

CHAPTER 12

PRIVATEERS

For Anguilla, the eighteenth century began with after-shocks from the War of the Spanish Succession, 1701-1713, also known as Queen Ann's War. Except for the loss to the English of their part of St Kitts, the French West Indian possessions remained intact. Governor in Chief Walter Hamilton's heart was set on the Anguillians and the other poor inhabitantss of the Virgin Islands being allotted land in the previously French lands of St Kitts.¹ This, he explained to the Committee for Trade and Foreign Plantations, would be preferable to permitting them to remain scattered among the small islands of the Virgins, where they traded with the Danes and the French, to the disadvantage of His Majesty's revenue.

During the long reign of Louis XV, 1715-1774, the struggle between the British and the French for colonial supremacy continued. On the death of Charles VI, war between the two countries broke out again in 1740 in the War of the Austrian Succession, 1740-1748. This war did not come to a decisive end. It was part of a series of contests

¹ Dealt with in Chapter 13, Resettlement Plans.

between the two countries lasting from 1689 to 1815. The 1748 Treaty of Aix-la-Chappelle that ended the war settled nothing. War resumed later in the Seven Years War, 1756-1763, also known to US historians as the French and Indian War. France was defeated, finally ending the French Monarchy's challenge in Europe. The remaining major conflicts of the century were The American Revolutionary War, 1779-1783, and the Wars of the French Revolution, 1792-1802. These last two are outside our period.

An attempt was made in the 1713 Treaty of Utrecht to regulate Britain's relationship with Spain. Until then, all British ships trading to the Americas were trespassing and liable to seizure by the Costa Guarda. The 'Asiento' permitted Britain alone the privilege of sending a ship to trade with Spanish America.² The Asiento contract of 1713 was granted for only 30 years. It gave Britain the right to take 4,800 slaves a year from Africa to Spanish America. This limited monopoly was the thin edge of the wedge for Britain's traders. The quarrel between them and the Spanish authorities continued in the Caribbean. The British merchants and traders cheated on the Asiento contract. The

² Usually spelled "Assiento" in English.

size of the one vessel per year to Porto Bello was strictly limited by the Treaty. The British merchants attempted to evade this limitation. They brought in cargo after cargo on the same ship from off-shore depots. The angry Spanish coast guard tried to hunt down the smugglers.

Accounts of the alleged cruelties of both the Spanish and English echoed around the Caribbean. Sometime before the last voyage under the Asiento was made in 1733, the Spaniards sliced off an ear from one Robert Jenkins, the captain of a British ship in the Caribbean. The ear, preserved in a pickle jar, later turned up in the British Parliament. In a storm of national indignation, Britain declared war on Spain in 1739. Called initially the ‘War of Jenkins’ Ear’, it took on more importance in 1740 when it became part of the ‘War of the Austrian Succession’, in which Britain fought against France. Just to confuse matters, US historians refer to this as ‘King George’s War’. This series of eighteenth century wars severely weakened Spain. As their American empire crumbled, the Asiento was abandoned. The Dutch, too, undermined by these wars, lost their commercial supremacy to the British.

These wars in Europe continued to the end of the eighteenth century and into the nineteenth.

Time and again, Anguilla was caught up in the resulting naval and military operations which took place in these waters. They were the cause of great social and economic dislocations in Anguilla. The Colonial Office papers reveal that in the year 1706, during the War of the Spanish Succession, Captain George Leonard, deputy governor of Anguilla, was required to raise a force of fifty armed men from the local militia and to send them to join the forces of Colonel John Johnson in Antigua.³ This was a significant percentage of the male population of Anguilla at the time. However, who the fifty men were and what their fate was is not known.

Great excitement was caused in the year 1711 during the same war when one Captain Birmingham, a privateer for the French, landed three spies on Anguilla. Governor Hamilton wrote to the Committee for Foreign Plantations in early 1711 that he learned from deputy governor George Leonard that he apprehended the three spies.⁴ They confessed that they were landed by Captain Birmingham to find out what the strength of the island's defences were and how many slaves there were that might be captured. The spies also confessed that Birmingham was established in

³ CO.152/6, No 39: Johnson to the Committee on 3 November 1705.

⁴ CO.152/9, No 70, folio 208: Hamilton to the Committee on 5 April 1711.

neighbouring St Martin. There he waited with two large privateering sloops and 200 men while he prepared to attack Anguilla. Hamilton resolved, as soon as the man-of-war assigned to his government arrived, to embark and go to the relief of the island.

A few weeks later, Hamilton reported on the outcome of the action.⁵ He arrived in Anguilla with the man-of-war, two sloops, and a detachment of troops from Colonel James' Regiment from Antigua. He found that Birmingham attempted to land on Anguilla with six sloops. He did not succeed in his landing, and departed Anguilla's waters. The Governor does not relate what role if any the Anguillian militia played in repulsing Birmingham's attempt to land his forces. It is likely the Anguillians were entirely responsible for the capture of the three spies and the repulse of Captain Birmingham. Hamilton took the three spies on board his man-of-war and returned to Antigua with them.

Birmingham failed in his attempt to take Anguilla, but he left a trace of his visit. There is only one place in Anguilla with which the name Birmingham is associated. No other person named Birmingham was ever in any way connected with Anguilla, far less recorded as owning an estate in

⁵ CO.152/9, No 71, folio 220: Hamilton to the Committee on 26 April 1711.

Anguilla. Yet, there is a Birmingham in Anguilla. ‘Brummagen’ is an English dialect name for the city of Birmingham in England. A native of Birmingham is referred to as a ‘Brummie’. The Anguillian place name ‘Brimegin’ is the name of the area to the west of Shoal Bay. The names Brimegin and Brummagen are almost identical in sound. Only the spelling is different. They appear to be the same word. It is not difficult to see that the word Brummagen has become Brimegin in Anguilla. The place is situated far from the hamlets and farms of Anguilla. The coast is rocky, but there are several small bays where a boat might come in and land two or three persons without being observed. We do not know where exactly Captain Birmingham landed his spies or attempted his invasion of Anguilla, but the area now called after him was as good a place as any.

Peace was declared in 1713 when the War of the Spanish Succession ended in the Treaty of Utrecht. The ensuing years in Anguilla are noted for the continuing severe drought, and the repeated requests of the poorer planters to be granted patents to land in Crab Island and St Croix. The long drought began in about the year 1680, causing

the 1683 and 1688 attempts to settle Crab Island.⁶ It was still ongoing when the Anguillians attempted to settle Crab Island again in 1717.⁷ When the drought ended in about 1725, the troubles of the Anguillian planters did not come to an end.

The Anguillian seamen had no easy time of it either. In 1737, Governor in Chief William Mathew sent a dispatch to London. He enclosed a deposition of William Fisher of Antigua relating to a Spanish coast guard vessel.⁸ From it we learn something of the conditions at sea that the Anguillian mariners faced on a daily basis. Fisher claimed that he was a passenger on the Sloop Fanny of Antigua sailing to St Vincent. They were intercepted off the Rocas on 4 September 1736. The Rocas are small rocky islands off the coast of Venezuela. They lie close to the area between the Dutch island of Bonaire and the Venezuelan island of Margarita.

Fisher's deposition describes how the six men from the Fanny were stripped naked and severely whipped for being so far off their course. They were marooned for five days on Grand Rocas before the Spanish sloop returned with the crew and

⁶ Chapter 9: The Lure of Crab.

⁷ Chapter 10: Crab Island Revisited.

⁸ CO.152/22, folio 302: Mathew to the Committee on 17 January 1737.

passengers from a Nevis boat, who were also left with them on Grand Rocas. Four days later they were all rescued by a Dutch vessel. Not long after, however, this vessel also was taken by the same Spanish sloop. The Dutch captain's right hand was cut off and cooked in front of the captain. He was then forced to eat his own hand. The prisoners were later dumped on Salt Island. They were subsequently rescued by another Dutch ship. It took Fisher another two months before he was able to get back to Antigua in safety.

It was in this atmosphere of danger and great risk that the Anguillian sea captains and their crews of the period plied their trade. Indeed, Governor Mathew in his dispatch related that, after the incident with William Fisher, the same Spanish vessel took an Anguillian sloop which was on its way to the Rocas to catch turtle. There is no indication who the owner of this Anguillian turtling sloop was. Nor do we know if the Governor was able to obtain its release. What is of interest is the revelation that the turtling industry in Anguilla at this time involved such extensive travel. The Rocas lie many hundreds of miles to the south of Anguilla. It is a long way for an Anguillian boat to go in search of turtles. Were they, perhaps, as the Spaniards

believed, engaged in unlawful trade, ie, smuggling?
We simply do not know.

The War of the Austrian Succession broke out with the Spaniards in 1739. Peace did not return to the region until the Treaty of Aix-la-Chappelle nine years later, in 1748. The story of the attempted annexation of St Martin to Anguilla belongs to this period. The story was preserved in the local folklore and repeated in print by diverse writers, including Thomas Southey and Governor Reginald St Johnson.⁹ There are several second and third-hand accounts of this engagement. None was written by a contemporary Anguillian. After 1738, the Colonial Office records for Anguilla and the Virgin Islands become scarce. Prior to 1738 it was rare at the best of times for a Governor-in-Chief in his dispatches back to London to refer to Anguilla or her achievements. After 1738 references to Anguilla in the National Archives almost cease for nearly one hundred years. From what we know from the scattered references, Arthur Hodge succeeded John Richardson as deputy governor of Anguilla in 1741. He served in that capacity until 1749. It was he who led the assault on St Martin.

⁹ Katherine J Burdon, A Handbook of St Kitts-Nevis (1920); Percy's Anecdotes, Vol VII, p.80; Thomas Reginald St Johnston, The Leeward Islands During the French Wars (1932).

Thomas Southey records that in the year 1744 the Anguillians invaded and captured the French half of the neighbouring half-Dutch, half-French island of St Martin.¹⁰ Hodge had under his command some 300 volunteers assisted by 2 privateers from St Kitts. His invasion was somewhat unofficial. It was described by St Johnson as a ‘marauding expedition’. Be that as it may, he succeeded in driving the French forces from their half of St Martin and took possession of it. The number of the Anguillian militia show how much greater the population of the island grew from just one generation previously.

The following year, 1745, the French retaliated by attacking Anguilla. There are several descriptions of this, the first invasion of the island by the French since those of 1666 and 1688. The French commander in St Martin, Monsieur de Caylus, sent 650 men under the command of Monsieur de la Touche in two French frigates. They landed on the north coast of Anguilla on 21 May and commenced their attack. The exact site of their landing and the subsequent engagement between the Anguillian and French forces is not mentioned in the official records. From the description in the

¹⁰ Thomas Southey, A Chronological History of the West Indies (3 vols, 1827) Vol 2, p.300.

various accounts of the battle, it is evident that the landing took place on the beach at Crocus Bay. But, a contemporaneous report quoted below states they landed at Rendezvous Bay, which is not believable. They attacked up the steep track from Crocus Bay to the top of Crocus Bay Hill. Deputy governor Arthur Hodge supposedly had only one company of 22 men to oppose this immense force. He was able to raise 300 men the year before for the frolic in St Martin. It is difficult to see why he could not now raise the same number in defence of their homes. Southey gives the size of the Anguilla defence force as 150 militiamen.¹¹ Be that as it may, Arthur Hodge and his 22 men defended the breastwork at this steep and narrow path. This path rises sharply from the beach to the top of the cliff some 200 feet above. The traditional story is that Hodge addressed his men with the words:

Gentlemen, I am an utter stranger to all manner of military discipline, so have nothing to recommend to you, but load and fire as fast you can, and stand by one another in the defence of your country; so God bless you.

His men then shook hands with each other and solemnly bound themselves to each other, either to drive away the French or to die in the attempt. They

¹¹ Southey op cit, Vol 2, p.303.

marched forward to their breastworks. These were prepared for the purpose of shooting down on any attacker using the path to ascend to the town.

We have a first-hand, Anguillian account of what happened next. The Boston Post for 5 August 1745 carries an extract of a letter from an unnamed gentleman in Anguilla to his friend in St Kitts dated 24 May. It reads:

On the 21st instant, early in the morning, we were surprised by a fleet of French, consisting of two Men-of-War, one of 36 guns, the other of 32, with 3 privateers, and two Dutch vessels as tenders. They had undiscovered put on shore 759 men at a place called Rendezvous Bay. Their success in landing was a great encouragement to them, and a great discouragement to us: our whole force being 97 men only. These our lieutenant governor, Arthur Hodge, formed into three divisions, and posted them in a very narrow path by which the French were to pass secured with breastworks, the first of which would contain but 22 men, commanded by Captain Richardson. These engaged the enemy, firing by platoons regularly, and with so true an aim that every shot took pace and the French fell so fast, that in less than ten minutes they lost courage, and fled with precipitation, having in this short action at least 160 men killed and wounded, and drowned in getting into their boats. We expected a fresh onset the next day, but it seems they had a job of it for they went away quietly.

We have buried 35 dead, and are daily in search of such as have hid themselves in the bushes, or died there of their wounds, which latter we believe, by the stench to be many, but can give no certain account of them, nor of the drowned. Among the dead are the second Captain of the Commodore (Monsieur La Touch), the first lieutenant of the other ship, Capt Rolough, and old privateer, Benar their pilot who married his wife of this island, the Governor of St Bartholomew's son, and several other officers. The Commodore himself was wounded in his arm and thigh, so much that they were obliged to carry him on board, as they did 25 others. Some of these particulars we learn by some prisoners set on shore by a flag of truce sent by the Commodore.

They had landed several hand grenade shells, swivel guns fixed on triangles, beef, cheese, bread and wine. The four last articles were good plunder for our Negroes. Every dead man had in his pockets nettles, or small lines, for pinioning our Negroes. We had not one man hurt, and have got by this expedition, besides two pair of their colours, a great many fine buccaneer guns, cartouch boxes, etc, which they left behind, and with which we intend to arm our most trusty and sensible Negroes to strengthen our island.

Southey gives the French losses as 32 killed, 25 wounded, and 50 made prisoner. The following year Commodore de la Touche comes to an ignominious end. A contemporary issue of the

Gentleman's Magazine records his capture (see illus 1).

Ships taken on both sides. ('Gentleman's Magazine.')
1746, January. A Fr. man of war of 36 guns, capt. La Touch (who made a descent on Anguilla), tak. by an English man of war, and carried into Antigua.

1. The end of M de la Touche: Gentleman's Magazine for January 1746.

The print is small and fading. It reads,

*1746 January: A French man-of-war of 36 guns,
Captain La Touch (who made a descent on
Anguilla), taken by an English man-of-war, and
carried into Antigua.*

We hear nothing more about M de la Touche. Was he exchanged, and did he survive the war? We do not know. Nor does the Anguilla militia which invaded St Martin and which made a successful defence of Anguilla feature in any other action during the war.

Just west of Crocus Bay on the north coast of Anguilla lies the bay known as Katouche Bay. It is sometimes suggested that Monsieur de la Touche landed at Katouche Bay, and not at Crocus Bay. Katouche Bay is supposedly named after him. On some modern maps the spelling of the name of the bay is given as 'Latouche'. There were until recently cannon half-buried in the earth at the foot of the hill. They might appear to lend credence to

some past story of military conflict at that bay. However, these cannon do not necessarily derive from this French military action. Nor does the presence of cannon at Katouche Bay relate to the defence of that bay. The cliff between Katouche Bay and Crocus Bay commands the entrance to the harbour of Crocus Bay. It is a natural site for a battery of cannon to protect the entrance to Crocus Bay, the nearest port to the old capital of The Valley.

More important is the documentary evidence relating to the evolution of the spelling of the word. We can see it in the Anguillian deeds preserved in the court records of the period. The area was referred to in the early deeds as ‘Catouche Bay Plantation’.¹² There is no such word in English as ‘catouche’. The nearest equivalent is the French ‘cadeaux’ meaning gifts. This is sometimes pronounced in the English style as ‘caduce’. The English-speakers of Anguilla shared the common practice of pronouncing French words phonetically in English. The most likely explanation for the origin of the word Katouche is that the Anguillians turned ‘cadeaux’ into ‘caduce’. From ‘caduce’ the word gradually became ‘Catouche’, and then ‘Katouche’.

¹² Chapter 18: Sugar Arrives.

There is no early deed that records the name of that bay as ‘Latouche’ or any other similar variation of ‘de la Touche’. The Latouche version of the origin of the name of Katouche Bay is an error. However, relying on this fanciful story, the Ordnance Survey Map of Anguilla at one time in circulation carried the mistaken spelling ‘Latouche’ for the area universally pronounced as Katouche Bay.

Having captured St Martin, and been invaded in their turn for their pains, the Anguillians made a determined effort to keep the neighbouring island as a dependency of Anguilla. In 1747 the inhabitants of Anguilla sent deputy governor Arthur Hodge to England. He carried a petition from them addressed to the king. They and the Anguillians now settled in St Martin sought confirmation of the grants of land made to them by deputy governor Hodge.¹³ They set out in justification the great hazards and risks they took in seizing the French part of St Martin after the declaration of war. They claimed that the taking of St Martin was as a result of a specific commission given to Hodge by Governor Mathew. They also related the great expense that they were put to in volunteering to assist in this enterprise. They, therefore, requested

¹³ Acts of the Privy Council, Vol 1745-1766, paragraph 54: The 1747 Anguilla petition to keep St Martin.

that they be allowed to keep the French part of St Martin as their just reward for the action they took.

The Anguillians were to be disappointed. The Treaty of Aix-la-Chappelle did not make the French part of St Martin British. The island remained half-French, half-Dutch as St Martin/Sint Maarten. Many of the Anguillians remained in St Martin, becoming French citizens. Others returned home disappointed. Communications with nearby Anguilla were kept up and English eventually became the most commonly spoken language in St Martin until the 1970's when a huge influx of French-speaking 'Mitterrand refugees' fleeing the socialist mainland took the island back to speaking French.

We learn from the Anguillian petition that from the date of the capture of St Martin, if not before, the Anguillian deputy governor made grants of land in St Martin to British settlers. Later deeds, copies of which are found in the Anguilla Registry of Deeds, refer to an 'English Quarter' in St Martin with its own Governor.

Arthur Hodge, his mission unaccomplished, died in London on 28 January 1749.¹⁴ His expenses in travelling to England were not met by

¹⁴ Vere Langford Oliver, Caribbeana (1710-1719) Vol 3, p.302.

the islanders, and his efforts in their behalf in London were in vain. The Anguillians gave him a bond for his expenses in England before he left. His estate never claimed it after he died. The bond resulted in a lawsuit years later against his estate by the government of the day for an account of the powder money collected by him from visiting ships. While he was alive he did not account for the taxes he collected and pocketed. Fortunately, the suit was settled to the satisfaction of all the parties.¹⁵

War in the seventeenth and eighteenth centuries between the European powers was not always detrimental to Anguillian enterprise. War provided economic opportunities for those Anguillians who dared to take the risks. The surviving documents in the Anguilla Archives show Anguillians participating in the physically dangerous and financially risky enterprise of privateering. The industry seems to have peaked in the later wars of the eighteenth century, just outside our period, 1650-1776. But, during our period a good foundation was laid by some of our intrepid pioneers.

A privateer is a privately owned and manned ship, commissioned by a government to fight or

¹⁵ Anguilla Archives: Decision of the Court of Common Pleas of 7 August 1776.

harass enemy ships. The commission, also known as a '*letter of marque*', empowered the person to carry on all forms of hostility permissible at sea by the usages of war. This authorised him, if he could put up sufficient security to guarantee his correct conduct, to sail as a private man-of-war, at his own risk, against the King's enemies. He was able to attack foreign vessels during wartime and seize them as 'prizes'. A captured ship was subject to condemnation and sale under 'prize law' in a Court of Admiralty. The proceeds of the sale in Anguilla were divided between the ship-owner, the captain and crew, and the court. Normally, a share would go to the Crown as issuer of the commission. In Anguilla, the Crown had no representative other than the deputy governor who was also the judge of the 'Court of Admiralty'. If the deputy governor also owned the privateering ship, and if his son or son in law was the captain of it, most of the proceeds of the sale could be kept in the family. Needless to say, that is just what happened in Anguilla.

Privateers were a large part of the total military force at sea during the seventeenth and eighteenth centuries. In the First Anglo-Dutch War of 1652,¹⁶ English privateers in European seas

¹⁶ First Anglo-Dutch War, 1652-1654. To protect its position in the Americas, in October 1651 the English Parliament passed the first of the Navigation

attacked the trade on which the United Provinces of the Netherlands depended, capturing over 1,000 Dutch merchant ships. During the subsequent Anglo-Spanish War of 1654,¹⁷ Spanish privateers captured 1,500 English merchant ships, helping to restore Dutch international trade. English trade was also attacked by Dutch privateers in both the Second Anglo-Dutch War of 1665¹⁸ and the Third Anglo Dutch War of 1672.¹⁹ During the Nine Years War,²⁰ the French encouraged privateers to attack English and Dutch shipping. England lost roughly 4,000 merchant ships during that war. In the

Acts, which mandated that all goods imported into England must be carried by English ships or the vessels from the exporting countries, thus excluding the mostly Dutch middlemen. This led to a number of skirmishes between the vessels of both nations, culminating in the declaration of war by the Commonwealth on 10 July 1652.

¹⁷ Anglo-Spanish War, 1654-1660. This was a conflict between the English Protectorate under Oliver Cromwell and Spain. It was caused by commercial rivalry. Each side attacked the other's commercial and colonial interests in various ways such as privateering and naval expeditions. In the West Indies, the most significant development was the capture in 1655 of Jamaica by Penn and Venables.

¹⁸ Second Anglo-Dutch War, 1665-1667. The year after the 1666 fire had gutted London's commercial centre, the Dutch fleet under Admiral de Ruyter sailed up the Thames Estuary and set fire to the ships of the English fleet. The Dutch victory had a major psychological impact throughout England. This, together with the cost of the war and the extravagant spending of Charles' Court, produced a rebellious atmosphere in London. King Charles ordered his envoys at Breda to sign a peace quickly as he feared an open revolt against him.

¹⁹ Third Anglo-Dutch War, 1672-1674. Without much public enthusiasm, Charles II joined the French Louis XIV in his attack on the Republic. Admiral de Ruyter gained several strategic victories against the Anglo-French fleet and prevented them from invading the Netherlands. After these failures, parliament forced Charles to make peace.

²⁰ Nine Years' War, 1688-1697. This war was initially caused by King Louis XIV invading the German Palatinate, resulting in William of Orange, the Dutch-born King of England to form a Grand Alliance against France. The war raged across Europe, but France did not have the resources to defeat both the English and the Dutch, and peace was at last concluded by the Treaty of Ryswick.

following War of Spanish Succession, privateers took 3,250 English merchant ships.

When the Emperor Charles V died in 1700, his closest heirs were members of the Austrian Habsburg and Bourbon families. The acquisition of the Spanish Empire by either of them would threaten the European balance of power. Charles left his throne to the French Philip of Anjou, and he was proclaimed King of Spain the same year. His right to the Spanish throne was recognised by England and the Dutch. A Grand Alliance of other European powers promoted Archduke Charles, the younger son of the Habsburg Emperor Leopold, as their candidate for the Spanish throne, and war broke out in Europe in 1701. In 1711, England, or Britain as she now was after the 1707 Union with Scotland, was tired of the war. When Archduke Charles on the death of his older brother succeeded to the Habsburg throne, Britain withdrew from the war, and the Treaty of Utrecht followed in 1713.

The Fourth Anglo-Dutch War of 1780-1784 is just outside our period.²¹ Locally, the most

²¹ Fourth Anglo-Dutch War, 1780-1784. It was caused by the Dutch Republic supporting the Americans who had rebelled against the British Crown. The Dutch sided with the Thirteen Colonies in the American War of Independence, 1775-1783, when the mainland colonies in America declared independence as the United States of America. Some of the southern island colonies in America, particularly Jamaica, seriously considered joining the war on the side of the mainland colonies. But, in the end, they all remained

important impact was the capture in 1781 by Admiral Rodney of the neighbouring Dutch international free-trade entrepot of St Eustatius or Statia (see illus 2).



2. The capture of St Eustatius by the British fleet in 1781.²²

Anguillian privateers in the earlier part of eighteenth the century were not able to get their captures lawfully declared prize of war by a Court of

loyal to the Crown. Their trade was badly affected by the British blockade of the rebelling colonies, and the economies of all of the islands were badly hit.

²² The reason for the inscription at the top reading from right to left is that this painting is a ‘trompe d’oeil’. It is meant to be viewed in reflection in a mirror, when it would be easily readable.

Vice Admiralty in Anguilla. That was very inconvenient for deputy governor Benjamin Gumbs,²³ one of the chief privateering financiers through the period. So, we see him defending a case brought in 1756 by Captain John Watts before the Anguilla Council. From the record in the Anguilla Archives, it appears that George Brooks was the captain of either a schooner or a sloop owned by Gumbs.²⁴ The deputy governor was in the happy position of being able to issue a commission to Mr Brooks to operate as a privateer. Brooks captured the Brigantine²⁵ Lucretia, captained by John Watts and owned by William Moore,²⁶ and brought it into port in Anguilla. It is not clear from the record where Lucretia was registered, but from the names of her owner and captain she does not sound French. Before Gumbs, sitting as his own informal Court of Admiralty, could confiscate the vessel and order it sold, Watts and Moore brought an action before the Anguilla Council for the release of the vessel. Their claim was that their vessel was not engaged in enemy trade, and that it was unlawfully being detained and kept in Anguilla when it should

²³ Deputy governor of Anguilla from 1750 to his death in 1768.

²⁴ A schooner is a two-masted sailing vessel, while a sloop was smaller and carried only one mast.

²⁵ A brigantine was a two-masted sailing ship with square rigging on the foremast, and fore and aft rigging on the main mast.

²⁶ Both good St Kitts names of the period.

be immediately brought before a Court of Vice Admiralty so that they could establish Lucretia's true status. The Anguilla Council, after hearing the parties, decided that governor Gumbs had done all in his power to persuade the Governor in Chief in Antigua to establish a Court of Vice Admiralty in Anguilla, but this had not yet been done. So, it was not governor Gumbs' fault that the Lucretia could not be either confiscated or freed. Watts' and Moore's case was thrown out and they were moreover penalised by an order to pay the costs of the law suit. This finding of no liability is no surprise when we consider that these are Gumbs' own Council members sitting as a Court of Common Pleas. It is not clear what happened to the Brig Lucretia in the end. It was only some years after this incident that the Governor-in-Chief appointed the deputy governor and his Council to act as a short-lived Court of Vice Admiralty for Anguilla, but the exact date of the establishment of the court is not known. The consequence of this appointment was that the court in Anguilla could now legally order foreign (which in Anguilla's case always means 'non-Anguillian') ships confiscated and sold. Once established, the Anguillian Court of Vice Admiralty was kept busy hearing appeals by

outraged traders whose vessels were seized by Anguillian privateers.

Anguilla's most famous privateer of our period was Captain Edward Richards. He moved to Anguilla from Antigua in about the year 1757 during the Seven Years War, and settled here. He married well, choosing Tabitha, deputy governor Gumbs' daughter. Now well-connected, he lived in Anguilla for several years during the 1760s. He purchased land at Crocus Bay, Anguilla's main port of entry, and just down the hill from the deputy governor's house which doubled as the Council room and the Courthouse. He engaged in trade when not privateering, and from time to time he acted as a court-appointed arbitrator in trading disputes over shipping accounts.

There are a number of documents of the period preserved in the Anguilla Archives that deal with Edward Richards' career as a privateer. In 1760, as deputy governor Gumbs, he had a merchant and planter willing to invest in equipping his boat with guns, ammunition, supplies and men, in the expectation of sharing in the profits of his capture. He would have received his *letter of marque* from the same Gumbs.

Once he captured a prize he would bring it to Anguilla for trial before the Court of Vice Admiralty. If the vessel was condemned, the Court would itself receive a part of the value of the prize for the King's revenue. This would include the judges' own fees and expenses. It is likely, given this arrangement, that many unlawfully seized ships were ordered to be sold.

At no time during this period was any account kept of the King's revenue in Anguilla. Needless to say, any revenue earned by the Court went into the judge's pocket. That is how Anguillian judges of the day were expected to be paid. It might have occurred to Richards, therefore, that it would be somewhat advantageous to him to have as President of the Court of Vice Admiralty his own father-in-law and co-investor in his venture. However, we do not know from the sparse records whether this arrangement ever resulted in any great profit to Richards.

When Richards died in 1765, his young widow was left to pay his debts. His simple will of that year left her all his estate, both real and personal.²⁷ She was obliged to mortgage the family property in 1767. The mortgage was only paid off fifteen years

²⁷ Anguilla Archives: [Edward Richard's 1765 Will](#).

later in 1782 after she recouped her fortune by marrying the wealthy St Martin merchant, Morgan Beaumour Marchant. Mr Marchant also conveniently resided at least part of the time in Anguilla and served on deputy governor Gumbs' Council.²⁸

In return for the *letter of marque*, a privateer was expected to put up a bond with two sureties to guarantee that he would only seize legitimate enemy ships. In the Anguilla Archives for 1762 we find Edward Richards giving a typical privateering bond. Why are we not surprised to see that the two sureties signing the bond with Richards are none other than deputy governor Gumbs' captain George Brooks and the local merchant Joseph Burnett? They bind themselves in the sum of fifteen hundred pounds sterling. The condition of the bond is for the lawful performance by Richards of his commission, or *letter of marque*, relating to the Fry of 25 tons. His commission authorises him to arm and equip the sloop Fry to seize and take ships of the French.

We see another 1762 bond in the Archives for the sloop Lyon, of thirty tons.²⁹ This was again captained by Richards. In other documents in the Archives, he makes appearances variously as

²⁸ Chapter 17: The Council.

²⁹ Anguilla Archives: A selection of 1762 privateering bonds.

captain of the sloops War Trial and Hawke. During his career, he captured several ships including Dirkisen Sara, the sloop Three Friends, snows³⁰ Justice and Geregheteheidt, and the privateer Amazon.

There is also in the Archives a 1758 bond of the deputy governor Benjamin Gumbs, Peter Harrigan and Richard Rogers for Jacob Gumbs, to be captain of the 30 ton privateer Rebecca. Jacob Gumbs along with John Smith also owned the sloop Diamond. Jacob Gumbs was the deputy governors' uncle. He is recorded as killed before 1760, probably in a naval action which went wrong. There is no record in the files as to whether he made his fortune at privateering before he died. We can be sure that he would have received a sympathetic hearing concerning any prize vessels he brought into Anguilla prior to his death to be tried before his nephew's prize court.

There are few other specific references to other Anguillian privateers during our period, 1650-1776. Given the dearth of Anguillian records, it is likely that those who are memorialised in the Anguilla Archives are not the only ones who tried their hand at this venture. With her long tradition of

³⁰ A snow is a square-rigged sailing ship with two masts.

ship building and sea faring, Anguilla likely produced her share of privateers in all the wars of our period. There is for example, a later privateering commission of October 1782 issued by the Court of Vice-Admiralty at Antigua to Richard Browning of Anguilla, commander of the brig Revenge. This authorises him to seize the shipping of the revolting American colonists and against British ships trading with them.³¹

From Richard Browning's commission it appears that by 1782 the authorities in Antigua decided to end Anguilla's notion of any authority to issue commissions. Anguillian privateers were now obliged to obtain their letters of marque from the Governor in Chief in Antigua, and to bring their prizes in to St John's where they could be tried in an independent court. Deputy governor Gumbs and his successors were deprived of a lucrative source of additional income. This was not to be the last time that the avarice of some Anguilla's leaders willing to flout international laws in pursuit of lining their own pockets was to lead to the slapping down of borderline Anguillian enterprises. But, that is for another chapter.

³¹ October, 7th, 1782. Bancroft Library, University of California.