained to Admiralty Commissioners who were no longer in power, that losing the last frigate "imprints in us the sense of being deserted by our country, and fills us with sad and serious thoughts."[71] He begged for positive orders in the fall – so that he "may not walk

[69] D'Oyley to Commissioner of Admiralty, 24 January 1659, NLJ MS 383, second item.

[70] CSPC 1574-1660 and John Thurloe, *A Collection of the State Papers of John Thurloe, Esq*, ed. Thomas Birch (London, 1742), vol. 7, September 1658-May 1660. D'Oyley's letters are November 11 and 30.

[71] TNA:PRO CO 1/14/6, 26.

hoodwinked" – but the royal commission for his governorship was not issued until February, 1661.[72]

At first, the advent of royal rule meant little to the way Jamaicans went about their lives, since the same men continued to dominate the island's political culture. After gaining the royal commission, D'Oyley continued to rule much as he had for the previous six years. His new instructions demanded that he appoint an eleven-member group to act as the governor's council, which body would serve as the local legislature. By and large, it was filled with the same army officers who served under him and had comprised his councils of war. Governor Thomas Windsor, arriving on the island, in August 1662, was instructed to call an assembly of planters which, with the council, would then make local laws. Windsor never did so, however, preferring to rule by council alone until he returned to England in October. His council did make the first set of Jamaican laws promulgated under royal rule, but these laws intended to maintain the state of affairs on the island, and they would be superseded a year later when Deputy-Governor Charles Lyttleton finally called an assembly. This group did not last long; in fact, no Jamaican legislature sat with any regularity until the 1670s. The men in positions of political power in Jamaica numbered about a dozen at any one time, including the governor and council, many of whom were military officers – a situation that clearly owed its origins to Cromwell's conquest, but that was as common in the 1660s as it was in the 1650s.

Though Charles ordered the Western Design army decommissioned, island leaders did not demilitarize all at once. Windsor started by paying off part of the army with a "dividend" provided by the king. The goods provided for the purpose (very little of the dividend was hard

[72] TNA:PRO CO 1/14/43.

currency) covered so little of the army's back pay, however, that it would have been impossible to pull all the men out of the service. A local official calculated that the total value of the goods sent – about £11,600 – would suffice to pay the soldiers for about twenty-five weeks of service.[73] Most soldiers had been there six years or more. Perhaps for this reason, the militia lists put together on Windsor's departure listed about 1,800 soldiers, only a few hundred less than D'Oyley had estimated remained in 1660.[74] Moreover, an entirely new "black regiment" was formed from the 150 Africans who remained from the Spanish period.[75] Demilitarization was a major plank in the king's platform to turn Jamaica from an army outpost into a plantation island, but there was no time in this period when everyone laid down arms.[76]

Jamaican leaders in the early Restoration relied on a culture of raiding to sustain their colony, but, except for Christopher Myngs' raids, these raids utilized private, non-navy, vessels crewed mostly by men out of the public employ. As in the past, many raids were small affairs involving small vessels. At one of the first council meetings held under D'Oyley's royal commission, the members required that anyone "employed with a boat or wherry upon a private

[73] "Memorandum of the devident," c. 1660, Huntington Library MS BL 319. This one sheet is anonymous, but the Huntington includes it among their D'Oyley pieces. According to Beeston, Windsor cashiered the troops but it could be that D'Oyley penned this piece in the few days both he and Windsor were on the island at the same time. William Beeston, "A Journal kept by Col. William Beeston," BL Add. MSS 12430, printed in *Interesting Tracts, Relating to the Island of Jamaica* (St Jago de la Vega, Jamaica, 1800), 276.

[74] "An accompt of the officers and soldiers of the militia…" 2 September 1662, Rawlinson A, 347, fol. 34; TNA:PRO CO 1/14/43. Of course, it is likely that not all of these militia men remained in the king's pay and so may have been recipients of the dividend; regardless, that a significant military presence remained on the island during the first years of the Restoration is indisputable.

[75] They served under Juan de Bolas, and represent a fascinating group of free black non-Maroons living in early English Jamaica. For numbers, see Rawlinson A, 347, fol. 35. For their story, see Mavis Christine Campbell, *The Maroons of Jamaica, 1655-1796: A History of Resistance, Collaboration & Betrayal* (Granby, MA: Bergin & Garvey, 1988).

[76] Webb believes Windsor's goal was not to de-militarize, but, instead, to "rapidly [organize] a loyal militia" though Webb admits Windsor disbanded much of the army, *Governors-General*, 212-218.

account" have permission from governor and council to do so or face a twenty shilling fine.[77] When Windsor and Lyttleton arrived in 1662, they licensed even more raiders, taking the island to war with the Spanish in America. As soon as he landed, Governor Windsor "called in all commissions from the private men of war," to ensure that none operated under D'Oyley's revoked authority, and issued them new "instructions to take Spaniards and bring them for Jamaica."[78] The newly-arrived colonist (and future governor) William Beeston remarked with some surprise, "my lord and his council orders a war with the Spaniards," and he observed many "privateers" going "to sea for plunder" as a result.[79]

Jamaican leaders used the governors' royal instructions to justify employing raiders. D'Oyley's commission from Charles, for example, allowed him to appoint anyone on the island "for the finding out of what trades shall be most necessary."[80] Though not a clear declaration to continue raiding, the phrase provided enough leeway for D'Oyley to commission raiders as he had done in the past, for in a Caribbean surrounded by enemies, going out to sea to trade meant preparing to defend one's ship or revenge the loss of one's cargo. Lord Windsor came with the power to commission men "for the subduing of all our enemies by sea or land within and upon the coasts of America."[81] The king's instructions to Windsor also contained an important clarification: "it shall be deemed piracy for any ships to lay wait, or pursue, or take any of our enemies' ships or goods upon those coasts, but by commission from our high admiral, or authority from him."[82] Defining piracy this way did nothing to slow raiding in Windsor's

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[77] TNA:PRO CO 138/1/4.
[78] "The Condition of the Island of Jamaica at the Lord Windsor's departure," Rawlinson A, 347, fol. 30.
[79] Beeston, "Journal," in *Interesting Tracts,* 276–277.
[80] *Journals of the Assembly of Jamaica* vol. 1 (JAJ), 1663-1709 (Jamaica, 1811), appendix, p. 2.
[81] JAJ appendix, 5.
[82] Ibid.

Jamaica; if anything, this clause increased the practice. The king's words separated the criminal act of sea raiding without commission – "piracy" – from the entrenched Jamaican practice of licensed raiding.[83] So, all Windsor needed to do to legitimate a raider was hand the seaman a commission. England's high admiral – Charles's brother, James, Duke of York – had already ensured that Windsor had the authority to do so in his name. The royals favored Windsor in this manner because, unlike D'Oyley, he was not tainted with any connections to Cromwell.

Windsor and Lyttleton also authorized two large sea raids in this time, both under Royal Navy Admiral Christopher Myngs, one of the architects of Jamaica's prize culture in the 1650s. Myngs had transported Windsor to the island in his ship, the *Centurion*, and, when a Spanish governor refused an offer of trade, Windsor sent him to attack St. Jago de Cuba. The navy man easily raised 1,300 men and eleven ships for the raid, sacked the city, blew up the castle, and carried its guns (and plenty of plunder) back to Jamaica.[84] Windsor returned to England shortly after the fleet came in, but Myngs stayed on the island and assisted Lyttleton, who operated under Windsor's broad commission, by doing what he did best. When it appeared that the Spanish might counter-attack, the lieutenant-governor ordered Myngs for another raid. In January 1663, Beeston reported that "fifteen or sixteen hundred" raiders in at least a dozen ships sailed out of Port Royal to attack Campeche, a Spanish town on the west coast of the Yucatan Peninsula. The fleet took the well-defended town, but the mission provided less plunder than the previous one.[85]

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[83] The king did not call these licensed raiders "privateers" but Jamaicans often did, see Chapter Five.

[84] C. H. Firth, "The Capture of Santiago, in Cuba, by Captain Myngs, 1662," *The English Historical Review* 14, no. 55 (July 1899): 9.

[85] Beeston, "Journal," in *Interesting Tracts*, 278.

Though the Admiral's leadership lent these two raids a veneer of naval authority, private, non-navy seamen comprised the crews, and private vessels made up the fleet. No longer an adjunct of Penn, Goodson, Brayne, or D'Oyley, Myngs had no Western Design navy at his disposal. The fourth-rate *Centurion* was now one of the few navy ships in Jamaica's harbor; weighing in at over 500 tons and boasting forty guns, it must have been by far the largest vessel there.[86] To compensate for the departed navy, Myngs used the (now former) soldiers and sailors on the island and enlisted fifteen private boats for the raids.[87] Some vessels even came from Tortuga, evidence that French authority on the smaller island was hardly entrenched, a fact which Jamaican leaders hoped to exploit when they launched a series of attacks on that place.[88] Jamaica's Caribbean warfare had turned private.

Later in 1663, the king de-sanctioned Lyttleton's raiders. While Charles's envoys negotiated a treaty with Spain, Jamaica's private war in the West Indies seemed ill-advised, hence he ordered Lyttleton to cease "such undertakings as have lately been set on foot" so that the islanders might "apply themselves to the improvement of the plantation, keeping the force in a condition here, which in any degree weakened will encourage your enemies to invade you."[89] These words are ambiguous, however. Since Charles never defined "undertakings" and stressed

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[86] "A list of all the ships, frigates and other vessels belonging to his Majesty's Navy Royal…" April 1664, NMM MS LRN 2. The "fourth-rate" ranking indicated the ship's size relative to other navy men-of-war. First-rates were the largest and best-gunned, and sixth-rates were the most poorly appointed.

[87] "An accompt of the private ships of war belonging to Jamaica and Turtudos in 1663" Rawlinson A 347, fol. 33.

[88] Leaders made two reconquest bids (in 1661 and 1662) and James Arundell did hold Tortuga for Jamaica for at least a few days during the first expedition. Haring reports that Abraham Langford ended up ruling the western Hispaniola port town of Petit-Goave briefly during the second attempt as well. French authority in the region was only firmly settled with the advent of the French West India Company in 1664, which sent d'Ogeron as governor. Haring, *Buccaneers*, 117–118. Langford petitioned the English government to make another attempt on the island in 1664, but his request was little more successful than that of ex-Commissioner Gregory Butler who had sought the island for himself in 1659. In his report to the Lord Chancellor upon his return from Jamaica, D'Oyley clearly states a need that "the island of Turtudas be reduced to the obedience of his Majesty," in Rawlinson A 347, fol. 45.

[89] TNA:PRO CO 1/27/23.

the need to maintain "the force" on Jamaica,[90] Lyttleton and the council could choose to interpret the orders as implicit, if less tacit, acceptance of the raiders. Another Jamaican noted that "it [is not] well understood whether his Majesty's order applies to commanding under Lord Windsor's commissions, or prohibiting only wild excursions."[91] To be sure, not all colonial officials wanted to support the seamen. For a little over a month in 1664, after Lyttleton returned to England, the government fell to the President of the Council, Thomas Lynch.[92] Lynch condemned the raids but still had to admit that attempting to prevent them would be a "remote and hazardous expedient."[93] It is not surprising that Beeston observed that "the privateers brought in their prizes" as if nothing had happened.[94]

Edward D'Oyley also declared his distaste for sea raiding when back in England in 1663, couching his vitriol in a defense of Jamaica's nascent plantation culture. In a report to Lord Chancellor Clarendon, D'Oyley claimed, "I am now credibly informed that the most industrious and able planters have by reason of the late attempts on Cuba and Campeach been enforced to burn their canes for want of hands, although the two expeditions have not afforded enough to recompense the loss of one." The real problem, he said, was that the men were lured by the false hope of fast money: "If one of 500 do get a prize of about £100 or £200, as some have done, the fruit of it is treble … and nobody is at all the better for that sum but the alehouses where it is

[90] The king's first draft was even less resolute, CSPC 1661-68, 441.
[91] Ibid., 811.
[92] CSPC 1661-68, 697.
[93] TNA:PRO CO 1/18/68.
[94] Beeston, "Journal," in *Interesting Tracts,* 281.

immediately spent."[95] D'Oyley believed Myngs guilty of the same kind of embezzlement – for the benefit of himself and his men – that had marked his career in the 1650s.

D'Oyley took such a seemingly principled stance against sea raiding primarily because of his hatred for Myngs and his desire for imperial approval, not because he disapproved of the activity or its results. The former governor had himself commissioned many raids and recognized their utility to the struggling colony. D'Oyley had no love for Christopher Myngs, though, and he took any opportunity to demean the man who had slandered him to the Council of State, especially because officials had promoted Myngs but recalled him. Myngs had led the 1650s raids most known for the rampant theft of prize goods by captains and crew. Moreover, D'Oyley believed Myngs' reputation as an embezzler had probably inspired the Jamaican seamen's false hopes. The former governor also wanted to be on the right side of the new English government. Since Clarendon and the king would determine his political future, D'Oyley reasoned it wise to echo Charles's recent instructions that Jamaicans improve the plantations instead of attacking the Spanish. His suggestions were naïve and over the top, however. Citing "the many violent miscarriages of the captains," for example, he wanted to rid the island of all king's ships, call in all the private raiders, and use the money saved to send the planters 500 African slaves.[96] If nothing else, D'Oyley could use this rhetoric to save face when questioned about his inability to increase planting in the island. He wanted officials to think that he believed that planting would never take off if the men had the option of following a sweet-talking brash admiral to piles of gold.

[95] "Extract of a relation given to Lord Chancellor by Coll. D'Oyley of Jamaica," 1662, NLJ MS 1005, document 1058. The full relation is in Rawlinson, as below.

[96] Rawlinson A, 347, fol. 45.

D'Oyley must have remembered that Protectorate- and Restoration-era raids provided the goods and currency that islanders used to start those plantations. "Clearly it needed a large-scale capital investment to establish Jamaican agriculture in the seventeenth century," writes historian Nuala Zahedieh, and, "it was plunder and illegal trade which provided England's largest sugar producer with much of its initial capital."[97] Only the treasures brought in by Myngs, Goodson and even D'Oyley's raiders could explain the development of so many plantations so quickly in a colony that could raise capital in no other way. The inland town of St. Jago de la Vega became the center of nascent planting activities in the 1660s, as well as the island's capital.[98] From there, Deputy-Governor Lyttleton called the first assembly in 1663, which, on orders from the king, drew its twenty representatives by geography rather than population, privileging the few wealthy men in each parish, all, except for the representatives from Port Royal, owners of many acres of land and many slaves.

Jamaica's aggressive prize culture also provided the income needed to build the city of Port Royal, the economic center of the island before plantation culture took off in later decades.

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[97] Zahedieh, "Trade, Plunder, and Economic Development in Early English Jamaica, 1655-89," 209, 222. Pawson and Buisseret agree to a point, asserting that Port Royal developed "under the impetus of private economic pressures," but they do not indicate it was due to raids, *Port Royal, Jamaica*, 96. The Bridenbaughs disagree, stating that the city "owed its riches not so much to pirates' plunder as to…island staples," Carl Bridenbaugh and Roberta Bridenbaugh, *No Peace Beyond the Line: The English in the Caribbean, 1624-1690* (New York: Oxford University Press, 1972), 314. However, Zahedieh convincingly details the timing of agricultural development, noting that planting only took off after a period of rampant raiding, arguing that prize money fenced through Port Royal merchants easily found its way to island planters. Moreover, her argument has several, less nuanced, precursors. Similar points were made two hundred years earlier in Bryan Edwards, *The History, Civil and Commercial, of the British Colonies in the West Indies*, vol. 1 (Philadelphia, 1806), 178. And Edward Long famously insisted that "it is to the Bucaniers that we owe the possession of Jamaica at this hour," Edward Long, *The History of Jamaica*, Research Library of Colonial Americana (New York: Arno, 1972), 300.

[98] After Spanish settlers abandoned New Seville on the north side of the island in the early seventeenth century, St. Jago had become the primary settlement before the English conquest. Spanish policy dictated the inland location to keep the inhabitants safe from sea raids, which certainly benefited the English, but it is not clear that they would have built a town there had it not already existed. In 1655 before the English invasion, the population of St. Jago including Spanish, slaves, natives, and foreigners was about 1,500. James Robertson, *Gone Is the Ancient Glory: Spanish Town Jamaica, 1534-2000* (Kingston, Jamaica: Ian Randle, 2005), 30.

The city itself had no room for agricultural development, but from here nearly all of Jamaica's raids were launched. In 1655, Point Caguay was just a small cay accessible only by boat, on which the Western Design survivors built forts and storehouses, set aside land for careening ships,[99] and authorized the establishment of taverns and public houses. They had no room to plant fields on that tiny island.[100] The first fort's batteries pointed its guns over the lapping waves of the Caribbean Sea and guarded a cramped city that faced the many sails crowding the enormous natural harbor behind it. It is likely that no one on the cay could even see Passage Fort across the water, and they might feel a world away from St. Jago de la Vega, six miles inland. From each of these plunder-built towns, however, self-reliant Jamaicans continued the expedient of private local warfare, which had its origins not in reckless "buccaneering" but in English naval prize culture and Cromwell's Western Design orders. They knew that sea raiding would protect and build their colony regardless of inconsistent imperial policy.

Jamaica's Private War, 1664-1671

No man embodied Jamaica's self-reliant spirit, planter society, and local political culture more than the king's choice to be the colony's third royal governor, a man who adopted the island as his home and became its patriarch, Sir Thomas Modyford. One of the wealthiest planters in Barbados, Modyford had governed the small island and so brought to Jamaica the wealth, experience, and Caribbean connections necessary to turn Cromwell's conquest into a set of lucrative plantations. But Modyford had fought for the Protector, and he distrusted the king

[99] Careening is the act of dragging a ship onto a beach, and stripping and re-covering the hull.
[100] Pawson and Buisseret, *Port Royal, Jamaica*, 6-10.

and his administration. By the force of his personality and the resilience of his initial commission, he disregarded crown authority to arrogate a great deal of political power to himself. Though he did call the island's second assembly, it sat for only a short time before he disbanded it and ruled on his own for six years. When his crown-appointed deputy died, Modyford named his own brother, James, to the vacant post before even informing the king. He created the position of island admiral, which lay entirely outside the structure of the Royal Navy. Into that post he vaulted Henry Morgan, a seaman of obscure origins and poor sailing ability, but with remarkable military skill. He ordered Morgan to call together the colony's private sailors to make a war on the Spanish fiercer than Windsor could have imagined. He issued numerous commissions against the Spanish in the name of the island's government, winning for the colony the protection it needed and the currency, goods, and slaves that underpinned its economy. The king's orders against Modyford's policies grew more insistent, however, for Charles II signed a treaty with Spain declaring a first-ever Anglo-Spanish peace in the Americas. Both Modyford and Morgan survived temporary imprisonment in England for breaking that peace, and each lived out their days in their Jamaican home, Modyford as an aging patriarch and Morgan as a new politician, the long-serving heir – with his opponent Thomas Lynch – to his patron's scheme of fierce local rule.

Disappointed in Windsor's and Lyttleton's desultory commitment to Jamaica, in 1664, King Charles – himself only in his fourth year as a colonial administrator – cast about for someone experienced to serve a long tenure as governor of the island. The king knew that, if the colony could not produce some revenue, it would become a sinkhole for resources, as it had for the Council of State. George Monck, Duke of Albemarle, now the king's trusted advisor,

suggested the Duke's own kinsman, Thomas Modyford, for the post.[101] Twice governor of Barbados, Modyford had been displaced in 1661 after the king had given the island's leadership to Francis Willoughby, and he was seeking a new position. With a Cromwellian past, Modyford was not an obvious choice to bear the standard of Restoration colonial leadership, but Albemarle convinced the monarch to let Modyford try, because he had the experience and the connections necessary to do the job. The governor knew all the principal Englishmen in the West Indies, and he worked as an agent for the Company of Royal Adventurers. His brother, James Modyford, was a rising merchant, and his brother-in-law, Thomas Kendall, a successful trader and shipping operator. Modyford was trained as a lawyer in England and probably understood several European languages, helpful to a position in a multi-lingual Caribbean political sphere.

Charles issued Modyford a commission with very broad powers to serve as the Governor of Jamaica and steer the young colony in the direction of planting and trade. From Barbados, Modyford brought his own and a host of other planter families who desired the cheap land in the capacious new colony. The governor was supported by the royalist veteran of the Civil Wars, Deputy-Governor Edward Morgan (uncle to the more famous Henry Morgan), who sailed to Jamaica from England with his own family, scores of settlers, and £3,000 for the island's defenses. Morgan died soon after arriving, but, as we have seen, Modyford did fulfill the expectations of initiating a planter culture in Jamaica by patenting land and importing enslaved Africans. The king was to discover that those plantations came at a price, however: the growth of a strong Jamaican political culture autonomous from the empire's and the expansion of private sea raiding throughout the region.

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[101] *Oxford Dictionary of National Biography Online*, s.v. "Modyford, Sir Thomas, first baronet (*c.*1620–1679)," by Nuala Zahedieh, Jan 2008, http://www.oxforddnb.com/view/article/18871.

Already well into middle age by the time he came to lead his second English colony, Thomas Modyford had led a checkered career and was known throughout the empire for his Cromwellian connections and large personality. Though declaring himself a royalist, he had, once in England during the civil wars and again in Barbados during the Commonwealth, defected to Parliament's side at key moments. He had also made himself useful to the Protector in the 1650s as an architect and encourager of the Western Design. His letter to John Thurloe in 1654 laid out the plan for an American expedition and offered Barbados's resources: scores of eager men, arms a-plenty, and victuals at reasonable prices.[102] He had, it turned out, oversold the Protector on both the expedition's feasibility and his own island's supplies. On this and other issues throughout his seventeen years on Barbados, he had locked horns with the island's other leaders due, in large part, to his brazen personality.

Modyford's dreams were big, his actions were self-serving, and he refused to be crossed. Late in his life, a contemporary remarked that he was the "most profest immoral liver in the world," but his character had been established long earlier.[103] Thomas Lynch discovered that he did not like this character after just a few months serving in Modyford's Jamaica. Lynch remarked drily that Modyford's reason for stripping him of his offices was that the new governor "would have none to shine in this Hemisphere but himself and sons." Indeed, Modyford had put such a bitter taste on Lynch's lips that the younger man sailed for England, despite "the resolutions I had to marry, send for my relations, and make this my England."[104] Though Jamaica

[102] *Thurloe State Papers*, vol. 3, 62.
[103] Nevil, "Present state of Jamaica," 1677, BL Add. MS 12429 in *Interesting Tracts*, 112.
[104] TNA: PRO CO 1/19/23.

did not have room for both egos at the time, Lynch did keep his resolutions: he was back in his Jamaican home, wresting the government from a defeated Modyford, within six years.

Governor Modyford used his vast experience and the broad authority the king granted him to rule the island personally. His royal instructions rivaled Windsor's in scope; respecting Modyford's wealth and wanting him to stay in Jamaica a long time, the king let him appoint his own council, add to its numbers if he saw fit, and make laws for the island by fiat, requiring only that he seek "the advise of any five or more of the said council."[105] Accordingly, Modyford called one assembly, which sat intermittently from October 1664 until March 1665. Its twenty members made new laws supporting agriculture, and then the governor dismissed them. He never called another session, remarking rather blithely upon his departure that "now there is no assembly in being, nor that I know urgent occasion for any."[106] Most of the time, he governed with a twelve-person council (which usually included both his brother and his son), making orders and proclamations for all inhabitants.[107] During threat of invasion or attack, however, the governor suspended all civil laws and ruled by martial law alone. First enacted in 1667, Modyford's martial law included forty-five separate articles, all enforced by courts-martial, twenty-seven of which carried the potential punishment of death.[108] Likely, these fatal punishments were rarely administered, but they speak to the governor's direct and unbending rule during military emergencies.

[105] JAJ appendix, 8-11.
[106] JAJ, 4; "The governor of Jamaica's answers to the inquiries of his Majesty's commissioners," JAJ appendix, 22.
[107] See the Jamaican Council minutes for these years in TNA:PRO CO 140/1.
[108] "Laws Military for the Island of Jamaica," 1667 in *Interesting Tracts*, 96–101.

With his powers, large personality, and personal rule in Jamaica, Sir Thomas Modyford pursued a bellicose foreign policy throughout the Caribbean and made the island's sea raiders his agents enforcing that policy. Though he ordered raids against the Dutch, French, and Spanish, he did not set out to do so originally. When he arrived on the island in 1664, he and Thomas Lynch had something in common: both wanted to end the still relatively new practice of Jamaican private sea raiding, which Modyford would consistently call "privateering." While still on Barbados, Modyford proposed a peace to the governor of Santo Domingo, suggesting that the two "not only… forbear all acts of hostility, but… give each other the free use of our respective harbors." Lynch later heard that the Spanish governor had given a "favorable answer," though he doubted anything would come of it.[109] But in June Modyford and the council warned all Jamaicans "to treat all the subjects of his Catholic Majesty, wheresoever they shall meet them whether by sea or land, as friends and… not to make prize of any the ships or goods."[110] Three vessels came in within the first three weeks, one taken by Morgan between Barbados and Jamaica and the other two voluntarily.[111] In August, on King Charles's specific orders, the Council ordered restitution made to the Spanish and announced that all who attempted "violence and depredation against the said nation [Spain] shall be looked on as pirates and rebels, and proceeded against accordingly."[112]

That same summer, though, Modyford began to alter his policy towards the seamen, writing that he "thought it more prudent to do by degrees and moderation which I had once resolved to have executed suddenly and severely…in accomplishing whereof I must somewhat

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[109] TNA:PRO CO 1/18/65, 68.
[110] TNA:PRO CO 140/1/92.
[111] TNA:PRO CO 1/18/80, 82; CSPC 1661-68, 763.
[112] TNA:PRO CO 140/1/123.

dispense with the strictness of his instructions." He received nothing but support from Deputy-Governor Edward Morgan, who had told Arlington that the "privateers doth not hinder the planters now at all" and that the sailors were a great security who should be "continued."[113] Continue them Modyford and Morgan did, but not without strict regulation: at least 26 "pirates" – in this case, meaning anyone still operating on a Windsor commission – were captured in 1665, several of whom were sentenced to death.[114] In Modyford's Jamaica, the private seamen worked only for him.

Modyford and Edward Morgan changed their minds because they realized something D'Oyley had learned several years earlier: whatever its position in the English empire, Jamaica was at the center of a Caribbean political sphere, and Caribbean politics were not always in line with imperial changes in Europe. Jamaica's non-naval seamen – there were at least 1,500 and possibly as many as 3,000 "lusty fellows" by 1664 – could be Modyford's primary agents within this world.[115] To his superiors, Modyford justified his continued use of these men by referencing local Caribbean conditions. Early in his tenure, he declared to his brother that "unless Tortuga be reduced," island leaders must tread carefully with the raiders, for French commissions might easily be had there. An anonymous observer further pointed out that, with those commissions,

[113] TNA:PRO CO 1/18/82-83.

[114] TNA:PRO CO 1/19/27. The total includes fourteen who he immediately dispatched against the Dutch in February (see below). He also sent a king's ship to kill Captain Moroe, a raider from Tortuga still operating with Windsor's old commission, and capture twelve crewmembers (mostly French and Dutch), five of whom a court-martial condemned to hang.

[115] TNA:PRO CO 1/18/82, 94.

seamen who had formerly assisted Jamaica "will hinder all trade to and from" the island and "cause the ruin thereof."[116]

The French were not the only threat, for tensions with the Dutch were already rising by late 1664, and the Spanish were a constant menace. Jamaica seemed surrounded by hostile agents, so much so that in 1670 the governor wrote:

> Thus may your lordships read Jamaica, circled in with enemies' countries which (though not sufficiently stored with people to hurt us), yet are good places to receive and cherish such forces as may come from Europe or Mexico to oppress us, and therefore is there much reason for that standing force of privateers, or somewhat equivalent, to give us seasonable intelligence, and to be prompt to resist the first attempts of an enemy, which is humbly left to your lordships' more mature consideration.[117]

Modyford was convinced that he was "circled in" by enemies and that he needed the private ships of war to protect the island and maintain the balance of power in the Caribbean political sphere. In Whitehall, James Modyford and Thomas Kendall kept up their ministrations to get the governor positive orders to use leeway with the seamen – leeway Modyford and Morgan had already taken.[118]

The kind of latitude Modyford sought came in 1665 in the form of a royally-authorized private war on the Dutch and, later, the French. Though England officially declared war on the Netherlands in March (and France in January 1666), tensions between the nations had been high for several months; English fleets had already attacked Dutch factories in West Africa and taken the North American colony of New Netherland. By November 1664, the Privy Council's

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[116] TNA:PRO CO 324/1/259-262. Abraham Langford, who had previously failed to reconquer Tortuga applied to the king for the purpose again in 1664, but Modyford and others expressed a searing dislike both for design and designer and it never materialized, TNA:PRO CO 1/18/115-118.

[117] "The governor of Jamaica's answers to the inquiries of his Majesty's commissioners," JAJ appendix, 23.

[118] CSPC 1661-68, 842-44.

Committee for Jamaica heartily recommended a scheme to employ the island's private raiders to continue hostilities. Modyford rejoiced when he received the news the following February – it gave him "much contentment" – and immediately offered commissions against the Dutch, including to fourteen "pirates" he had captured and condemned to death just two week earlier. His plans finally aligned with imperial goals, and he proudly boasted "before that night two commissions were taken out and all the rovers are plodding [sic] how to take in Curacao."[119] He immediately sent along his own proposal for taking the island and rounding up all the Dutch and French in the Caribbean along the way – a sort of second Western Design – which would "make a clear board, leaving none in these parts but the English and Spaniards."[120] Since an English fleet did not arrive to clear the board, Modyford himself sent Edward Morgan, ten ships, and a force of well over 500 men – "made up chiefly of the reformed privateers…at the old rate of no purchase no pay" – to capture the Dutch and French islands in April. They did not know that Admiral Michiel De Ruyter and a fleet of fourteen Dutch warships had just arrived in the Caribbean, unsuccessfully attacking Barbados the same month.[121] Morgan's grand design, though it temporarily captured the Dutch colonies of St. Eustatius and Saba, and won for Jamaica's planters at least 500 African slaves, accomplished little of import and resulted in the deputy-governor's death while leading an attack.

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[119] TNA:PRO CO 1/18/133; CO 1/19/27. The King's letter authorizing raids against the French is CO 1/20/13.

[120] TNA:PRO CO 1/19/29.

[121] TNA:PRO CO 1/19/27; CSPC 1661-68, 980, 983-4. "Reformed" in this case presumably meant that these men had responded to Modyford's call to come in and operated under his commissions rather than Windsor's.

Out of the ashes of Modyford's failure to rid the West Indies of the Dutch arose the previously unknown raider, Henry Morgan, nephew of the deceased Edward, a young Welshman who had sought adventure overseas in the 1650s and landed in Jamaica soon after.[122] Being "much more used to the pike than the book," Henry Morgan had followed the Western Design soldiers and buccaneers to sea and into the culture of prizes. He was away at sea for the entirety of his uncle's brief tenure in Jamaica.[123] When the younger Morgan returned to land and heard of his uncle's death, he began to take Edward's place serving the governor, which launched his twenty-year career in Jamaican sea raiding and politics, soon to bring him fame throughout the empire. He married his cousin, Mary Elizabeth Morgan, Edward's oldest living daughter, and together they started a plantation.[124] Thereafter, Henry became indispensable to Governor Modyford as a resolute sea commander, and Modyford eventually appointed him Admiral of the Island.[125]

Modyford needed a strong man to take charge of the seamen and become a principal agent at sea of his designs within the Caribbean political sphere. Henry Morgan was well-suited to the task: although he was a poor sailor with a knack for sinking his own ships, he did possess the practicality, ambition, and arrogance of a good sea raider and a good leader of men.[126]

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[122] E. A Cruikshank, *The Life of Sir Henry Morgan; with an Account of the English Settlement of the Island of Jamaica (1655-1688)* (Toronto: Macmillan, 1935), 4, 40; Dudley Pope, *The Buccaneer King: The Biography of Sir Henry Morgan, 1635-1688* (New York: Dodd, Mead, 1978), 67.

[123] CSPC 1677-1680, 1304; Cruikshank, *Morgan*, 56-60.

[124] Beeston, "Journal," in *Interesting Tracts*, 285; Cruikshank, *Morgan*, 65. Neither full name appears among the landowners on Modyford's 1670 lists but the name Morgan does appear, likely in reference Edward Morgan's two sons, who inherited their father's Jamaica lands and whom Henry Morgan assisted in planting after marrying into the family, Pope, *Buccaneer*, 108, 119.

[125] For the Panama expedition, Morgan's official commission was as "Admiral and commander in chief of all the ships" defending Jamaica, TNA:PRO CO 1/25/45.

[126] Morgan had responsibility for the one naval warship ever sent to Jamaica in these years, the "Oxford", when it famously exploded in 1669, see CSPC 1675-76, addendum 1669, 1207; Exquemelin, *Buccaneers of America*, 141-2. Morgan drove his own flagship into a reef on the Panama expedition, CSPC 1669-74, 633. Though

During his four famous raids on Spanish American colonies, he was able to convince his unpaid men to attack, capture, and hold seemingly impregnable cities like Porto Bello and Panama. Moreover, Morgan received a hero's welcome after each raid, since the islanders believed that each time he had prevented devastating Spanish attacks.

Before returning to the island after Edward's death, Henry's actions helped advance a significant new aspect of Jamaica's warlike foreign policy and solidify Modyford's power on the island. While the elder Morgan was trying to wrest Saba from the Dutch, the younger Morgan was on a mission to the west that managed a major coup. Under Captain Edward Mansfield, the Jamaican private raiders in 1666 recaptured Providence Island from the small Spanish garrison, which had held the remote territory since 1641.[127] England and Spain were not at war – the two empires were negotiating a treaty – but Modyford and the Jamaican Council, "circled in" with enemies as they were and armed with a letter from the Duke of Albemarle allowing some latitude to interpret the king's instructions liberally, had explicitly begun a private war with the Spanish Caribbean colonies. Aside from the many necessary "commodities" that raiding the Spanish provided the island, the Council reasoned that doing so aided the other war effort as well: "it is the only means to keep the… buccaneers on Hispaniola, Tortuga, and the south and north cays of Cuba from being our enemies." Moreover, the frequent raids would help "keep up a high and military spirit in all the inhabitants."[128] Modyford commissioned his sea raiders in the Duke of York's name and, consistent with the island's culture of prize-taking, obliged the captains "what

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he did not take responsibility for it, Morgan likely also had a hand in wrecking the vessel that returned him to Jamaica from England in 1674, Henry Morgan to Henry Coventry, 12 March 1675, *Correspondence and Papers of Henry Coventry*, A.C.L.S. British Manuscripts Project, vols. 74-75, fol. 27.

[127] Mansfield was a respected captain by this time. He appears as the captain of a brigantine in the 1663 "accompt of the private Shipps of Warre," Rawlinson A 347, fol. 33. This mission must have had more than the sixty men and four guns of that small vessel in order to attempt Providence.

[128] Jamaica council minutes, Feb 22 1666, TNA:PRO CO 140/1/144-45.

prizes you shall take you shall bring into his Majesty's harbor or Port Royal, Jamaica, to be proceeded against according to law."[129]

Even King Charles approved part of this new policy. He may have been annoyed that Caribbean raiders fought an undeclared war in his name and owed allegiance to a troublesome colonial governor, but he was not upset when he heard that Providence Island had been taken; in fact, he dispatched Sir James Modyford as Lieutenant-Governor to hold it "according to such instructions and decisions as you shall from time to time receive from… Sir Thomas Modyford."[130] News travelled slowly, however: the Spanish had already recaptured Providence by the time the commission was issued, so Sir James arrived in Jamaica the summer of 1667 as a man without an island. His brother obligingly ameliorated this condition by making him Lieutenant-Governor of Jamaica, Governor of the "Towne and Castle of Port Royall," and "sole judge of the Admiralty."[131]

Jamaica's private war on Spain in the Americas during Modyford's first years in office aided England's imperial interests, brought Jamaican planters the goods, currency, and slaves they desired, and made the grand-dreaming governor and his family rich. When Spanish prizes were "proceeded against according to law," a tenth and fifteenth share of the loot went to Sir Thomas, who kept it in the king's name, while Sir James as Admiralty judge received commissions for selling the goods to planters and merchants.

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[129] TNA:PRO CO 1/20/24 II.

[130] TNA:PRO CO 1/20/166.

[131] James Modyford to Andrew King, 27 December 1667, Westminster Abbey Monuments (WAM) 11913 in A.P. Thornton, "The Modyfords and Morgan," *JHR* 2, no. 2 (October 1952): 45; Jamaica council minutes, 22 February 1666, TNA:PRO CO 140/1/168.

Between 1668 and 1671, Henry Morgan led a series of four ever-larger raids on Spanish colonies, becoming Jamaica's principal agent at sea and the prime example of island prize culture. When the imperial wars with the Dutch and French ended in 1667, Jamaicans swapped them for the more lucrative though still wholly undeclared war with the Spanish. Morgan, with impressive fleets of ships and large crews of men, captured Porto Principe de Cuba, Porto Bello, Maracaibo, Gibraltar, Providence Island (again), Chagres Castle, and the shining city of Panama – Spain's Central American Pacific port, which, since Drake's attempt to capture it, Englishmen had imagined was made of gold. Morgan's raids have been the stuff of legends and fantastic tales since they happened, and better or worse historical accounts are readily available; they need not be re-told in detail here. Three major factors are important to point out, however. First, each had the full backing of the colonial government and squarely advanced Jamaica's, though not necessarily England's, foreign policy, a policy built on the realities of a Caribbean political sphere. Second, these raids differed from Myngs' of 1662-1663 in that they firmly benefitted the island's new planter culture – plantations no longer relied on old soldiers and sailors to run them, leaving Port Royal's seamen free to go to sea. Third, though Admiral Morgan and his men operated only on Jamaican, not imperial, commissions, they believed their raids advanced English interests by enriching their empire at the expense of the Spanish.

Morgan conducted his raids under general orders from Jamaica's government and in service of its foreign policy of war on Spanish colonies in order to secure the island and maintain its position in the Caribbean political sphere. Governor Modyford and his council commissioned each raid separately, but all were based on intelligence that Spanish forces were massing either in

Cuba or on the Main to invade Jamaica.[132] For a time, these and other, smaller, raids amounted to an undeclared war between Jamaica and Spanish Caribbean colonies, but Jamaicans did not intend to rid the Indies of the Spanish entirely – that dream had died with Cromwell. Rather, they sought to be joint owners of the region to balance political power between England and Spain. Modyford even tried to convince the Spanish ambassador that letting the seamen raid Spanish targets for the time being benefitted both empires in that "I might keep them from joining with mine and your Master's enemies."[133] Jamaicans also wanted a balance of economic power by gaining a share of the rich produce of the Americas – James Modyford invested in both raiding and trading at the same time to ensure that the most goods came pouring into Port Royal.[134] For a time in 1669, Jamaica even declared "peace with the Spaniard."[135] Both peace and war existed "beyond the line," but both resulted from the Caribbean's own political rhythms, not from imperial dictates.

In 1670, Modyford learned from the Dutch governor of Curacao that Queen Maria Theresa of Spain had commissioned her Caribbean governors to make war on the English and take "possession in our behalf of the Islands, Places, and Ports which the English have in the said Indies."[136] Modyford and the Council declared full-scale war on Spain exactly one year after they had proclaimed peace and ordered Morgan on a mission of punishment for burned north-

[132] See TNA:PRO CO 1/23/53.

[133] TNA:PRO CO 138/1/41. Secretary Lord Arlington dryly mentioned that Thomas Modyford's further proposal to let the seamen work for the Spanish "could scarce be believed a practical one," 42.

[134] While Morgan was raiding Porto Bello (the loot from which Modyford sought to purchase cheaply) Modyford advised his English agent how best they could trade with the Main, WAM 11917 in Thornton, "Modyfords," 46.

[135] WAM 11929 in Thornton, "Modyfords," 56.

[136] TNA:PRO CO 138/1/46. Maria Theresa acted as regent for her sickly son Carlos II who had gained the throne in 1665. The resulting power vacuum in the Spanish empire made this a good time to raid.

side land and kidnapped inhabitants.[137] It was with this local war in mind, not the treaty being negotiated in Europe, that Henry Morgan sacked Panama. On all his raids, but especially on this last, Admiral Morgan was a military leader commanding soldiers and sailors in battle – it was just that his men were private raiders brought up in a culture of prizes, expecting payment only from the plunder. None of these soldiers were "pirates" in the modern sense, and only those from French Tortuga and Hispaniola who sailed in consort with the Jamaicans could be classed as buccaneers.

Henry Morgan also set out to make money – for himself, the Modyfords, and Jamaican planters – and each mission clearly had a monetary focus. The men who signed on for the raids wanted the money, too, and they had good reason to expect a few small fortunes might come their way. These were no longer D'Oyley's servants and regular soldiers, forced to work measly plantations, lured away by sweet-talking Myngs, "one of 500" of whom might get a rich prize.[138] Old Western Designers, transplanted buccaneers, and servants who had worked off their indentures now lived in Port Royal and joined raiding parties on a regular basis; many who lived got rich prizes.

On Morgan's first raid there were men who would gladly have attempted Havana, a staggeringly wealthy but highly-fortified city. The council of war finally decided that the odds of only 500 men successfully scaling the massive walls were far too slim,[139] and they settled for attacking the unfortified inland town of Puerto Principe, which they ransomed for about 50,000

[137] TNA:PRO CO 138/1/47-48.

[138] D'Oyley to Lord Chancellor, 1662, Rawlinson A 347, fol. 45 and NLJ MS 1005.

[139] Thomas Gage, *Travels in the New World*, new ed. (Norman: University of Oklahoma Press, 1958), 98–99.

pieces of eight.[140] The second raid, a risky attack on fortified Porto Bello, yielded an estimated 215,000 pieces of eight and 300 slaves.[141] These staggering riches had James Modyford begging his creditor for some ready money with which he "might have bought what I would almost at 40s per ounce of gold, & silver from 2s 6d to 3s per ounce."[142] The third adventure was so money-driven that the men spent weeks in the woods surrounding Maracaibo and Gibraltar seeking hidden treasures; they reportedly tortured the inhabitants brutally in hopes of gaining even more. Only the unexpected opportunity to ransom Maracaibo on their way out of the small bay yielded an estimated 250,000 pieces of eight.[143] Finally, any attack on Panama, much as the one Morgan's 2,000 men made in 1671, would have been designed to yield riches, the city being by far the wealthiest in the Americas. But, as historian Peter Earle has put it, "what should have been the richest prize in America lay smouldering in ashes at its melancholy conqueror's feet… where was the joy of conquest if there was no plunder and no pay?" Where, indeed, for Earle estimated that, many Panamanians having escaped with most of the city's treasure, each or Morgan's men received only about £15 – which hardly made up for months of starvation,

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[140] Morgan's account is TNA:PRO CO 1/23/53; also see Exquemelin, *Buccaneers of America*, 127–133. Estimation of prizes is in money and goods, Ibid., 133.

[141] Morgan and Exquemelin account for 100,000 pieces of eight in ransom, but Exquemelin insists the total loot was 215,000, including prize goods, Exquemelin, *Buccaneers of America*, 140. The Porto Bello raid was known throughout the empire as highly lucrative (see for example TNA:PRO CO 1/23/76).

[142] WAM 11920, in Thornton, "Modyfords," 48. Modyford reported in 1669 that one Spanish piece of eight was worth four English shillings in Jamaica so, at twelve shillings per pound, 215,000 pieces of eight equaled about £71,500 in Jamaica, which would have been worth more in England given local exchange rates.

[143] Charles Leslie, *A New History of Jamaica from the Earliest Accounts, to the Taking of Porto Bello by Vice-Admiral Vernon. In Thirteen Letters from a Gentleman to His Friend. ... With Two Maps* (London, 1740), 121-132; Exquemelin, *Buccaneers of America*, 141–163. Morgan's account of this voyage does not survive, but Modyford makes mention of the raid in TNA:PRO CO 1/24/81.

disease, and deadly actions – and Morgan reported only £30,000 total in plunder.[144] But the planters were not disappointed; at least 400 slaves came from Panama.

Though officials in England never offered formal authorization for Admiral Morgan's commissions, the thousands of Jamaican private seamen who followed him displayed a commitment to what they believed to be English imperial interests. Though many of the men on these raids had not seen an English countryside for many years, and some were even French, the men used English symbols. Writing in the eighteenth-century, Charles Leslie contends that "English colours set upon the walls of the other castle... encouraged…fainting troops to renew the attack" during the mission to Porto Bello.[145] Further, Morgan intentionally recaptured Providence Island on the way to Panama, claiming for his king a plantation whose loss was still felt sharply throughout the empire. Morgan's detractor, Alexander Exquemelin, claims that the admiral "would gladly have kept St. Catalina as a robbers' eyrie," and that he wanted an impregnable position in the West Indies, such that "it would have been impossible for the Spaniards to oust him, nor would the might of the King of England have been able to do much damage." The story makes no sense, however, since Morgan immediately applied to Virginia and New England for money and supplies to keep the island, and perhaps even hoped to present it to Sir James Modyford himself.[146] Though Morgan's hold on the small island in 1670 was even more fleeting than it had been in 1666, he captured it as an imperial project. Morgan and his men fought for Jamaica, but their latent loyalty to England remained evident throughout their raids.

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[144] Peter Earle, *The Sack of Panamá* (New York: Thomas Dunne, 2007), 223, 229. Lindsay estimated a total amount of 400,000 pieces of eight from Exquemelin's statement that each man got 200 (assuming 2000 men), Lindsay, *Great Buccaneer*, 246; Exquemelin, *Buccaneers of America*, 207. This is undoubtedly false, and Earle's estimates are much more likely.

[145] Leslie, *New History*, 118.

[146] Exquemelin, *Buccaneers of America*, 127.

Exquemelin and future tellers of the Panama tale highlight the men's brutality during raids to make Morgan and his raiders monsters instead of men. To these authors, the horrific torture scenes at Maracaibo and the rape of Spanish noblewomen on board ship at Porto Bello make the perpetrators "pirates" – the enemies of all civilized Europeans – and hence, stateless actors.[147] Whether or not the raiders engaged in torture (or whether Morgan approved it), they were certainly capable of it. Torture was common in the early modern Atlantic world, and sea raiders would easily have learned its effectiveness had they been servants, owned or oversaw slaves, or served on naval vessels or merchant ships.[148] Morgan and his men surely engaged in torture, but their use of it does not indicate that they operated outside the bounds of typical English practice in the Americas. Everyone lived in a world marked by brutality, and it is to be expected that most would reproduce that world through their actions.

Even more than money, some raiders held violent revenge to be the goal of the missions. Reports abounded in Jamaica that the Spanish tortured English prisoners; the eleven prisoners whom Morgan's men had rescued from Porto Bello stayed at Port Royal, weaving tales (true or not) of their brutal handling by Spaniards. Moreover, Jamaicans remembered their burnt fields, destroyed houses, and captured denizens, the results of a 1670 invasion from Cuba. Though the lack of plunder disappointed, for some, the long overland march to Panama and the bloody battle overlooking the city were worth it for the retribution they could inflict upon any subject of the

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[147] See esp. Exquemelin, *Buccaneers of America*, 147–148; Leslie, *A New History*, 124–128. These portrayals of violence bear striking resemblance to sixteenth- and early-seventeenth century "black legend" depictions of Spanish brutality towards natives, slaves, and one another. Morgan also tried to paint the Spanish as the brutes when claiming he treated his female prisoners at Porto Bello better than their husbands did, TNA:PRO CO 1/23/53.

[148] Seafaring was a particularly brutal occupation, becoming even more so in the eighteenth century; Marcus Rediker calls the ship of that era "one of the earliest totalitarian work environments," Rediker, *Between the Devil and the Deep Blue Sea: Merchant Seamen, Pirates, and the Anglo-American Maritime World, 1700-1750* (Cambridge: Cambridge University Press, 1987), 212.

Spanish empire. After the city of gold burned to the ground and Jamaica's men finished a month of looting, James Modyford penned, cathartically, "I think we are pretty well revenged."[149]

A strong Jamaican governor and ruling council oversaw the remarkable growth of plantation culture in the second half of the 1660s, but their pursuit of a bellicose foreign policy within the Caribbean political sphere, and their employment of private seamen as agents of that policy, had roots as recent as Oliver Cromwell's Western Design and as deep as the centuries-long English naval culture of taking prizes at sea. The soldiers and sailors of Cromwell's failed mission, struggling to stay alive and maintain control of the island, launched many sea raids from the great natural harbor they occupied. Using state ships under navy officers, these men followed Cromwell's orders to take Spanish American silver wherever they might find it, discovering a relatively simple method of subsistence in the process. Once the Protector died, these raids kept the inhabitants alive, and, during the first few years of the Restoration, began to strengthen the island economically. Though Edward D'Oyley resented him, Admiral Christopher Myngs, who took Jamaica's recently cashiered troops on a combined private and navy fleet, helped bring in the capital that underpinned the expanding city of Port Royal and the slowly-growing plantations during the early 1660s. Regardless of royal orders (the king began calling for the end of Jamaica's private sea raiding against the Spanish in 1663, albeit not very strenuously), Jamaica's new governor, Sir Thomas Modyford, continued the trend, legally commissioning many raids – most under newly-named island Admiral Henry Morgan – to secure Jamaica, punish Spanish subjects, and support plantation culture with money, goods, and slaves.

[149] WAM 11698 in Thornton, "Modyfords," 57.

CHAPTER THREE

At Sea at Home: Jamaica's Private Seamen, 1671-1675

Early in 1673, despite a declared Anglo-Spanish peace in America, Don Francisco Rodriguez de Ledesma, the governor of the Spanish city of Havana in Cuba, hired the Irish private sea raider, Philip Fitz-Gerald, to capture English sailors in the Gulf of Mexico. Citing an understandable ethnic hatred for most Englishmen, Fitz-Gerald reveled in the opportunity to raid and pillage those he viewed as his people's oppressors. Eagerly going beyond his commission, he killed many of the English sailors he met on his sorties and vowed to those he intentionally left alive that, though "he should never be satisfied with English blood," he would "drink it as freely as water when he was adry."[1]

Fitz-Gerald, the governors who employed him, and the English sailors he captured were taking part in an undeclared – but quite bloody – regional trade war, which reached one of a few peaks of activity in 1673, over a certain kind of tree called logwood. A sought-after commodity used to make dyes for the European textile industry, logwood grew only in a few remote areas of the Caribbean. Lieutenant-Governor of Jamaica, Thomas Lynch, in charge of the island after Modyford departed, encouraged Jamaicans to cut the wood and made his island a hub for the trade in the early 1670s. But Spanish-American leaders like Don Francisco and the governor of Campeche argued that Spain owned the wood, and they tried to stop the English cutters. Leaders on each side hired private seamen, out of work after the declaration of peace, to cut the wood in Yucatan swamps or to capture cutters and traders throughout the greater Caribbean.

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[1] TNA:PRO CO 1/31/12.

As the dispute over logwood makes clear, the half decade from 1671 to 1675 marked a dramatic change in Jamaican politics and the island's relationship with its private seamen. This chapter argues that, once European diplomats ratified the Treaty of Madrid in 1670, declaring a first-ever Anglo-Spanish peace in America, England's imperial leaders initiated a new colonial program in the Caribbean designed to suppress sea raiding in the name of good political relations with Spanish colonies. The prize culture tradition of private raiding did not fit into the new post-treaty program, and King Charles II and his new Council on Foreign Plantations sought to turn Jamaica's "privateers" into planters. They named new royal governors in Jamaica and the Leeward Islands, and made them the principal agents of this program of Caribbean reforms. Thomas Lynch, returning to his island home, arrived in Jamaica with orders not only to enforce the Treaty but also to arrest Governor Thomas Modyford and Admiral Henry Morgan, and send them to England. Lynch completed the arrests but ignored many provisions of the treaty, creating a vast network of illegal trading, initiating a regional war over logwood, and hiring the island's private seamen in service of both projects. A Jamaican since 1655, Lynch understood Jamaica's vibrant local prize culture, and he took advantage of it to continue the island's local political culture outside of imperial control. Like D'Oyley, Windsor, and Modyford, Lynch employed private seamen as Jamaica's seaborne agents within a Caribbean political sphere, but, because of the peace treaty, he utilized them in different ways than did his predecessors.

In four sections, this chapter explains the transition that Lynch helped Jamaica's private seamen navigate in the first half of the 1670s. First, imperial leaders signed the Treaty of Madrid, empowering Lynch to enforce it in Jamaica and also instructing him to expand the island's nascent planting culture. Second, when a royal pardon for private raiders failed to end small-

scale depredation of Spanish shipping in the Caribbean, Lynch hired some of the loyal seamen to hunt down and capture those who persisted in raiding illegally. Third, to augment the colony's poor economy, Lynch hired private seamen to trade in slaves and hides to nearby Spanish colonists. Finally, by greatly expanding English involvement in the logwood trade, Lynch encouraged many former raiders to cut the wood in the Bay of Campeche and elsewhere, and sometimes to transport it to Europe as well. Since several local Spanish governors thought English cutting violated the Treaty, an undeclared war erupted, fought on both sides by some of Jamaica's private seamen. Reform did not sweep the English Caribbean after the treaty in the way that imperial leaders had hoped; instead, Lynch exploited local conditions to reposition Jamaica, and her private sailors, in the West Indian political economy.

Navigating Peace in the Americas

The treaty that altered the nature of political relations and private seafaring in the Caribbean had been at least a decade in the making. After the restoration of Charles II in 1660, English officials desired a commercial treaty between the empires and an end to the expensive Protectorate policies of war in Europe. In 1661, moreover, King Charles married Catherine, the Infanta of Portugal, which had been battling Spain for recognition of its independence since 1640. Fearing an Anglo-Portuguese alliance against them, in 1664, Spanish officials agreed to negotiate with Sir Richard Fanshawe, whom Charles had sent to Madrid as his ambassador. Diplomats produced a weak commercial treaty in 1665, which English leaders refused to ratify, instead replacing Fanshawe with Edward Montagu, the Earl of Sandwich. The outbreak of the

second Dutch war and the death of Spanish King Philip IV in that same year altered the nature of Sandwich's task, yet, by early 1667, he had managed to negotiate a treaty (also called the Treaty of Madrid) allowing English trade with Spain in Europe. Later that year, Spanish officials, now led by Queen Regent Maria Anna in the name of her infant son, Charles, agreed to recognize Portugal in the hopes of gaining both England and Portugal as allies against France.[2]

A much greater task now lay at hand: creating peace in the Americas to follow the European-focused Treaty of Madrid. With Sandwich back in England by 1668, the king relied on Sir William Godolphin, formerly Sandwich's assistant, to act as England's voice for the next two years of negotiations. Maria Anna of Spain relied on Gaspar de Bracamonte y Guzman, the count of Peñaranda and President of the Council of the Indies, to speak for her. The resulting 1670 Treaty of Madrid was the first compact between the two empires to declare peace in the Americas and an end to seaborne depredations. And it did so quite specifically, agreeing to "an *Universal Peace*, true and sincere Amity in *America*" and a strict abstinence "from all Plundering, Depredation, Injuries and Infestation whatsoever, as well by Land as by Sea, and in fresh-waters, everywhere." The treaty optimistically attempted to create a clean slate between the powerful empires, freeing all prisoners on both sides and declaring all hostilities "expunged out of remembrance, and buried in Oblivion, as if no such thing had ever past." Perhaps most

[2] *Hispania Illustrata Or, the Maxims of the Spanish Court, and Most Memorable Affairs, from ... 1667, to ... 1678. Fully Laid Open in Letters from the Right Honourable the Earl of Sandwich, the Earl of Sunderland, and Sir William Godolphin, ... Now First Published from the Respective Originals* (London, 1703); *A Treaty for the Composing of Differences, Restraining of Depredations and Establishing of Peace in America: Between the Crowns of Great Britain and Spain*, (London, 1670), pp. 1-2.

significantly, it recognized the English king's claims to all American lands that "His Subjects do at present hold and possess" and revoked all Spanish claims to those colonies.[3]

Though the 1670 treaty declared an Anglo-Spanish peace, it did not allow an Anglo-Spanish trade in the Americas. Sandwich had initially proposed that a clause allowing trade between the empires in the New World be inserted into the 1667 treaty, but the Spanish balked. During the negotiations for the second treaty, though Godolphin attempted to extend trading rights into America as Sandwich had proposed, Guzman could not authorize the potential loss of revenue that a free West Indian trade would mean for Spain. As a result, the treaty, finally signed and published in July of 1670, forbade either nation from trading in any ports or places owned by the other nation in America. One clause allowed for either king to grant trading privileges to subjects of the other king into any port that specifically desired a trade.[4] Imperial officials – as well as the politicians, merchants, and many of the private raiders in Jamaica – pinned their hopes for expanding the empire on the possibility of illicit trade in the Caribbean.

In the service of more uniform policy towards America, the revitalized Council for Foreign Plantations (the precursor to the Council of Trade), led by Lord Sandwich, hoped to use the opportunity the treaty afforded them to restructure England's Caribbean colonies. Even before the Treaty of Madrid was finalized, a re-shuffling of the Caribbean had been taking place. The 1667 Treaty of Breda, which had ended English hostilities with the French and the Dutch, required that half of St. Christopher return to English (from French) hands and that the South

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[3] *Treaty for the Composing of Differences*, secs. II-III, VII.
[4] *Treaty for the Composing of Differences*, secs. VIII-IX.

American colony of Surinam transfer from English to Dutch control.[5] The council made the re-acquired territory in St. Christopher the seat of a new Leeward Islands administrative group and included in it several smaller islands previously run from Barbados. In 1670, the king also created a new proprietorship to manage the recently-settled colonies in South Carolina and the Bahamas. To make the Surinam transfer, English leaders elevated Jamaican James Bannister to the rank of Major-General and ordered him to fetch the inhabitants and re-settle them in Jamaica. Bannister's mission took over a year to complete, but nearly every other aspect of the restructuring went according to plan from the imperial standpoint.[6]

Key to restructuring the English Caribbean was removing Thomas Modyford and Henry Morgan from Jamaica. Because the treaty had been signed and put into effect before thousands of Jamaican private seamen laid waste to the city of Panama, their actions clearly violated the hard-won peace. King Charles had no choice but to order the admiral home from Jamaica. From the perspective of imperial leaders, Sir Thomas Modyford deserved even more of the blame for Panama's destruction. Modyford had ordered the raid specifically to prosecute a war on Spanish subjects in America. As governor of Jamaica, Modyford was aware of treaty negotiations, but as late as September 1670, he had implored Morgan to "behave himself with all moderation and civility possible in the carrying on of this war."[7] He said nothing about turning back and aborting the mission. Moreover, Modyford received a copy of the treaty in December, but claimed that the copies he sent to the admiral never reached the fleet at sea.[8] If the new and tenuous American

[5] *Articles of Peace & Alliance: Between the Most Serene and Mighty Prince Charles II, by the Grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c., and the High and Mighty Lords the States General of the United Netherlands, Concluded the 21/31 Day of July, 1667* (London, 1667), 26.

[6] Calendar of State Papers Colonial Series (CSPC) 1669-74, 316, 319-325, 600, 603, 734.

[7] TNA:PRO CO 1/25/55.

[8] TNA:PRO CO 1/25/103.

peace was to be preserved after such violation in the name of England, imperial leaders had to take a stand against Morgan and Modyford. Therefore, King Charles and the council ordered Modyford replaced and the two men shipped to England as prisoners.

The council made Sir Thomas Lynch and Sir Charles Wheeler, the first colonial officials appointed after the Treaty of Madrid, their agents in charge of restructuring the English Caribbean and for enforcing the peace. Lynch was Charles's choice to replace Modyford in Jamaica, and the king ordered him to arrest the governor and admiral Morgan upon his arrival. Wheeler was to serve as the new royal governor of the Leewards, stationed in St. Christopher and nearby Nevis. Arriving in the West Indies in early June, 1671, Lynch and Wheeler commenced a month-long barnstorming tour of England's Caribbean colonies. The men disbanded two regiments in Barbados and one in Nevis, replacing them with smaller military forces. In Barbados, they also took aboard several hundred settlers intending to move permanently to Jamaica. Stopping briefly in Dominica, Montserrat, Nevis – to install Sir Charles and his wife – and San Domingo, Sir Thomas and the remaining fleet finally reached Jamaica on June 25. After attending to immediate duties, the tired Lynch collapsed into bed and did not stir for a week.[9]

Thomas Lynch had returned home. As President of the Council of Jamaica, he had been the colony's highest ranking official in 1664 after both Governor Windsor and Lieutenant-Governor Lyttleton had unexpectedly sailed to England, but his tenure had lasted only a month until Modyford, soon to become his political rival, arrived as governor. Having been pushed out of island leadership in early 1665, Lynch returned to England, vowing "never to return" to

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[9] CSPC 1669-74, 549, 552, 553, 580.

Jamaica.[10] England's imperial leaders regularly consulted Lynch on Jamaican matters until he could return to the Caribbean for good. In 1671, King Charles chose Lynch to lead Jamaica in its new era of peace, knighted him, and sent him to the island to take the governor's place. The king also issued him secret orders to send Modyford and Morgan to England as prisoners at the earliest opportunity. Though he took the post, Lynch did not relish the task of arresting the island's popular leaders, nor did he appreciate being named only Lieutenant-Governor. The king and the council revoked Modyford's commission, leaving room for a new governor, but they chose to keep the position empty; instead, they commissioned Lynch to be second in command – though there was no higher official to countermand him – thereby filling a post officially left vacant since Edward Morgan's death in 1665 (James Modyford, acting as lieutenant-governor at his brother's command, had never received a royal commission for the position).

Though nervous about navigating the treacherous politics of locking up a popular leader and the repercussions of doing so, Lynch wasted little time arresting Modyford. He was spurred to action because early in August a ship from England bore the news that the king had just sent Modyford's son, Charles, to the Tower as a form of collateral. An enraged Lynch, who had known nothing about the plan to imprison the young man, was therefore forced to reveal his secret orders and get the elder Modyford into custody.[11] On the morning of August 12, a little over a month from the time he took to his bed his first week on island, Lynch lured Modyford onto the *Assistance* (one of two small Navy frigates allowed the island) with several other members of the council and, informing the council of his secret orders, commanded the captain to take the governor into custody. Though everyone but Lynch was "much surprised and

[10] TNA:PRO CO 1/19/23.
[11] CSPC 1669-74, 573, 599, 604

troubled," they followed orders, keeping the island at peace in the following weeks, despite a few murmurs against the Lieutenant-Governor.[12] Imperial leaders had prepared for the worst, having ordered the captain of the *Assistance* to aid Lynch "with the utmost of your force" in the event the regiments or seamen rebelled, but the orders were unnecessary.[13] Once Modyford was in custody, Lynch transferred him to the *Jamaica Merchant*, a private trading vessel, which would actually make the voyage. In case such a ship were unavailable, Lynch's orders had made provision for sending Modyford to England in "a good privateer" if necessary.[14] Lynch strictly commanded the merchantman's captain and twelve trusted men to keep watch over the prisoner until they reached the Thames. The merchantman made sail for London about ten days after the arrest, and Sir Thomas Modyford spent much of the next two years a prisoner in London, but his son did go free.[15]

Once rid of Modyford, Lynch delayed sending Morgan to England for nearly a year in an attempt to damage the popular admiral's reputation. Historians have never adequately explained Lynch's delay, but it is clear the lieutenant-governor wanted to keep Morgan close to his loudest critics.[16] The admiral's exploits were well-known throughout the empire and, although the Treaty of Madrid had rendered the Panama mission illegal, the English public had received news of the famed Spanish city's destruction quite favorably. In Jamaica, however, the story was different:

[12] TNA:PRO CO 1/27/19, 22.

[13] TNA:PRO CO 140/1/231.

[14] TNA:PRO CO 140/1/229. This use of the term "privateer" shows that, by the 1670s, imperial leaders sometimes adopted Jamaican language surrounding private seafaring; see Chapter Five for a fuller discussion.

[15] TNA:PRO CO 1/27/25.

[16] Neither Cruikshank nor Pope state a reason for the delay, though Cruikshank mentions that the naval frigates were unavailable to transport Morgan and Pope highlights the need to defend the island in 1672. Both authors only note the lawsuits against Morgan during the delay as an aside. E. A Cruikshank, *The Life of Sir Henry Morgan; with an Account of the English Settlement of the Island of Jamaica (1655-1688)* (Toronto: Macmillan, 1935), 217-219; Dudley Pope, *The Buccaneer King: The Biography of Sir Henry Morgan, 1635-1688* (New York: Dodd, Mead, 1978), 257-261.

many men who had sailed with the Admiral believed that he had cheated them out of a significant fortune when he snuck off the isthmus with a fast ship before the loot could be disbursed.[17] Lynch "favored" the disgruntled sailors as they murmured about Morgan and the other "commanders, with whom they have an abundance of differences about the plunder," hoping thereby to sway public opinion in England against Morgan.[18] As a consequence, complaints, law suits, council actions, and angry looks in Port Royal's taverns all became commonplace for Morgan until Lynch finally shipped him to England in the *Welcome* in 1672.[19] Morgan may have welcomed this involuntary shipment just to get away from his former crewmen and a spiteful governor. The admiral enjoyed a very light prison term in London, having the run of the city for the next two years.[20]

Aside from arresting Modyford and Morgan, Sir Thomas Lynch effected imperial change in Jamaica by instituting social reforms, surveying the island, and making more land available for plantations. Charles II ordered the new lieutenant-governor to clean up the "drunkenness and debauchery, swearing and blasphemy" on the island and to encourage religious toleration. Several articles bound Lynch to reform the economy by encouraging merchants, exempting all imports and exports from Jamaican customs taxes, accounting for all goods coming in or going out of the island, and encouraging the trade of the Royal African Company. Not insignificantly,

[17] This story became part of the traditional narrative of the Panama mission when it appeared in Exquemelin's memoir in 1678, but Lynch would have heard the tales as soon as he arrived, especially from the annoyed Richard Browne, who had sailed with the fleet and complained bitterly about Morgan; see TNA:PRO CO 1/27/24.

[18] TNA:PRO CO 1/27/22.

[19] CSPC 1669-74, 580, 608, 633, 729, 777. In one lawsuit, a ship-owner blamed his vessel's destruction on Morgan's negligence, since it had followed the admiral's flagship onto the rocks near Chagres castle, wrecking both ships.

[20] TNA:PRO CO 1/28/34; Pope, *Buccaneer King*, 262-269.

Lynch was also to order a survey of all "the considerable landing places and harbours in the island," which, of course, abound in Jamaica.

One result of the survey work was opening up the north side of the island for cultivation, and Lynch encouraged elite and middling white Jamaicans to buy plantation land beyond the Blue Mountains. Lynch also acquired a great deal of plantation land during his tenure, though most of it was closer to the governor's residence in St. Jago. He began acquiring land in 1662 with a parcel on Port Royal. By 1671, King Charles had granted him over 5,000 acres of land, mostly in nearby parishes. During his years as lieutenant-governor, Lynch and his wife Vere (whom he had married in England before sailing to the colony) added to their plantations, building a sprawling estate of over 20,000 acres.[21] He sold little of these holdings, even when recalled to England in 1675, intending once again to "make this [island] my England."[22]

Lynch also attempted to import thousands of enslaved Africans to labor on new sugar plantations at the same time as imperial leaders repositioned England in the Atlantic slave trade. By the time Lynch arrived in Jamaica, imperial leaders knew that the Company of Royal Adventurers, the empire's slave buyers and sellers, were unable to get out of debt. They reorganized the group as the Royal African Company (RAC) and installed a board comprised of many court favorites, led by the king's brother, James, Duke of York. Since the Company's transition occurred just as new plantation land came under cultivation in Jamaica, island planters clamored to buy enslaved Africans whom England could not provide. After the Royal Adventurers stopped shipping to the region in 1671, no slave ships arrived in Port Royal harbor

[21] Joseph Maxwell, "Particulars of the Estate of Sir Thomas Lynch," 1684, National Library of Jamaica (NLJ) MS 982, pp. 3-18.

[22] TNA:PRO CO 1/19/23.

until the Royal African Company resumed shipments in 1674. Fewer than 2,000 slaves disembarked in Jamaica during the four years Lynch resided at King's House, less than half the number that arrived during Modyford's tenure.[23] Since years of labor and scores of slaves were necessary to plant and harvest enough sugar cane to make a profit, and the slaves were not arriving in the numbers planters hoped, sugar did not become a staple crop until the following decade. Moreover, after the island suffered a cocoa blight in 1671, it was clear to Lynch that Jamaicans would not make much money selling agricultural products during his tenure.

To make up for Jamaica's diminished quantity of agricultural exports, Lynch aimed to transform his island home into a hub of illicit trade with Spanish colonists. Though the Treaty of Madrid explicitly forbade Anglo-Spanish trade in America, Lynch encouraged such trade for his own, and the island's, benefit. His concern that persistent petty piracy would erode his attempts to turn Jamaica into a trading post for Spanish subjects in the Caribbean also led him to use private seamen to suppress illegal raiding.[24] He was thorough in his attempts, actively – though not always successfully – selling slaves in Cartagena as well as hides and livestock in Cuba. Moreover, Lynch made Jamaica the hub of the English logwood trade. Though highly lucrative, pursuing this trade occasioned a small war with Spanish governors in the region. Both sides prosecuted the war by hiring Jamaica's out-of-work private raiders, allowing for further unexpected employment opportunities in a colony ordered to suppress sea raiders.

Though it was Lynch who initiated and profited from these trades, his activities at first aligned perfectly with imperial interests. Not only had Lords Sandwich and Godolphin worked to

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[23] See K. G. Davies, *The Royal African Company* (London: Longmans, Green, 1957); Voyages Database, 2010, *Voyages: The Trans-Atlantic Slave Trade Database*, accessed August 31, 2012, http://www.slavevoyages.org.

[24] TNA:PRO CO 1/28/3.

include an American trading provision in the Treaty of Madrid, Sandwich had written a strongly-worded essay to the king about the importance of taking a share of several lucrative Spanish-American trades for England's own.[25] Sandwich now served as President of the Council for Foreign Plantations, and his ally, Lord Arlington, was the administrator primarily responsible for colonial management. Godolphin, also a client of Arlington's, remained in Spain to inquire about treaty provisions or make excuses for English actions.[26] These imperial leaders trusted Lynch to further their trading interests because they remembered that he had advocated trade and criticized sea raiding when he administered Jamaica briefly in 1664.[27] The desire for trade continued even after Sandwich's death in 1672. Anthony, Lord Ashley, the Earl of Shaftesbury – who replaced Sandwich as president of the newly-renamed Council of Trade and Plantations – was the primary proprietor of the Bahamas settlements, and he insisted to John Wentworth, the Bahamian governor, that the colony's growth would hinge upon "beginning a secret commerce with their neighbours the Spaniards."[28] By 1674, however, Arlington faced impeachment, and other trade-bent officials fell out of favor, too. Lynch's trades, however, had grown more brazen. New imperial officials recalled him in that year because he continued to prosecute the undeclared regional trade war and encouraged consistent breaches of the Treaty of Madrid. King Charles's choice to reform the Caribbean failed to reach the goals the empire set for him, but he became a central figure in the Caribbean political sphere, expanded the island's local political culture, respected its entrenched prize culture, and greatly expanded its economy.

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[25] "The Lord Sandwich's discourse of what Advantages His Majesty may farther have from Spain, by a nearer League," *Hispania Illustrata*, 93.

[26] John Christopher Sainty, *Officials of the Boards of Trade 1660-1870*, vol. 3, Office-Holders in Modern Britain (London: University of London Institute of Historical Research, 1974).

[27] TNA:PRO CO 1/18/68.

[28] CSPC 1669-74, 962.

Raiding the Raiders

According to royal instructions, Lynch ordered strict adherence to the Treaty of Madrid, and he began the process of suppressing and decommissioning Jamaica's private sea raiders. In August, he and the council issued a general pardon to any raiders who came in within eight months, offering the seamen use of their prize goods, land for planting, freedom to trade, or a place in the navy.[29] According to contemporary reports, however, the pardon was little regarded.[30] Living conditions in Port Royal had grown so inhospitable that some raiders might have been convinced to stay at sea. The lack of prize goods and increased numbers of transported convicts from England had led to a rash of "thefts, felonies and other enormities" on the Point.[31] Perhaps as a result, those raiders who went to sea after Panama tended to stay at sea regardless of the peace and the pardon. Lynch reported English sea raiders sailing with the French or, at least, taking French commissions from Tortuga.[32]

Besides the pardon, Lynch suppressed sea raiders by sending a small naval force after them. Lynch held a commission directly from the Lord High Admiral, the Duke of York, to be "Commander in Chief of his Majesty's ships in and about Jamaica."[33] In granting this post, the duke re-claimed for the empire the ability to name admirals in Jamaica. Modyford had taken this authority for himself, appointing first Edward Morgan, then Henry, as admirals of the island but not of the Royal Navy. To prevent Lynch from doing the same, the duke specifically forbade him giving orders to any English fleet admirals in the Caribbean. This position essentially gave

[29] TNA:PRO CO 1/25/107.
[30] Council Minutes, August 12 1671, TNA:PRO CO 140/1/223; CO 1/27/20.
[31] Council Minutes, July 2 1672, TNA:PRO CO 140/3/315.
[32] TNA:PRO CO 1/30/49; CO 1/31/77.
[33] CSPC 1669-74, 386.

Lynch, who had little naval experience, limited authority that imperial leaders hoped would allow him to clear the sea of Jamaican raiders but not to attack a neighboring power. Initially, Lynch was able to use the frigates *Welcome* and *Assistance* to hunt those private raiders, but he lost the *Welcome* when it transported Morgan in 1672.

Naval suppression worked about as well as the pardon, though it certainly prevented raiders from using Jamaica's regulated ports to dispose of prizes.[34] Originally, Lynch sounded quite optimistic that the methods the empire provided him – a pardon and a miniscule navy – were working; one of his first missives asserted that "the privateers are all divided, many lost (almost all the vessels), others gone out of the Indies, some to fetch logwood, and some to planting." By November, however, he admitted that "one of our pirates that robs all indifferently" was still sailing, and that one captain Diego (likely not Jamaican) still hovered around the traditional raider rendezvous on the Isla de Vaca.[35] Sea raiding activity increased the next month and in early 1672, becoming a greater problem than Lynch had first imagined, especially once Spanish governors began to seek satisfaction from him for depredations made on their shores by rogue Jamaican raiders.[36] In March he angrily declared that "privateering was the sickness of Jamaica."[37] Lynch realized that he could arrest Modyford and Morgan but that he could not hunt down each one of the thousands of their former seamen. These conditions led him, in 1672, to eschew his imperial orders and hire the private raiders in service of the island.

The first task Lynch set for them was to clear the seas to make way for his trading networks. To help reduce the number of private raids Jamaicans made on Spanish targets, Lynch

[34] TNA:PRO CO 1/28/65; CO 1/29/39.
[35] TNA:PRO CO 1/27/22, 47.
[36] Ibid., 697, 729, 733, 777, 785, 789, 796 (Dec 1671, Jan, Mar 1672).
[37] TNA:PRO CO 1/28/27.

employed the services of several loyal private seamen to hunt and capture the "pirates" who remained active. Used in conjunction with the naval forces, such private sailors proved very effective. When the captain of the navy frigate *Assistance* started burning Spanish huts near Campeche, Lynch fired him, replacing him with William Beeston and making a lieutenant out of a man named Prynce, "one of the most famous of the privateers," according to Lynch.[38] Moreover, the Council of Jamaica all but begged Lynch to hire a private man of war to "undertake the reducing of the privateers" – both French and English – on the Isla de Vaca just south of Hispaniola. He hired a private frigate and attempted to fill it with men from "the Point," vowing that, if that effort did not work, he would buy a small ship himself to send it out with the *Assistance* on "pirate"-hunting missions.[39] Lynch had a convenient vessel at his disposal, the *Lilly*, which had sat in the harbor since its captain, a man named Morris, had been imprisoned for acts of "piracy." The lieutenant-governor released the ship, pardoned Morris, and sent him out in consort with a navy frigate to hunt down Peter Johnson, a Jamaican raider who had been attacking Spanish ships.[40] When the raider was finally caught in 1673, Lynch had Johnson executed.

This practice of engaging a reserve force of private raiders to hunt down those who continued raiding illegally was one of the legacies Thomas Lynch left Jamaica. Governors employed the tactic for the rest of the century, and Lynch himself used it again when he returned to government ten years later. Thomas Lynch and his successors re-engineered sanctioned Jamaican sea raiding into the business of raiding the raiders.

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[38] TNA:PRO CO 1/27/58.
[39] CSPC 1669-74, 726; TNA:PRO CO 1/28/3.
[40] TNA:PRO CO 1/28/8; CO 1/29/37.

The Raiders and the Spanish Trade

Thomas Lynch also employed Morgan's former followers to help the island "steal into a trade with the Spaniards." The first was in slaves; Lynch convinced Spanish-American colonists to purchase enslaved Africans and even some free blacks from Jamaican traders.[41] Once Lynch had made his friend, Major William Beeston, captain of the *Assistance*, he sent the ship to the nearby Cuban town of Trinidad. There Beeston hunted "pirates" at the behest of the local government and managed to sell the colonists some African slaves in exchange for water, provisions, and fifty or sixty heads of cattle.[42]

A few months earlier, Lynch had ordered the island's other frigate to Cartagena to publicize the peace and initiate an even larger direct trade in slaves. Cartagenian officials hesitated about welcoming English traders not only because doing so violated the treaty but also because they were wary about breaking Spain's *Asiento* contract to buy African slaves only from agents of the Genoese Grillo family. Lynch was relieved to hear, however, that his emissaries did arrange to sell the Cartagenians the black men and women whom Henry Morgan and his men had captured a year earlier in Panama. According to Lynch, the Governor of Cartagena agreed to purchase four- to five hundred black Panamanians – some of whom had been living free in Jamaica – at eighty pieces of eight each. Though this price would have been low had Lynch been selling slaves recently arrived from Africa, he saw nearly one hundred per-cent profit on the

[41] TNA:PRO CO 1/29/6.

[42] William Beeston, "Journal of William Beeston in his Majesty's Frigate Assistance," BL Add. MS 12424, pp. 1-5; Beeston, "A Journal kept by Col. William Beeston," printed in *Interesting Tracts, Relating to the Island of Jamaica* (St Jago de la Vega, Jamaica, 1800), 288-9.

deal, since the slaves had been stolen in the first place. Moreover, the new leader boasted to English imperial leaders that he had rid the island of a potentially dangerous group of people, while telling the governor of Havana that he had sold the slaves at half their value, hence saving the Cartagenians a great deal of money.[43]

For nearly a year, Lynch believed that an illicit Jamaican trade re-selling Africans to Spanish colonists could be successful. The Royal Adventurers had sent a few shipments of captives directly to Spanish colonies in the 1660s, and some other Spanish colonists had been buying slaves from markets in Curacao for several years.[44] With its convenient location and commodious harbors, Jamaica seemed to make sense as the slave mart of the West Indies. Not only had Cartagena purchased the slaves stolen from Panama, but in 1671 the governor of Santo Domingo wrote to the Conde de Peñaranda in Spain for leave to buy his slaves in Jamaica. To open more trade routes, Lynch angled for an introduction and credit for himself at the Court of Spain by pressuring Secretary of State Williamson to get Godolphin to set it up.[45] Later in the year, when the *Assistance* and *Welcome* had returned from further forays into Spanish territory, Lynch was able to boast that the frigates had sold between sixty and eighty African slaves to Spanish colonists at 150 to 200 pieces of eight each. To complete the Jamaican monopoly on the trade, he also implored imperial leaders to make him an agent of the new Royal African Company when it was clear that the Royal Adventurers would disband.[46]

[43] TNA:PRO CO 1/27/1, 22; CO 1/28/35.
[44] CSPC 1661-68, 583, 585, 744.
[45] TNA:PRO CO 1/27/22-23.
[46] TNA:PRO CO 1/28/3. Not surprisingly, Lynch had to compete with the Modyfords for the job: later the same year James Modyford asked his English agent, Andrew King, to try and procure a similar position for the Modyford family, Westminster Abbey Muniments MS 11348 in A.P. Thornton, “The Modyfords and Morgan,” *JHR* 2, no. 2 (October 1952): 57.

Despite these beginnings, Lynch was disappointed that further slave trading was not immediately forthcoming. He complained in 1672 that the governors of Cartagena and St. Jago de Cuba had disallowed English ships from even entering port after the initial peace-establishing missions, while the governor of Campeche even ordered the taking of an English pink.[47] That same summer, former Royal Adventurers factor and wealthy Jamaican planter Hender Molesworth had to report to Thomas Duck in London that an English ketch that entered Cartagena attempting to sell some seventy slaves, four of whom belonged to Duck, had been made an example of, its crew taken and its non-human cargo burnt in the market square for an estimated loss of £1,500.[48]

Despite Lynch's hopes, further trade in slaves to Spanish colonists was unlikely in the early 1670s for the simple reason that the islanders could not re-sell slaves they did not have. The Royal Adventurers had, for the most part, stopped carrying captive Africans to Jamaica in 1667 due to the company's massive debts in England. After that point, official slave voyages touching at Jamaica became a rarity until the newly-organized Royal African Company began regularly supplying captives to the island again in 1674. In those six lean years, planters did see two final company shipments in 1670 and 1672 as well as several private slaving voyages. One slaver wrecked off the coast, and eager planters and private seamen immediately set upon it, designing to save its human cargo from drowning; those saved may have suffered a worse fate. All these voyages yielded a total of perhaps 1,700-1,850 enslaved Africans. Records do indicate that two

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[47] TNA:PRO CO 1/28/35.

[48] TNA:PRO CO 1/29/8, 39. The letters do not reveal what happened to the Africans.

Dutch slave ships touched at Jamaica in this moment of brief peace between the empires, but not whether the captains illegally sold any of the human cargo to eager planters.[49]

Short supply therefore prevented further illicit slave re-selling during Lynch's time in office, but events at the end of his tenure laid the groundwork for future phases of Jamaica's slave trade with Spanish colonies. In 1673, Lynch reminded his superiors that the Grillos' *Asiento* contract would end in eight months, allowing big cities like Cartagena and Mexico the option to purchase African slaves wherever it was most convenient. Lynch hoped that Jamaica would be the most convenient market, even though the new Royal African Company had not yet begun shipping enslaved people to the island.[50] The first Company ships did not anchor at Port Royal until 1674, bringing only 600 captives to Jamaican planters.[51] Since at that time Lynch's dismissal was imminent, he had to wait until he returned as governor in 1682 to expand Jamaica's slave-selling operation. During that later period, he was able to sell thousands more slaves to Spanish colonists. During his absence, he continued to advocate for Jamaica's role in trade, and before long the idea of making Jamaica the "chiefest Mart or Seate of Trade" for slaves in the West Indies gained more imperial support.[52]

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[49] Voyages Database, accessed August 31, 2012; J. Harry Bennett, "Cary Helyar, Merchant and Planter of Seventeenth-Century Jamaica," *WMQ*, 3rd. ser. 21, no. 1, (January 1, 1964): 53–76; TNA:PRO CO 1/29/33. In the six years prior to this period (1661-1667), the Slave Trade Database shows the import of nearly 5,000 slaves to Jamaica. For the six years following (1674-1680), the records show imports of over 10,000 captives.

[50] TNA:PRO CO 1/30/19.

[51] TNA:PRO CO 1/29/60; CSPC 1669-74, 1215. The Slave Trade database estimates that 1,700 slaves arrived in Jamaica in 1674, but most were not from Company ships, Voyages Database (August 31, 2012).

[52] "Mr. Worsley's discourse of the Privateers of Jamaica," n.d. [possibly December 1668], BL, Add. MS 11410, pp. 645-647. This discourse is undated and the author's first name is not listed, but A. P. Thornton believes it was compiled by Dr. Benjamin Worsley when Secretary to the Lords of Trade and Plantations in December, 1668. See A. P. Thornton, *West India Policy Under the Restoration* (Oxford: Clarendon, 1956), 225 n. 4.

Setbacks with the slave trade did not prevent the lieutenant-governor and others from running a livestock and goods trade with nearby Spanish colonists. Such trading had been popular before the treaty; James Modyford revealed that a few Jamaicans ran a small trade with Santa Marta in the late 1660s, but the missions likely ended after Morgan's sack of Panama.[53] When Lynch came, he re-started these smuggling runs as part of his design to "steal into" a Spanish trade.

By and large, when Lynch talked about "stealing into" trade, he meant – other than selling slaves – the many off-the-books transactions made by captains of small craft in and around Cuba's numerous South Cays. The cays were ideal for smuggling because they were relatively un-policed and lay near Jamaica's newly-populated north side. The cays saw so little official shipping from either empire that they became a common rendezvous for still-active illegal raiders quietly hoping to collect more men for their missions.[54] In early 1672, Lynch referenced the cays trade obliquely, noting to Williamson that the *Assistance* had gone to Cuba "to buy flesh amongst the Spaniards." Judging from the receptions the ships had received at the major towns of Havana and St. Jago, it is most likely that the *Assistance* intended a small, un-regulated market like the cays or the nearby port of Trinidad.[55] Lynch was eager to preserve the trade by hiring private seamen to keep the route clear. Early in 1672 he boasted to the governor of Havana that aside from a Royal Navy frigate, he had sent four ships with about 500 men to take the English and French "pirates" who cruised in the cays.[56] Later, after the outbreak of the Dutch war, he commissioned a captain named Peter Harris to take a Dutchman trading in that

[53] WAM MSS 11917, 11940 in Thornton, "Modyfords," 46.
[54] TNA:PRO CO 1/28/8.
[55] TNA:PRO CO 1/28/3.
[56] TNA:PRO CO 1/28/35.

area even though he hesitated to send raiders after other Dutch targets.[57] Lynch confirmed the illegal trade when he told the entire Council of Trade and Plantations in 1673 that "the poor people of Cuba [do not] desire anything else than to trade with us, which they do to our and their great advantage, for abundance of small vessels and merchants get by bringing of hides and cattle hither."[58] Just a few weeks later, he admitted that most of the ships that had been trading logwood now engaged themselves in this cattle trade with the South Cays, as the cays seemed a less dangerous destination than the Bay of Campeche.[59]

The Logwood War

Thomas Lynch had made the Bay of Campeche such a dangerous destination for Jamaican seamen by turning Jamaica into the hub of the English trade in logwood, which had to be illegally and riskily obtained from the bay. The English had been cutting and transporting this wood on a small scale from Campeche and elsewhere for nearly a decade, and Lord Sandwich had even discussed the trade at length in his commercial treatise. Once Lynch expanded the trade, however, it quickly became a contentious inter-imperial issue threatening the tenuous peace. It was over the prosecution of this trade and the resultant undeclared war with Spanish colonies that Lynch parted ways with his superiors in England. The logwood trade tested the bounds of the Treaty of Madrid far more than did Lynch's other illicit trades, which remained small and mutually agreed-upon by some subjects of both empires. In contrast, to encourage the logwood trade, he supported the incursion of thousands of Englishmen, many of them Morgan's

[57] CSPC 1669-74, 885, 887, 940.
[58] TNA:PRO CO 1/30/19.
[59] TNA:PRO CO 1/30/29.

former raiders, into Spanish territory to denude the swampy woods of trees that Spanish governors and imperial leaders viewed as rightfully theirs.

Logwood is a variety of tropical tree that was used heavily by the textile industry throughout Europe to make dyes. Its heartwood naturally turns a shade of red that clothiers found perfect for crafting hues of red, black, purple, and other rich colors. This sought-after commodity could be found in only a few places throughout the Caribbean region: the Yucatan peninsula, the bay of Campeche, the Cayman Islands, and the coasts of Belize and Honduras.[60]

Given the trees' rarity, logwood-cutting operations in the Caribbean were small for most of the seventeenth century, though prices for the product in Europe were high for much of the period. Until 1670, Spain was the largest cutter, transporter, and importer, though the wood was not one of their primary colonial exports. Spanish imperial leaders deemed all non-Iberian cutting operations illegal. Moreover, importation of the wood to England was banned for much of the century. Queen Elizabeth had issued this decree because logwood was believed to produce "false" dyes that resulted in non-colorfast garments not up to the standards of the English textile industry. King James continued the ban but allowed some dyers to acquire small loads of the

[60] Arthur M. Wilson, "The Logwood Trade in the Seventeenth and Eighteenth Centuries," in Donald C McKay, *Essays in the History of Modern Europe* (New York: Harper & brothers, 1936), 1–15; Karl H. Offen, "British Logwood Extraction from the Mosquitia: The Origin of a Myth," *Hispanic American Historical Review* 80, no. 1 (February 2000): 113–35.

wood.[61] Given the "morose and swampish" remoteness of the spots where logwood trees grew, the Spanish typically overlooked these small English cutting operations.[62]

In order to raise revenue, Charles II repealed the ban in 1662, and most of the increased trade that resulted became centered in Jamaica (though it attracted several New England merchants as well), because Jamaica was the only English colony located relatively near logwood country. According to historians Gilbert Joseph, A. M. Wilson, and Nuala Zahedieh, the first evidence for Jamaican mercantile interest in logwood dates to that year, and it increased for the remainder of the decade.[63] Jamaicans acquired wood not just by cutting it themselves but also by seizing and plundering Spanish ships. Private raiders came into Port Royal in 1666 and 1667 loaded with several hundred tons of Spanish-cut wood, enough to reduce the local price for wood by half for months.[64]

By 1670, even before the promulgation of the treaty, Jamaicans had increased their investment in the logwood trade. During Morgan's Panama expedition, Governor Modyford estimated that twenty small vessels still regularly sailed to Campeche to make logwood runs despite the lure of silver on the isthmus.[65] As Thomas Modyford's term came to an end, he and his brother James prepared records for imperial review of all the shipping that had gone in and

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[61] James I, *By the King, a Proclamation for Preuention and Restraint of the Abuses and Inconueniences Occasioned by Dying with Logwood* (London, 1619); Dyers' Company (London), *To the Most Honourable Assembly of the Commons House of Parliament, the Humble Petition of the Wardens and Comminalty of the Art or Mysterie of Dyers in London*, (London, 1621).

[62] TNA:PRO CO 1/29/43, 43 I. Six logwood captains swore before Lynch that the majority of English logwood operations had been undisturbed by the Spanish for the three years prior, and that the friendly proprietor of one island had even given the English leave to cut the wood.

[63] Gilbert M. Joseph, "British Loggers and Spanish Governors: The Logwood Trade and Its Settlements in the Yucatan Peninsula: Part I," *Caribbean Studies* 14, no. 2 (July 1, 1974): 12–13; Nuala Zahedieh, "A Frugal, Prudential and Hopeful Trade," 148–153; Wilson, "Logwood Trade," 2–3.

[64] WAM 11913 in Thornton, "Modyfords," 45. TNA:PRO CO 138/1/161.

[65] TNA:PRO CO 1/25/103.

out of Jamaica for two years. James had to draw up a separate list as "an account of ships & c that trade for logwood at Campeach and belong to this harbor of Port Royal in Jamaica," including thirty-two ships boasting a total of 1170 tons, 424 men, and seventy-one guns.[66] This list likely does not even include ships from England or New England that collected logwood and stopped in Jamaica.

Once English and Spanish diplomats signed the Treaty of Madrid, the logwood issue grew much more contentious. Thomas Lynch and other Jamaicans insisted on an unfounded English right under the treaty to cut and carry logwood freely. The treaty gave the English king sovereignty over all lands in the Americas that he "and His Subjects do at present hold and possess."[67] As Eva Botella-Ordinas and Mavis Campbell have recently discussed, this clause influenced many subjects to argue that England owned the sites of the impermanent logwood-cutting camps on the coasts of the Yucatán and Belize.[68] Ownership of the land brought ownership of the trees on the land, claimed Jamaica's hopeful logwood merchants, and they sent out more men to cut the wood.[69] Lynch attempted to justify this position in 1672, citing captains of logwood trading ships, who insisted that Englishmen had consistently maintained huts along the Yucatan coast since the beginning of the trade.[70] The trade provided a convenient employment opportunity for Morgan's former men, who were forbidden to raid Spanish colonies directly, and many private seamen started moving to the Bay of Campeche to acquire income by

[66] TNA:PRO CO 138/1/112.

[67] *Treaty for the Composing of Differences*, sec. VII.

[68] Mavis Christine Campbell, *Becoming Belize: a History of an Outpost of Empire Searching for Identity, 1528-1823* (Kingston, Jamaica: University of the West Indies Press, 2011); Eva Botella-Ordinas, "Debating Empires, Inventing Empires: British Territorial Claims Against the Spaniards in America, 1670-1714," *Journal for Early Modern Cultural Studies* 10, no. 1 (2010): 142–68. See also, less recently, A. P. Thornton, "The English at Campeachy, 1670-82," *JHR* 2, no. 3 (1953): 27–38.

[69] Nuala Zahedieh, "The Merchants of Port Royal, Jamaica, and the Spanish Contraband Trade, 1655-1692," *WMQ*, 3rd ser. 43, no. 4 (October 1986): 585; Thornton, "English at Campeachy, 1670-82."

[70] TNA:PRO CO 1/29/43.

chopping trees instead of heads.[71] By 1672 the Council of Jamaica found logwood cutting "the only diversion for privateers."[72]

Thomas Lynch eagerly encouraged this profitable trade, but he wanted direct orders from England in case the trade should anger the Spanish. Imperial leaders, however, never sent him any positive orders for fear of breaking the treaty. While still sick after his arrival, Lynch begged Arlington "for God's sake to give your commands about the logwood."[73] Arlington funneled the concern to Godolphin, who responded (nearly a year after Lynch's first letter) that the Spanish would not officially allow any English cutting but noted that, if the operations were small and in remote areas, "it may be advisable for his majesty to connive at, though not to authorize, their so doing."[74] In other words, the crown would allow the logwood to come in as long as possible while never officially allowing any cutting, hoping to reap the benefits of an illicit operation while maintaining the ability to deny involvement in it.

Meanwhile, Lynch continued the trade and asked Secretary Williamson and Lord Sandwich for orders to support it.[75] Godolphin had taken pains to make clear that the Spanish claimed all uninhabited areas as their own and did not recognize any English claim to ownership. Since "to inhabit and possess are distinct," he told Arlington that, even if there were Englishmen in camps, they did not possess the land (and the treaty granted the English only whatever land they already possessed).[76] Nevertheless, the council advised the king to order all English Caribbean governors to assist logwood cutters, as long as they stayed away from areas inhabited

[71] Joseph, "British Loggers and Spanish Governors."
[72] CSPC 1669-74, 786.
[73] TNA:PRO CO 1/27/1.
[74] TNA: PRO CO 1/28/53 I and II.
[75] TNA:PRO CO 1/27/40.
[76] TNA:PRO CO 1/28/53.

by the Spanish.[77] The council shared less with Lynch, however, who heard no reply before Sandwich's death, at which point Dr. Benjamin Worsley, the council's secretary, took over the bulk of communication with the colonies. Late in 1672 Lynch finally received a short reply from Worsley, which revealed that "their Lordships have at present no objection" to cutting logwood, as long as the cutting was done "in desolate and uninhabited places."[78]

Lynch "connived at" a great deal of logwood trading during his administration. Shortly after the lieutenant-governor's arrival, Richard Browne observed that Jamaicans employed about forty ships in the trade, eight more than Modyford's list of the previous year.[79] According to the Port Royal naval officer's returns, Jamaicans under Lynch exported approximately 920 tons of the wood to England per year.[80] This number likely does not reflect all the wood that came through Jamaica and certainly does not reflect all the wood cut by Englishmen in the Caribbean. In 1672, Lynch estimated that all the English cutters combined took at least 2,000 tons of the wood in the year prior, some going to New England or straight to European ports.[81] Browne warned that such activity "will occasion a new war" with Spain, but Lynch and the merchants turned a deaf ear.[82]

As Browne predicted, several Spanish colonial officials retaliated. Both the governor of Campeche and the Spanish proprietor of Beef Island in the Bay of Campeche complained directly to Lynch beginning in 1671 that they had not given leave for any Englishmen to cut

[77] CSPC 1669-74, 881.
[78] TNA:PRO CO 1/29/35.
[79] TNA:PRO CO 1/27/6.
[80] TNA:PRO CO 1/43/59 in Zahedieh, "Trade, Plunder, and Economic Development in Early English Jamaica, 1655-89," 207.
[81] TNA:PRO CO 1/29/43.
[82] TNA:PRO CO 1/29/33; CO 1/27/6.

wood in the Bay.[83] They also began to attack English traders. The unlucky master and several crewmen of the ship *Rebecca*, who lost their way in a gale, were attacked by Cubans when they made landfall on the island and ended up in a Seville prison for the crime of being in the West Indies, and other captains reported being told similar things by the governor of Havana.[84] The war Browne feared had begun, but English officials – though they liked seeing logwood pile up on the docks of the Thames and were outraged by the treatment of the *Rebecca's* crew – would not declare war on Spain. Thousands of miles away, however, Lynch became embroiled in the reality of just such a war; his prosecution of it would reveal just where he and his government of Jamaica broke with imperial leaders and their designs for the island.

The agents who fought this war, like the men who waded through swamps to cut the wood, were out-of-work private sailors eager to take raiding commissions. Captain Yallahs, a Jamaican "privateer" who had operated out of Port Royal and the Caymans until the treaty, switched allegiances in 1671, taking a commission from Don Fernando Francisco Descovedo, the Spanish governor of Campeche, to capture English logwood ships. A month after Lynch had first learned about Yallahs, the raider had already captured five ships.[85] Before long the number grew to a dozen or more.[86]

Lynch fought back, judiciously. He knew that he could not issue direct reprisals against the Spanish without imperiling Anglo-Spanish relations. Instead, since Yallahs had been a

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[83] TNA:PRO CO 1/27/58; CO 1/29/36 III.
[84] TNA:PRO CO 1/30/88; CO 1/31/12 III.
[85] TNA:PRO CO 1/27/58, 66; CO 1/28/7. "Yallahs" may have been a pseudonym, as it is also a place name in Jamaica, and the raider never used a first name with it.
[86] TNA:PRO CO 1/29/8.

Jamaican raider, Lynch treated him as a rogue captain. This was not the first time Yallahs had been in this position; Governor Modyford had called him back in 1670 by sending the raider's friend, Captain Erasmus, to the Caymans to grab him. Erasmus's mission might have been successful had he not been nabbed for indebtedness during his trip, leaving Yallahs free.[87] Lynch sent pirate hunters after Yallahs as early as January 1672, but they, too, were unsuccessful. Captain Morris in the *Lilly* made the first attempt, though at least one observer insisted that Morris did not even try to capture the raider and instead used the trip as an excuse to get logwood.[88] In the end, no one brought in Yallahs, though the captain of the *Assistance* did manage to arrest, try, and execute Francis Witherborn for consorting with him.[89]

As soon as it became clear that Don Fernando would allow English logwood ships to be declared prizes in Campeche, other parties sought to capture the easy prey as it sailed out of the bay, significantly increasing the violence, tension, and reality of the logwood war. The outbreak of the Dutch war that same year provided another reason for sailors of other nations to harass English ships. One Dutchman was reported to have seized twenty-five traders before leaving the bay, and small French vessels took what they could as well.[90] Perhaps to maintain his dominance in the face of such competition, Yallahs captured one of these large Dutch ships late in 1672.[91] In 1673, Philip Fitz-Gerald began working for Don Francisco in Havana. He made five raids in quick succession, significantly increasing the violence, tension, and reality of the logwood war.

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[87] TNA:PRO CO 140/1/266-269.
[88] TNA:PRO CO 1/28/7; CO 1/29/33.
[89] TNA:PRO CO 1/28/32.
[90] TNA:PRO CO 1/30/29.
[91] TNA:PRO CO 1/29/37.

By that time greater events threatened the island, and Lynch was unable to focus on Yallahs or Fitz-Gerald. The *Assistance* left the station on royal orders, and the *Welcome* transported Morgan to England, but no other naval frigates replaced them, and the colony found itself relatively undefended at the height of the Dutch war. For several months Lieutenant-Governor Lynch and the Council of Jamaica feared that the colony would be lost as a Dutch fleet drew dangerously close, and it was rumored that the Spanish were raising an army on the Main to invade the island. Local leaders ordered everyone they could to man the defenses, forbade every ship from leaving the harbor, and vainly tried to get the assembly to pledge money.[92]

Though the feared invasion never materialized, Lynch hesitated in his prosecution of the logwood war. The king rebuked him sharply in 1673 for bungling Peter Johnson's trial, though the monarch was pleased that Lynch executed the raider. Still, that he angered the king led Lynch to fear his own dismissal more acutely.[93] He responded by pressing for direct orders to issue reprisal letters to the merchants who lost much in the trade, while hoping for a return to all-out war between the empires. While he did send another ship to Havana to ask for "satisfaction" for five ships recently taken, he could hardly expect the money or prisoners he asked for without any backing from his superiors.[94] He berated the Council of Trade: "If your lordships do not think fit to give me as much liberty to defend the King's subjects as the Spanish Governors and subjects take to rob, murder, and imprison them, they must be ruined."[95] He reported that many Jamaicans thought the "Spaniards worse enemies now than ever" and admitted he would "do my utmost to observe the peace, till his majesty gives other orders;" he also sent home accounts of

[92] CSPC 1669-74, 1047, 1062, 1076, 1089 (Mar, Apr, Apr, May 1673).
[93] TNA:PRO CO 1/30/5.
[94] TNA:PRO CO 1/30/58.
[95] TNA:PRO CO 1/30/29.

everything islanders had lost to the Spanish logwood raiders in hopes those orders might come soon.[96] The king ordered Godolphin to begin demanding satisfaction directly from Spanish officials in Madrid, but Lynch opined that the demands would result in payment only “in the world to come.”[97]

The king recalled Lynch in 1674, fearful that the Jamaican might start a costly and potentially unwinnable war in the Caribbean, so the conflict over logwood remained undeclared. The monarch picked the Earl of Carlisle to replace Lynch as governor of Jamaica, and for deputy-governor he chose Henry Morgan – whom he had recently knighted – impressed as he was with the former admiral’s military skill and proposals to defend Jamaica.[98] Though Charles only strengthened the threats he ordered Godolphin to make on behalf of the affected merchants, he would consistently put off the matter of reprisals until Lynch surrendered the government to his successors in 1675.[99] By the end of 1674 Lynch had heard rumors of his dismissal and had grown so frustrated in his post that he relished the opportunity to leave the island he called home. The war continued, however; some Jamaican private raiders found a way to retaliate against the Spanish by taking commissions from the French. Lynch may have taken some pleasure at the irony of the situation he reported to Williamson: the “better half” of the 500-600 private seamen then gathering in Tortuga was English, and they were preparing a deadly campaign against the Spanish on the Main.[100]

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[96] TNA:PRO CO 1/30/49, 57.

[97] TNA:PRO CO 1/30/58, 87.

[98] CSPC 1669-74, 1212. Carlisle turned down the appointment temporarily and officials appointed John, Lord Vaughan in his place.

[99] Ibid., 1320, 1351, 1424.

[100] TNA:PRO CO 1/31/77. Lynch stated that he prevented Jamaicans from going to Tortuga for these designs, but there are no reports of him doing so and it would have been nearly impossible.

The logwood war continued for more than a decade, though in a diminished state. As they had in the first five years, both the Spanish and the English empires stubbornly refused to countenance or even to recognize it. Any one of the many raids, murders, or captivities in the 1670s and into the 1680s could have easily led to formal declarations of war, but all the clamoring from the West Indies about lives, ships, and money lost went unheeded, the declared peace being deemed too important. Caribbean governors engaged in politics and warfare with each other, largely leaving the empires behind, employing the private sailors of several races and nations to fight for the right to cut some trees. These logwood trees allowed Europeans (and West Indian merchants and politicians) to wear colorful clothing; but such garments may as well have been colored by the English blood Fitz-Gerald wanted to drink, the Irish blood that ran hot in his veins, or the Spanish, African, French, and creole blood that also spilled into the Gulf of Mexico.

In this brief period of what can only be called a restless Anglo-Spanish peace in the Americas, Jamaica's private seamen remained useful to the colony, though in different ways than they had been under Modyford. The first-ever American peace between the two empires had been years in the making but was difficult to navigate after diplomats signed the treaty. Imperial plans for Caribbean reform – including a naïve attempt to rid Jamaica of private raiders and their prize culture – exhibited only a few more signs of coherence than had policies during the first decade of Charles's reign. Sir Thomas Lynch, though he had planned a home in Jamaica since 1655, at first attempted to follow the empire's designs for the island. He arrested Modyford and

Morgan for their clear violation of the treaty, enacted social reforms, and dutifully offered Modyford's "privateers" pardons and plantations.

Few private seamen took advantage of the offers, however, forcing Lynch to change tactics. Moreover, as an heir to Jamaica's fierce local political culture, Lynch began to worry more about his (and his island's) position in the multi-national Caribbean political sphere than about the empire's inconsistent plans. As a result, he employed Jamaica's private seamen as his agents within this political sphere in three different capacities: they became pirate hunters, capturing their former comrades who continued to raid the Spanish illegally; entered the island's nascent illicit trades in slaves and hides (Lynch's plan to line his own pockets and make the island a regional commodity market); and expanded the logwood enterprise, cutting it, carrying it, and, under Lynch's direction, fighting the resulting undeclared regional trade war. Each use of private raiders was new to Jamaica, legacies of Lynch's unique administration. For the rest of the century and into the next, governors employed regularly his tactic of hiring loyal raiders to hunt illegal ones. The logwood war, though diminished, continued during the next decade, too.

Thomas Lynch's term as lieutenant-governor marks a transition in Jamaica's political and seafaring history. When faced with peace and a declining agricultural output, island planters and merchants relied on the same private seamen who had been fighting the colony's wars to make them money in other ways. Plantation culture, which Modyford had aggressively pursued and Lynch continued to support, was still unable to eclipse the island's vibrant and long-standing prize culture. The two co-existed comfortably until Caribbean politics and imperial interventions in the 1680s and 1690s conspired to push Jamaicans to end their reliance on the raiders.

CHAPTER FOUR

Out of Bounds: Changing Circumstances For Jamaica's Private Raiders, 1675-1687

"I have some money, which I wish were with you, for my wife," wrote Captain Charles Swan from Panama Bay to his father in 1685, while he and above 900 other sea raiders planned an attack on the soon-to-arrive Peruvian silver fleet. Swan continued, "I shall, with God's assistance, do things (that were it with my Prince's leave) would doubtless make her a lady, but now I cannot tell but it may bring me to a halter."[1] Swan was only an occasional raider and very far from home, an example of the kind of position in which Jamaican and other private seamen found themselves during the dozen years from Lynch's departure in 1675 to the governorship of the Duke of Albemarle in 1687. During that time, those who had once followed Henry Morgan to Porto Bello and Panama gradually lost the local opportunities Lynch had procured for them following the Treaty of Madrid. A diminished logwood trade, a better regulated intra-Caribbean slave trade, heightened tensions with the French, and a complete imperial takeover of the business of pirate hunting forced Jamaica's private seamen to look elsewhere for employment. Like Swan, many chose the Pacific. As Jamaican lieutenant-governor Hender Molesworth put it at the time: "the privateers… are such as (the most part) have a long time used these seas, who finding themselves much discouraged in their old trade, have consorted together."[2]

Swan had served under Morgan during the Panama mission of 1670-71 but had afterwards sailed to England. In 1683, he made a new voyage to America's Pacific coast, this

[1] TNA:PRO CO 1/57/69.
[2] TNA:PRO CO 1/57/56.

time with the intention of trading with the Spanish. He organized, funded, and captained this expedition in association with Basil Ringrose, himself a former Jamaican seaman, who, with Bartholomew Sharpe and other raiders, had recently gained fame for pioneering a route across the Darien isthmus (aided by a local native group) into the Bay of Panama. Swan sailed the *Cygnet* through the Straits of Magellan instead of marching overland and insisted to anyone who would listen that he desired to trade peacefully. However, rough weather and violent encounters convinced the crew to begin raiding Spanish vessels; Swan insisted that he was "forced to join them" because the entire crew was of one mind.[3] Swan then chanced to meet several other "piratical English" who had sailed to the Pacific from Europe and hundreds of "privateers" from Jamaica and the rest of the Caribbean who had followed Sharpe's trail.[4] A sizeable fighting force, they expected to steal the riches of Peru from Spanish holds. They failed; well aware of the plunderers' presence, Panamanian and Peruvian authorities diverted the treasure and defeated the raiders. Rather than stay in the Americas, Swan took the *Cygnet* and a crew of volunteers west across the ocean. Though Swan died in Mindanao in the Philippines, some members of his crew made it around the globe. Many Jamaican private sailors thus found themselves out of the bounds of law and of the Caribbean during this long decade of local and imperial change.

This chapter argues that a series of economic and political changes within the Caribbean from 1675-1687, in some of which Jamaicans were complicit, diminished the importance of sea raiders to Jamaica's economy and security by the middle of the decade, and drove some sailors

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[3] TNA:PRO CO 1/57/69

[4] The words are Molesworth's, CO 1/57/56. For more on the Jamaican uses of the terms "pirate" and "privateer" at this time, see the next chapter.

out of the region. Because of changing political realities in the region, Jamaican elites no longer needed the raiders to be the island's seaborne agents as they had in the 1660s and early 1670s. This change was not, however, a matter of inhabitants finally following imperial dictates against illegal raiders; on the contrary, local realities on the island and in the Caribbean propelled this shift. Imperial officials had already attempted to erase Jamaica's prize culture with the Treaty of Madrid to little avail, as Thomas Lynch's career has demonstrated. Following his post-treaty transformation of Jamaican sea raiding, private raiders worked for Jamaican merchants and planters into the early 1680s, but, by the middle of that decade, they had lost the opportunities Lynch had secured for them, a result of shifts in the Caribbean political sphere. Upon taking the throne in 1685, James II usurped Jamaica's management of the business of pirate hunting, further diminishing opportunities for the island's private seamen.

Following an introduction to political concerns in Jamaica and across the empire in the late 1670s and 1680s, this chapter describes how Jamaican private seamen lost three employment opportunities: cutting and carrying logwood (and fighting the resulting war), conducting an illicit trade in slaves to Spanish neighbors, and taking raiding commissions from nearby French governors. First, the diminishment of the logwood trade and the rise of Jamaican sugar production made increased enforcement of the Navigation Acts palatable to Jamaicans and put many former seamen who had cut and carried logwood out of work. Moreover, Spanish sailors had been capturing English logwood traders for years, and when Jamaican officials attempted to redeem the captives through diplomacy, they realized that continued attacks on the Spanish – especially those launched in retribution of Spanish acts of captive-taking – were a political liability, since they gave Spanish governors an excuse not to release English prisoners. Second,

the increased legitimacy of Jamaica's trade in slaves to Spanish colonists meant that private raiders were no longer required to conduct the trade; by 1684, *Asiento* factors purchased slaves from Royal African Company agents right in Port Royal. Finally, though French commissions had become readily available to Jamaican sea raiders starting in the mid-1670s, island officials gradually outlawed this form of commission-taking in the 1680s amid fears of a French invasion.

A second part of this chapter outlines the sailors' responses to being pushed out of their jobs. Jamaica's private seamen found new opportunities outside the Caribbean sphere. Long-haul voyages deep into the South Seas tempted many with the possibility of enjoying greater yields, gaining political advantages upon return, or making scientific or navigational discoveries significant enough to warrant pardons. Others continued Caribbean raids but wisely fenced the goods in North America. Finally, the concluding part of the chapter discusses pirate hunting, the one way in which the island government continued to use private raiders until King James II wrested the business from Jamaicans and invested it in crown favorites who fought bitterly with island leaders. James's act marks the loss of the island's last opportunity to employ her private sailors – outside of immediate defense in case of invasion – and closes this story of transition.

An Empire in Flux

Political change was the norm throughout the English empire during the 1680s. In 1681, Charles II dissolved parliament and ruled by council alone, using the money he raised from customs taxes (levied on goods imported from the empire's colonies) to support his administration and fill the kingdom's treasury. He did so because the Commons had become

politically split in the late 1670s over the issue of exclusion, the movement to remove Charles's brother James, the Duke of York, from the line of succession because James was Catholic. The house had found itself divided between nascent political parties: Tories, who supported the direct hereditary succession, and Whigs, who believed that succession should be altered in this case. Scholars argue that Charles's personal rule, which lasted until he died suddenly in 1685, served to push political discussion "out of doors," beyond legislative chambers and into the public sphere, where a dedicated opposition kept up a spate of pamphlets and petitions criticizing the king.[5] Charles responded, contends historian Tim Harris, by pursuing an ideological public campaign against the Whigs in favor of James's succession, and by using the legal system to persecute the monarch's political and religious opponents.[6] Following the discovery of the Rye House plot to assassinate the king in 1683, the Tory arguments gained power, and Charles cleared the way for his brother's ascension to the throne.

During these political broils surrounding exclusion in England, a series of rebellions and insurrections rocked Charles's American colonies, not the least of which was the turmoil over Jamaican self-government. Though it lacked the bloodshed of Bacon's Rebellion in Virginia and did not require the preparation of a new charter as did tensions in Massachusetts Bay, the Constitutional Crisis in Jamaica had important consequences both for the island and the empire.

The trans-Atlantic power struggle known as the Jamaican Constitutional Crisis began brewing in 1675 and lasted until 1682. In 1675, John Vaughan replaced Thomas Lynch as governor of Jamaica, and Sir Henry Morgan returned to the island as its lieutenant-governor.

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[5] Gary Stuart De Krey, *Restoration and Revolution in Britain: A Political History of the Era of Charles II and the Glorious Revolution*, British Studies Series (New York: Palgrave Macmillan, 2007), chap. 4.

[6] Tim Harris, *Revolution: The Great Crisis of the British Monarchy, 1685-1720* (London: Allen Lane, 2006), 20–29.

Though he generally enforced English policy against raiding and illegal trading, Vaughan broke with imperial dictates by empowering the island assembly to enact new laws, some of which violated English law. Distracted by domestic concerns, the king and the Lords of Trade and Plantations did not opine about Jamaica's laws until 1678, when they opted to dismiss Vaughan, cancel his legislation, and create the island's laws themselves.[7]

That year, they made the Earl of Carlisle Jamaica's governor and sent him to the island with a series of crown-approved laws, including one promising the empire a permanent yearly revenue from the colony, and they instructed him to secure the assembly's assent to the new legislation before disbanding the group indefinitely.[8] The assembly resisted the laws at every turn, offering pages of opinions on why they would not agree, so, in 1679, Carlisle used the threat of French invasion to order martial law and commission private raiders in an attempt to earn money. When the assembly reconvened that year, legislative leaders Samuel Long and William Beeston convinced it to condemn the governor's support of raiders, hoping their resolution would persuade the Lords to remove Carlisle.[9] Carlisle stripped the men of their posts, sending them in disgrace to England. Worried that they might convince the Lords, he disbanded

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[7] For a general history of the "crisis," see Agnes Mary Whitson, *The Constitutional Development of Jamaica, 1660 to 1729* (Manchester: Manchester University Press, 1929); David S. Lovejoy, *The Glorious Revolution in America* (Middletown, CT: Wesleyan University Press, 1987), chap. 2; *Calendars of State Papers, Colonial Series – America and West Indies* (CSPC) 1677-80 (London: H.M. Stationary Office, 1896), no. 200. Overstating the case, Stephen Saunders Webb called the bill "an imperial counterrevolution" against the local government, Webb, *The Governors-General: The English Army and the Definition of the Empire, 1569-1681* (Chapel Hill: University of North Carolina Press, 1979), 276.

[8] TNA:PRO CO 138/3/216-241.

[9] William Beeston, "A Journal kept by Col. William Beeston," in *Interesting Tracts, Relating to the Island of Jamaica* (St Jago de la Vega, Jamaica, 1800), 298-9.

the assembly again, followed the two men across the ocean, and left Sir Henry Morgan – still serving as lieutenant-governor – in charge.[10]

Once Jamaican representatives and the Lords of Trade and Plantations sat down in 1680 to resolve the crisis, the empire's envoys backed down, and English legal experts re-affirmed the island's right to hold a lawmaking assembly. The king and his officials were still concerned about the matter of the revenue, however. Since Charles was ruling without Parliament, he could no longer rely on that body to levy taxes on the English population, so he needed other forms of revenue. He expected Jamaica to provide some of that income and ordered Morgan to convince the assembly to agree to send the crown money in perpetuity. Morgan failed, managing only to get a seven-year revenue act, and then only if the English authorities approved other bills that the assembly passed.[11] The Lords refused to accept such paltry revenue with conditions, and they revoked Carlisle's and Morgan's commissions, sending Sir Thomas Lynch back to the island as governor and appointing a wealthy planter and Royal African Company agent, Hender Molesworth, to be lieutenant-governor.[12] Lynch, who ruled the island until his death in office in 1684, was able to eke some revenue out of the planters, but never a perpetual grant. Molesworth remained in control of government until 1687, when he was replaced by Christopher Monck, the Duke of Albemarle, Henry Morgan's old ally. By the next year, however, the Duke and Morgan had followed Lynch to the grave.

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[10] TNA:PRO CO 139/3/400-403, 412-414; Whitson, *Constitutional Development*, 98.

[11] CSPC 1681-85, 115, 137, 246, 285.

[12] CSPC 1677-1680, 1571; CSPC 1681-85, 100, 115, 137, 224, 246, 285. See also the detailed discussion of the crisis in Webb, *Governors-General*, 292–312. Webb sees too much of a connection between parliamentary politics and Jamaican affairs, in general; the Jamaican crisis was not, as he argues, "the Anglo-American outcome of the Exclusion Crisis," 323. For a different imperial view of events, see Jack P. Greene, *Peripheries and Center: Constitutional Development in the Extended Polities of the British Empire and the United States, 1607-1788*, The Richard B. Russell Lectures, no. 2 (Athens: University of Georgia Press, 1986), chap. 1.

Despite the political contests, sugar production on the island increased a great deal from 1675 to 1687, and white Jamaicans used the labor of larger numbers of enslaved Africans than ever before to produce it. Jamaica's gradual transition to plantation culture – begun in 1656, expanded under Modyford in 1664, supported by Lynch and Vaughan in the 1670s – was finally complete in the 1680s. Sugar exports grew more than one hundred percent in that decade, dominating Jamaica's export list as they would for well over a century.[13] To produce this much sugar, Jamaican planters imported a record number of African slaves and demanded even more. Records reveal that nearly 31,000 slaves arrived – by legal and illegal means – on the island in these dozen years. More than half came in the last four years, indicating rapid growth in the population of bound laborers.[14]

The crown was happy to fill its coffers with increased produce and revenue from its island plantations. When James II became king upon Charles's death in 1685, he ruled with parliament for only two years, but he also sought revenue streams beyond legislative control. He wanted "to free himself from any dependence upon obtaining the voluntary (and thereby potentially conditional) cooperation of subjects."[15] For example, James greatly increased enforcement of the Navigation Acts and suppressed smuggling throughout the American colonies, an effect felt acutely in Jamaica. Following new crown regulations, in the fall of 1685,

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[13] The story of large sugar planters pushing out other inhabitants, especially smaller planters, in the English West Indies has been told often, perhaps most notably in Richard S. Dunn, *Sugar and Slaves; the Rise of the Planter Class in the English West Indies, 1624-1713* (Chapel Hill, NC: University of North Carolina Press, 1972). Nuala Zahedieh argues that plantation growth in these years was due to the income the island received from raiders' plunder in the 1660s, Zahedieh, "Trade, Plunder, and Economic Development in Early English Jamaica, 1655-89," *Economic History Review*, n. s., 39, no. 2 (May 1, 1986). See her chart detailing the island's exports, p. 207.

[14] Voyages Database, 2010, *Voyages: The Trans-Atlantic Slave Trade Database*, accessed August 31, 2012, http://www.slavevoyages.org.

[15] J. R. Jones, "James II's Revolution: royal policies, 1686-92," in Jonathan I. Israel, ed., *The Anglo-Dutch Moment: Essays on the Glorious Revolution and Its World Impact* (Cambridge: Cambridge University Press, 1991), 63.

a naval clerk in Port Royal began keeping a detailed port book recording the comings and goings of every trading vessel, their captains, and cargos, specifically to deter smugglers and prove adherence to trade laws.[16]

The new monarch also intervened in colonial affairs by ordering the king's ships to "seize all foreign ships or vessels that shall presume to trade in those plantations."[17] In a break with tradition, the order went directly through the Admiralty to Royal Navy captains, whom colonial governors had no authority to countermand when they were engaged on crown business.[18] Of course, Jamaicans had a history of circumventing the Navigation Acts and impeding unwanted crown observation – the assembly had jailed the king's receiver of taxes during Vaughan's tenure – but they did not succeed as well this time.[19] Navy captain James Talbot made a prize out of a trading vessel in 1686 simply because it had been Spanish-built, despite its being owned and crewed by Englishmen. Governor Molesworth objected, noting the ship had been through a "ceremony of being made free here, according to the practices of the place ever since my remembrance." The king and commissioners of customs supported Talbot and forbade the local custom of making foreign ships legitimate.[20] This unforeseen closure of Port Royal and other large ports to unauthorized trade – even that which had been accepted throughout the Caribbean in prior decades – diminished opportunities for private traders.

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[16] These records are in TNA:PRO CO 142/13.

[17] TNA:PRO CO 324/4/141 and CO 1/57/83.

[18] CSPC 1685-1688, 120. The Lords had threatened governors before, writing in 1676 that they would be "very strict inquisitors" regarding suspected breaches of the law, but Vaughan's moderately high level of enforcement in those years had satisfied them on that score, TNA:PRO CO 138/3/51.

[19] For the imprisonment of Thomas Martyn, see CSPC 1677-80, 209, 286, 408, 535, 626.

[20] TNA:PRO CO 138/5/328; see also CSPC 1685-88, 900, 956, 1212, 1221.

Contemporaries and historians alike have interpreted these and other political moves in England and her colonies as "absolutist" and suggested that this overuse of the royal prerogative brought down the king. Recent scholars, however, contend that James's eventual undoing resulted from his policies of religious toleration.[21] Whether it was out of fear of a Catholic dynasty, distaste over the royal declaration of tolerance for Catholics and Protestant Dissenters, abhorrence of absolute rule, or suspicion of James's attempts to pack a parliament favorable to him, a conspiracy of English elites formed to oust the king. They assured William of Orange, the influential stadtholder of the Dutch Republic, who had married James's eldest daughter, Mary, that a Dutch invasion would be well-received by army leaders and the English populace. In events that became known as the Glorious Revolution, William landed with an army, and James eventually fled by the end of 1688; in 1689, William and Mary were installed as joint monarchs. Some American colonies revolted at the same time, in opposition to increased regulation and the unwanted power of colonial administrators, while others, Jamaica among them, simply declared for the new King and Queen.[22] Jamaica and the rest of the English Caribbean quickly became embroiled in the war with France, James's steadfast ally and William's old enemy, which resulted from this political upheaval across the Atlantic.

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[21] See Scott Sowerby, *Making Toleration: The Repealers and the Glorious Revolution*, Harvard Historical Studies 181 (Cambridge, MA: Harvard University Press, 2013). Tim Harris contends that courting the Whigs unraveled the monarch's control: "James II came undone because he failed to realize the extent to which the strength of the monarchy was based on this alliance between the Crown and the Tory-Anglican interest," Harris, *Revolution*, 29.

[22] De Krey, *Restoration and Revolution in Britain*, chap. 6.

Lost Opportunities

Changing conditions in Jamaica and the wider Caribbean from 1675 to 1687 eliminated several opportunities which had been available to Jamaica's private sailors during the early 1670s and made it politically inexpedient for Jamaican elites to rely on the seamen in the same ways they had. In these dozen years, Jamaica's private seamen lost opportunities to conduct the logwood trade because sugar exports increased and because politicians wanted to negotiate with Spanish governors about releasing prisoners; illegally trade in slaves because island leaders moved Jamaica's slave-selling operation to Port Royal itself; and take raiding commissions from French governors because Jamaicans came to fear a French invasion.

Grown on several-thousand acre plantations tended by armies of enslaved Africans, sugar was the province of wealthy gentlemen, not the poor sailors who cut and carried logwood. But as Jamaicans increased the island's production of sugar, they slowed its trade in logwood, driving former raiders out of work. Lynch's Jamaica had exported over 900 tons of logwood every year, but, strictly interpreting the Treaty of Madrid, Governor Vaughan cut logwood exports to just over 400 tons annually beginning in 1675. After Vaughan's departure, export numbers hopped to only 500-600 tons through 1687, even though port officials were by then keeping exact accountings of every ship coming in and out of Port Royal.[23]

[23] Zahedieh, "Trade, Plunder, and Economic Development in Early English Jamaica, 1655-89," 207. The original port records are in TNA:PRO CO 142/13. It is possible that the stability of the numbers into 1686 actually represents a decrease in logwood activity. Because of their precision, the ship-by-ship port records should include more of the smuggling that went on in the region, and the numbers should therefore be higher had logwood exports stayed at a consistent rate from the beginning of the decade. Logwood exports increased to over 1,000 tons annually

By decreasing the logwood trade, Jamaicans were heeding royal orders. In 1679, King Charles ordered Governor Carlisle to "discourage, as much as in him lyeth, all persons under his government from cutting any logwood at Campeche, or any other parts of the King of Spain's dominions" but Jamaicans only half followed the dictate. The king believed that Carlisle should "induce the privateers to apply themselves to planting upon… Jamaica," an order so tall that one can imagine some members of the Council of Jamaica simply laughing as Carlisle read it to them.[24] The king's statement is representative of the continuing lack of imperial understanding – not to mention authority – when it came to Jamaica's political relations with her private seamen. Nevertheless, Carlisle responded that the council had immediately prohibited logwood cutting and invited "all privateers home by promising them encouragement in the King's service and a double proportion of land to their hands, if they would settle to planting…."[25] Jamaicans under Carlisle never ended the trade entirely, and port officers in London continued to expect and record logwood imports as late as the end of 1681.[26] Nevertheless, the years of diminished trade, the island's increased focus on sugar, and political concerns about the logwood war pushed many private seamen out of the trade by the middle of the decade.

Even Sir Thomas Lynch, who had opened the throttle of the trade years earlier, endeavored to slow it once he became governor again in 1682. In November, he reported he had "sent into the Bay of Honduras Captain John Coxon and two vessels more to bring away the

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in 1688 and 1689, probably owing to the lack of colonial oversight during the Glorious Revolution and the lack of stable leadership in Jamaica from 1687 to 1693.

[24] TNA:PRO CO 138/3/275-6.

[25] TNA:PRO CO 138/3/324.

[26] London imported 725 hundredweight (approximately 38 tons) of logwood in October 1681, TNA:PRO CO 324/4/79.

logwood cutters."[27] Coxon, one of Jamaica's most famous private raiders of this period, clearly found some work in the trade's demise. Although Campeche was the primary spot for logwood cutting during this period, the English logwood camps along the coast of the Bay of Honduras (present-day Belize) predated those Campeche efforts and even the English conquest of Jamaica. Emptying those lands, therefore, though it did not significantly reduce the total tonnage of logwood, had a symbolic impact. Lynch hoped that it signaled – both to his superiors in England and to Spanish governors in the region – a willingness to cooperate. The secondary effect of abandoning the Honduras camps was to increase Jamaica's population of unemployed former seamen, men who had turned to logwood-cutting in the early 1670s but now – because of the slow-down in trade – simply could not find work in Campeche. Though he usually found work for Coxon, Lynch would have very few options available for the bulk of the private sailors in this decade, in contrast with his previous administration.

Seamen who conducted the logwood trade and continued to fight the logwood war also became a political liability for Jamaican leaders in the 1680s, since the politicians were trying to negotiate with Spanish governors in the region to release English prisoners. Because of the logwood trade, a ballooning number of English captives were locked in Spanish-American dungeons or toiling in their public works beginning in the mid-1670s. Most captives used the word "slave" to describe their plight and, though they did not make an explicit connection to the thousands of African slaves they encountered, some did compare their experience with that of European captives held along North Africa's Barbary Coast. Jamaicans heard the first reports of post-treaty captivity from those who managed to escape it. Jonathan Darbey escaped Havana for

[27] TNA:PRO CO 1/49/91.

Jamaica in 1675, where he claimed that he and other Englishmen had been "made slaves" in the Cuban city a year earlier.[28] In 1676, Mathew Sheares, John Pursley, and Mathew Lowe also escaped a Havana prison and managed to reach Jamaica. In the taverns and in Governor John Vaughan's offices, they told their horror stories of ill treatment when trying to get water on Cuba's north side. Pursley and Lowe had been "made slaves," toiling at least fifteen months in Havana. And they got off easy, they told Vaughan in their official depositions – dutifully sworn, transcribed, and sent to England as evidence of Spanish "cruelties" – for they recounted the stories of the other English captives they encountered working on Havana's walls or rotting in its dungeons.[29] Some, like John Channon, master of the *Rebecca*, even reported being sent to Seville to work quicksilver mines.[30] Others, like Thomas Winford, managed to get word to family members across the Atlantic, who petitioned on their behalf to the king or the Lords of Trade and Plantations, adding to the volume of "injustices" of which imperial officials were aware.[31]

Because some Jamaicans continued the logwood trade, albeit in a diminished state, Spanish captive-taking reached a high point with a bloody transnational encounter in the Bay of Campeche in 1680, the climax of the ongoing logwood war. The incident began in December of 1679 when Jamaican Jonas Clough and several others set off to load logwood in the bay as many others had done before. Instead, they found an ambush: Spanish ships had overpowered several Jamaican and New English small craft already in the bay, taking them and the prisoners to the city of Campeche. Clough and many of his mates escaped to nearby Triste Island, where they settled for a few months before the Spanish returned and reclaimed that land as well; an English

[28] TNA:PRO CO 1/34/54.
[29] CSPC 1675-76, 1101; TNA:PRO CO 1/41/6.
[30] TNA:PRO CO 1/30/88.
[31] TNA:PRO CO 1/40/58.

band of about eighty moved again in the nick of time, this time to Beef Island. The English had few supplies and no means of escape, so the Spanish simply waited for the stragglers to surrender, which they did a month later. Clough claimed that the articles of surrender the parties then signed allowed the English to return to Jamaica in exchange for any Spanish captives held there; the reality of their treatment differed greatly from these articles, however. After some time in a "dark Dungeon," the prisoners were packed aboard a transport to Vera Cruz, where they were several times "cruelly beaten" by the governor himself. From there, the captives narrowly escaped a voyage to China; instead, "shackled two and two together [they] were sent out of la Vera Cruz barefooted and almost naked for the City of Mexico." Clough alone escaped – stowing away on a series of Spanish vessels – and finally reached Cadiz, from whence he wrote his tale for English officials. Based on his numerous detentions, he estimated that the Spanish held three or four thousand English captives, "living miserably and worse than the slaves in Algiers and other parts of Barbary."[32]

Although Clough and other escapees vilified the Spanish for capturing them, Spanish colonists were not the only people taking captives; Jamaicans also held foreigners against their will during the declared peace. As soon as Jonathan Darbey arrived on the island, Jamaican officials convened an Admiralty court to hear his deposition. The court hauled in "several Spaniards" held prisoner on the island to bear witness to accusations against their countrymen,

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[32] "The Journal and Narrative of Jonas Clough," TNA:PRO SP 94/69/190, in A. P. Thornton, "The English at Campeachy, 1670-82," *JHR* 2, no. 3 (1953): 27–38. Thornton believes Clough meant the Spanish held 3-400 captives, not 3-4,000.

who then “confessed that the major part… was true.”[33] Officials made no move to release the Spanish prisoners, though they pressed Spanish American authorities to release English captives.

Jamaican governors and English imperial officials tried diplomatic and public military means to redeem English prisoners from Spanish islands and the Main, but most of their attempts failed. By 1677, Governor Vaughan had sent several ships to Cuba to demand English prisoners but had little to show for it. The king himself ordered the last mission based on a comment from Vaughan that prisoners in Havana “were worse used than they would be if they were in Algiers.”[34] Carlisle ordered the HMS *Hunter* to Cartagena to demand the several prisoners he had heard were languishing in that city, a state of affairs that “much exasperates the people’s hearts here against the Spaniards.”[35] Similarly, Morgan directed Captain Heywood and the HMS *Norwich* – with forty Jamaican soldiers on board – to Cartagena to demand English prisoners in the city. Morgan’s show of force did not impress the Spanish governor, who claimed that all the prisoners had been sent to Havana.[36]

Redemption efforts were unsuccessful because illegal raiders still sailed from Jamaica to plunder Spanish targets, and Spanish colonial governors used this sea raiding as an excuse to capture any number of English sailors and call them “pirates.” Since the Treaty of Madrid did not allow officials to capture English seamen just for sailing in the Caribbean, as they had done at times in the past, after 1670, Spanish officials needed good reason to keep English prisoners and continued Jamaican “piracy” was that reason. Regardless of the actions of the English sailors

[33] TNA:PRO CO 1/34/54.
[34] TNA:PRO 1/39/30; CO 324/2/112; CO 1/41/6.
[35] TNA:PRO 138/3/325.
[36] Peter Heywood, “Journal,” May 27 1681, July 4 1681, TNA:PRO ADM 51/3296.

Spanish officials captured, many were deemed to be “pirates.”[37] Molesworth discovered this tactic in 1685, when the governor of Cartagena put on a show of hand-wringing to navy Captain Mitchell that he could not release the thirty or so English captives “employed at work about the walls” of the city because, as pirates, they were under the authority of the General of the Galleons, who would most likely take them to Spain. Mitchell, under orders from Molesworth, protested with no luck that the prisoners were lawful traders.[38]

Lynch revealed one reason that redemption efforts were so unsuccessful when he admitted that the very fact that Spanish sailors took English crafts and prisoners on a regular basis “makes most of our men turn pirates.”[39] He identified a hard truth about retributive violence in the Caribbean: acts of captive-taking led more Jamaicans to raid the Spanish illegally, and increased illegal raiding led more Spanish sailors to take English captives. Although many knew the island’s sea raiders were part of the problem, the raiders imagined themselves part of the solution. Post-treaty raiders believed they were fulfilling Morgan’s legacy from the 1660s, taking direct action to alleviate a crisis of English enslavement across the region which officials were unable or unwilling to solve. Lynch attempted to break the cycle by offering assurances of good will – and, if those did not work, vague threats – to his Spanish counterparts. He implored the governor of Havana to stop taking English ships, saying “there’s nothing in any power I have not done to serve the Spanish nation.”[40] To the governor of Cartagena he insisted that he did everything he could to keep peace in the Caribbean, quipping “I cannot imagine why you should think I do not understand the interests of this place, for I have known these Indies

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[37] The escapees who offered depositions in Jamaica insisted they had been trading peacefully or blown off course, but it is impossible to know if they were being truthful.

[38] TNA:PRO CO 138/5/95.

[39] TNA:PRO CO 1/54/132.

[40] TNA:PRO CO 1/52/62.

twenty years." He could not help but add that "those that murder and rob us are the King of Spain's ships…with the governors' commands."[41] Lynch's diplomacy and reduction of raiders yielded some success when Captain Tennant reported redeeming eight captives from Santa Marta in 1683.[42]

Despite his failure to secure the Cartagena captives in 1685, Hender Molesworth redeemed more captives than any prior governor, for in 1687, navy captain Spragge sailed into Port Royal harbor with seventy-one liberated English captives.[43] Molesworth enjoyed such success because, more than Vaughan, Carlisle, or Lynch had done, he publicly suppressed the "pirates" about which Spanish governors complained. By 1687, illegal acts of raiding the Spanish – even those done in retribution for captive-taking – came under fire so that Jamaican leaders could have a reasonable chance of liberating English prisoners throughout the Caribbean.

Molesworth had success redeeming captives not only because he reduced raiding activities, but also because he expanded and centralized Jamaica's slave re-selling trade with Spanish colonists. Expanding this trade also had the effect of reducing reliance on private sailors; Molesworth no longer needed them to run the trade, since he was able to conduct most of it himself in Port Royal. In the 1670s, Jamaica's private raiders had assisted Thomas Lynch's efforts to sell enslaved Africans to Spanish settlers in contravention of the Treaty of Madrid. Imperial leaders began to see the utility of Lynch's trade and, supported by Governor Vaughan and Henry Morgan in the late 1670s, the Royal African Company began using Jamaica as a base

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[41] TNA:PRO CO 1/54/72.
[42] TNA:PRO CO 1/53/69.
[43] CSPC 1681-85, 1865, 1867, 1938; CSPC 1685-89, 339, 495, 510, 1382.

from which to sell slaves to Spanish Americans. Lynch greatly expanded this Company-run trade when he returned to government in 1682, at which point he once again relied on private seamen to conduct the trade. His and Molesworth's efforts to convince Spanish leaders to acquire their slaves from Jamaica were so successful that, in 1684, they helped Spanish *Asiento* agent James Castillo move permanently to Port Royal, eliminating the need for private seamen to conduct slave sales personally.

Starting in early 1676, the Royal African Company tried to make Jamaica a slave market to the entire Caribbean, just as Thomas Lynch had worked hard to do a few years earlier. In January Vaughan heard that "some of the Spanish Governors here have received licenses from Spain, to buy a certain number of negroes when they can procure them."[44] The rumor was true, but no Spanish ships arrived until the *Santo Domingo*, which had sailed out of Spain in May 1677, stopped at the English islands to purchase slaves and deliver them to Spanish America. The king immediately wrote to Jonathan Atkins, Governor of Barbados, as well as to Vaughan, warning them that a new era of imperially-controlled Caribbean slave trading would soon become reality. To Vaughan he went on to note that "persons will be sent thither for the better settlement of that trade" and commanded the governor to treat the agents well.[45] Though merchants and council members in Jamaica grumbled about the move, Vaughan responded favorably. The Company continued to press the matter with the Lords, extolling the benefits of having Spanish ships come to English colonies to buy slaves. By fall, Vaughan had reported that two Spanish ships had already been through Jamaica and he made sure to explain he had treated them "with all the kindness and friendship I could." A few weeks later he continued to follow

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[44] TNA:PRO CO 1/36/13.
[45] CSPC 1677-80, 234-5.

instructions and proclaimed the Spanish right to enter and purchase slaves.[46] It had taken nearly two years, but the Company was finally able to sell slaves from Jamaica to Spanish colonists at a profit.

The *Santo Domingo* did not make a return trip, and no other Spanish ships arrived while Lord Vaughan stayed in office or during the brief tenure of his successor, the Earl of Carlisle. Legal and illegal imports of captive Africans continued, however. The slave trade database lists twenty Company shipments during the period 1678-1681, while Carlisle and then Lieutenant-Governor Henry Morgan led the island, resulting in the landing of 5,300 captive Africans. The database further reveals fourteen non-RAC shipments in the same period with nearly 2,200 slaves on board, probably all sold illegally in Jamaica.[47] Several illegal slavers did face prosecution, but such actions usually served just to redistribute the slaves on the island and hardly ever resulted in shipping slaves from Jamaica.[48]

Despite the influx of Africans to Jamaica, after the *Santo Domingo*, Spanish ships did not arrive to purchase slaves until 1681. Slave buyers from nearby Spanish American colonies began visiting Port Royal again only during the government of Henry Morgan, and, given Morgan's

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[46] TNA:PRO CO 1/41/83; also see CSPC 1677-80, 369, 477.

[47] Voyages Database (August 31 2012). In 1681 alone, Morgan noted several illegal slave ships selling human cargo directly to planters, TNA:PRO CO 1/46/91; CO 138/3/475-6.

[48] The Dutch-owned slaves John Browne landed were "sold in pursuance of sentence" instead of being returned to the Dutch. Vaughan wrote the governor of Curacao to arrange monetary reparations, to which the Dutch West India Company replied that proceeds from the sales should all go to Sir Thomas Modyford, who was acting as its agent, CSPC 1677-80, 364, 372. Some cases took years to resolve, such as the case of the slaves captured by Captain George Gallop from the Dutch slave-ship Susanna off of Curacao in 1674 and brought to Jamaica for sale and adjudication. Thomas Lynch sold all the slaves upon their arrival, though English officials determined two years later that nearly half of them should have been granted to Gallop and his crew. Lynch, no longer in Jamaica, could hardly have been expected to produce those African men and women who, by 1676, had likely been worked to death, killed by disease, or re-sold. Instead, Lynch was made to re-pay the value of the slaves, the attendant lawsuit of which he was still paying off upon his death in 1684. R. G. Marsden, *Documents Relating to Law and Custom of the Sea*, vol. 2, Publications of the Navy Records Society (London: Navy Records Society, 1916), 96. Joseph Maxwell, "Particulars of the Estate of Sir Thomas Lynch," 1684, NLJ MS 982, pp. 1-2.

prior fame, suspicions on both sides ran high. Nevertheless, in January 1681 the lieutenant-governor boasted about preventing Brandenburg "privateers" from seizing a Spanish slave ship in Port Royal harbor just days before reporting an even bigger coup: capturing the "pirate," Jacob Everson, who had been harassing Spanish ships of all kinds.[49] Morgan employed both private seamen and the available navy men to escort slave-buyers. Captain Heywood of the HMS *Norwich*, for example, escorted a Spanish ship from Cartagena in a hard gale, and then, while he was still in port refitting from the weather, observed the arrival of a "ship from Guinney," some of whose human cargo undoubtedly went right to the Cartagenian.[50]

When Thomas Lynch returned as governor of the island in 1682, he revived Jamaica's Spanish slave trade with the help of Royal African Company factor and lieutenant-governor Hender Molesworth. Lynch complained that he could not re-sell as many slaves as he wanted, accusing the Company of slowing its deliveries. The slave trade database, however, reveals that twenty-five Company ships brought 6,300 African slaves to Jamaica between 1682 and 1684, a higher rate than in any previous three-year period. Although interloping was not as common as it had been under the previous government, ten private traders nevertheless brought over 2,000 slaves to the island illegally.[51] Island planters felt they "needed" every bound laborer the Company could sell them to run Jamaica's growing sugar plantations. Planters and merchants petitioned the Lords of Trade and Plantations directly to get the RAC to deliver 5,000 slaves for

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[49] TNA:PRO CO 1/46/91, 95.

[50] Peter Heywood, "Journal," March 10-20 1680/1, May 27 1681, TNA:PRO ADM 51/3296. The Spanish ship likely sailed when it did, despite the weather, in order to meet the incoming slave delivery.

[51] TNA:PRO CO 1/51/106; Voyages database (August 31, 2012).

one year and 3,000 annually thereafter; the Lords recommended that the king command the Company to do just that.[52]

Nevertheless, Lynch and Molesworth sold many Africans during Lynch's tenure, most in Port Royal but some in Spanish ports. In June, 1682 – reprising his actions of ten years earlier – Lynch sent to Cartagena two "Panama negroes that the pirates that came from the South Sea brought about" as an initial transaction.[53] In November he hired the famous raider John Coxon to "convey a Spaniard to Havana" after a slave sale.[54] Lynch used Jamaica's private raiders in this role not just because the island was short on navy ships (which was true), but also to ensure that the Spanish buyers paid their bills; no one feared John Coxon, who had just returned from sacking Saint Augustine, more than small Spanish traders. In the middle of 1683, Lynch let interlopers sell 150 slaves to waiting Spanish ships but claimed there were no others to sell.[55]

Molesworth expanded the effort to sell slaves to Spanish Americans; in this phase of Jamaica's trade, however, Royal African Company agents, led by Molesworth, sold Africans directly to James Castillo and other *Asiento* factors, cutting out Jamaica's private seamen, who had previously acted as middlemen.[56] Aided by Lynch and Molesworth, Spanish *Asiento* agent, James (St. Jago) Castillo, settled in Port Royal just after Lynch's death, was naturalized a few months later, and built an expansive estate in the town.[57] Molesworth and Castillo worked together to increase the legitimacy of this inter-imperial trade, still hampered by the Treaty of

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[52] TNA:PRO CO 1/53/2.

[53] TNA:PRO CO 1/48/101.

[54] TNA:PRO CO 1/49/91.

[55] TNA:PRO CO 1/51/106; CO 1/53/32.

[56] Though Molesworth was not the sole RAC agent in Jamaica, nor Castillo the only factor claiming an *Asiento* contract, they were the principal actors in the trade. For other RAC agents, see especially TNA:PRO T 70/1.

[57] Frank Cundall, *The Governors of Jamaica in the Seventeenth Century*, (London: The West India committee, 1936), 110, 153, xxviii–xxxii, http://ufdc.ufl.edu/UF00074120/00001.

Madrid. Castillo started to bring a great deal of cash, as well as goods and traders, to Port Royal, and Molesworth urged English officials to allow the foreign ships to sell goods to Jamaicans directly.[58] Despite temporary imprisonment in Spain, a result of legal problems in Jamaica and Cuba, Castillo returned to Jamaica with the blessings of both the Spanish and the English kings in 1689, and the trade continued.[59] England finally secured the *Asiento* contract outright in 1713, the result of inter-imperial warfare in the early eighteenth century. In this capacity, the slave re-selling trade that Lynch had erected in 1671 became a lynchpin of the English empire and continued to raise great sums for Jamaican men and women. It did not, however, continue to employ Jamaica's private seamen much past 1684.

While some private raiders cut logwood or ferried Spanish slave-buyers to Port Royal in the late 1670s and early 1680s, others continued raiding Spanish subjects by taking commissions from French Caribbean governors. In the middle of the 1680s, however, a newly-enforced Jamaican law promised death to those raiders who took French commissions. Starting in the middle of the 1670s, Jamaican raiders found it fairly easy to acquire legal commissions to raid Spanish targets from one of the French governors on Hispaniola, and in which actions they were occasionally supported by Jamaican officials. However, when the French threatened English colonies late in the decade, islanders' long fear of a French invasion made them withdraw support for raiders with French commissions. By 1683, specifically because of the issue of French commissions, Jamaicans had made it a felony – with very harsh consequences – to serve

[58] CSPC 1689-92, 369, 371, 477. The plans never bore much fruit, being in contravention of the Navigation Acts, but some English imperial officials approved of limited sales of Spanish goods at Port Royal.

[59] F. J. Osborne, "James Castillo, Asiento Agent," *JHR* 8 (1971): 11–16.

under a foreign prince, thereby ending a decade-long employment opportunity for their private raiders. Some of them continued to operate with their French counterparts, seizing Spanish ships and sacking Spanish towns, but they were no longer welcome at home.

In response to Spanish-commissioned attacks on English logwood ships during Lynch's first term, Jamaica's private raiders looked for ways to retaliate, and they did not need to go far to find a quasi-legal method of raiding the Spanish. In 1674, a few hundred Jamaican sailors moved to Tortuga and boarded French private men-of-war with designs on Spanish targets. Lynch attempted to stop them – he claimed they "disserve this place very much" – but his efforts may have been somewhat lax, since he also wished for war with Spain.[60] Six months later, Peter Beckford – island secretary under Vaughan – shared with Williamson some "advice from Tortuga, that the French are making up a fleet and great body of men to attack some considerable place of the Spaniards."[61] Many of those men were Jamaican, for, at the end of that same summer, the king warned Vaughan that he had "received complaint from the Queen of Spain that several of his subjects of Jamaica take commissions from Foreign Princes who are enemies to the Catholic King."[62] This royal warning hardly severed Jamaica's French connection.

Though Vaughan issued a proclamation recalling raiders with foreign commissions and attempted to enforce it, other island leaders fully supported Jamaica's private raiders in their Tortuga endeavors. Beckford continued to praise everyone attempting to harass the Spanish: "and truly," wrote the secretary, "if it were not that the French from Tortuga are daily galling

[60] TNA:PRO CO 1/31/77; also see CSPC 1669-74, 1115, 1129.
[61] TNA:PRO CO 1/34/79.
[62] CSPC 1675-76, 656.

them with their privateers, I should conclude ourselves in some danger."[63] He explicitly noted Jamaicans' role in the efforts when he concluded that, because there were fewer opportunities to cut logwood under Vaughan's rule, the raiders "will be committing piracies upon the Spaniards for they cannot work."[64] Furthermore, Lieutenant-Governor Sir Henry Morgan and his brother-in-law Robert Byndloss very likely ran a back-door guest worker program ring in 1675 and 1676, whereby they did "recommend some of our English privateers unto the French governors to be commissioned by them" and then collected a portion of those raiders' proceeds and funneled it back to the governor of Tortuga.[65] Though Vaughan was the only official to accuse Morgan and Byndloss of this illicit activity, the governor did present several pieces of evidence, including letters to Jamaican raiders and correspondence with Bertrand d'Ogeron, the French governor.[66] Surely Morgan's political connections in the Caribbean and the fact that Jamaican raiders had been working directly for the French for at least a year made such an enterprise logical and easy to accomplish. Though Secretary of State Henry Coventry warned Morgan privately that his Majesty was incensed about "his own subjects by their serving under foreign Princes at Sea," and would "be very severe against any that shall in the least manner encourage any in that Disobedience," the Lords and the king refused to recall Morgan or pass any judgment after Vaughan brought the brothers-in-law before the council.[67]

Morgan and Byndloss probably stopped their side business shortly after it came under such scrutiny, but Jamaican raiders continued taking jobs in Tortuga and Hispaniola. A Jamaican

[63] TNA:PRO CO 1/35/55.

[64] TNA:PRO CO 1/36/11.

[65] TNA:PRO CO 1/36/58.

[66] "An Accompt of Sir Henry Morgan," *Correspondence and Papers of Henry Coventry*, A.C.L.S. British Manuscripts Project, vol. 75, fol. 51; CSPC 1675-76, 998, 657, 1129.

[67] Henry Coventry to Henry Morgan, 8 June 1676, "Correspondence From Henry Coventry to the Residents in Portugal and to the Governors of the Plantations, 1674-1679," BL Add. MS 25120, 76.

newsletter early in 1677 warned recipients in England that the seamen of Hispaniola were "ready for a design."[68] By July, further correspondence revealed that a group of French and English (John Coxon among them) had landed at Jamaica after taking Santa Martha; they did not come empty-handed, having made moderate shares of plunder and kidnapped a bishop and a friar. While Vaughan attempted to treat the clergymen well (eventually, he hired a ship to take the Bishop to Cartagena), the seamen fell to drinking. Nevertheless, proud Jamaicans insisted that Coxon and his English crew had done nearly all the work of taking the city.[69] A year later, Governor Carlisle broke the news to Secretary Coventry that another mixed force of French and English raiders took Campeche, an act of revenge for ongoing Spanish captive-taking.[70] After each action, many of the Englishmen involved in the raids took advantage of a 1677 council proclamation promising a pardon to those who surrendered peacefully.[71]

Jamaicans hesitated to allow their private raiders to work for French governors, for they and imperial officials long suspected the French of having nefarious designs on the island and the Caribbean as a whole. Such suspicion went back to the settlement of the Treaty of Breda – the 1667 agreement that had ended the second Dutch War – especially the sections re-establishing joint Anglo-French ownership of the island of Saint Christopher. Upon the 1673 recall of Charles Wheeler from the governorship of the Leewards, reports came to light that the French commissioners of the island had obstinately ignored the Treaty provisions as English planters attempted to re-settle.[72] Though England and France fought as allies in the third Dutch War, Lynch openly questioned French interests in the region in 1673, and it was certainly with

[68] TNA:PRO CO 1/39/30.
[69] CSPC 1677-80, 347, 383; *Coventry Papers*, v. 75, fol. 204.
[70] TNA:PRO CO 138/3/277-284.
[71] CSPC 1677-80, 368, 375, 770, 815.
[72] CSPC 1669-74, 1033, 1038.

the French in mind that Morgan suggested massive upgrades to Jamaica's defenses in the same year.[73] Benjamin Worsley warned the Lords in the strongest terms that Louis XIV undoubtedly intended to "make himself first Master of all that great island [Hispaniola], and then of other places," and questioned whether "we can promise ourselves any security from him at Jamaica, even for a day."[74]

French fleet actions near the island at the end of the decade exacerbated those fears and convinced many that the French planned to invade. Continuing their war against the Dutch, a war England had long since abandoned, the French fleet's presence in the Caribbean grew during the fighting season of 1678. Indeed, England came very close to re-entering the war that year, this time against France, but Charles and Louis reached an agreement.[75] Regardless of what happened in Europe, however, the appearance of French Admiral Jean II D'Estrées' fleet alarmed many Jamaicans. Morgan immediately declared martial law and began an intense campaign to re-fortify the island after Vaughan departed in April.[76] It was a story Morgan heard from a captain who had touched at Barbados the same month that most alarmed him: six Jamaican private raiders, who had been sailing with French privateers from Hispaniola, "supposing by all the discourse of the French that they intended to fall upon the English" at Nevis, narrowly escaped "in some small boat" and warned the tiny colony just in time.[77] Only the shocking news that D'Estrées had run the fleet aground on the Isle of Aves (with a loss of five hundred men, several ships, and most of their ordnance) in May sufficed to lift Jamaican

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[73] CSPC 1669-73, 1128, 1129.

[74] "Mr. Worsley's discourse of the Privateers of Jamaica," n.d. [possibly December 1668], BL Add. MS 11410, fols. 626-7. See page 126, note 52 of this dissertation for more discussion.

[75] John A. Lynn, *The Wars of Louis XIV, 1667-1714*, Modern Wars in Perspective (London: Longman, 1999), 156.

[76] CSPC 1677-80, 646, 649, 682.

[77] *Coventry Papers*, v. 75, fol. 249.

martial law.[78] A year later, Carlisle experienced further French aggression, reporting that "the Point was alarmed from windward, upon the appearing, in the offing, eight sail of French men-of-war" and though the foreigners claimed friendship, "the people are here very jealous of them… the inhabitants removed their wives, children, and goods, from an apprehension of the French designing upon that place." Though Carlisle suspected "the French have not a purpose upon us, but rather the Havana," an emergency Council session immediately agreed to martial law and islanders again prepared for invasion.[79]

Heightened fear of the French led Jamaicans – through a series of laws in the late 1670s and early 1680s – to crack down on private raiders taking foreign commissions, making it a crime punishable by death. The first iteration of this law, passed by Vaughan's assembly in April 1677 but never authorized by the king because of the Constitutional Crisis, outlawed serving under a foreign prince but allowed a twelve-month grace period from the time of the law's publication.[80] The council followed with a proclamation in July providing "full and ample satisfaction" to those who were out under foreign commission.[81] The Lords modified Vaughan's law and sent it back with Carlisle, using much the same language and recommitting to another twelve-month grace period after publication; as with all the king's 1678 laws, again because of the Constitutional Crisis, Jamaican assemblymen rejected it.[82] The effect was that no 1670s act about foreign commissions came into force in the island, except for the extremely lenient council proclamation, and though many raiders came in, others could still go out with the expectation of being able to return.

[78] CSPC 1677-80, 718, 725.
[79] TNA:PRO CO 138/3/320-22.
[80] TNA:PRO CO 139/5/15.
[81] CSPC 1677-80, 368.
[82] TNA:PRO CO 139/6/303.

In July 1681, Morgan's assembly and council passed a single act which combined two previous acts – one outlawing foreign commissions, the other suppressing Jamaican "piracy" – and strengthened the provisions of each. Morgan's law allowed another grace period until the following January, extending the period he and the council had previously granted until September first.[83] Though the punishment for serving under a foreign prince was death, and offenders had no recourse to claim benefit of clergy, no sentences were ever passed, because Morgan was recalled before the grace period ended. When Thomas Lynch reclaimed the government, his new assembly wrote new laws. It took the entire 1681 piracy bill word-for-word and placed it in the legislation, right down to the January first grace period (the year had been left unspecified).[84] The king approved Lynch's laws, and they appeared in a published volume in London in 1683, the grace period still in effect until 1684. This harshest version of the law, the writing of which had been overseen (ironically) by Henry Morgan, provided for the execution of those who took foreign commissions and allowed militias to kill "pirates" they found on the island. It was the first anti-piracy bill to be a stable island law, and it was a model for the empire.

Subsequent events in the Caribbean prompted officials in England to call for the empire-wide adoption of Jamaica's law against "pirates." In the summer of 1683, up to 1000 men from nearby French, Dutch and English colonies (including Jamaica) massed to attack the rich Spanish city of Vera Cruz situated on the western shore of the Gulf of Mexico. The sea raiders surprised the guards and easily occupied the town for several days, successfully ransoming the highest officials and accruing mountains of treasure. They dispersed after the attack, but most chose to fence the loot in the French city of Petit Goave because its governor had issued the bulk of the

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[83] TNA:PRO CO 139/7/70; CSPC 1681-85, 102 .
[84] Francis Hanson, *The Laws of Jamaica* (London, 1683), 46.

commissions. Many raiders from English colonies chose, however, to bring their prizes to certain permissive English ports throughout the Americas instead.[85] With this abundance of "pirates" and their loot in ports, the Lords of Trade wanted some standard regulation covering raiders, and the Jamaican law was the obvious choice.

It seemed that Jamaican leaders did not anticipate the amount of revenue they would lose as a result of their law's effectiveness. The returning Vera Cruz raiders stayed away from Port Royal, afraid of the law's harsh consequences for taking foreign commissions, even though the renewed grace period might have saved them from hanging. Thomas Lynch soon realized the financial implications of the law and attempted to get some of the cash, particularly the admiral's share of twenty thousand pounds left to Nicholas Vanhorn and the slightly smaller captain's share left to Jamaican James Spurre, both of whom died just after the raid. Lynch also suspected that governors in Charles Town in Carolina and Boston in Massachusetts Bay received substantial revenues from the "pirates," and he felt personally affronted.[86] He was wrong about Carolina in this case – two Vera Cruz veterans hanged there upon coming into port – but Boston merchants gladly fenced the stolen loot. Some raiders visited other permissive ports, like Newport in Rhode Island, New Providence in the Bahamas, or Danish Saint Thomas.[87] Jamaica's 1683 law did not reach everywhere, and, aside from suppressing foreign-commissioned raids, it had the effect of reducing island income, but it was in place because Jamaicans came to fear a French invasion more than they feared losing the money.

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[85] "Jamaica, August 12," *London Gazette,* no. 1873, Oct 26 – Nov 1 1683, http://www.london-gazette.co.uk/; "Captain Van Horn's taking of la Vera Cruz," in Philip Ayres, *The Voyages and Adventures of Capt. Barth. Sharp and Others in the South Sea* (London, 1684), 115; CSPC 1681-85, 1163, 1249, 1261, 1563, 1759.

[86] TNA:PRO CO 1/54/41.

[87] CSPC 1681-85, 1722, 1851, 1862. Also see Mark G. Hanna, "The Pirate Nest: The Impact of Piracy on Newport, Rhode Island and Charles Town, South Carolina, 1670-1730" (PhD diss., Harvard University, 2006), ProQuest (305341375).

New Opportunities

Many Jamaican private seamen responded to lost opportunities in and around their island home by searching for new opportunities for plunder and a connection to the empire beyond the Caribbean. About three hundred set out on a journey across the Darien isthmus and deep into the South Seas for a period of years; their voyage exemplifies the primary strategy private raiders used to avoid harsh treatment at home: taking a long-haul voyage (in some cases, around the world), hoping to find treasure so great or a discovery so significant that the state would laud them. A few years later, many other raiders decided to follow these pioneers across the isthmus into the Bay of Panama; they took short stints to seek their fortunes along the under-defended Pacific coast of Spanish America. A few raiders remained in the Caribbean, shakily allied with the French, but even they had to leave the region to sell prizes, unless a lenient governor like Carlisle or Morgan resided at King's House.

Jamaican sea raider Bartholomew Sharpe and his crew pioneered long-haul voyaging from the Caribbean in this time, and they were so successful that hundreds of others wanted to try their hands. Sharpe's two-year sojourn on the far side of the Americas resulted in navigational and scientific knowledge previously unknown to the English. Some of their discoveries proved so important that most of the raiders' lives were spared, though the men had been raiding Spanish targets illegally and found themselves on trial in England. The accounts they wrote spurred many an adventurer into action as private raiders went far afield, some re-

tracing Sharpe's path, others making it around the planet, many hoping not just for adventure and plunder, but also for the fame achieved by Sharpe and his crew.

The remarkable voyage of Sharpe and his companions – among whom were Edmund Cook, John Cox, John Coxon, William Dampier, Peter Harris, Basil Ringrose, Richard Sawkins, Lionel Wafer, and William Williams – started, like many others, under the guise of legitimate trade. A preliminary mission to the Main under Coxon sailed out of Port Morant in December 1679 with the stated goal of going to cut logwood, heedless of the royal order slowing that trade. That claim was clearly a ruse, for the crew started taking Spanish prizes and sacked Porto Bello within weeks. Eventually, the company struck up relations with the Darien Indians, who knew the way across the isthmus.[88] The party returned to Jamaica for more recruits and set out again in the middle of 1680, this time letting the natives guide them across the land to the Bay of Panama, marking the first recorded instance of Englishmen intentionally crossing overland into the Pacific with native assistance. After sacking the small town of Santa María, the men headed toward Panama in canoes and other small craft. Unable to take the city, they captured Spanish ships in the bay, thereby securing themselves homes and transportation for the next eighteen months.

Possibly following a copy of the sea chart (or *derrotero*) Morgan had found in Panama in 1671, the crew sailed north toward Mexico, but deaths, mutinies, and other setbacks foiled those plans; the 150 or so who remained regrouped on a small island off Colombia. They aborted an

[88] "Narrative of a Voyage from Jamaica to Porto Bello," 1679, BL Sloane MS 2752, fols. 29-35. The general course of the voyage as outlined below comes, except where noted, from the excellent Derek Howse and Norman J. W. Thrower, eds., *A Buccaneer's Atlas: Basil Ringrose's South Sea Waggoner: A Sea Atlas and Sailing Directions of the Pacific Coast of the Americas 1682* (Berkeley: University of California Press, 1992), 1–26. Estimates of the crew's plunder, as well as discussion of the Spanish colonial and imperial response to the voyage, can be found in Peter T. Bradley, *The Lure of Peru: Maritime Intrusion into the South Sea, 1598- 1701* (New York: St. Martin's, 1989).

attack on Arica, the port for Peru's silver mines, but attempted to make up for it by taking small towns and cities up and down the two thousand-mile Chilean coast. A sojourn on Juan Fernandez Island, future home of marooned sailor Alexander Selkirk (whose story inspired *Robinson Crusoe*), prepared the men for an unwise second attempt on Arica, which failed miserably. A long sail north got them near Panama again, but another mutiny severely decreased the crew's size, and they could manage only some small raids in Nicaragua. By summer of 1681, after taking a few more prizes, the party made for more familiar waters, making a lengthy trip south and around Cape Horn (failing to find the Pacific entrance to the Straights of Magellan). By the end of January 1682, the entire surviving crew was back in the Caribbean having gone their separate ways.

Sharpe and his companions made a number of significant discoveries that saved them from the gallows once they returned to England or the colonies. Off Ecuador in 1681, they captured the Spanish ship *Rosario,* in which they found a Spanish atlas later "presented unto His Majesty after our return into England."[89] Though Sharpe, Cox, and Williams were hauled into Admiralty court after they decided to return to England in 1682, the presence of that volume – discovered by English officials and safely sequestered from the eyes of Spanish emissaries until Sharpe himself could dedicate a copy of it to King Charles – undoubtedly saved their hides.[90] This collection of Spanish sea charts had immense military value; with the *derrotero* Morgan had

[89] A. O. Exquemelin, *The Buccaneers of America*, ed. Robert C. Ritchie, Classics of Naval Literature (Annapolis, MD: Naval Institute Press, 1993), 351. The author of this phrase is William Dick (possibly a pseudonym for William Williams), whose brief account of Sharpe forms part of the supplementary material in this reprint of one of the 1684 English editions of Exquemelin.

[90] Cox notes they were "tryed and acquitted at a Court of Admiralty" in London, Ayres, *Voyages and Adventures*, 114. Court documents further reveal that all three "were severally acquitted of several felonies, piracies, and murder and released" for a small fee, TNA:PRO HCA 1/11/105, translated in Howse and Thrower, *A Buccaneer's Atlas*, 285.

seized, it was the primary avenue by which English officials learned about America's Pacific coast. A notable find, it was not published, but map-maker William Hacke made several copies for English luminaries.[91] Ringrose also kept his own version of a *derrotero* in his journal – he drew accurate coastlines and islands whenever they approached land, described animals and weather phenomena, and noted new navigational routes (around the Horn from the Pacific) – that went far beyond the typical early modern travel narrative. Hacke got hold of Ringrose's charts as well, and was able to publish some select drawings, most likely using them in future versions of maps made for English officials.[92]

Ringrose was hardly alone in his desire to record findings on this and subsequent long-haul voyages. Lionel Wafer, one of the company's physicians, made an accounting of his trek. He followed the crew to the South Seas but left to return overland with one of the mutinous groups. Unlike his fellows, however, he fell sick on the way back across the isthmus, and they left him to fend with the natives. He lived among the Darien Indians for some months and assiduously noted what he perceived as their strange behavior, notes that anthropologists and others continued to use for centuries.[93] This voyage also began the exploring career of William Dampier, who had been engaged in the logwood trade prior to this expedition but would become famous for his piracy-laced circumnavigations in the 1690s. His time among Sharpe's company inspired Dampier's voyages around the globe, and his connection with Ringrose and Wafer may have led to his scientific career, for the navigator did not just circumnavigate the globe, he

[91] William Hacke, "A Description of the Sea Coasts in the South Sea of America," 1684, Huntington Library MS HM 265; William Hacke, "Charts of Pacific Coasts of America," BL Harley MS 4034. The seminal secondary work tracing these charts is Howse and Thrower, *A Buccaneer's Atlas*.

[92] For example, William Hacke, ed., *A Collection of Original Voyages ...: Illustrated with Several Maps and Draughts* (London, 1699).

[93] Lionel Wafer, *A new voyage and description of the Isthmus of America, giving an account of the author's abode there* (London, 1699).

observed it as well, dedicating his published work to his fellow members of the Royal Society. "Pirate and hydrographer," as Dampier became known, certainly seemed mutually exclusive occupations before Sharpe and crew unprecedentedly combined the fields on their long-haul prize-taking voyage of discovery.[94]

More importantly, contemporaries could read these first-hand accounts. Several different journals and logs depicting parts of the Sharpe expedition were published in London within fifteen years of its termination, most appearing within three. The best-known, Basil Ringrose's journal, was released in 1685 as a second volume to the newly-translated *Buccaneers of America*, Exquemelin's groundbreaking narrative of Henry Morgan's raids.[95] The pair of works is still published together. An alternate Sharpe journal came out a year earlier, published with other accounts, including one written to exonerate Morgan from the bad name Exquemelin gave him.[96] Dampier published books about his voyages during the 1690s only a few years after they ended.[97] An account of the long-haul voyage of French voyager Raveneau de Lussan and his crew – who spent several years at the end of the 1680s attacking Pacific coastal towns in Costa Rica and Nicaragua – appeared in English in 1698.[98] An account of Lionel Wafer's expedition made it to publication only in 1699, but his observations had been used years earlier to justify

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[94] William Dampier, National Portrait Gallery, London, UK. See also, Michael Preston and Diana Preston, *A Pirate of Exquisite Mind: Explorer, Naturalist, and Buccaneer: The Life of William Dampier* (New York: Walker, 2004).

[95] Basil Ringrose, *Bucaniers of America: The Second Volume: Containing the Dangerous Voyage and Bold Attempts of Captain Bartholomew Sharp* (London, 1685).

[96] Ayres, *Voyages and Adventures*. The attributed author of this account is John Cox, who also kept a log of the voyage that has never been published, see "The Logbook of John Cox," 1682, NMM GOS/4.

[97] William Dampier, *A New Voyage Round the World*, 3 vols. (London, 1697); Dampier, *Voyages and Descriptions. in Three Parts* (London, 1700); Dampier, *A Voyage to New Holland, &c. in the Year, 1699* (London, 1703).

[98] Raveneau de Lussan, *A Journal of a Voyage Made into the South Sea, by the Bucaniers or Freebooters of America, from the Year 1684 to 1689* (London, 1698).

and help plan the Scottish colony of Darien settled on the isthmus in 1698.[99] English speakers had been without a narrative of Morgan's Panama exploits until the translation of Exquemelin's work appeared thirteen years after he sacked the city, but they could read about Sharpe and his crew while the protagonists continued to sail around the Americas, highlighting a real advancement of English interest in raiding and discovery in the intervening decade.

Bartholomew Sharpe sailed back to America as soon as he could, but, despite his fame and a political intervention he made in Bermuda, he found the region generally inhospitable to his continued illegal prize-taking. At the beginning of 1686, he wrote the secretary of state about his arrival in Bermuda harbor, where he found "twelve of the principal men against his sacred Majesty and the government."[100] Within a few months, Governor Richard Cony reported the same rebellion and expressed gratitude for Sharpe's assistance suppressing it. When asked to deliver the man to Nevis, the governor refused, writing that "I was forced here to retain [him] in his Majesty's service to suppress this country from high and open rebellion."[101] That summer, navy captain George St. Loe arrived from Nevis, tried to break up the rebellion himself and finally got his hands on Sharpe, whom he wanted to prosecute for piracy. Nevertheless, Sharpe escaped prosecution once again; by the end of the year the Nevis grand jury threw out the bill against him, and a petty jury subsequently cleared his name. Instead, Nevis Governor James Russell sent St. Loe home for overstepping his authority, declining the navy man's last-ditch proposal to send Sharpe to Jamaica for prosecution.[102] Would the famous Bartholomew Sharpe have feared walking into Molesworth's Jamaica? Having been exonerated twice from his crimes,

[99] Lionel Wafer, *New Voyage*.
[100] TNA:PRO CO 1/59/2.
[101] TNA:PRO CO 1/60/40.
[102] CSPC 1685-88, 617, 618, 852, 949, 1076, 1136, 1139, 1232.

Sharpe, and a few lucky, well-known raiders like him, found that illegal raiding could still pay in the 1680s, despite political and economic shifts in the Caribbean.

Charles Swan and most of the others who followed Sharpe into the Pacific did not fare so well. None gained the fame or the valuable loot that the original South Seas voyagers had, and many could not escape prosecution. A few thousand English raiders – among them Peter Harris, who joined Swan in Panama Bay – crossed the Isthmus in the middle of the decade searching for treasure and adventure. The raiding started small, with about one hundred men making an ill-fated trip to the South Seas just as Molesworth stepped into Lynch's place in 1684.[103] Before the year was out, four hundred men massed on Golden Island on the Caribbean side preparing to march overland to new opportunities.[104] Molesworth attempted to trick them into believing that the way across had been closed off, but he had no luck, and by February one thousand men stood ready to make the trek.[105] Though most of these raiders were English, they were not all Jamaican –the opportunity appealed to Bahamians, Carolinians, Barbadians, and even New Englanders – but they were all Molesworth's problem. Luckily, the governor discovered a reliable informant, pardoned him, and so learned that, after the crews narrowly missed the Lima fleet that Swan had desired, dissension typified the South Seas endeavors, few towns were taken and little fortune was amassed. A few private raiders stayed on, acquiring a little more gold dust, indigo, or silk, but most left Panama Bay to drift back, around the Horn or through the straits, to the Caribbean, North America, or Europe.[106]

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[103] TNA:PRO CO 1/55/33.
[104] TNA:PRO CO 1/55/123.
[105] TNA:PRO CO 1/57/9.
[106] TNA:PRO CO 1/57/100; CO 1/58/44; CO 1/60/20.

Imperial Pirate Hunting

A passel of loyal private seamen remained in Jamaica in the 1680s, just as their former compatriots left the region to continue illegal raiding. Jamaica had always found employment opportunities for loyal sailors throughout the 1670s, but now it offered few occupations. Only one business remained open to private seamen: pirate hunting. Leaders from Morgan to Molesworth re-committed to maintain Lynch's legacy of the previous decade: they hired the unemployed men of Port Royal as colonial agents to bring in the illegal raiders and their money. Also, when Thomas Lynch himself returned to government, he expanded this tradition by employing a select group of the Caribbean's most successful raiders, men whom he befriended in order to convince them to settle and whom he used as emissaries to the region's other raiders. Though Lynch's rich "pirates" were not all Jamaicans, the group centered on the ubiquitous John Coxon – returned early from Sharpe's adventures – and the governor planned to make most of them legitimate traders or planters, as long as they brought their money into the economy.

Eventually, however, Jamaica's politicians and private raiders lost their monopoly on pirate hunting. When King James II, in his bid to control American colonies and secure more revenue, sent a professional pirate-hunting force under Sir Robert Holmes to the West Indies in 1687, Jamaicans were pushed out of the enterprise. Holmes's agents took over the process of capturing and prosecuting the English illegal raiders who remained afloat. Like private raiders themselves, though, they kept the goods and money they captured. Jamaicans were as skeptical of Holmes's agent on their island as they had been of the King's receiver of taxes, and they were happy to see him go, but they could not always keep him from doing his job, and eventually they were forced to give up their monopoly on the business of pirate hunting.

Since the declaration of Anglo-Spanish peace, Jamaican leaders occasionally resorted to calling together "the men at the point" – the common local name for Port Royal – for quick missions to capture nearby raiders. While Morgan sat in the governor's chair after Carlisle's departure, he tried to rid the coastal waters of French raiders. Once, in 1680, he roused men from the Point to take a French private man-of-war that appeared off the coast in the night.[107] After he captured Jacob Everson's band in 1681, he kept the ship and repurposed it to hunt more "pirates." Everson himself escaped prosecution and kept raiding nearby. Thomas Lynch hired a Jamaican sailor bold enough to return home after taking part in the Vera Cruz expedition to track down and capture Captain James Spurre's sloop, in hopes of acquiring some of the deceased captain's share.[108] When he took command of the island, Hender Molesworth also employed the reserve pool of men on the Point on several occasions to rid Cuba's South Cays of marauders. He initially offered spots in a specially-designed pirate-hunting galley that he and Lynch had had built on a "no purchase, no pay" scheme, the share-based system familiar to all private raiders. Unable to find volunteers, he contracted the mission out, letting private seamen use their own sloops and hire their own crews to police the area in exchange for a monopoly on the illegal trade between southern Cuba and northern Jamaica that could be effected once the coasts were cleared.[109] The effort must have employed hundreds of Port Royal's non-navy sailors, but it had little success. Even the Royal Navy men whom Molesworth preferred to use as pirate hunters were not above doing a little plundering as well. Several inhabitants of New Providence in the

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[107] TNA:PRO CO 1/45/37.
[108] TNA:PRO CO 1/52/95.
[109] TNA:PRO CO 1/57/9, 126; CO 138/5/71-77.

Bahamas complained that navy captains Spragge and Lenham had robbed their houses, but the captains dismissed the matter, claiming that the Bahamians themselves were all pirates.[110]

Though Thomas Lynch sometimes used this method of hunting pirates in the 1680s, in general, he used other tactics to get raiders and their loot to Jamaica. In 1682, he formed an occasional pirate-hunting force from among the region's famous raiders, a mixture of English, French, and Dutch men who had befriended the governor at some point. Lynch's targets were the Caribbean's other major raiders, those he could not trust, the leaders of the missions to Vera Cruz, Campeche, and the South Seas. The method was simple: he employed his trustworthy raiders as emissaries to the others and tried to convince them to bring themselves and their money to Jamaica. Lynch's emissary system started when the governor struck up a new friendship with John Coxon, whom he called "one of our famous privateers," recently returned from Sharpe's voyage. Lynch had been familiar with Coxon's actions throughout the 1670s, and the two had probably met several times, since the seaman had been one of the principal logwood-men at Campeche. Lynch now praised the raider for living honestly and sent him on several missions.[111] Coxon became Lynch's liaison to other famous raiders of the region: he made overtures to John Williams (otherwise known as Yankey), offering him men, victuals, a pardon, naturalization, and £200 to capture the French private man-of-war *La Trompeuse*. Later, Coxon met with Captain Vanhorn, reporting to Lynch that Vanhorn's numerous private sailors would keep the peace with England, being on their way to sack Vera Cruz.[112] The governor also struck up a relationship with the Dutch-born Laurent de Graaf (commonly known as Laurens) in 1683,

[110] CSPC 1685-88, 1725.

[111] TNA:PRO CO 1/48/101; CO 1/49/35, 91.

[112] TNA:PRO CO 1/51/43; CO 138/4/152-3. It is unclear whether Yankey accepted but it was Royal Navy Captain Carlile from the Leeward Islands who eventually found and destroyed *La Trompeuse*. Despite the overtures Yankey, the following year, took an English ship off Cartagena, see TNA:PRO CO 1/55/89.

and the two did each other favors, Laurens retaking an English ship that the Spanish had seized, and Lynch procuring the royal assent to pardon Laurens. The two may never have met, but their letters read like those of two comrades; days before he died in office, the governor proclaimed to De Graaf, "I am always your friend."[113] Sir Thomas died before any raider accepted his offers of settlement, and Molesworth did not continue the tactic, choosing to take a harder line against all raiders. Molesworth believed the emissaries and their targets remained a threat to Jamaicans at home and on the seas, and he was right about one.[114] Lynch's friend, Laurens, visited the island in the 1690s, laying waste to several north-side plantations during the war with France.

King James II wanted the revenue of pirate hunting for himself and his appointees. No doubt he also desired a private naval force loyal only to him stationed in the Caribbean. Late in 1687, due to what he found to be "the prejudice arising to trade by the great number of pirates in America," the monarch "thought fit & resolved to send a squadron of ships into those parts." This squadron was not just another naval force obliged to work with West Indian governors; on the contrary, the king commissioned it for the sole purpose of hunting illegal raiders, and he invested all authority in one supreme commander, Sir Robert Holmes. A retired naval officer, Holmes never accompanied his fleet to the Caribbean, but he nevertheless acted as English pirate-hunter-in-chief for the remainder of James's reign. James offered royal pardons to any illegal raider who, within twelve months, would "surrender or become obliged to surrender themselves to the said Sir Robert Holmes, or any other appointed by him, and shall give

[113] TNA:PRO CO 1/52/69; CO 1/53/92; CO 1/54/79, 114. The French original of Lynch's letter to Laurens is in CO 1/55/22; the English translation is in CSPC 1681-85, 1839.
[114] CSPC 1685-88, 548, 965, 1010, 1449, 1476, 1477.

sufficient security… of their future good behavior."[115] Holmes's deputies probably preferred that such security be in the form of cash.

At the same time, the king seriously sweetened the deal for Holmes and his agents, convincing the treasury to agree that Holmes would be granted "all wares, merchandizes, goods and chattels, which do or shall belong to any pirates or privateers, by them piratically taken." Moreover, whatever of these wares and merchandizes that Holmes and crew could find within three years would be theirs to keep "without any account to be rendered to his Majesty."[116] James would not need to pay his private navy and could keep all monies they did receive off the books. So, with a few strokes of the pen, James II changed the political and economic face of the Caribbean by diminishing Jamaica's presence in the pirate-hunting market and elevating a contractor and his deputies, untouchable by local governments, in its place. Like private raiders living by the rule of "no purchase, no pay," the Holmes men in the Caribbean kept the goods and currency they captured, having no obligation to return any of it to the crown, the local government, or its original owners.

Not surprisingly, Jamaicans were not impressed with this scheme. Even before any deputy of Holmes arrived in Jamaica, the new governor, the Duke of Albemarle, complained to the Lords that he could not convince Yankey and Everson to bring their recently acquired loot and settle on the island because he did not have "the honor of pardoning pirates."[117] Stephen Lynch, the Holmes agent who settled on the island shortly thereafter, quickly became an unpopular character in the halls of St. Jago and the taverns of Port Royal. When a crew of over

[115] "James II's commission to Sir Robert Holmes," n.d., Huntington Library MS EL 9794, fol. 1.
[116] "Sir Robert Holmes grant," 1687, NMM GOS/15.
[117] The two men had just taken a large Spanish ship in Honduras, TNA:PRO CO 1/64/19.

fifty "French pirates" arrived in town, Lynch seized them, complaining about the Provost Marshal's lack of assistance in the process, and then prepared to leave the island without trying the prisoners, telling the Duke to hold them until Holmes himself arrived. Citing England's treaty with France, Albemarle questioned Lynch's authority – along with his cavalier attitude about leaving the men in irons indefinitely – and asked the Lords and the governor of Petit Goave for direction.[118]

With Lynch off the island, his deputy, Charles Knight, claimed that he was not empowered to interfere, but the governor hauled Knight and the prisoners in front of the council anyway in order to hear from everyone and perhaps resolve the matter. With so many different interested parties and the possibility that inter-imperial relations hung in the balance, the Duke and council made no immediate decisions. Albemarle, despite receiving a request from Petit Goave that the men be returned and making a personal recommendation to the Lords that they comply for a fee, ordered the Provost Marshal to "give them as much liberty as he could with safety" but not to release them just yet.[119] Nevertheless, this level of interference prompted Holmes to complain directly to the king about how Jamaicans treated Lynch and his deputies, and the king in turn made clear to Albemarle that all Holmes's agents "remain answerable to us alone."[120] In this case, Jamaicans had no recourse when crown favorite Holmes's untouchable agents imprisoned French raiders despite ostensibly good relations between England and France. Indeed, the governor and council struggled to maintain the delicate balance of Caribbean politics

[118] CSPC 1685-88, 1725, 1734, 1759; TNA:PRO CO 1/64/64.
[119] CSPC 1685-88, 1782, 1791; TNA:PRO CO 140/4/232a; CO 1/65/8.
[120] TNA:PRO CO 138/6/128-131.

while attempting, unsuccessfully, to maintain control over pirate hunting, raiders' trials, and the all-important loot.

Unexpected events intervened in this standoff and mooted the concerns of both sides. The Duke of Albemarle died suddenly, and the Glorious Revolution ousted James from power in England. Jamaican Council President Francis Watson took control of Jamaica, filling the power vacuum left by the dead duke. Hearing of William of Orange's invasion of England, Watson seized Dutch ships in the harbor and prepared for war. It took some months for islanders to learn of William and Mary's accession and to turn their hostilities toward the French, but they did so with gusto.

Conclusions

Jamaica's sizable population of private seamen had had some success finding legal and illegal seafaring employment under Thomas Lynch in the early 1670s, but local conditions on the island and throughout the Caribbean political sphere from 1675 to 1687 made those sailors less useful to island merchants and planters. They were pushed out of the logwood trade because merchants and planters came to favor sugar, and out of illegal trading because of increased enforcement of the Navigation Acts. Jamaican raiders also launched attacks on Spanish subjects in this time in retribution for Spanish acts of captive-taking, but the attacks threatened St. Jago's new diplomatic efforts to free English captives from nearby Spanish prisons. The expansion of Jamaica's slave-selling operation in the 1680s also meant that Jamaican seamen were no longer necessary to conduct that trade, since Royal African Company agents were able to sell slaves to

Asiento factors legitimately in Port Royal. Finally, increased tensions with nearby French colonies made the position of any Jamaican raider with a French commission very tenuous.

In response, private raiders left island waters for adventures on long-haul voyages or short stints in the South Seas. North American ports, or Danish St. Thomas, offered better terms for fencing loot, and raiders might even acquire new commissions from Bahamian leaders. They did so with greater risk in this decade than in any previous, however, for Jamaican politicians now invested more energy and money in the business of hunting them. The unemployed men at the Point and Thomas Lynch's group of elite raiders of all nations found jobs bringing in the other men who continued raiding the Spanish illegally. With James II's sweeping colonial policy changes, though, pirate hunting became the province of royal contractors. Jamaican elites lost the few opportunities that remained to employ their own private seamen just as other sailors had lost opportunities to remain in their island home.

Though events described here culminated in the imperial decision to make Sir Robert Holmes English America's pirate-hunter-in-chief, that decision is not what drove private sailors to other regions. The Holmes pirate-hunting scheme was not a sustainable venture, as it could last only as long as illegal raiders remained in the region and because it made no attempt to return goods to local authorities or original owners. The squadron was supposed to provide security to King James, not the West Indies. Instead of James's military suppression efforts, changes in West Indian political and economic conditions from 1675 to 1687 combined to drive Jamaica's private seamen out of bounds.

CHAPTER FIVE

Piracy Spoken: The Uses of "Pirate" and "Privateer" in Jamaica

On February 1, 1681 Jamaica's Lieutenant-Governor, Sir Henry Morgan, sent two letters to England, one to secretary of state Sunderland and the other to the Lords of Trade and Plantations. Morgan, himself a former raider famous for the sack of Panama, boasted about the recent capture of Captain Jacob Everson, who had been sea raiding near the island. In the letter to Sunderland, Morgan reported taking Everson, "a notorious privateer," and insisted that "privateers" should expect this sort of harsh treatment from his government.[1] In contrast, in the letter to the Lords of Trade, Morgan called Everson a "notorious *pirate*" and never referred to him as anything but a pirate.[2]

This incident reveals that Jamaicans themselves often spoke of "pirates" and "privateers" in the period covered by this dissertation, but that they frequently did so interchangeably, or, at least, without a static legal definition differentiating the terms. The analysis in Chapter One reveals that the word "pirate" is ancient but had no fixed legal meaning until the 1690s, and that the much-newer word "privateer" also gained a legal definition at the same time. A gap exists in our understanding of the words in the late seventeenth century, after "privateer" came into consistent usage in English in the 1660s and before "pirate" was defined as an illegal raider outside the realm of civilized society, the enemy of all, in the 1690s. Thus far, this dissertation has examined the activity of sea raiding and its relationship to the Jamaican political economy, but has intentionally avoided the terms "pirate" and "privateer" because they did not have the

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[1] The National Archives of the UK (TNA): Public Record Office (PRO) CO 1/46/94.
[2] TNA: PRO CO 1/46/95. Emphasis mine.

modern legal definitions we use today. Jamaicans themselves, however, did use both words from the 1660s through the 1680s, and this chapter analyzes that usage in order to determine if the words had emerging local definitions before becoming enshrined in European law from the 1690s. Since most scholars accept the terms' modern legal definitions as consistent categories throughout history, there exists no other close analysis of their dynamic usage in the seventeenth-century Caribbean. Essentially, this chapter aims to do for the Jamaican language of raiding what Daniel Heller-Roazen, Alfred Rubin, and Harry Gould have done for the classical and European language of raiding.

Using correspondence from the 1660s through the 1680s, this chapter argues that, before "pirate" and "privateer" gained their modern imperial and international legal definitions, Jamaicans used their own local definitions for the terms, though these definitions were mutable and the categories not mutually exclusive. "Privateer," the more common of the two words, generally referred to a class of person – any one of the between 1,000 and 3,000 sailors unaffiliated with the English Royal Navy living in Port Royal after the Western Design army was demobilized and before the earthquake of 1692. Many believed that the natural occupation of this class of sailors was raiding the Spanish, which, before the Treaty of Madrid's promulgation in 1670, according to Jamaicans, they could do lawfully with a commission. By the early 1670s, Jamaicans associated privateers with logwood-cutting, which became a second traditional occupation for the class. Most frequently, "pirate" referred to a seaman who raided Jamaican ships, but some Jamaicans also used the word for sailors who broke English imperial trade laws or who raided anyone with an outdated commission or no commission at all. Because a privateer was a certain kind of person and a pirate was any sailor who committed an act of piracy, the

terms were not mutually exclusive. Privateers could be pirates. This happened, for example, anytime a Jamaican private seaman went out with an old commission or, according to the island's anti-piracy statute of 1683, took a commission from a French governor.

Jamaicans also encountered many foreign raiders in the Caribbean during these years and employed the words "privateer" and "pirate" differently when discussing these men. Island leaders tried to determine if the French or Dutch raiders they encountered had a valid commission from their governor, in which case the Jamaican would often call the foreigners "privateers." Some also used this word to denote a foreign raider, whether commissioned or not, whom they knew and trusted; Thomas Lynch, for example, befriended foreign raiders and relied on several to be his agents within the Caribbean political sphere in the 1680s, often referring to them as "privateers." In contrast, governors might call an untrusted foreign raider a "pirate," again, regardless of commission. For the most part, due to his personal feelings, Lynch proclaimed all French raiders "pirates," though he recognized that their raids on the Spanish were sometimes acts of a lawfully-declared war. Molesworth, on the other hand, almost always called French raiders "privateers," perhaps out of political commitment to King James II, who allied himself closely with Louis XIV. When dealing with foreign colonial leaders, Jamaican governors frequently used the word "pirate" even when referring to Jamaica's private seamen. It seems the term was universally accepted within the Caribbean political sphere to refer to seaborne criminals, who could often be hanged for their crimes. In this way, Jamaican governors not friendly to the island's private seamen might tell Spanish governors to proceed against them as "pirates," while still referring to them in English correspondence as "privateers."

Jamaica also had a third category of private seaman, those who served the island as seaborne agents in a non-raiding capacity, usually hired by governors or merchants as private pirate hunters or traders. In general, these non-raiding agents did not fit into either the "pirate" or "privateer" category, except in certain situations. For example, any one of these agents may have been called a "privateer" if he came from the pool of private seamen on the Point. Furthermore, several pirate hunters had been convicted of piracy and pardoned by a governor, who then expected service in return for leniency. They augmented the miniscule naval presence in Jamaica and sometimes served on the few navy frigates stationed at Port Royal. It is not hard to imagine that there were Jamaican sailors who were neither pirates, privateers, naval officers nor merchant seamen, but who occasionally became one depending on circumstance. Just like the boundaries between Grotius's categories of "enemy," the boundaries between Jamaica's classes of seamen were quite porous.

Punishment for crimes at sea also seemed inconsistent in late seventeenth-century Jamaica because sentences did not follow imperial patterns. Just as Jamaicans' use of the language of sea raiding was determined by local concerns, so, too, was the treatment of those raiders who committed crimes. Those "pirates" who violated trade law – including those who traded illegally in slaves – sometimes hanged for their crimes, sometimes were pardoned, and sometimes sold their prizes at port (occasionally to the governor or other official directly). In general, Port Royal's seamen – the Jamaican "privateers" whose actions form the basis of this dissertation – received the lightest sentences if they were caught raiding illegally, unless they attacked Jamaican ships. They also received the most assistance from Jamaican elites, who relied on them to cut logwood and run private trades even after the Treaty of Madrid forbade their

raiding actions. Anyone found attacking Jamaican ships or sailors, however, even a Port Royal seaman, received the harshest punishments; death was near certain if a pirate-hunter captured one of these raiders. Despite some Jamaicans' fears that their "privateers" would turn against them if called in and forced to work plantations, though, it was rare for a denizen of Port Royal to switch allegiances, move to a foreign colony, and start attacking Jamaicans just to get a little more plunder. When pushed out of their occupations in the 1680s, for example, many Jamaican "privateers" decided to attempt a Pacific voyage rather than fall upon their neighbors.

This chapter proceeds chronologically in two sections. The first details how local definitions and categories emerged in the 1660s and 1670s, and the second discusses how these categories were used in the 1680s. Each relies on a few cases to tell the story, rather than a letter-by-letter review of each use of the words "pirate" and "privateer" in Jamaica. The second section is longer because governors in the 1680s corresponded with English officials more frequently. Because Jamaica's raiders were pushed out of their occupations in the 1680s, they went farther abroad and also became the subject of correspondence from the rest of the Caribbean. Section two details two high-profile cases involving sea raiders in 1683 – the sack of Vera Cruz and the burning of *La Trompeuse* – which had observers from around the Atlantic world discussing "piracy" and "privateering," conversations that continued into the 1690s and resulted in the modern legal definitions of those terms current today.

Local Definitions Emerge

"Privateer" was a relatively new word when Western Design soldiers and sailors conquered the island of Jamaica in 1655, but, within the decade, it became associated with the people who performed the sea raids Jamaicans launched to benefit their struggling colony. In the colony's first five years, most raids were public, in that they utilized English navy ships and navy or army men, who dominated Jamaica's population. Once Governor Windsor decommissioned the Western Design troops, however, a large proportion of sailors became private individuals, many of whom worked aboard small, privately-owned vessels that came to replace the departed navy ships. Before the year was out, Jamaicans attached this new word to those private raiders, a linguistic move that stuck. By October, 1662, William Beeston noted that "privateers all went to sea for plunder," fighting Windsor's and Lyttleton's war on the Spanish. For the next two years of his journal, he consistently mentioned the "privateers" going out to raid and coming into port with prizes, and the word soon came to refer to a consistent group of raiders.[3]

Thomas Lynch, Thomas Modyford and other Jamaican leaders began discussing "the privateers," as a single unit as early as 1664. Lynch advised Arlington in May that "the calling in the privateers will be but a remote and hazardous expedient." He had initially written "Man of War," however, before crossing out the phrase and replacing it with "privateer," signaling the adoption the new term specifically to refer to Jamaica's unique community of seamen. Lynch continued, "what compliance can be expected from men so desperate and numerous that have no other element but the sea, nor trade but privateering."[4] Jamaica's "privateers" operated as a unit

[3] William Beeston, "A Journal kept by Col. William Beeston," BL Add. MSS 12430, printed in *Interesting Tracts, Relating to the Island of Jamaica* (St Jago de la Vega, Jamaica, 1800), 277–284.

[4] TNA:PRO CO 1/18/68.

in observer's eyes if not in their own. Lieutenant-Governor Edward Morgan had the island divided into categories in his head when he wrote that "the privateers do not hinder the planters now at all."[5] Thomas Martyn revealed to Arlington in 1664 that "the privateers are a little discouraged at the peace," as though it were natural that all Jamaica's raiders would be of the same mind.[6] At this same time, islanders began to fear this united group and tell tales about them, Lyttleton writing that "as this [raiding] has been almost always their trade and livelihood… if you forbid them your ports they will go to others, and find themselves welcome enough."[7] Modyford believed this group "must be tempered with" for the reasons Lyttleton outlined.[8] Modyford found that the best way to deal with them was to commission them to raid the Spanish; by 1668, the seafarers, now a unit in thought and in fact, had made several raids for the island, so that the governor was proud to report, "the privateers have had the confidence to fall on two towns of the Spanish."[9] Whether out of fear or pride, with severity or with praise, Jamaicans in the 1660s treated the privateers as a single unit, who were easy to anger, thirsted for revenge, but, ultimately, desired to aid the colony when possible.

Locals defined "piracy" as the acts of those raiding Jamaican or English shipping or of any Jamaican raider operating with an outdated commission. Beeston recounted an incident in January, 1665, in which "captain Munroe, who had a commission from Jamaica, turned pirate, and took the English merchant ships bound thither." Governor Modyford revealed that the captain's commission had expired – Windsor had issued it, and Modyford had since recalled all Windsor raiders – and that he was not an English Jamaican. Modyford called him "Moroe a

[5] TNA:PRO CO 1/18/82.
[6] TNA:PRO CO 1/18/80.
[7] TNA:PRO CO 1/18/111.
[8] TNA:PRO CO 1/18/95.
[9] TNA:PRO CO 1/23/59.

Frenchman." The governor and Beeston both claimed that the man "turned" pirate, however, suggesting the raider made a decision to become a pirate beyond simply letting his commission expire. That he captured English merchant ships only confirmed his status as a pirate. The first recorded case of "pirates" in Restoration Jamaica, therefore, was one in which a foreign raider with an expired island commission started attacking English trading vessels. Beeston relates that thirteen of Munroe's men were immediately captured and brought "to Jamaica, and there condemned and hanged."[10] Munroe and his mates fell prey to Jamaica's local definition of "pirate," for King Charles II had inscribed in Windsor's instructions a definition which dealt only with English raiders attacking foreign targets, leaving the field open when considering foreign raiders with expired island commissions.

Thomas Lynch, John Vaughan, and other leaders in the 1670s, used the emerging local definitions of "piracy" and "privateering" that they had inherited from the previous decade, but they also dealt with new problems, forcing those definitions to expand. Jamaica's leaders inhabited a Caribbean living under a new Anglo-Spanish peace in the 1670s, but many Jamaican "privateers" still raided their Spanish neighbors, actions now forbidden by treaty. Lynch also had to deal with greater numbers of foreign raiders hovering around the island, and everyone had to find language to discuss these raids diplomatically with their French and Spanish counterparts throughout the Caribbean.

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[10] Some of these men may have been among the number Modyford pardoned and sent out against the Dutch in February, though Beeston seems certain the thirteen hanged. Beeston, "Journal," in *Interesting Tracts*, 285; TNA:PRO CO 1/19/27.

For the most part, Lynch referred to the men still operating on Modyford's commissions as privateers, regardless of the legality of their actions under the treaty, because they enjoyed membership in the unit of seamen on the Point. The king's instructions to his new lieutenant-governor, drafted in 1670, clearly directed Lynch to get "the privateers" to come in, and Lynch's first letters to Arlington repeat the word. By August, Lynch had declared the king's pardon to island raiders based on the council's observations that were "diverse soldiers, planters, privateers, and other late inhabitants of this island now at Caimanos, Musphitos, Keys, and other remote places from this island who make scruple of returning hither."[11] In October, though Captain Yallahs was threatening English logwood ships in the Bay of Campeche, Lynch referred to him as a "privateer"; since the captain had been a Point seaman several years earlier, likely Lynch imagined he might still convince Yallahs to return to Jamaica.[12] In January, 1672, a flurry of private raiding, especially centered on the Isla de Vaca, inspired many letters and reports from Jamaica. The council was concerned that many of Modyford's seamen – "desperate rogues" whom Lynch compared to weeds and hydras – congregated there, and Lynch hired a frigate to reduce them, with limited success.[13] Lynch did not like Modyford's raiders, but he still called them "privateers." The term had been defined thus for nearly a decade.

Governor John Vaughan's use of "privateer" in the late 1670s mirrored Lynch's earlier in the decade. Though he hated the Jamaican practice of sea raiding more than any other seventeenth-century English governor of the island, Vaughan used the words "privateer" and "privateering" when discussing the occupation of the maritime raiders on the Point. "The only

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[11] TNA:PRO CO 140/1/223. Also see CO 140/1/225-231; CO 1/25/107; CO 1/27/1, 20, 22.
[12] TNA:PRO CO 1/27/40.
[13] TNA:PRO CO 1/28/3.

enemy to planting is privateering," Vaughan decried to the Lords of Trade, "but these Indies are so vast and rich and this kind of rapine so sweet that it is one of the hardest things in the world to draw those from it which have used it so long."[14] The governor accused Sir Henry Morgan – his lieutenant-governor – and Morgan's brother-in-law, Robert Byndloss, of helping Jamaican private raiders secure French commissions from Tortuga. Even so, Vaughan never accused Morgan – a man he reviled – of colluding with pirates, rather he called them "privateers": "I find Sir Henry, contrary to his duty and trust, endeavours to set up privateering." Vaughan followed local usage, labeling Port Royal's community of private seafarers "privateers." However, he stated that he "would proceed against the offenders as pirates if they came into any of our ports."[15] Privateers could commit acts of piracy – following local usage, such acts included attacking Jamaicans or, in this case, operating with foreign commissions – and Vaughan hoped to hang them for those acts.

Lynch and Beeston also contended with petty raiders of all nations who attacked Jamaicans and their property, acts of "piracy" according to the local definition. In November, 1671, Lynch reported that he had sent a ship "after one of our pirates that robs all indifferently," though he did not disclose the man's nationality. On Christmas day, Lynch begged to be allowed to keep the *Assistance* on the Jamaica station lest islanders "be exposed to the piracies of some little privateers, and be insulted on by our neighbours."[16] In this last, Lynch corrected his own usage – he had initially written "Pyrates" but crossed it out and altered it to "Privateers." Early in 1672, Beeston captained the *Assistance* to Trinidados de Cuba near that island's south cays in

[14] CSPC 1675-76, 863.
[15] Ibid., 912.
[16] TNA:PRO CO 1/27/47, 66.

search of French and English "pirates" who had recently attacked the island. Upon hearing from a town official that two English canoes had robbed townspeople, Beeston ordered his lieutenant to hunt down the canoes "for the service of his Majesty and the suppressing such pirates."[17]

As officials within a multi-national Caribbean political sphere, Jamaican governors interacted with foreign counterparts frequently and, though to Jamaicans and English leaders, Lynch called the Point's seamen "privateers," to Spanish governors he used the word "pirate." The Treaty of Madrid in force, Lynch had to allow Spanish governors who captured Jamaicans raiding Spanish subjects to prosecute them as pirates. At the end of August, 1671, he began using both words about the raiders, one to English officials and one to Spanish colonial leaders; he reported to Arlington that "the privateers are all divided" and that he has "declared them pirates in all the Spanish ports."[18] Lynch assured the Spanish captain who complained of Englishmen seizing Spanish ships in 1672 that the men were "rebels" and "can be hanged as pirates." Nonetheless, Captain Morris of the *Lilly*, whom Lynch arrested to appease the Spanish captain and then immediately pardoned and made a pirate-hunter, remained a "privateer" by profession in Lynch's report to Williamson, despite an Admiralty court condemnation of him as a pirate.[19] And again, when writing to Don Francisco Rodrigues, the governor of Havana, Lynch was sure to call the Jamaican raiders hovering off of Cuba "pirates."[20] To the Secretary of the Council of

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[17] William Beeston, "Journal of William Beeston in his Majesty's Frigate Assistance," BL Add. MS 12424, p. 6.

[18] TNA:PRO CO 1/27/22.

[19] CSPC 1669-74, 733, 742.

[20] Ibid., 796.

Plantations, he claimed that, in part through these actions, he had “reduced all the privateers.”[21] In the 1670s, Jamaican privateers could be pirates in Spanish ports.

Some island officials hesitated when called upon to condemn Englishmen as pirates in Jamaican courts. After Lynch finally brought in Peter Johnson and his band of “English pirates” in 1672, Colonel Thomas Modyford, Sir Thomas Modyford’s son and the arresting official, refused to prosecute. Even after re-arresting the raider, Lynch could not get a grand jury to find against Johnson. He finally executed Johnson after a petty jury agreed that the raider was a criminal.[22] The king expressed his displeasure with this process, though he approved of the sentence, personally directing Lynch to deal with illegal raiders differently in the future.[23] Known to enforce trade law strictly, Vaughan dragged the interloper John Deane before the Admiralty court, expecting it to sentence Deane as a pirate for trading slaves illegally. When the judges dismissed the case instead, Vaughan personally ordered Deane’s execution.[24] Though the governor later pardoned the interloper, the case irked imperial officials who, once again, did not approve of a governor ordering a death sentence without an appropriate trial.

Not as familiar with local definitions, imperial officials used “privateer” and “pirate” differently from Jamaicans in the 1670s. In August, 1672, Arlington wrote to the Ambassador from Spain that commissioned Jamaican seamen had not taken a Spanish ship, but rather “privateers who have refused to submit themselves.”[25] Lynch, however, consistently called Jamaican illegal raiders “pirates” to Spanish officials. A memorial from King Charles to the

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[21] Ibid., 954.
[22] Ibid., 945.
[23] Ibid., 1024.
[24] Ibid., 913.
[25] Ibid., 908.

same Ambassador also noted that Lynch had put “privateers” to death as an act of good faith with the Spanish.[26] The king clearly referred to Peter Johnson, the only raider Lynch executed, but Lynch had called Johnson a “pirate” in Jamaica, and he certainly would have used the term to a Spanish correspondent. In both cases, English correspondents with Spanish officials used “privateer” to refer to Jamaica’s community of private seamen on the Point, whereas Jamaican leaders would have used “pirate.” Perhaps imperial officials were unwilling to admit to post-treaty English piracy in the Caribbean or did not want to appear to countenance illegal raids by acknowledging them. Moreover, the imperial legal definition of “piracy” solidified gradually in this time. These events came only four years after Admiralty official Leoline Jenkins began calling pirates “*hostes humani generis*, enemies not of one nation or of one sort of people only, but of all mankind.”[27] Imperial officials familiar with Jenkins’s opinions in this time might shy away from using the term to refer to petty commerce raids the way Lynch and Beeston did.

Jamaicans developed their own local definitions for “privateer” and “pirate” in the first generation after English conquest. In the early 1660s, they adopted the relatively new word “privateer” specifically to refer to the growing community of private seafarers operating from Port Royal. Thomas Lynch, an early adopter, worked the word into his language because he found it more accurate than “Man of War,” which he had been using. He was not adhering to a strict legal definition, however; rather, he was using a relatively new word fluidly. “Pirate,” though a much older term, and slowly solidifying in imperial usage, remained capacious enough in Jamaica in this period to contain the seaborne criminals leaders encountered.

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[26] Ibid., 950.

[27] William Wynne, *The Life of Sir Leoline Jenkins Judge of the High-Court of Admiralty, ... Ambassador and Plenipotentiary for the General Peace at Cologn and Nimeguen, ... And a Compleat Series of Letters, ... Never before Published. In Two Volumes. By William Wynne* (London, 1724), 1:86.

Local Definitions in Use

Jamaicans continued to use their local language of raiding into the 1680s, but, as they had in prior decades, they continued to revise it as well, conforming their usage to Caribbean concerns. Governor Thomas Lynch and his successor, Lieutenant-Governor Hender Molesworth, encountered many more foreign raiders than leaders had in the past and chose how to talk about them to English and foreign leaders. They also had to deal with Jamaican private seamen who went abroad, serving on French raiding missions or combining to attack the Spanish Main's under-defended Pacific ports. When those raiders fenced their loot in ports across America, the Atlantic world filled with Jamaican and other local definitions of the words. Lynch accused all the French inhabitants of Hispaniola of being "piratical," leaders from the Leewards came down hard on the Danish governor of St. Thomas for supporting piracy, and Spanish leaders claimed English prisoners had committed piracy so they could keep them imprisoned and make examples of them. This section examines those usages by looking, first, at Thomas Lynch's interactions with domestic and foreign raiders in the region, second, at Molesworth's treatment of raiders and, finally, at two cases of large-scale raiding across the Caribbean: the voyage to Vera Cruz and the search for the pirate ship *Trompeuse*, both in 1683.

From his arrival in Jamaica in the summer of 1682, as he had done a decade earlier, Lynch called the community of Jamaicans on the Point who had long pursued a life of raiding at sea "privateers," though he might call their non-English counterparts "pirates" depending on his level of trust for them. Lynch developed deep relationships with several illegal raiders in the

1680s, hoping to keep track of – and eventually diminish – the growing number of unauthorized attacks. Naval support dwindled in this time, and Lynch used his connections with these raiders to augment his pirate-hunting force of private seamen, all the while trying to convince the famous raiders to settle down in Jamaica. To the Lords of Trade, Lynch called Jamaican logwood-cutter John Coxon "one of our famous privateers," though the man had just returned from raiding Spanish colonists in Florida, supposedly on behalf of Bahamas governor Robert Clarke. Even after hearing from Clarke that Coxon did not have a legal commission for his raid, Lynch did not change his language. To Secretary of State Jenkins, Lynch wrote that Coxon "was in danger of losing his life and ship, his men designing to kill him and go a privateering with his ship" while on a mission for the governor. Though any raids committed would have been illegal, Lynch refused to call them pirates because Coxon and crew were Jamaican.[28]

Lynch knew and trusted Coxon, but he showed much less affection for the Dutchman Nicholas Vanhorn, whom, though employed by an English shipper, Lynch did not know. When Vanhorn arrived in the Caribbean in 1683, Lynch wrote twelve pages to William Blathwayt, including transcribed depositions of several of Vanhorn's officers and a narration of the voyage of this "rascal." According to Lynch, Vanhorn committed many "piracies" when he commandeered the *Mary and Martha,* the great merchant ship he commanded, as it bore out of the Channel, plundered his way down the French and Spanish coasts, bought and stole enslaved Africans on the Guinea coast, and sold them in the West Indies. Governor Ponçay of Petit Goave, the French city on western Hispaniola, then gave Vanhorn 300 men, a commission to

[28] CSPC 1681-85, 552, 769. Sir Thomas Lynch, "Two Holograph Letters," National Maritime Museum (Greenwich, UK), GOS/5, p. 8. Lynch and Coxon had known one another for years, as Coxon was one of principal captains trading in logwood in the 1670s, see CSPC 1669-74, 954 I and Gilbert M. Joseph, "John Coxon and the Role of Buccaneering in the Settlement of the Yucatan Colonial Frontier," *Terrae Incognitae* 12 (1980): 65–84.

hunt pirates, and a strong lieutenant named Grammont, whom Lynch believed to be "an honest old privateer." Vanhorn, on the other hand, though ostensibly working for an English merchant, was unknown to Lynch. Lynch reported the common belief in Jamaica was that Vanhorn would do anything but hunt pirates and would probably join another famous raider, Laurent de Graaf (Laurens), at Guatemala. Jamaican officials were also convinced that the French seamen would depose Vanhorn at the first opportunity and elect Grammont to lead them.[29] In this case, Lynch chose to call the French raider Grammont a "privateer" and the Dutch raider Vanhorn a "pirate" based on how widely they were trusted in the region.

Laurens stands out among Governor Thomas Lynch's raiding informants because of the great affection Lynch showed him. Because Laurens was not a known Jamaican from the Point, like Coxon, Lynch called him a "pirate" until the two began their friendship.[30] The first Jamaican leader to hear of Laurens was Morgan, who reported in 1681 that he had sent the *HMS Norwich* out to capture "one Laurence, a great and mischievous pirate."[31] Lynch first took note of him a year later when he heard that "Laurence, a Dutch pirate, has captured the frigate which was carrying the pay for the soldiers at Porto Rico, St. Domingo, and Santiago de Cuba." The pirate quickly took the rich prize to Hispaniola, where Lynch believed he had received a French raiding commission after the fact.[32] By the next year, they had begun corresponding, and, upon hearing rumors of raiders joining forces in 1683, Lynch reported that Vanhorn would never get "the great

[29] CSPC 1681-85, 963.

[30] The extant letters between the two, catalogued in the English Colonial State Papers, always refer to "the pirate Laurens," but these references were clearly added later, perhaps when translated into English (the original letters are in French). CSPC 1681-85, 1210, 1649, 1718, 1839.

[31] Ibid., 158.

[32] Ibid., 709, 712.

privateer Laurens" to join him, and that it was "probable that these rogues will not unite."[33] He continued to distrust Vanhorn, but he had softened on Laurens. To Lynch's surprise, the two raiders, and many more, did unite for a massive attack on Vera Cruz that year – the most significant raid since Morgan's time and with a payout far greater.

Coxon, Vanhorn, Grammont, and Laurens were not the only foreign private raiders bothering Lynch in his final years; many unnamed "pirates" appear in Lynch's reports as well. He would almost always evoke nameless "pirates" to the Lords when complaining about the lack of a frigate. Though these passing references make determining the nationality of the raiders virtually impossible, the governor complained that many bore commissions from the French governors of Tortuga and Petit Goave. He even went so far as to claim that "all the French on Hispaniola are piratical."[34] It was not long before imperial officials followed Lynch's linguistic lead: the Lords of Trade ordered Lynch to capture as many of the "pirates" as he could.[35] The king even altered his language concerning French raiders, first referring to them as "privateers" when ordering the Secretary to confer with the French ambassador, but later noting privately to Lynch that "we have laid before the French King your complaints about pirates."[36] Writing off virtually all the French raiders in the Caribbean as pirates marked Lynch's reliance on his personal feelings. Before he began the assignment as Jamaican governor, he had been willing to call legally-commissioned Frenchmen "privateers" and had enquired of imperial officials about the legality of doing so.[37] He no longer adhered to local definitions in this case. Other Jamaicans,

[33] CSPC 1681-85, 1065.
[34] CSPC 1681-85, 668, 769, 779.
[35] Ibid., 938, 942, 948.
[36] Ibid., 927, 979.
[37] Ibid., 281.

like Hender Molesworth, would consider French raiders with lawful commissions "privateers," in accordance with local usage.

Hender Molesworth encountered many Jamaican and other English raiders throughout the Caribbean, and he regularly employed the term "pirate" because the raiders attacked Jamaican shipping or violated the treaty. He was a harsher critic of domestic raiders than Lynch, who still found room for many "privateers" across the region. In general, Molesworth called more Englishmen "pirates" than Lynch did, but he almost always called French raiders "privateers." His discussion of Jamaican sea raider Banister provides a good example. While Lynch still lived, Banister set out on a "privateering design," according to Molesworth, who explained that the man intended to get a French commission from Petit Goave (and so maintain a legal cover). Banister failed to secure a commission before capturing a Spanish canoe, however, and navy captain Ruby seized him and put him on "a trial for piracy" in Port Royal. At that moment, Lynch and Molesworth both agreed that Banister was a pirate and that he should be prosecuted as such, but the court threw out the case, unwilling to commit a man from the Point to death.[38] Lynch soon died, but Molesworth intended to find a way to re-try Banister; he could not do so, however, before the raider escaped port in the dead of night. Navy captain Stanley gave chase without success, vowing to the raider that, "unless he returned, he would be treated as a pirate." Banister countered that he had in mind only a mission to fetch logwood and therefore "no piratical intention," but Molesworth ordered Stanley to hunt him down anyway.[39]

[38] CSPC 1681-85, 1852.
[39] Ibid., 2067.

Banister cruised for more than a year after that, and Molesworth had many other illegal raiders to deal with in the meantime, nearly all of whom he called “pirates” unless they were foreign raiders with a valid foreign commission. He sent navy captain David Mitchell to Petit Goave to determine the legality of Yankey’s commission because the raider had just taken a Jamaican sloop. Because Yankey had attacked Jamaicans, Molesworth ordered Mitchell to treat him as a “pirate” if he found his commission wanting.[40] The French governor rebuffed the captain, who returned without Yankey, his commission, or any satisfaction for the sloop.[41] By the end of the year, however, Molesworth was concerned that Mitchell had “fallen in with the pirates at Golden Island,” the thousand or so Englishmen waiting to follow Sharpe and others across the Darien Isthmus and into the South Seas. Mitchell did return, without the taint of piracy on him, but there was still the problem of the now 900 “piratical English” who had by then found their way overland to Panama and Peru. Though it hardly solved the problem, Molesworth ordered the captain back to Golden Island to destroy the “piratical craft” they had left there.[42] Here, Molesworth followed local usage, though generally more strictly than Lynch had, labeling the South Seas men “pirates” because they raided illegally, even though they never attacked Jamaicans and some of them were from the Point.

Unable to stop thousands of men from raiding such far-away targets as Lima, Molesworth focused his attention closer to home; he twice reported that the galley he and Lynch had built was ready to “clear the South Cays of Cuba of pirates, and re-open the fishing trade.”[43] The galley filled a need, since, in 1685, the cays were crowded with ill-intentioned men whom

[40] Ibid., 1958.
[41] Ibid., 1991, 1992, 2000, 2015.
[42] CSPC 1685-1688, 67, 87, 116, 148.
[43] CSPC 1681-85, 2067.

Molesworth and others regularly termed "pirates" because they targeted Jamaican trading vessels. Francis Powell, master of the *Speedwell*, an English trading sloop that frequented the Caribbean, reported that his ship and crew were taken "by a Spanish ship flying English colours at the Cays." Their Spanish captors killed a crewman who attempted to escape and threatened to descend on a Port Morant plantation in revenge.[44] Robert Dangerfield claimed that a trading ship "under orders of Laurens, the pirate" took him and thirty-five others from Point Negril, Jamaica (one of the closest ports to Cuba's South Cays) and forced them to join their raiding sorties along the North American coast until wrecked and seized in Carolina.[45] Captain Davis, cruising near Cuba, lamented these Cuban "missions to take Jamaican ships," and Molesworth sent navy captain Stanley to the Negril station to "search for Spanish piratical craft."[46] Molesworth did not try to determine the legality of the Spanish commissions before dubbing the raiders "pirates," though he had reserved judgment on Yankey in a similar situation just a year earlier. The difference was that the South Cays raiders were Spanish Americans, whom many Jamaicans distrusted as a group and would have held to a different standard when choosing language.

Spanish colonial leaders used the accusation of piracy against Jamaicans just as Molesworth accused Cubans and other Spanish-Americans of the deed. Late in the summer of 1685, Molesworth realized that "about thirty of our people are employed about the walls" of Cartagena, probably as prisoners forced to labor in the public works. Their relatives asked Molesworth to get them back, assuring the lieutenant-governor that the prisoners were all traders. Having served in the Caribbean for decades, Molesworth was experienced in this kind of demand

[44] CSPC 1685-1688, 218.
[45] CSPC 1685-1688, 226.
[46] CSPC 1685-1688, 251, 289.

for prisoners and sent Captain Mitchell to retrieve the poor Jamaicans. The governor of Cartagena accused his Jamaican captives of piracy, however, forcing Molesworth and the navy captain to thread a difficult legal needle. Had the Jamaicans committed acts of piracy against the Spanish, it would have been nearly impossible for Molesworth to reclaim them, lest he become a harborer of pirates. He was careful to word his request to the governor so that he was "asking restitution of the said prisoners and sloops, but disclaiming all wish to protect pirates." In his orders to Mitchell, however, he implied that the prisoners and sloops were "seized on pretext of piracy," suggesting he thought the governor might agree that the Jamaicans were "simple traders" and release them to Mitchell. The governor stuck with the piracy charge, insisting that the general of the galleon had jurisdiction over the prisoners and that they would, therefore, likely end up in Spain.[47] Having failed in this venture, the lieutenant-governor made similar attempts in other Spanish cities, asking the governors of Havana, Merida, and Cartagena to restore "subjects of the king of Great Britain… detained prisoners" unless "there are any that can be justly tasked with piracy."[48]

Though Spanish-Americans may have been pirates to Molesworth, the lieutenant-governor was careful to refer to the French raiders in the area as "privateers." Perhaps he was taking care not to offend the new king, James II, who allied himself with Louis XIV and remained in control of the Royal African Company, which employed Molesworth as an agent. Molesworth often spoke of the Frenchman "Michel, the privateer," who cruised the South Cays and, according to Molesworth, did the Jamaicans great service by seizing Dutch trading ships

[47] Ibid., 339.
[48] CSPC 1685-1688, 495, 510. The quotation is from Molesworth's letter to the governor of Merida, TNA:PRO CO 1/58/123.

and scaring off Spanish pirates.[49] He also noted in the fall that "Grammont's French privateers" attacked Campeche and further reported that two Jamaican sloops had been "impressed by the French privateers."[50] Only once, and at the end of his term, did he refer to any "French pirates;" they had robbed Jamaican boats, and three of them were condemned for it.[51] As had been the practice of English Caribbean governors for many years, however, he could not keep himself from admitting – but only to Blathwayt – "there is, moreover, no enemy that we have such cause to dread as the French."[52] Molesworth's usage reflects Jamaica's local definitions for French raiders: if they had a lawful commission from their governor, Molesworth believed the men to be "privateers," unless they attacked Jamaican shipping.

Jamaican and Atlantic world language use surrounding sea raiding in the 1680s can be further revealed through two high-profile cases of raiding in 1683. Contrary to Lynch's predictions, in the summer of that year, up to 1,000 mostly French and English seamen combined to mass an attack on the rich Spanish city of Vera Cruz. They surprised and occupied the town, ransomed officials, and successfully took tons of goods, gold and silver. Most raiders sailed back to Petit Goave, where their commissions had been issued, to fence the loot and pay the governor, but the English raiders chose to patronize what they assumed to be unregulated English American ports. In the aftermath of that attack, leaders of some English colonies accused leaders of other English colonies of harboring and financially benefiting from the "pirates" who had

[49] CSPC 1685-1688, 193, 269.
[50] Ibid., 378.
[51] Ibid., 1382.
[52] CSPC 1685-1688, 378. One of the most forceful treatises on the topic of the French threat to Jamaica and the Caribbean was "Mr. Worsley's Discourse of the Privateers of Jamaica," BL Add. MS 11410, fol. 623.

made the raid. Even Jamaicans accused Thomas Lynch of embezzling “pirate” goods from the raid. The leaders who made these accusations rarely revealed what they would have done had the raiders come to their city, or whether they would have called the raiders “pirates” in that instance. Such piracy talk often crossed the porous imperial boundaries in the Caribbean as well, as when Lynch attempted to get a cut of the loot from the Petit Goave governor.

Thomas Lynch’s letter to Secretary Jenkins on July 26, two days after the raiders departed the ravaged town, became the primary method by which English officials gained information about the event. His words became very influential and clearly depict the Atlantic expansion of local language around sea raiding. For example, only one man, Lynch’s trusted friend Laurens, was a “privateer” in Lynch’s letter, while the untrusted Vanhorn and the group as a whole were – save one quick remark – damned as “pirates.” Despite that harsh language, Lynch went to lengths in his story to redeem the Englishmen involved: according to him, the Jamaican captain Spurre saved the Spanish governor’s life, and though the inept defenders of the town managed to kill only one attacker, three poor English raiders died at the hands of their French comrades. Indeed, this part of Lynch’s letter is almost as sensational as Exquemelin’s tales and likely it was meant to convey not just information but a sense of distrust of the foreign raiders involved. And though the governor depicted the group – Englishmen included – as pirates, Lynch readily admits at the end of his story, “the design is affirmed to be lawful… for the war is publicly owned and declared.”[53] Were he pressed for a legal opinion, then, likely Lynch would have owned that the French were “privateers.” The Jamaicans who had taken Petit

[53] This is a reference to war between France and Spain, for most of the raiders operated under French commissions and eventually returned to the French cities of Petit Goave or Tortuga. At the time, England was not at war with France, Spain, or the Netherlands. CSPC 1681-85, 1163.

Goave commissions, however, would have been “pirates” under the 1683 island statute because they held a license from a foreign prince. Lynch did not speak in legal categories, however. He personally distrusted most French raiders and found the Englishmen to be without valid commission, hence, all had committed acts of “piracy” even though he still used the term “privateer” to identify some of the individuals involved.

After the Vera Cruz raid, “pirate” became a useful term for political leaders throughout England’s American empire to employ in disparaging other political leaders. Two instances, one intra-imperial and the other local to Jamaica, reveal “pirate’s” political utility. In the first instance, several American colonial leaders, Lynch included, disparaged the actions of politicians and merchants in Boston, who fenced Vera Cruz prizes. Lynch claimed they harbored “pirates,” and implied that they made money by dealing with some of the English raiders involved in the attack. Because he enforced Jamaica’s strict laws against trading with illegal raiders, he felt shorted out of the revenue that Bostonians accrued.[54] Governor Cranfield of New Hampshire initially reported that several “privateers” from the Vera Cruz mission freely used Boston, but, frustrated by further illicit dealings at the port, in the summer of 1684, he wrote that officials in Boston “always help pirates.”[55] A couple of weeks later, Captain William Dyer received threats from Boston merchants, “who like the pirates,” after he seized a “pirate” ship. In saying “pirate” here, Lynch, Cranfield, and Dyer accused Boston officials of corruption and gave imperial officials ammunition in their attempt to strip Massachusetts Bay of its charter, which, they believed, prevented uniform colonial administration from London. Lynch, Cranfield and Dyer wisely allied themselves with the empire, which vacated the charter the same summer.

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[54] CSPC 1681-85, 1563.
[55] Ibid., 1684, 1851.

In the second instance, Thomas Lynch's political opponents accused him, after his death in office in 1684, of secretly accepting goods the raiders had stolen from Vera Cruz. While the governor still lived, Roger Elletson, Henry Morgan's friend, attorney,[56] and central figure in Morgan's "little drunken foolish party," strenuously opposed Lynch's policies and dismissal of Morgan from the council.[57] Upon Lynch's death, Elletson tried to mar the reputations of Lynch, Molesworth and their associates by accusing Lynch of having illegally kept money and goods which had belonged to captured pirates and that should have been returned to the crown. Among other items, Elletson suspected Lynch of stealing rich jewels for Lady Lynch, pilfered Spanish currency, cochineal, and a diamond ring.[58] The council ordered houses searched and deposed high-ranking officials in an attempt to find the goods. These allegations were entirely motivated by island politics, not by any belief about the morality of returning goods. Goods, currency, and even African slaves captured by sea raiders existed all across Jamaica by the 1680s, but Elletson did not accuse every Jamaican of embezzlement. Still, Elletson sent the accounts to Blathwayt, hoping the Lords would wrest the island from Lynch's allies.[59] He got some reward for his efforts when Morgan's longtime friend, the Duke of Albemarle, replaced Molesworth and lobbied to get Morgan back on the council.[60] Lynch's utterance of "pirate" had slandered Boston officials as Elletson's use of the same word slandered Jamaicans' memory of Lynch. In both cases, slanderers intentionally used a word they hoped would provoke the Lords to aid them.

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[56] Elletson appeared for Morgan in several Grand Court cases while Morgan was Lieutenant Governor in order to recover debts. See "Grand Court 1680," Jamaica Archives, 1A/5/1.

[57] Thomas Lynch, 6 November 1683, NLJ MS 387.

[58] Lynch certainly had amassed comparatively great wealth by the time of his death, see Dunn, *Sugar and Slaves*, 269. Nothing in Lynch's secretary's listing of his accounts in 1684 explicitly mentions pirate goods, though it is tempting to speculate about the origins of "a necklace of Pearle" for Lady Lynch. See Joseph Maxwell, "Particulars of the Estate of Sir Thomas Lynch," 1684, NLJ MS 982, 1-2. It is possible these posthumous accounts were drawn up in order to help prove or disprove the embezzlement charges.

[59] CSPC 1685-1688, 33, 53, 57, 66, 68, 128, 159.

[60] CSPC 1685-1688, 920, 929, 930, 1001.

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Jean Hamlin ravaged the Caribbean in the early 1680s in his swift, well-armed raiding vessel, *La Trompeuse*, which Lynch and others consistently called a "pirate ship." Henry Morgan had welcomed the vessel, originally a merchantman making a brief rest stop, into Port Royal harbor in 1681. Its captain and crew then took it to load logwood in Honduras, at which point "French pirates" captured *La Trompeuse* and converted it into a raider.[61] Lynch had by then arrived in Jamaica and immediately sent out pirate hunters, including his navy captains as well as Coxon and the Dutch raider Yankey, to re-take the ship.[62] Hamlin and his crew avoided capture while terrorizing the region in their prize until the end of July 1683. Royal Navy Captain Charles Carlile, under orders from Governor Stapleton of the Leeward Islands, by chance found *La Trompeuse* tucked into the harbor of the Danish island of St. Thomas.

Carlile had no love for sea raiders, as is evidenced by the language in his log and official report. After his pilot confirmed the ship's identity, Carlile, believing the governor to be friendly with all private raiders, commandeered one of the governor's boats come to parley, loaded it with fire-making equipment, and used it and his own boat to set ablaze *La Trompeuse* in the middle of the night. Rowing out, the navy man looked back upon his handiwork and noted proudly in his log "when she blew up a beam afire fell on board a great Privateer, which the Pirate Ships cleared by and burnt her, with her masts and yards standing." That burning hulk of collateral damage had belonged to Bartholomew Sharpe, recently returned from his South Seas raiding voyage. On his way out of the harbor, Carlile came across and burned a third ship (after cutting down her masts), which the official report released some weeks later insisted "brought a

[61] CSPC 1681-85, 668, 769.
[62] Ibid., 963.

relief and supply of stores…of all sorts to furnish the pirates." By his own authority, Carlile tried to exterminate what he believed to be a nest of unlicensed raiders, burning its relief ships.

Carlile was not finished. The captain stayed on the station to track Hamlin, who had escaped the exploding ship, and to await the arrival of the "pirate Bond," a raider originally from Bristol who operated out of St. Thomas and who was "daily expected here in this port." After hearing that the governor had squirrelled Hamlin away and that Bond boasted a crew of 100 men, Carlile sailed back to Nevis, where a final piece of information reached him that he eagerly reported to his superiors. "We have also by the Jews," he stated, "intelligence from Porto Rico that the Spaniards have taken Lawrence an considerable pirate and hanged him and his crew last week." That day, the world could not have looked brighter to Carlile, a professional pirate hunter who likely thought himself a savior, if not to the empire, then at least to the "traders in these parts, who were in continual danger."[63] Hamlin survived, however, and even the ship rose from the dead, in a way, when another group of raiders renamed a different ship *La Nouveau Trompeuse* within the year. Moreover, the Jewish informants on Nevis were mistaken about Laurens, who sailed the Caribbean very much alive for several more years.

Hamlin and Carlile appear like characters in a novel. Nearly all English leaders in the Caribbean agreed that Hamlin was a "pirate" and wished for his death. Carlile single-mindedly tracked him down and set fire to his ship in the harbor of another empire's port, burning a string of vessels on his way out. Rather than fiction, perhaps they presaged things to come in the eighteenth-century Caribbean: his indiscriminate raids made Hamlin seem to be the enemy of all,

[63] All quotations from Charles Carlile, "A Journal of my proceedings…" in NMM GOS/7 and "Relation of Captain Carlile's burning the Trompeuse and other pirates" NMM GOS/8. There is also a copy of Carlile's journal in the State Papers, calendared in CSPC 1681-85 as number 1168; one may be a copy of the other, but it is unclear which, if either, is the original journal.

a new kind of raider who fit the emerging international and imperial legal definition of "pirate." He defied and surpassed Jamaica's local definitions, centered as they were on the island's community of private seamen and ensuring the safety of island commerce. New tactics, new categories, and altered language use would be necessary to deal with the fleets of men like Hamlin who ravaged the Caribbean after Queen Anne's War.

Conclusions

A complete taxonomy of Jamaican private sailors may never be achieved, but this study of islanders' language around sea raiding suggests the gradual formation of a few categories of seamen in a twenty-year period. Jamaican "privateers" – the largest and most robust category – were those raiders or logwood-cutters, many of them former Western Design soldiers, who made homes on the Point, and were for the most part trusted by island elites. Jamaican "pirates," few in number, violated English or Jamaican trade laws, and some few even attacked Jamaicans themselves. Foreign raiders could fall into these categories depending on how far Jamaican leaders trusted them, and there were always some private seamen, Jamaican or not, who were neither "pirates" nor "privateers," but might, at times, be either one.

How could Jacob Everson, whom Morgan captured proudly in 1681, be both pirate and privateer? Everson was a foreign raider whom Morgan knew, but perhaps did not trust, making him fall in between already porous categories. Moreover, as a Jamaican using terms with no fixed legal definitions, Morgan did not intend the mutual exclusivity today's reader assumes between the categories. From the 1660s through the 1680s, Jamaicans uttered the words "pirate"

and “privateer” in response to concerns within the Caribbean political sphere. Island leaders might ask: “Do I know this seaman?” “Do I trust this seaman?” and “Is this seaman raiding the ships and goods of those I know and trust?” Usually, they did not ask how an English judge would see the sailor. And, since they often dealt with raiders they knew or who bore a commission from a governor they knew, Jamaican leaders came across very few enemies of all nations sailing the Caribbean.

Jamaica’s agents at sea went by many names from the 1660s through the 1680s, but islanders generally followed local definitions when using the terms “pirate” and “privateer” in those years. The colony developed robust, mutable, non-exclusive categories of seamen in its language to reflect the reality of the Caribbean political sphere in which it operated. Island leaders regularly encountered not just Jamaica’s well-known raiders from the Point, but also famous and obscure foreign raiders and a small collection of men from many nations who attacked Jamaican shipping. Leaders then had to communicate with foreign officials about the raiders and their attacks, usually careful to distinguish between those who had lawful commissions for their actions and those who could be “hanged as pirates.” As several large-scale raids became famous by the middle of the 1680s, observers throughout the Atlantic world utilized their own local definitions for “piracy” and “privateering,” leading to a great deal of piracy talk in the English empire and beyond, the nexus of which was Jamaica. The colony’s local definitions did not survive the decade, however. In the 1690s, English imperial officials and legal theorists developed modern definitions for “pirate” and “privateer” based on the concerns of inter-imperial European warfare, rather than the concerns of an inter-imperial Caribbean political sphere.

CHAPTER SIX

Regulating: William Beeston and the War in the Caribbean, 1692 – 1701

The ground shook beneath the men and women of Port Royal as the sea roiled nearby on a summer morning in 1692. Sinkholes quickly developed in the sandy fill that, until that day, had passed for solid ground. Buildings collapsed and sank, and terrified residents easily slipped beneath the shaky ground to turbulent deaths.[1] One unstable patch of ground near the shore swallowed a man whole…only to disgorge him into the sea, still alive, minutes later. Some ships tipped and capsized in the harbor while others broke free from their cables and drifted out to sea. The Port Royal earthquake of June 7, 1692 – one of the largest in early modern history – finally claimed around five thousand lives, shaved off two thirds of the city's land mass, and toppled most of its standing structures. Surprised inhabitants across the island felt the effects of the massive shocks that day, as most of the buildings in Spanish Town, several miles inland, toppled to the ground and the sea claimed houses as far away as the north side. Lucky survivors the following week (and chroniclers in later years) claimed that this particular natural disaster constituted divine punishment for the city's by-then-famous sinfulness, since, they observed, the taverns of Thames Street and the entire harborside area sank into the sea.[2] Though inhabitants

[1] The earthquake and its effects have been well documented by observers and historians. The most recent scholarly work on the subject is Matthew Mulcahy, "The Port Royal Earthquake and the World of Wonders in Seventeenth-Century Jamaica," *Early American Studies: An Interdisciplinary Journal* 6, no. 2 (2008): 391–421. Mulcahy explains the unique geography of Port Royal and the Palisadoes, as well as the local practice of expanding the town into the harbor using fill.

[2] See the discussion in Ibid., 392. Michael Pawson and David Buisseret, *Port Royal, Jamaica* (Kingston, Jamaica: The University of the West Indies Press, 2000), 165–168. E. Heath, *A Full Account of the Late Dreadful Earthquake at Port Royal in Jamaica: Written in Two Letters from the Minister of That Place: From a Board the*

struggled to re-create the place in the months and years after the disaster, it never again reached the heights of population, rowdiness, and economic prosperity it had seen in the 1670s and 1680s. For the decade or so following the devastation of 1692, Jamaica faced the Caribbean a shadow of its former self, its mangled Point jutting into the sea no longer a mart for all the Indies.

The man responsible for cleaning up the wrecked island and defending its now vulnerable populace from eager invaders was Sir William Beeston, leader of the government from 1693 until his death in 1702.[3] A household name across the colony, Beeston had first stepped foot on Jamaican soil in 1660 and, like Lynch and Morgan before him, he had quickly made it his home, despite several trips to England. Though he had captained navy ships, served on the assembly and council, and owned a rich plantation, Beeston had never before been elevated to the post of governor or lieutenant-governor. When he did come to lead the island, he inherited the strong local political culture which D'Oyley, Modyford, Lynch, and Morgan had developed over the previous decades. Unfortunately, he inherited a much weaker island than any of his predecessors (except for D'Oyley). His position in the Caribbean political sphere weakened by the earthquake, continual French raids, and English imperial officials working to centralize the war effort, Beeston grudgingly accepted the English navy's control of the war, but, wherever possible, he privileged island interests over crown commands as his predecessors had done. He walked the tightrope of colonial leadership effectively, though not without political enemies, heading English Jamaica's government longer than anyone before him.

Granada in Port Royal Harbour, June 22, 1692 (London, 1692). The site of Fort Charles in Port Royal exists today as a museum, curated and open to the public, in which most of the material discusses the earthquake.

[3] For more about Beeston, see *Oxford Dictionary of National Biography Online*, s. v. "Beeston, Sir William (1636–1702)," by Nuala Zahedieh, Jan 2008, http://www.oxforddnb.com/view/article/1955.

This chapter argues that the 1689 launch of King William's War against France, coupled with the devastating 1692 earthquake, precipitated the near eradication of Jamaica's few remaining private seamen from the middle of the 1690s in three ways. First, the earthquake killed thousands of Port Royal's residents, many of whom were private sailors, outright. Most seamen who did not perish in the disaster sailed off the island to safer and richer ports. Second, during King William's War, English imperial officials took more direct control of fighting in the Caribbean Sea than they had in prior conflicts: they stripped colonial governors of authority over raiders, sent large navy fleets to the Caribbean whose commanders outranked local leaders, and issued regulated privateering commissions directly from London. With post-quake Jamaica lacking fortifications, money, and defenders, island elites had no choice but to accept imperial control of the war, even though navy fleets and crown privateers meant diminished employment for the island's remaining private seamen. Finally, the French in Petit Goave, Hispaniola, pressed the advantage the earthquake gave them and invaded Jamaica in 1694; with no English fleet to fend them off, the French spent over a month ravaging the island and nearly conquered it. Frustrated with Jamaican sailors' repeated desertion and mutiny, William Beeston after the attack took advantage of long-held fears that they would defect to the French to blame private seamen for orchestrating the invasion. Though private raiders continued to act as agents of the colony for the remainder of the war, they were very few. Effectively, Beeston's indictment of them, the earthquake's devastation, and the new imperial war effort nearly eradicated Jamaica's population of private raiders.

An Empire at War

For decades before the French and English war of the 1690s finally broke out, inhabitants of Jamaica had had nightmares about what might happen to them when such a war did come. They had good reason to fear, for they lived on a strategically important island in close proximity to France's growing power base in the Caribbean, the islands of Saint Domingue and Tortuga. Decades before the war began, Benjamin Worsley, with information from Jamaica, tried to impart the seriousness of the situation when he contended that "we at Jamaica lye very cross to the design of the French king, if he have any rise … of making himself the Monarch of the West Indies."[4] Since then, the French had only increased their presence, and military capability, in the west of Hispaniola – now called St. Domingue – only a day's sail from Jamaica. By the time war broke out, four French cities in the colony – Cap François, Port au Paix, Leogane, and Petit Goave – had the population and the private men-of-war to constitute a threat to Jamaica to the west or the Spanish colony of Santo Domingo to the east.[5] The bustling seaport on Tortuga, just to the north of the colony, continued to prove menacing to English or Spanish enemies as well. Jamaican elites knew that war with France could put an end to the English possession of their island and, because Louis "aimeth at a general conquest," the imperially-minded among them worried that it could oust all northern European Protestants from the entire region.[6]

Jamaican planters and merchants further worried that, once war broke out, the island could find itself attacked by its own private seamen, since Jamaican sailors had long maintained relations with French Hispaniolans and Tortugans. Thomas Modyford in the 1660s had tacitly

[4] "Mr. Worsley's Discourse of the Privateers of Jamaica," n.d. [possibly December 1668], BL Add. MS 11410, 628. See page 126, note 52 of this dissertation.
[5] The English on Jamaica typically referred to the last two towns as Lugan and Petit Guavos.
[6] "Mr. Worsley's Discourse," BL Add. MS 11410, 627.

accepted Admiral Henry Morgan's use of French raiders on the Porto Bello and Panama missions, despite naming the French as one of the "enemies' countries" that "circled in" Jamaica.[7] Later, as lieutenant-governor, Morgan had conspired to secure French raiding commissions from Bertrand d'Ogeron, the governor of Tortuga, for several of his favorite Jamaican raiders. And, though Thomas Lynch distrusted the French greatly, he had not prevented hundreds of private seamen from the island from joining Tortugan and Hispaniolan missions against Spanish targets in the 1670s, even commending the bravery and skill of the Jamaicans who had taken part in the French plundering of Vera Cruz in 1683.

Jamaican leaders had known how risky it was to condone this fraternization, however. Worsley had warned that, "if the privateers were forced away from Jamaica… their company would not only be very acceptable to, but probably courted by most of the French Plantations," and that such an alliance would "subject all our Plantations as that to be preyed upon at the pleasure of the said Rovers."[8] A few years later, Secretary Henry Coventry had clearly expressed to Morgan the king's extreme displeasure at his subjects' "serving under foreign princes at sea."[9] Consequently, several successive island assemblies and councils had authored laws against the practice of serving foreign princes, but none had much effect until a continuously-renewed grace period finally came to an end in 1684.[10] Once local economic and political conditions had led Jamaican merchants and planters to stop most of their business with the island's private seamen over the course of the 1680s, concern that those raiders who remained in the region might join

[7] "The governor of Jamaica's answers to the inquiries of his Majesty's commissioners," JAJ Appendix, 23.
[8] "Mr. Worsley's Discourse," BL Add. MS 11410, 623.
[9] Coventry to Morgan, 8 June 1676, "Correspondence From Henry Coventry to the Residents in Portugal and to the Governors of the Plantations, 1674-1679," BL Add. MS 25120, 76.
[10] See chapter four.

the French grew even more palpable. Council President Francis Watson lamented in 1689 that the "privateers may combine in despair and fall upon this island."[11]

The long-feared war with France came to fruition quickly after William of Orange forced James II to abdicate. James had long allied himself with the Catholic Louis XIV; he had spent years in exile in France prior to becoming king, and he returned to France once he lost his kingdom in 1688. The desire to protect James, a fellow Catholic, turned Louis against England. When William and Mary gained the English crown early in 1689, they officially brought England into a war against France that the Dutch Republic had been fighting for years. English land and sea forces mobilized quickly against their former ally, eager to punish James and prove England to be a defender of the Protestant faith. Louis set his sights on England and its rich American colonies, directing his sizeable army and navy to attempt them. Meanwhile, James liberally issued commissions to Irish Catholic seamen to act as privateers against the English, while also raising a land army in Ireland to invade his former kingdom. William defeated James's forces in Ireland in 1690, but, though James returned to exile, the French and English war raged until 1697, and James continued to license sea raiders to disrupt English trade.

King William's War came quite swiftly to the Caribbean, and Jamaicans' fears that their sea raiders would turn on them were partially realized early in the conflict. Before the Jamaican council could proclaim the king's declaration of war against France in January, 1690, the English on St. Christopher had surrendered their half of the island to the French, and an anonymous report declared that sixty-two English merchant ships had been lost to "French privateers" in the

[11] CSPC 1689-92, 85.

region.[12] Inhabitants of Jamaica's north side felt the effects of the war that same season when the pirate Laurens – who had been one of Lynch's favorite emissaries during the early 1680s – menaced Montego Bay in October, 1689, and, in December, returned with a commission from Petit Goave, plundering and burning several plantations.[13] Though Laurens was not Jamaican, he had once been Lynch's ally and had almost settled as a trader on the island, so Laurens's coming seemed to portend that Port Royal's remaining loyal raiders were about to turn to the enemy. The council responded to the attack by mobilizing the very private seamen they were worried about losing, betting that the renewed possibility of adventure – and booty – would keep them working for the island. The council placed the men under Navy Captain Spragge and immediately sent the crew on a mission to capture Laurens; the mission failed, but for a few months, the men at the point had renewed hope of employment and monetary gain.[14]

King William and Queen Mary had almost named Beeston governor in 1690, just as the war expanded, but they selected the Earl of Inchiquin instead. Council leadership following the Duke of Albemarle's passing had been insufficient, and London merchants representing Jamaican interests at court lobbied the monarchs passionately to name Beeston governor. Though some islanders thought his appointment a real possibility, the monarchs believed Beeston not up to the task of enforcing trade law, regulating the sea raiders Francis Watson had commissioned during the Glorious Revolution, and preparing the island for war.[15] The aristocrat Inchiquin, they thought, would command more respect.

[12] CSPC 1689-92, 714, 348, 467.
[13] CSPC 1689-92, 515, 616.
[14] CSPC 1689-92, 628, 769, 980.
[15] Letter from Jamaica, 1690, Huntington Library, EL 9670, f 1.

Inchiquin successfully prosecuted King William's War in Jamaica for a short time. He hired private seamen to attack the French, but, unlike his predecessors, he did not treat the raiders as private contractors, instead using public funds to hire them outright as adjuncts to the Royal Navy. He called for a public subscription to legally purchase warships, including French prizes, and pleaded with the people to advance money to hire even more cruisers. He roused men to serve on these vessels, but it was clear they were not signing on to private raiders: with promises to be paid from the colony's coffers, these seamen were enlisting in an island navy.[16] When navy Captain Lawrence Wright arrived with a sizable English fleet – the largest to fill Jamaica's harbor since the days of the Western Design – the governor worked with him to bring the war to Jamaica's French neighbors. With two frigates from the squadron lent him by Captain Wright, Lord Inchiquin proposed a daring attack on Petit Goave and immediately set about raising more public funds for the purpose.[17] With an imperial fleet at the backs of a now-public island navy, Inchiquin put Jamaica on the offensive in the mid-Caribbean theatre. Nature intervened swiftly, however, sending the governor to the grave in early 1692.

William and Mary finally named Sir William Beeston lieutenant-governor – with the full authority of a governor, since no one served over him – upon the Earl's death and on the eve of the earthquake that would destroy Port Royal. Making landfall in 1693, Beeston surveyed the ravaged land before him, already planning how to rebuild it. Any plans he cherished of managing the island's war effort, as Inchiquin had done, faded quickly, however. English imperial officials radically altered the way they conducted the war in the 1690s, preventing any colony from taking such an independent role in the conflict.

[16] CSPC 1689-92, 1041, 1325.
[17] CSPC 1689-92, 1353, 1368.

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After the devastating earthquake of 1692 until at least the 1697 treaty ending King William's War, the surviving inhabitants of Jamaica found themselves in a "lamentable state": without many of the seamen or most of the defenses (or, indeed, most of the buildings) of Port Royal, they were vulnerable to attack.[18] Jamaica's English, Irish, Scots, and Creoles – as well as the free and enslaved Africans who did not take the opportunity to rebel after the earthquake – worked to compensate for these deficiencies, planning a new city just across the harbor from the mangled Point, rebuilding forts, and even pressing men into the sea service. Nevertheless, the island needed help from England. Unlike their Restoration-era predecessors, however, imperial officials under William and Mary did not send frigates or troops to be commanded by Beeston or the council; instead, consistent with a centralized war effort run from London, they dispatched large naval fleets under the authority of English commanders, who predictably clashed with Jamaican leaders when they got near the island. Three months after the earthquake, Queen Mary hoped Jamaican survivors might fall in step with the march of these imperial forces: citing "a happy opportunity" – presumably, for victory – "that may never return," she called for men to augment the English troops heading to the West Indies.[19] Jamaican council members were not being obstinate when they responded that no men could be spared for the cause, for they faced a situation of trying to rebuild and defend their island on a single bag of gold, "all that remain[ed] in the King's storehouse."[20] The contents of that sack were long gone by the time Beeston arrived in March, 1693.

[18] CSPC 1689-92, 2720.
[19] CSPC 1689-92, 2457, 2715.
[20] CSPC 1689-92, 2540.

The most noticeable damage Beeston surveyed upon entering the harbor was physical; Port Royal and St. Jago both appeared a crumbled mess, and the King's House in the capital, the governor's own residence, contained "neither kitchen, outhouses nor enclosures."[21] Beeston invested heavily in a rebuilding campaign – consisting, primarily, of creating a new harbor town and re-fortifying the Point – that the council had begun mere days after the earthquake. Kingston, the present-day capital of the small island nation, was designed to be a new trading port and government center when the council planned its erection in late June, 1692. With no royal governor or crown assistance, Jamaican councilmembers faced the need to re-settle the population of Port Royal after the Point's buildings were laid waste. They knew of a good parcel of land for the purpose: 200 acres in St. Andrew's parish, just across the harbor; on June 24, they ordered the tract surveyed with the stated goal of "build[ing] a new town."[22] Beeston owned the empty land, and the council used it before even getting his assent, resolving to pay the lieutenant-governor £1,000.[23]

Kingston was to be a planned city from the beginning, making it one of the first wholly-planned towns in English America, and councilmembers orchestrated the entire operation. Within a month, they had named the city, surveyed land in the middle for a new fort, and dictated that all purchasers of land "within three years build a house worth £50 on forfeiture of that sum."[24] Kingston would not be for the destitute – a house worth that much was not insignificant – but it would also not be for the absentee landlord who wished to leave the island

[21] Beeston to Lords of Trade and Plantations, 23 March 1693, TNA: PRO CO 138/7/149.

[22] CSPC 1689-92, 2292.

[23] The agreement to pay came on June 28. It is impossible anyone on Jamaica could have contacted Beeston and gotten his acquiescence to the purchase in that time. Moreover, it is unlikely Beeston ever saw any of the money given the severe lack of public funds in the island in that time. CSPC 1689-92, 2302.

[24] CSPC 1689-92, 2355. Money acquired from those who did not build was to go towards the establishment of a hospital.

and its earthquakes behind while snapping up prime urban land. Most lots would go to former inhabitants of Port Royal, who got preference, but not without regulation: no one could have more than one seaside lot, for example, and those single lots would be offered first to owners of parcels on the sunken harborside of the point. Just over two months after the quake, the council optimistically began meeting from the new town, erected a market, named its clerk, and even appointed a bell-man for the town.[25] Sadly, problems soon arose in Kingston – disease spread and "great mortality" convinced the council to move their office to Port Royal. A new central fort proved challenging to build in "unhealthy" Kingston, so leaders decided to focus their efforts at re-fortifying the Point.[26] Several months later, when Beeston finally arrived, the situation was little changed; though the death rate was under control, the lieutenant-governor complained that he could not move the officers to the new town because there were no forts. He was "in hopes that the trade will fall into the new town," as the council had initially planned, but he committed to making mangled Port Royal the island's primary site of defense.[27]

Jamaicans fretted a great deal over fortifications after the earthquake because they feared that the French from St. Domingue might attack at any moment, and they knew they could not thwart an invasion without the aid of significant stonework and artillery. Though a large portion of the point's fortresses had crumbled on that June morning in 1692, the skeletons of impressive bulwarks remained. The construction process was sporadic at best, however, since resources were extremely scarce. Without pressing, few men could be found to labor on the point's bastions: re-making battered Fort Charles, re-setting the guns on Morgan's lines to the east, or

[25] CSPC 1689-92, 2382, 1387.
[26] CSPC 1689-92, 2521-22.
[27] CSPC 1693-96, 209.

completely re-building the utterly destroyed Fort Rupert on the opposite end of town, where the Palisadoes once met the cay.[28] It took a declaration of martial law just before and during the French attack of 1694 to get Fort Charles into defensible condition because planters, servants, and slaves alike were put to the task. The week after the French made landfall, Beeston boasted that "we finished Fort Charles, collected forces and put up breastworks," since he intended the island's forces would make their last stand there if necessary.[29] Luckily for the populace, the Hispaniolan invaders did not test Port Royal's defenses that summer, for historians make clear that re-fortifying the point took most of the decade. Most of the new guns for Fort Charles did not arrive until December, 1695 – a joint English and Spanish force (a rare sight in the colonial Caribbean) had stolen them from French cities on Hispaniola as retribution for the invasion of Jamaica – and the edifice remained unfinished until 1699.[30] Further, Fort William – Beeston's major addition to the parish's defensive posture, which replaced Fort Rupert and guarded the new channel, which the tectonic disruption had opened between Port Royal Cay and the mainland – was not in use until 1701.[31]

The island lacked not only buildings and forts after the quake struck, but it was without human resources as well. One fact that Jamaican government officials lamented from the week of the earthquake and for the balance of the decade was the small quantity of men who could be raised to defend the island, and they especially lamented the lack of loyal seamen, who had always been Jamaica's first line of defense against foreign invasion. In September, 1692, the council noted despairingly to Secretary of State Nottingham that, whereas Port Royal could have

[28] CSPC 1693-96, 186, 212, 424, 626.
[29] CSPC 1693-96, 1004, 1109.
[30] TNA:PRO CO 137/44/162b
[31] Pawson and Buisseret, *Port Royal, Jamaica*, 169–171.

been relied upon to muster 2,000 fighting men before the quake, after the disaster the town could raise only 200.[32] Jamaica was hemorrhaging seamen in the months following its defining natural disaster. Not all of them had died in the quake, however; many chose to leave the island for better harbors. Having found where many seamen gathered before departing, the council ordered a sloop that December "to cruise to windward as far as Port Morant and take into the royal service all persons who design to leave the island."[33] The council's effort to press the deserters against their wills likely served to frighten those who had escaped to vow that they would never return. Beeston found the deserters nearly impossible to pry from the safer and richer ports like Curacao, Cuba, and even Petit Goave. Nevertheless, within weeks of his arrival, he sent proclamations to colonial towns near and far, inviting Jamaican seamen to return home and promising that they would not face prosecution for their desertion.[34] A few sailors did take advantage of the pardon, but not many, and only after the French attack; in November, 1694, Beeston could report that "135 seamen are come down" from Curacao and that "the rest being as many more will follow."[35] Beeston did once have the opportunity to attract both sailors and money to Jamaica – a group of about sixty private raiders, "that go under the notion of this island," returned to "the northern plantations in America" after gaining over £1,000 each plundering in the Red Sea – but, though he was "tempted to pardon the pirates," his scruples prevented him from doing so.[36] He refused to take stolen money just to lure a few opportunistic seamen to the island. Also, he well knew that, even if all the Curacao and Red Sea men had come

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[32] CSPC 1689-92, 2499.
[33] CSPC 1689-92, 2665.
[34] CSPC 1693-96, 209.
[35] TNA: PRO CO 137/1/223.
[36] CSPC 1693-96, 1916, 393, 477. The raiders, it seemed, were more interested in re-fitting in New York or Boston and sailing back to the Red Sea than in fighting the French anyway.

home to the crippled Port Royal, they would never have been enough to defend the island against a well-supplied enemy.

King William Centralizes War

Given the island's lamentable state, Jamaican leaders begged for English naval assistance during the 1690s. They received it, but not without sacrificing local control of the sea war between Jamaica and St. Domingue, and subsuming island interests to English imperial concerns. Unlike the case in prior seventeenth-century conflicts, imperial officials during King William's war ran a centralized war machine from London, three aspects of which greatly reduced Jamaican leaders' ability to manage their own war effort. First, colonial governors lost admiralty authority in their colonies. Second, large English naval fleets visited the colonies regularly, their fleet commanders bearing the authority governors had lost, and their sailors bearing the right to take prizes. Third, the joint monarchs exercised their prerogative to commission and tightly regulate a host of privateers to fight the French across the globe, diminishing the viability of colonially-licensed sea raiders. One can see why the monarchs and their advisors desired tight control over this particular war effort: England faced a nearby enemy with interests around the world, a great naval force, and thousands of privateers, while attempting to defend its own and its allies' home fronts, colonial possessions, and extensive – if poorly-defended – global trade routes. Central control seemed a necessity, but it was not without the possibility of mismanagement, and a few bungled battles and controversial orders in the European theater in the early 1690s found the king at loggerheads both with Parliament and his

admirals for the remainder of the war.[37] None of those factions gained too much control of the war effort as long as the Secretary of War, William Blathwayt, kept the machine running from his central office. England stayed in the conflict until morale and money ran out, and peace was reached, in 1697.

Some imperial officials had ideological reasons for exerting greater authority over naval war affairs. A major part of England's new method of making war in the 1690s was Sir Charles Hedges' reformation of the admiralty jurisdiction, a change that directly affected Jamaica by hindering the lieutenant-governor's legal authority to govern private raiders and condemn prizes. King William had appointed Hedges Admiralty Judge in 1689 – the civil servant turned member of the Commons had been part of the anti-James faction since the beginning and expected a position of some respect in the new government.[38] Once achieving the post, he set his sights high: Charles Hedges aimed at nothing less than reforming maritime law and greatly enlarging the Admiralty jurisdiction. A 1690 pamphlet explained his vision of "re-settling the Admiralty Jurisdiction and restoring the ancient Power of enrolling Mariners," boldly asserting that his reforms were necessary in the nation's current climate of war because "during the two last reigns… the design was to transfer the Soveraignty of the Seas, and the trade of the World to France."[39] Since the French were now the enemy, he first proposed restoring England's sea

[37] N. A. M. Rodger, *The Command of the Ocean: A Naval History of Britain, 1649-1815* (London: Allen Lane, 2004), 153–155.

[38] *Oxford Dictionary of National Biography Online*, s. v. "Hedges, Sir Charles (*bap.* 1650, *d.* 1714)," by Stuart Handley, Jan 2008, http://www.oxforddnb.com/view/article/12859.

[39] Charles Hedges, *Reasons for Setling [sic] Admiralty-Jurisdiction, and Giving Encouragement to Merchants, Owners, Commanders, Masters of Ships, Material-Men and Mariners: Humbly Offered to the Consideration of His Majesty, and the Two Houses of Parliament* (London, 1690), 1, 3.

power by updating a medieval method of gaining seamen for the English fleet. In this system, vice admirals would preside over each of several coastal districts and would, when needed, call for all their district's resident seamen to enroll in the king's sea service. Those who signed up willingly got generous tax breaks, and those who did not were pressed without getting any perks. The second part of Hedges' plan involved enlarging the jurisdiction of Admiralty courts to include "all annoyances in ports and navigable rivers," thereby essentially taking Common law courts out of any maritime affair.[40]

Hedges also limited the admiralty power of colonial governors, starting with William Beeston. Upon reviewing Beeston's draft commission from the Lords of Trade in August, 1692, Hedges informed the Lords of the Admiralty that he could find no records indicating a precedent for granting Beeston a patent as Vice Admiral (though the Lords of Trade had written it into Beeston's commission); "it may belong to an obsolete period," he opined and made clear that any such grant should come "from you like other governors."[41] The Privy Council quietly "expunged" the offending clauses without raising any concerns.[42] A month elapsed before Beeston realized what had happened and complained to the council that the Admiralty had stripped him of his "power to grant commissions and condemn prizes." Echoing Jamaicans' decades-long fears, Beeston continued, gravely, that the Admiralty's move "will be of fatal consequence" and could "cause all our privateers which are now abroad to desert us… [and] turn our enemies."[43] The Lords of the Admiralty suggested that Beeston could seek such authority

[40] Ibid., 4–5.
[41] CSPC 1689-92, 2409.
[42] CSPC 1689-92, 2412.
[43] Beeston to Privy Council, September 1692, TNA:PRO CO 137/2/112.

from the king, as they assumed his predecessors had.[44] Exercising his authority as a colonial governor, Beeston then claimed that the naval office on the island was under his control alone and that it had no relation to the Admiralty in England. The Admiralty argued the opposite, prevailing in the end.[45] The larger matter had no resolution when Beeston made sail to Jamaica, but the Lords of Trade did give him one minor authority in November – they let him keep the frigate *Falcon* and told him to "employ" it, with another already in Jamaica "as there shall be occasion against the French."[46] The lieutenant-governor would at least have some control over two of the king's ships stationed at his island – not nearly the broad authority he expected, and certainly not enough to prevent French invasion.

Hedges' intervention added to Jamaican leaders' woes when they tried to conduct their own sea war. Once he reached the island, Beeston prioritized assembling a strong sea force, and though he could find several private sloops to purchase or hire as supplements to the king's ships, he found no men to serve.[47] In March, he complained that "I have no authority to condemn ships, if their majesties' men of war or others should take any," explaining the folly of "let[ting] them take them and plunder what they think good at sea." He "foresaw the trouble" his inadequate commission would cause and begged for more control, noting that he would not even "be able to persuade the merchants to advance their money" for preparing and victualing ships "as they have usually done."[48] Though Beeston believed that other governors had greater leeway, he was incorrect. That same month, Governor William Phips of Massachusetts asked the Lords of Admiralty to send him a special order to appoint a judge, registrar, and marshal for his

[44] Admiralty to Lords of Trade, 12 October 1692, TNA:PRO CO 138/7/118-19.
[45] CSPC 1689-92, 2587, 2612.
[46] Additional Instructions for Sir William Beeston, 27 November 1692, TNA:PRO CO 138/7/127.
[47] CSPC 1693-96, 208-209.
[48] Beeston to Nottingham, 22 March 1693, TNA:PRO CO 137/44/29.

Admiralty court in Boston because, he complained, "I don't have them from my commission."[49] Phips may never have received them, but he continued to rake in prize money, receiving £1,500 "from pirates, he giving them liberty to come to Boston."[50]

Also unbeknownst to Beeston, at the queen's behest, the Lords of Trade tried to give at least some legitimate Admiralty court authority to Barbados and Jamaica. They intended that a special grant to erect such courts would go to Francis Russell, the newly-appointed Governor of Barbados and to Colonel Kendall, whom the monarchs intended would supersede Beeston as Governor of Jamaica.[51] Sir Charles Hedges once again intervened in the Lords' efforts, however, and after he attended their meeting in May, they altered the wording of the grant from "Admiralty courts" to "courts of reprisal."[52] Even after the draft commissions came back to the Lords granting the governors only the power "to erect courts for trial and condemnation of prizes," Hedges blocked the drafts because they did not delimit the boundaries of the Caribbean courts' jurisdiction. The Admiralty in June opined that all prizes taken west of the Azores should fall within the bounds, and the Lords of Trade were just on the point of finalizing the commissions when they read Beeston's March letter; they decided action on the prize courts would be "respited for present."[53] Instead, the Lords quietly canceled Kendall's commission and

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[49] CSPC 1693-96, 177.

[50] CSPC 1693-96, 1298. Phips probably received much more, too. The customs collector in Boston brought charges against him for condemning prizes illegally, further proof that the Admiralty had not given him license to condemn prizes, 1501. Phips's "pirates" may have been a group of Red Sea raiders, who frequented northern North American ports in the 1690s.

[51] CSPC 1693-96, 206, 178, 299.

[52] CSPC 1693-96, 312, 320, 323, 324.

[53] CSPC 1693-96, 364, 368, 375, 378, 390, 398, 416, 417.

let Beeston stay commander-in-chief of Jamaica, but without the much-desired admiralty authority.[54]

Nevertheless, the lieutenant-governor attempted to coordinate a sea war on his own authority, but he met with resistance from the seamen. Privateers from Hispaniola had so damaged Jamaican trade that, by April, 1693, Beeston was continually calling for "private men of war" to counter-attack. He found few sailors willing to sign up until he "promise[d] them Their Majestie's Tenths for their encouragement" and helped them to buy provisions for their ventures, no doubt with his own money.[55] Those promises were enough to keep up a regional war of attrition for some months, and that summer the HMS *Mordaunt* with two hired vessels took "two or three sloops and plunder[ed] some small places ashore."[56] Beeston circumvented his lack of admiralty authority to license raiders or condemn prizes by having his own lawyers pore over his commission; predictably, they opined that he did have enough power to appoint an admiralty judge to deal with prizes, so he did just that, only then asking the Lords to approve the appointment and "send further directions."[57] They did not explicitly approve his actions, but neither did they remove him or supersede him.

Just when Beeston had skirted one issue of authority, another arose. By December, the private seamen "refused to go out any longer on the old terms" and the council was forced to order at least one ship to sail on a "no purchase, no pay scheme" with the added bonus that the

[54] Merchants and planters in England and in Jamaica had petitioned the Lords to keep Beeston in sole government; the Lords agreed largely because, as a lieutenant-governor, Beeston only earned an annual salary of £1,000, whereas a governor would require twice that amount. Officials intended the extra money would go to re-build the island. CSPC 1693-96, 211, 212, 285.

[55] CSPC 1693-96, 301.

[56] CSPC 1693-96, 634.

[57] CSPC 1693-96, 301. Richard Lloyd, who filled the post, had been an Admiralty judge in England and later led the Jamaican forces against the French invaders.

sailors would get to keep both the tenths and fifteenths usually reserved for the king and the governor.[58] The seamen's recalcitrance angered the governor further – he complained that they "mutinied…even though they get paid, the ships are victualed, and they get to keep the prizes" – so, after a futile remonstration, he resorted to the desperate measure of pressing the men. The move garnered only about fifty, "the rest being hid by their wives and friends."[59] Those fifty men did not go very far, for throughout the first five months of 1694, both governor and council complained loudly that men could not be found for the sea forces; Beeston once revealed to the Lords that the money he had managed to scrape together to buy ships and victuals went unused because he could get no sailors to man the vessels.[60] Only in June was the money put to any use – Jamaicans got wind of the massive French attack, and the council immediately declared martial law, armed retired officers, and promised freedom to any slave who killed a Frenchman.[61] Fear of the invasion finally convinced the crew of the HMS *Advice* to sail, but the small ship carried only seventy men, hardly enough to destroy a French fleet.[62]

Consistent with the imperial centralization effort, while Beeston and other governors lost some authority, fleet commanders sent to the West Indies gained a great deal of power. Quite unlike other seventeenth-century English wars fought abroad, massive fleets of navy ships

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[58] CSPC 1693-96, 756, 778.
[59] CSPC 1693-96, 876.
[60] CSPC 1693-96, 1004.
[61] CSPC 1693-96, 1074.
[62] CSPC 1693-96, 1121. If this was the same HMS *Advice* listed on the 1664 navy list, the fourth-rate frigate was designed to fit 140 men in times of peace and 160 during war, so would be severely understaffed at seventy men, "A List of all the ships, frigates and other vessels belonging to his Majestie's Navy Royal, with their respective dimensions, when and where built, and their number of men and guns," April 1664, NMM, LRN 2, 11. It is much more likely, however, that this was an advice boat left Jamaica by Francis Wheler when he sailed north, which would have been much smaller than the frigate of the same name.

conducted King William's sea war, even in the Caribbean. The commodores and admirals exerted great authority, much to Beeston's dismay. Lawrence Wright, Francis Wheler, and Robert Wilmot each led one of the three English fleets operating in the Caribbean between 1690 and 1696. Wright brought the Earl of Inchiquin to Jamaica, and the two worked together to put the island in an offensive position relative to St. Domingue, but both men were gone (Inchiquin dead and Wright recalled) before the earthquake. Wheler arrived in the region around the same time as Beeston, but he stationed his fleet at Barbados, intending to take the nearby French colony of Martinique.[63] He failed – a fact that pleased some in Jamaica, for they feared that displaced Frenchmen would gather in Hispaniola – and, in May 1693, resolved to sail north to make an attempt on French Canada before returning home.[64] Just before he left, he issued Admiralty orders for HMS *Guernsey* – an aging fifth-rate frigate that Wright had left in Jamaica – to sail home immediately.[65] Beeston, however, had already ordered *Guernsey* to convoy a merchant fleet to England that would be ready to sail the next month. Citing Wheler's and the Admiralty's immovable orders, Captain Oakley refused to wait for the merchant vessels, which had Jamaican merchants complaining the insurance on them might be spoiled.[66] The affair highlighted the governor's limited authority over the navy ships – he had explicit orders to utilize only the *Falcon* and the *Mordaunt* in the war – at the expense of fleet commanders, prompting both council and Assembly to request that Beeston be given total control of king's ships on the station since he understood "what is required of them better than the most far-seeing Admiral."[67]

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[63] CSPC 1693-96, 170.
[64] CSPC 1693-96, 296, 300, 302.
[65] "A list of all the ships," 1664, NMM, LRN 2, 17; CSPC 1693-96, 345.
[66] CSPC 1693-96, 349, 359.
[67] CSPC 1693-96, 361.

Beeston disagreed with Commodore Wilmot and his squadron in 1695 even more bitterly that he had with Wheler. Wilmot commanded the sea forces in the fleet English officials dispatched to the West Indies in response to the French attack on Jamaica in 1694; he held orders to work with Beeston in a council of war when he reached the island. Though Blathwayt and England's war machine prepared the impromptu fleet with some speed, the ships did not depart Plymouth until several months after imperial officials heard that Jamaicans had beaten off the French invaders.[68] As a result, Wilmot steered the fleet directly to St. Domingue in hopes of crushing the French colony; he communicated none of this to Beeston, however, despite the governor's repeated attempts to reach the fleet.[69] Only in late July, 1695, with their mission half-completed – they had destroyed Cap François and Port au Paix but had left Petit Goave and Leogane untouched – and the forces severely diminished or sickly, did Wilmot and his counterpart in charge of the army, Luke Lillingston, bring the fleet into Port Royal harbor. No guns welcomed what was supposed to be a savior fleet, for Wilmot elected not to salute the flag flying atop the fort.[70] A chilly reception followed, for, though the council submitted to a royal order to quarter the land forces in Kingston and St. Jago, Beeston refused Wilmot's request that he also house the sick seamen. According to Wilmot, the governor told him "he had nothing to do with the navy," not surprising given the Jamaican's three years of dissatisfaction from

[68] The invasion began in June 1694, and news of it had reached England by express ship by August, at which point the king immediately ordered the fleet prepared. It sailed in late January, 1695 and was in the vicinity of Jamaica by early April. The voluminous correspondence between Blathwayt's office and the numerous other groups involved in getting the fleet to sea can be found in TNA:PRO CO 137/1/1-200.

[69] Beeston had ordered Colonel Peter Beckford, the island's second-in-command and chief of Port Royal's militia and defenses, to cruise near Spanish Santo Domingo until he met the fleet, in order to offer Jamaica's assistance and send word of the fleet's arrival back to Beeston. Wilmot kept Beckford and his ship with the fleet and nixed any attempt to communicate with Jamaica, which Beeston later interpreted as an attempt to keep all the prize money for his own men. CSPC 1693-96, 1946, 1971.

[70] CSPC 1693-96, 1971.

Hedges, the Admiralty, and its fleet commanders.[71] Jamaican leader Gilbert Heathcote renewed the call to give the governor greater control over naval forces, complaining to Secretary of State Shrewsbury that "the governor has nothing to do with the Men of War, that there they are lawless and out of all command."[72] No doubt he and Beeston were glad to see the fleet depart in 1696.

Other American colonial leaders expressed dissatisfaction with England's fleet commanders, too. Governor Christopher Codrington in Antigua complained in the middle of 1694 that he had had the use of but one navy ship in the last two years, which he had supplied and victualed on his own, against what was by then a fleet of fourteen French privateers from Martinique. Had Wheler been successful in destroying the French colony or had he at least left the governor a few frigates, Codrington would have been in a more defensible position.[73] William Phips in Boston questioned Wheler's foolhardy plan to invade Canada from New England when the commander reached the northern colonies in mid-summer, 1693.[74] Governor Russell of Barbados complained to his superiors in England when Wilmot's Jamaica fleet did not stop at his island to offer assistance convoying merchant ships out of immediate danger, since Barbadians were "plagued by French privateers."[75] None of the commanders completed their missions, either: the Petit Goave expedition that Wright sponsored fizzled before any ships were prepared, while Wheler lost at Martinique, decided against attempting Guadeloupe as consolation, and gave up thoughts of attacking Quebec after Phips put him off of it. Only Wilmot

[71] CSPC 1693-96, 1974, 1980.

[72] Heathcote to Shrewsbury, 15 April 1696, TNA:PRO CO 137/44/156.

[73] CSPC 1693-96, 1934. Codrington had had no kind words to share with Wheler on the commander's departure from the region either, 338.

[74] The Canada expedition would have departed too late in the year and would have had too few men to have had a change of success, CSPC 1693-96, 452, 475. Wheler returned to England only to be put at the head of a Mediterranean-bound fleet, which wrecked off Gibraltar early in 1694, killing Sir Francis.

[75] CSPC 1693-96, 1725.

came close to achieving England's goal of crippling France in the West Indies, but he left Petit Goave and Leogane – the two cities most dangerous to Jamaica – intact. Not all the blame for England's naval failures in the Caribbean should be laid at the feet of the commanders, as they were subject to ill-advised orders from home as much, if not more, than colonial governors. All involved would have been wise to adopt the motto Beeston used when entangled in the *Guernsey* affair: "were I an angel I am sure that I could not please everyone."[76]

Complementing English naval efforts were a group of crown-licensed "privateers," sailing waters throughout the world with the aim of destroying enemy ships and taking their loot. English officials had not employed raiders in this capacity since the Restoration, and William and Mary elected to do so now in response to the fleets of private French raiders that Louis XIV and his colonial governors were commissioning, and the Irish raiders James Stuart put into action. French military leaders focused heavily on private raiding efforts. As British naval historian N.A.M Rodger explains: "from 1694 the French began to send out squadrons of up to a dozen ships, capable of overwhelming the most powerful convoy escorts. Some of these squadrons were composed entirely of royal warships, while others were a mixture of royal and private enterprise." Officials estimated that 4,000 English vessels – mostly small fishing craft – became French prizes during the eight years of war. The English East India Company lost over one million pounds worth of money and goods in 1695 alone, most of it to French privateers. [77] To combat these losses, England's new monarchs licensed private seamen operating private vessels – some specifically designed for war and some just well-armed merchant ships. These

[76] CSPC 1693-96, 345.
[77] Rodger, *Command of the Ocean*, 158.

raiders were different from English private raiders in prior eras: each captain received a crown-authorized commission, the expedition leaders followed strict regulations, and all the men involved were dubbed "privateers" – a word that gained a standard legal meaning in English for the first time in this era. Moreover, their use was part of the imperial centralization effort, since the system encouraged private raiders to work directly for the crown rather than for the colonial governors who had employed them in years past. Consequently, their presence in the Caribbean meant the further diminishment of Jamaica's own private raiders, already in decline for a decade. Jamaica's lack of resources in King William's war drove Jamaican elites to accept these crown-licensed privateers in place of the agents of the colony they would have employed otherwise.

Through an intricate network of Admiralty officials, King William and Queen Mary granted over 450 separate letters of marque and reprisal in just eight years of war. Once the monarchs and the Privy Council ordered, in the summer of 1689, that "general reprisals be granted against the ships[,] goods and subjects of the French king" the Admiralty began licensing captains, like John Stephens, to execute the reprisals. In May, 1692, Stephens and a few associates (all from the Isle of Guernsey) set out a small sloop, also called the *Guernsey*, filled her with fifty men, eight guns, a few victuals, and a great deal of powder and shot. Stephens appeared before Sir Orlando Gee, Registrar of the Admiralty, who, after bonding him for £1,500, printed the names of captain and vessel on a standard form. This three-page letter of marque acted as a passport, assuring the reader that the bearer had William and Mary's authorization to commit reprisals, instructed the captain what to do with prizes he captured and intelligence he received, and requested that officials in allied ports provide Stephens "aid, assistance and

succor."[78] After signing and sealing this letter, Gee gave Stephens the king's "Instructions to privateers." Sir Thomas Pinfold, the Advocate of the Admiralty, then recorded the precise details of ship and crew. Stephens signed the record and likely paid someone a recording or licensing fee. The *Guernsey* sloop was ready for her adventure. If Gee, Pinfold, or their colleagues repeated this process an average of fifty times for each year of the war, and each licensed ship carried between fifty to 150 men, then between 2,500 to 7,500 English private raiders swarmed the seas in any given year.[79]

First authored in June, 1689, King William's "instructions to privateers" remained the standard requirements for crown-license English privateers throughout the war. These articles obliged raiders to attack the ships only of England's enemies or abettors of enemies, and to take the captured prizes – tightly battened and unplundered – to an English port to be legally judged in the High Court of Admiralty. Admiralty judges would compare the goods brought them against the "exact journal of… proceedings" that captains were required to keep for each prize. Only after adjudication would any of the men receive money or goods – two-thirds of that which was captured would be divided between owners, officers, and crew – which they were then allowed to sell. Numerous checks ensured that captains and crew did not defraud the state or vice-versa, that captured goods did not come from allied or English vessels, and that commissions were genuine. Private raiders caught disobeying regulations faced forfeiting their

[78] This sloop should not be confused with the frigate of the same name that Beeston and Wheler argued over. Stephens' letter of marque, quoted above, appears as the first entry in TNA:PRO High Court Admiralty (HCA) series 26/2/1-2. It is included as an example of the standard letter issued in 1692, so other captains' letters are not included in the volume. Information about Gee is found in *Oxford Dictionary of National Biography Online*, s. v. "Gee, John (1595/6–1639)" by Theodor Harmsen, Jan 2008, http://www.oxforddnb.com/view/article/10499.

[79] Pinfold's record of Stephens' appearance is in TNA:PRO HCA 26/2/3. Pinfold's position is listed in E. W. Brabrook, "Paper on the Office of King's Advocate-General," *Proceedings of the Society of Antiquaries of London*, 2nd ser., vol. 8, *January 9, 1879, to June 23, 1881* (London, 1881), 21–28. The calculations are my own.

security money – captains were bonded for £3,000 for ships carrying over 150 men and half that for smaller expeditions – or much worse.[80] Regulations changed slightly over the years of war, especially as geo-politics intervened; for example, privateers who departed after 1692 took an oath that dealt specifically with treatment of Danish vessels, mandated by the terms of alliance between the two northern empires.[81] Parliament attempted to enact further regulations with separate "encouragement of privateers" bills in 1694 and 1695, but neither act survived the lawmaking process.[82]

The monarchs, officials, and members of Parliament used the ancient language of "reprisal" and "letter of marque" when issuing commissions, as had their medieval and renaissance predecessors, but, with increasing frequency, they also referred to licensed raiders as "privateers." The word had had informal origins during the reign of Charles I and had gained popularity in Jamaica in the following decades as a term to describe the colony's fleet of private sailors.[83] During the 1690s, the word acquired a new stable meaning in England, the legal definition it would retain into the nineteenth century: a prince or state's lawfully-authorized private sea raider acting in concert with or as a supplement to that prince's formal navy against the prince's enemies during times of war. This sense of the word appears in the "instructions to privateers," every letter of marque issued, and in the encouragement bills created by the Commons and Lords, as well as in regular parliamentary debate on other naval topics.[84] By

[80] TNA:PRO HCA 26/2/1-2, 3-6.

[81] HCA 26/2/102-108.

[82] "Draft act of Parliament regulating privateers in French War," n. d., Huntington Library, EL 9876; *The Manuscripts of the House of Lords, 1693-1695*, n. s., vol. 1; House of Lords Manuscripts (London: H.M. Stationery Office, 1900), 383–390, 575–580.

[83] See the prior discussion of the word "privateer" in this dissertation, especially in chapters one and five.

[84] TNA:PRO HCA 26/2/1-116, House of Lords MS.

contrast, before 1689, "privateer" infrequently graced the pages of official correspondence in reference to English private raiders in Europe, and almost never with this legal definition.

This particular definition mirrored the international legal concept of the term; it gained public notoriety in England in a well-publicized Admiralty court debate in 1693 over whether the Irish raiders commissioned by the former king James II could be tried as pirates. The issue was that "several privateers having been taken and detained in prison, acting by King James's commission," English officials had to decide what to do with them. In 1692, the Privy Council determined that the Admiralty should prosecute the band as pirates, despite previously identifying them as "privateers." Believing James held authority to commission them, William Oldys, the king's advocate in the Admiralty, refused to label the raiders "pirates" and appeared the next year before the Privy Council, the Lords of the Admiralty, the Secretaries of State, and other Admiralty officials (including Pinfold, who quietly agreed with Oldys and the young lawyer, Matthew Tindal, who did not) to explain his actions. The aging commissioner adroitly explained that "pirates are common enemies to all mankind, having no legal authority for what they do," but that James's raiders bore commissions just like England's privateers did.[85] Since "James was once a lawful king," he continued, the raiders before them now – assuming him still to be their king – "thought him as well empowered to grant commissions by sea." Oldys ventured onto very thin ice with this statement, and, a few moments later, Secretary Trenchard

[85] *A Complete Collection of State Trials and Proceedings for High Treason and Other Crimes and Misdemeanors from the Earliest Period to the Year 1783, with Notes and Other Illustrations* (London, 1816), col. 1269. All Admiralty commissioners had been involved in licensing English privateers and were very familiar with the standard letter of marque.

accused the man of high treason.[86] The lords did not waver in their beliefs; they prosecuted the Irishmen as pirates and stripped Oldys of his post in the meeting.

Tindal explained the prevailing position – and, in the process, solidified the legal definition of "privateer" – in a 1694 pamphlet, assuring the public that "the malice of the Jacobites is so restless" that those who took James's sea-raiding commissions were most certainly pirates. He offered these public thoughts in response to a recently-published "sham-account" that outlined the opposing view.[87] Tindal made his argument in two significant ways. First, invoking Hugo Grotius's notion that pirates could turn into lawful enemies if they formed "themselves into a civil society," Tindal opined that "so a king that loseth his empire, and can no longer protect people, or administer justice, dwindles into a robber or pirate, if he grants commissions."[88] Second, to Tindal it did not matter if the raiders in question had thought James still able to grant lawful commissions, for "their pretending to believe he has still a right, is no more an excuse in the case of piracy, than of treason, which every traitor may pretend to."[89] He closed with a public call to action, reminding the reader that "duty…does oblige him to oppose arbitrary government" of the kind James pretended to and had imposed on England less than a decade earlier.[90]

In arguing so forcefully for why the public should see these particular sea raiders as pirates, Tindal re-enforced the new legal definition of privateer. Privateers, in Tindal's

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[86] Ibid., col. 1270–71.

[87] Matthew Tindal, *An Essay Concerning the Laws of Nations, and the Rights of Soveraigns with an Account of What Was Said at the Council-Board by the Civilians upon the Question, Whether Their Majesties Subjects Taken at Sea Acting by the Late King's Commission, Might Not Be Looked on as Pirates? : With Reflections upon the Arguments of Sir T.P. and Dr. Ol.* (London, 1694), 26.

[88] Ibid., 21.

[89] Ibid., 30.

[90] Ibid., 35.

estimation, had the status of a lawful enemy to those who captured them, for they bore commissions from someone who had a kingdom to wager in this act of war. Privateers acted under the authority of a "public person" who had "ships to lose…trade or commerce to be ruined," or anything else to "lose by sea or land." Consistent with the Law of Nations, argued Tindal, privateers fought for their king – an internationally-recognized prince with a country to lose – or state in lawfully-declared wars as a way to augment regular naval forces. England's war with France was such a war, and both sides had privateers by the thousand; James's war on England amounted only to illegal robbery on the seas and was practiced by the pirate, the "enemy to all governments, because he destroyeth… all government and all order."[91] Backed with forceful legal opinion published for all to read, English sea raiding entered the modern age in King William's War: officials defined raiders with a new legal category and used a relatively new word to name it. Authorized by, and carefully listed in the records of, agents of an Admiralty with newly-expanded jurisdiction, William and Mary's privateers conducted regulated reprisals in accordance with international law.

There was hardly any legal space for colonially-licensed private raiders in the Caribbean like those whom Jamaican leaders had employed since the 1650s. Codrington did not dare license his own raiders, instead relying on the crown's privateers, whose scarcity he then lamented. "We don't have any English privateers in this area for eighteen months," he explained to the Lords of Trade in 1694, pointing out rather obviously that the situation was "a

[91] Ibid., 15, 28.

disadvantage to us."[92] Moreover, navy fleets sailed with their own complements of English privateers prepared to snap up prizes; in April 1696, Commodore Lillingston accused the recently-deceased Wilmot of "protect[ing] several privateers in carrying away 340 negroes, valued at £8,000" during the attack on St. Domingue the previous year.[93] The commissary of the fleet confirmed the presence of privateers and reported that some of them were "papists… enlisted from the gaol at Plymouth."[94] Beeston tried to commission private seamen but found it difficult, and may have welcomed the presence of England's privateers. When Wilmot's fleet was near Hispaniola, he boasted that he had sent the commodore "thirty or forty privateers who have promised me to go to him" and later claimed that he could "raise five or six hundred men and go myself" if the fleet would assist him.[95] Beeston probably exaggerated for effect, but given the island's lack of human resources, he could not have been offering to send an entirely Jamaican army. State papers continue to reveal colonially-commissioned private raiders in the Americas through the end of the century, but, for the first time in the late seventeenth-century, King William's War offered an imperial alternative. William and Mary's centralized war machine diminished the Admiralty authority of colonial governors, sent large navy fleets to the Caribbean to conduct the sea war in that theatre directly, and commissioned numerous regulated privateers from England.

[92] CSPC 1693-96, 1934.

[93] CSPC 1693-96, 2324. The Spanish lieutenant-general involved in the attack called all the private seamen he had seen "Jamaica privateers" and though Beeston admitted sending some of them to the fleet, he also claimed that Wilmot told him that "they had acted by his order," Beeston to Secretary of State, 24 August 1695, TNA:PRO CO 137/44/149. Had they been Jamaican, it is doubtful Wilmot would have protected them since, according to Beeston, the commodore wanted to avoid sharing prize money with the island.

[94] CSPC 1693-96, 1983.

[95] CSPC 1693-96, 1971.

The French Invade

One final galvanizing event in the 1690s helped strip colonially-commissioned sea raiders of their status in island politics: St. Domingue's 1694 invasion of Jamaica. The invasion helped ruin private seamen not because of its physical effects but because of William Beeston's political, moral, and gendered interpretation of how the attack occurred. In the aftermath of the violent event, he utilized Jamaicans' and Englanders' fears of private seamen to blame the raiders for bringing the French to the island, highlighting the sailors' duplicity and immorality. In his own report to his English superiors, Beeston emerges as a fearless leader who upheld decency and protected women in the face of Jamaican seamen's defection to St. Domingue and the Hispaniolans' subsequent violent ravages across the island. Beeston's interpretation had some truth: no doubt much inhuman violence occurred during the attack, and his military experience did help prevent eventual French conquest of the island. No evidence exists that private sea raiders brought on the attack, however. Beeston blamed them because of his long distrust of them and his recent frustrations trying to convince them to serve the island against the French. His damning report finally nailed shut the coffin in which Jamaican private sea raiders had found themselves since the 1680s.

Luck and William Beeston, not the imperial war effort or island sea raiders, saved Jamaica in its hour of need. In June of 1694, almost exactly two years after the earthquake struck, the French from Petit Goave attacked the island, realizing Jamaicans' long-held fears of

invasion from the east.[96] Island leaders learned of the French preparation for the descent a couple weeks before it happened from a navy captain named Elliott. Petit Goave privateers had captured the man, his ship, the *Pembroke*, and all its crew off the coast of Cartagena earlier in the year. Imprisoned in Petit Goave for over a month, the Englishmen witnessed the buildup of French forces and felt the need to warn Jamaica. In late May, Elliott and two crewmen executed a daring night-time escape, hijacked a canoe, and paddled it across the Windward Passage to Port Royal harbor. Arriving on the last day of the month, the harried Elliott rushed to Beeston's house and told the leader about the impending attack. Beeston roused the council, which met at nine that night and declared martial law.[97] Further news made it clear that they faced an onslaught. A deserter revealed that the French fleet consisted of twenty-two ships carrying over 3,100 men, whereas Jamaican councilmen estimated that, all told, their island could muster only half that number.[98] Not sure where the invaders would land, the council abandoned the windward forts and ordered the population of the eastern third of the island to rendezvous at Kingston and nearby Liguanea, where militiamen or fortifications could ensure some safety. The council told white planters and husbandmen to bring slaves and cattle on the journey, since the enemy would steal them if left behind.[99] Beeston prepared for the worst: "The French will not leave us till they conquer or we beat them."[100]

The invaders from Petit Goave aimed to destroy rather than to conquer, however. On June 17, the majority of the French ships landed in Cow Bay in St. David's parish, not far to the

[96] The best scholarly discussion of the attack, and one of the only secondary sources dedicated to the event is still David Buisseret, "The French Invasion of Jamaica - 1694," Jamaica Journal 16, no. 3 (1983): 31–33.
[97] CSPC 1693-96, 1074, 1109.
[98] CSPC 1693-96, 1111, 1113.
[99] CSPC 1693-96, 1083.
[100] CSPC 1693-96, 1109.

east of Kingston, and the men immediately began "plundering and burning" nearby plantations. Beeston concluded there was "nothing left in St. Thomas and St. David's" after the landing. For the next month, the French fleet tacked around the eastern end of the island, doing damage in Port Morant and the north side plantations in St. George's and St. Mary's parishes. They slaughtered the cattle left behind and threw the carcasses into open wells, eliminating water supplies. Fifty sugar works were destroyed.[101] They "drew flocks of sheep into houses, and then fired them… some of the straggling people that were left behind, they tortured." Beeston declared that "there was never more inhuman Barbarities committed by any Forces or Infidells in the world." After a brief stop back in Cow Bay in the middle of July, the fleet then sailed west to Carlisle Bay and landed the forces, laying waste to Clarendon Parish. Beeston riskily concentrated most of the island's defenders – about 700 men – in and around a well-positioned brick house inland of the French position. Under Major Richard Lloyd, the Jamaicans made an assault and caused, Beeston estimated, nearly 350 casualties. Having already lost that number to sickness in the fleet, the invaders returned to their ships and weighed anchor.[102] Lookouts watched the fleet sail off toward Petit Goave instead of attempting further landings. Having survived the onslaught, the council proclaimed July 30 a day of thanksgiving, but the damage had been great.[103]

Dealing with the aftermath of the French invasion was more difficult for some Jamaicans than cleaning up after the Port Royal earthquake, for the month and a half campaign had driven

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[101] CSPC 1693-96, 1109, 1121, 1131.

[102] Beeston, "A Brief Account of what happened…," August 1694, TNA:PRO CO 137/1/193-95. Buisseret was able to locate Hubbard's house in the south of Clarendon but it was destroyed before he published his account. He believes Beeston's account of French casualties in Clarendon too high, but admits that well more than 350 may have succumbed to disease, Buisseret, "The French Invasion of Jamaica - 1694," 33.

[103] CSPC 1693-96, 1174, 1194.

the island deep into debt. Beeston pleaded with the Lords of Trade that "if the king cannot send £3 to 4,000 the ruined inhabitants will leave the island and it may become deserted." The sum would only begin to pay the bills: the lieutenant-governor estimated the war alone cost at least £10,000.[104] With so many planters financially ruined, Beeston had trouble filling seats on the council and had to send his own deputy, Peter Beckford, as a special envoy to lay the island's poor condition before the king.[105] Planters were unlikely to recover quickly because the French had targeted fields, wells, and sugar works in their destructive sorties. Moreover, the invaders had carried off 1,600 enslaved Africans – "reckoned to be worth £50,000" – from Jamaica's plantations, as many slaves as the Royal African Company and private traders had delivered to planters the entire previous year.[106] As a result, planters went deeper into debt with the Company, so that, in 1695, Company officials complained that islanders still owed them at least £39,000.[107] The enslaved men and women experienced the greatest hardships of this capture, since they faced an inter-Caribbean Middle Passage and likely several subsequent captures and sales.[108]

As the dust settled, Beeston examined the reasons for the attack, and found Jamaica's private seamen to blame. In a lengthy report to Secretary of State Shrewsbury that August, the

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[104] CSPC 1693-96, 1194, 1258.

[105] CSPC 1693-96, 1196, 1258, 1336.

[106] CSPC 1693-96, 1458; Voyages Database (August 31, 2012).

[107] "Jamaica," 1695 or 1696, TNA:PRO T 70/164/12b.

[108] Beeston reported the rumor that Governor du Casse took the stolen slaves for himself, but he probably sold many, CSPC 1693-96, 1517. The phenomenon of inter-Caribbean slave passages is underrepresented in the current literature on the slave trade, but a good recent discussion is Gregory E. O'Malley, "Final Passages: The British Inter-Colonial Slave Trade, 1619--1807" (PhD diss., Johns Hopkins University, 2007). The resulting article examines passages to North America, Gregory E. O'Malley, "Beyond the Middle Passage: Slave Migration from the Caribbean to North America, 1619-1807," *WMQ*, 3rd ser., vol. 66, no. 1 (January 1, 2009): 125–72.

lieutenant-governor identified a few chief traitors and detailed their lack of worth, not just as seamen or subjects, but as men. According to Beeston, these "privateers" – like other Jamaican leaders, he used the word to denote the island's collection of private sea raiders not crown-licensed ones – had little regard for their country or for its female population. He asserted that these unscrupulous Jamaican sailors convinced the equally unchivalrous Governor Jean du Casse and his band of raiders in Petit Goave to invade poorly-defended Jamaica.[109]

Beeston began his diatribe with a history lesson: "Privateering having been for some years past discountenanced in this island and encouraged amongst the French at Hispaniola, many of our people who cared not to lead any other sort of lives went over to them." Of course, some deserters were "of the Irish nation," and their defection could be expected, but others were those who "through dissatisfaction, and being in debt, run away to them." All private sailors deserved some blame for the attack, he believed, but Beeston named a few who, he implied, aided the French invasion. "Amongst the chief of these rogues was one Grubbin, who was born here of English parents," he noted, but being a native Jamaican did stop Grubbin from raiding his own countrymen in night attacks. Another named islander, Stapleton, was an Irishman from the Windward Islands who had eluded Beeston's capture after refusing to take oaths of allegiance to England. Stapleton and another Irish comrade, named Lynch, then captured a Jamaican indigo cargo ship and delivered it to Du Casse along with, Beeston believed, details of the island's poor defenses.[110] Stapleton intended to return for his Jamaican wife (and a company of slaves), but

[109] The narrative and quotations that follow are from Beeston, "A Brief Account of what happened," August 1694, TNA:PRO CO 137/1/193-95.

[110] Beeston did not supply first names for the raiders he mentioned in the report.

Beeston, after intercepting the letter, secured the woman since she had been a loyal English subject and he did not want her tempted by traitors.

According to his report, William Beeston continued to protect white women – both English Jamaican and French Hispaniolan – throughout 1694. That year, a Jamaican sloop came across Grubbin's wife on the coast of Hispaniola and, at her request, the men offered the French woman passage to Jamaica since her husband "used her very ill." At first, Beeston hesitated to allow the woman to stay but he did want to protect her from Grubbin and she refused offers to be part of inter-island prisoner exchanges. Grubbin felt his manhood threatened by Beeston's grant of asylum to his wife, and he made war on the women of Jamaica; he vowed he would "carry away what women he could meet with" until he had his wife back. He began with a night raid to the house of Mrs. Barrow, a "minister's widow," and her "maiden daughter." After plundering the property and stealing some slaves, the sailor kidnapped the fourteen-year-old girl and sailed back to Petit Goave. Other Petit Goave privateers landed on the north coast at the same time, capturing and ransoming the wife of a local leader, word of which eventually reached Beeston. Meanwhile, Mrs. Barrow made the long journey from the St. Elizabeth's coast to King's House in Spanish Town and told Beeston her horrible tale in person. Alarmed at the kidnappings, the lieutenant-governor decried such "inhumanities beyond the usual custom of war amongst Christians" and sent a delegation "under flag of truce" to complain to du Casse. Unbeknownst to Beeston, du Casse imprisoned the delegation rather than investigate the accusation, and just as Beeston began to suspect something was amiss, Captain Elliott arrived at his door.

Relying on his readers' fears that private sailors would defect and on islanders' desires to protect the female kind, Beeston intentionally painted the island's private seamen as the

instigators of the ensuing attack. His narrative fit with the generation-long fear, palpable amongst elite Jamaicans and well-known across the Atlantic, that Jamaica's private seamen would one day turn against their masters and aid a French invasion. Moreover, he questioned the sailors' very manhood as a way of further implicating them. Stapleton, in Beeston's report, had abandoned his wife on the island when he defected, forfeiting her to Beeston's protection. Grubbin was a jealous and abusive husband whose own wife wanted to escape him. His subsequent "unchristian" war on the island's women and his "inhuman" kidnapping of a dead minister's virgin daughter were monstrous actions that could not be redeemed. Quite possibly, Beeston intentionally dehumanized Grubbin and the others to let his readers associate them with pirates. English and international lawyers by then defined the pirate as a stateless sea raider loyal to none and an enemy to all, and Tindal's essay had further spread that definition to the English reading public. Beeston brought Jamaica's private raiders into that category just as English war leaders sent the Caribbean new imperially-designated privateers to fight the French at sea. Thanks to Beeston's report, two fixed legal classes to designate private seamen, the pirate and the privateer, solidified in Jamaica in the mid-1690s.

His report was mostly rhetorical bluster, for he shared no evidence that any of the three seamen he named had anything to do with the invasion. Though the sailors had been in Jamaica and then moved to Petit Goave, no record exists of what, if anything, they told du Casse or whether they accompanied the French invasion. It could be argued that, Hispaniolans having estimated the effects of the Port Royal earthquake in 1692 and France having sent troops and ships to the colony in 1693 and 1694, a French attack on Jamaica in 1694 was quite likely no matter how many private seamen defected. Beeston implied strongly that the seamen had

masterminded the attack, however, and he believed his readers would conclude the same. Stapleton and Lynch, he argued, had the perfect occasion to transmit information on Jamaica's poor defenses to du Casse when they brought him the indigo ship. Beeston even accused Stapleton of moving to Jamaica from the Windwards solely to spy on the island for the benefit of the French. Beeston also implied that, as part of Grubbin's campaign against Jamaican women, the sailor had directed the Petit Goave privateers who landed on the north side and kidnapped a prominent woman at the same time as he stole Mrs. Barrow's daughter. In Beeston's letter, the two Irish seamen orchestrated the invasion, and Grubbin was responsible for its inhuman brutality.

Why did the lieutenant-governor of Jamaica hang the island's private seamen out to dry? It seems out of character, for he had employed the raiders earlier in the war – even fought the Admiralty and the Lords of Trade for the power to grant them commissions and condemn their prizes – and put some aboard the *Advice* when he prepared that ship for potential battle with the French fleet. Yet, Beeston had distrusted private sailors since the 1660s, when he first observed them bringing in prizes contrary to regulations. As captain of the English navy frigate *Assistance* in the early 1670s, he proudly rounded up illegal raiders as a pirate hunter, though his first mate, whom he had not chosen, was a "famous privateer."[111] More recently, the deserters who had sailed to Curacao or elsewhere after the earthquake frustrated him because of their opportunism. The few private seamen who remained on Port Royal, but who then mutinied in 1693, angered him the most. He intended to punish these men with his report. For the most part, the punishment was effective: though he still commissioned a few private raiders throughout the rest of the war,

[111] See chapter three and Beeston, "Journal," BL Add MS 12424.

he kept them on short leashes like the several he sent to Wilmot off the coast of Hispaniola only after eliciting explicit promises to aid the fleet. He was upset in 1699 when the leaders of the new Scottish Darien colony employed private sea raiders to attack Spanish settlements on the isthmus.[112] He never had a kind word for a Caribbean privateer.

Conclusions

William Beeston's reaction to the invasion did not destroy completely Jamaica's private seamen. Nor did the earthquake drown or disperse them all. Likewise, the centralized imperial war effort did not turn them all into crown-regulated privateers. But all three events conspired to end the practice of regularly employing private raiders as colonial agents within the Caribbean political sphere. Since Cromwell's Western Design, two generations of private seamen had inhabited Port Royal, heirs to a culture of English prize-taking in the Atlantic. For forty years, they had defended the colony, carried its numerous illegal trades, and hunted non-commissioned raiders. They had represented a unique period of colonial control over sea raiding and, in the eyes of the empire, had been neither pirates nor privateers (though they had been called both). By 1701, when preparations for the next multi-imperial conflict – to be known as Queen Anne's War – began, colonially-commissioned agents at sea were a thing of the past. English officials directed all aspects of the new war and sent Jamaica the largest single shipment of provisions,

[112] "Copies of Severall Letters from the Governors of the Spanish West Indies to Sir William Beeston, with his answers to them," 1699, Huntington Library BL 10; Beeston to Vernon, May 5 1699, Huntington Library HM 32283.

materiel, and ordnance inhabitants had ever seen.[113] An army officer led the island's government and its new royal regiments, while Royal Navy fleets made the harbor their home with greater regularity than they had before.[114] Private sea raiders throughout the Atlantic could now take only two forms: imperial and international law designated pirates as unlicensed, stateless enemies of mankind and privateers to be state-authorized and -regulated naval supplements, heroes in times of war. There could be no more agents of the colony.

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[113] "An Accompt of the Mortar Pieces, Ordnance, Armes and other stores of Warr sent last year for Her Majesties service to the Island of Jamaica (for the year 1701)," 1702, NLJ 1005.

[114] Richard S Dunn, *Sugar and Slaves; the Rise of the Planter Class in the English West Indies, 1624-1713* (Chapel Hill: University of North Carolina Press, 1972), 163; Pawson and Buisseret, *Port Royal, Jamaica*, 177–179.

CONCLUSION

The Caribbean Sea in the seventeenth century was not the pristine blue-green expanse of natural paradise today's tourist observes. It was wooded with boats and ships, constructed by human hands (largely, the hands of laborers both skilled and unfree) for human purposes (often, the purposes of the wealthy and free). The masts of these ships scraped the sky, comprising a forest of ambition; their sails billowed in the wind, forming a canopy of technology; and their holds carried human and non-human commodities from all over the planet, a fertile soil of greed. Ships were so ubiquitous that almost every man or woman living in the Caribbean in the seventeenth century had, at some point, stepped aboard a wooden vessel.

A diverse group of people – from captains and craftsmen to servants and seamen – lived much of their lives on board, the floating inhabitants of wooden worlds.[115] The men (for masculinity defined these wooden worlds) traveled as a career, stopping on land for short periods only, crossing the Atlantic Ocean on a regular basis. Seafaring men were the agents – and ships were the means – of a vast number of cultural encounters within the Caribbean political sphere. These travelers were one of the ligaments holding together an unplanned Atlantic world.

Though it has discussed various cultures, global economies, and much more, this dissertation is fundamentally about people. The title might indicate large social forces. The phrase "colony and crown" evokes the idea of empire, and the term "sea raiding" refers to the process of attacking ships and stealing goods at sea, both of which can appear to be abstract concepts removed from human realities. Dwelling on these concepts, important as they were to

[115] For the concept of the wooden world, see N. A. M. Rodger, *The Wooden World: An Anatomy of the Georgian Navy* (London: Collins, 1986).

the early-modern Atlantic, would be to misread my intent. Instead, I invite the reader to linger on the word "agents," a dual declaration of action and humanity.

The agents presented here were sailors in English Jamaica unaffiliated with navies or merchant shipping companies, but who, through their piratical actions on behalf of local Caribbean governments, aided the creation of some (and the diminishment of other) empires in the Atlantic world. This dissertation uncovered a broad constellation of people behind the concepts of empire and piracy – not just the maritime agents themselves but the colonial officials who employed them, the planters and merchants who supported them, the imperial administrators who observed their actions with mixed emotions, and the servants and slaves whom they bought, sold, stole, freed, employed, or otherwise utilized on their voyages.

To reveal that empires, colonies, and piracies were human enterprises is not to argue that they were humane enterprises. The sea raiders at the center of this constellation – and some of the planters, administrators and others on the edges of it – regularly cheated, ransomed, tortured, molested, killed, pillaged, burned cities, and drank heavily. Many also loved their families and friends, upheld contracts, and served their colonies faithfully. If we think of pirates only as monsters, we might forget the monstrous side of humanity.

Jamaica, for example, regularly demanded a high price from its inhabitants. Servants and slaves, most of whose stories we will never recover, died daily by the score, some literally worked to death. Politicians, planters, merchants, soldiers, sailors, and their families also regularly encountered disease, natural disaster, surprise attack, crop failure, or embezzlement. Some were kidnapped on land or captured at sea. Titled aristocrats succumbed to the death trap

that was seventeenth-century Jamaica, too. What Vincent Brown calls the "reaper's garden" did not discriminate between ennobled duke and enslaved ditch digger. The history of Jamaica is fundamentally a story of loss.

Scholars sometimes tell a story of gain. This story almost always begins from the perspective of empire, and it privileges the rise of plantation culture on the island. During this time, England gained an important colony, and, through it, was sometimes able to extend the elements of empire to the middle of the Caribbean. Plantation owners gained social status every time they acquired land or purchased African slaves to work it. Large and small planters, investors in England, merchants on both sides of the Atlantic, and traders on land and at sea gained wealth through the exploitation of the island's natural and human resources. Consumers around the world gained sugar, cocoa, indigo, and textiles colored with logwood-based dyes. To some historians, seventeenth-century Jamaica's community of private seamen – typically called "privateers," "buccaneers," and sometimes "pirates" – aided this meteoric rise of plantation culture and, with it, the English empire. This dissertation has argued, in contrast, that the island's private sailors were not merely cogs in empire's machinery. They were occasional and uncommitted "agents of empire," but they were active agents of the colony.

Abandoned by an England in upheaval almost as soon as it was conquered, Jamaica quickly developed a local political culture that relied on a group of former soldiers and sailors – themselves heirs to a centuries-old culture of taking prizes at sea – to raid Spanish targets and acquire capital, slaves, and goods for the colony. Ordered to stop commissioning raiders by the new king, Charles II, Jamaica's leaders only issued more, responding to Caribbean rhythms of war and peace. When Anglo-Spanish peace was finally declared, Jamaican leaders found

alternate employment opportunities for the private seamen of Port Royal, but those opportunities faded by the middle of the 1680s, destroyed, once again by local political realities. Finally, the Port Royal earthquake killed or disbursed some of the seamen who had remained on the island, making Jamaica home to only a few private sailors during a time of massive inter-imperial warfare in the Caribbean. Those men remaining, however, could never get back their position in the island political economy that their forebears had enjoyed in the 1650s, 60s, and 70s. Governor William Beeston ensured their demise by blaming them for a devastating French descent upon Jamaica, questioning their loyalty and even their status as men. Jamaica's private seafarers no longer sailed the Caribbean Sea as agents of their colony.

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