A Private War in the Caribbean: Nova Scotia Privateering, 1793-1805

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On the evening of 12 April 1793, the mail packet brought the startling news to Halifax that war had been declared with revolutionary France two months previously. The word was soon all over town and became official the next day when the Lieutenant Governor, John Wentworth, issued a proclamation, almost half of which was a hearty invitation to privateering:

His Majesty's Subjects having this Notice may take care on the one hand, to prevent any Mischief which otherwise they might suffer from the French and on the other, may do their utmost in their several stations to distress and Annoy them by making Capture of their Ships, and by destroying their Commerce, for which purpose his Majesty has been pleased to order Letters of marque or Commissions of privateers to be granted in the usual manner.

The "usual manner" was well understood by Nova Scotia mariners whatever their stations. Privateers were privately-owned warships licensed by the state to attack enemy vessels and permitted to keep the proceeds, as long as they adhered to an elaborate set of regulations administered by the Court of Vice-Admiralty. Privateering from Nova Scotia had a long history. French privateers had played important roles in the attack, defence and supply of Port Royal and Louisbourg. Halifax had fielded eighteen privateers in the Seven Years' War and issued seventy-seven privateering licenses, or letters of marque, during the American Revolution. In the grand finale of this activity, forty Nova Scotia and New Brunswick privateers took 200 prizes in the War of 1812.

This article examines Nova Scotia-based privateering from the outbreak of war in 1793 until 1805. While privateering was well understood then, today it is a rather exotic subject. Privateers were essential tools of war until the rise of large steam navies in the mid-nineteenth century, although their use and control varied considerably with place and period. The published history of Canadian privateering has been dominated by popular and romantic writers who glorified privateers as the precursors of the Canadian navy and often credited them with single-handedly winning the War of 1812. In reaction, professional historians have been dismissive, often, as in a recent survey history of

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Atlantic Canada, dismissing them as "mere legalised pirates" who were irrelevant and ineffective. A careful examination of the evidence, however, suggests that the "patriotism versus greed" dichotomy is of little use in understanding why people were drawn to privateering. Rather than greedy investors or patriotic navy builders, privateers were a response to a specific commercial crisis with the West Indies that left merchants and mariners, especially those outside Halifax, very few options.

John Wentworth clearly felt a need for local armed vessels, especially once the Royal Navy redeployed almost all its Halifax squadron to the Caribbean in 1793, leaving the twenty-eight-gun frigate \textit{Hussar} as the only major ship on station. "I wish to God, I had an armed Schooner," Wentworth wrote to London. But the authority to issue letters of marque was not given him until 1803. The reasons for the delay are unclear. Wentworth's many pleading letters were answered by reassurances that authorization was on the way but had been "omitted in the pressure of greater concerns." There are several possible explanations. In the first year of the war the Vice-Admiralty Courts in the West Indies issued many letters of marque and approved a large number of captures, by both privateers and naval ships, with little scrutiny. In 1801 the Admiralty closed most of these courts in a major reform of the prize system, but in the short term it may have been trying to limit abuse by constraining the number of licenses. Moreover, accusations of incompetence and infirmity aimed at the seventy-seven-year-old Judge of the Halifax Vice-Admiralty Court, Richard Bulkeley, combined with uncertainty about his successor and criticism of Wentworth's management of the Halifax defences, may also have fuelled doubts about vesting this authority in Halifax.

Deprived of this power, Wentworth initially attacked the problem by issuing commissions in lieu of letters of marque:

\begin{quote}
Thomas Melvill master of the ship Britannia burthen 301 tons bound for England did apply to me for, a Letter of Marque and Reprisal against the French which I would have granted, but that the authority to me from the Lords Commissioners of the Admiralty for that purpose has not yet arrived. In the meantime I have assured the said Thomas Melvill...that His Majesty will consider him as having a just claim to the Kings share of all French ships and property which he may make prize of.
\end{quote}

Wentworth was well within his right to issue these "commissions in lieu," as they came to be called. Governors had considerable discretion when it came to defensive measures in wartime, especially if they did not burden the treasury. The two "commissions in lieu" had the same effect in the Halifax Vice-Admiralty Court as letters of marque, although they made less of an impression at sea or in courts outside the colony. These commissions served Nova Scotia privateers and provincial naval vessels until well into 1803 and successfully withstood legal scrutiny by the Royal Navy.

The commission granted \textit{Britannia} in 1793 was the first of about thirty given to armed trading ships in Halifax during the wars with France and Spain (appendix 1). These were not privateers in the strict sense, as their primary purpose was still to carry cargo. Moreover, they are easily distinguished from privateers by their relatively small man-ton ratios. Making voyages to stated destinations and paying crews wages rather than shares,
they operated differently than privateers. Few brought prizes to Halifax, although they may have taken them to be condemned at other British ports. In fact, armed traders commissioned in London, Saint John and the Channel Islands also used Halifax as a convenient port at which to have their prizes judged. While privateers took far more prizes than did armed traders, there was a close relationship between the two. The latter were often transitions between merchantmen and privateers. Privateer vessels were often converted to armed trading ships and one armed trading ship, *Nymph*, became a privateer. Officers and crews often moved to armed trading ships when privateering waned.

Although the owners of merchantmen armed their vessels, Wentworth remained concerned that when the solitary naval frigate was away, a single large French privateer could destroy the dockyard. A provincial warship, *Earl of Moira*, was acquired in 1794 and patrolled local waters until 1802. Its tonnage, rig, commission and crew — largely soldiers from the Royal Nova Scotia Regiment — bore a close resemblance to the privateering vessels that soon followed.

During the first three years of the war, there were no privateers commissioned in Nova Scotia. While this could have been because of Wentworth's lack of authority, this did not prove a barrier later. Significantly, correspondence from the Halifax merchant William Forsyth and his Liverpool counterpart, Simeon Perkins, indicate little interest in privateering in this period. But letters do exhibit great interest in the West Indies trade, which suffered only modest disruption in the early years of the conflict. Deprived of bases by the British occupation of all its Caribbean islands, and the slave rebellion in Santo Domingo, a relatively small number of French privateers found precarious bases in the U.S. While this raised the alarming, if short-lived, prospect of a Franco-American alliance, these vessels proved more of a nuisance than a threat to Nova Scotia, although they did inflict considerable damage on New Brunswick shipping. There was a brief panic in the fall of 1793 when a French fleet accompanied by privateers put into Boston, but it was soon crippled by mutiny and returned to France in 1794 without venturing further north. In Nova Scotia, the militia was mustered and artillery batteries hurriedly constructed, but few ships were armed and no privateers commissioned. Even the land-based defences were stood down by November of 1794.

The lack of Nova Scotia privateers in the early years of the war further discredits the greed versus patriotism explanations for privateering. If cupidity were the motive, the outbreak of hostilities offered the best chance for easy prizes, while fears of invasion provided the most important rallying point for patriots. Yet neither convinced Nova Scotians to invest in privateers. Instead, they continued to enjoy the fruits of long sought after West Indian commerce. When the US was forbidden to trade with the British islands after the American Revolution, Nova Scotians happily exploited this lucrative traffic which, while never completely replacing American commerce, did fuel domestic economic growth. Nova Scotiamen carried fish and lumber south and returned with salt for the fishery and, more important, with cocoa, sugar, molasses and rum to be re-exported or exchanged for US goods. Halifax, Shelburne and Liverpool eagerly pursued this trade.

Larger vessels trading to the Caribbean came to be called "West Indies Men." Simeon Perkins recorded with pride the departure from Liverpool of the growing fleet of West Indies traders in 1793. "This has a Grand Appearance for Such a Small place as this," he recorded. "4 West Indies men to Sail in One day. These make fifteen West India
men out at this time, Manned in a Manner, with our own people, 90 at least." Ironically, Perkins would in a few years record in similar fashion the clearance of squadrons of privateers. But for the first years of the war, the focus was on the West Indies trade. In 1794 Wentworth reported that "the general commerce and navigation of the province is much improved; every vessel finds employment, commodities a ready sale." Liverpool's West Indies fleet grew from eleven vessels in 1793 to seventeen in 1794 (see figure 1). Merchants like Perkins usually did not bother to arm their vessels, but instead relied on false flags, papers, and name plates to fool privateers. Only one Liverpool vessel was captured by French privateers in the first three years of the war. In fact, reckless Bermudian privateers were more of a nuisance, illegally detaining three Liverpool vessels. At least two appear to have been released, although not before incurring some legal costs for their owners.

This prosperous state began to unravel, however, in late 1795. With the recapture of Guadeloupe and several other islands, France was able to re-establish bases in the Caribbean. Further bases became available when Spain became an ally in October 1796, and privateers began to exact a heavy toll on British trade by 1797. In early 1798, the *Royal Gazette* opined that the Caribbean was "swarming with French Privateers, which from their fast sailing and drawing but little water elude the vigilance of our cruisers." Vessels arriving in Nova Scotia from the West Indies fell from fifty-six in 1793, to forty-six in 1795, and twenty-one in 1797. Many Nova Scotiamen were captured, including three from Liverpool alone in 1797. Few naval ships were available for escort, and when they were, convoy fees and the threat of impressment diminished profits. Most important, insurance rates more than doubled, when policies could be procured at all. Neutral American vessels, immune to most of these costs and closer to the West Indies, re-captured the trade, aided in no small measure by Jay's Treaty, which reopened British West Indian markets to the former colonials. Liverpool's merchant and fishing fleets collapsed. Beginning in 1796, Simeon Perkins lamented repeatedly that "the voyage will be a losing one." Liverpool merchants informed the Admiralty that their fleet had plummeted from sixty decked vessels at the start of the war to a single deep-sea ship by 1799. But not all shipowners remained passive. In 1797, for example, Perkins described a schooner owned by the Shelburne merchant Robert Barry as armed, while a Liverpool brig tried to deceive the enemy by mounting wooden guns and one short nine-pounder.

As the West Indies trade bottomed out in 1797-1798, Halifax merchants like William Forsyth tried to compensate by shifting their business to the growing activities in the dockyard and garrison. But communities outside the capital were not as fortunate: as trade dropped, the fishery also suffered. The increases in wartime wages and insurance came as fish prices remained low due to American competition. Permitted by the Treaty of Paris to cure fish on the Nova Scotia coast and encouraged by bounties from their government, American fishermen made serious inroads into the Nova Scotia fisheries. Local fishermen were reduced to selling their catches to the Americans, who in turn sold them in the West Indies. Simeon Perkins vividly summed up this situation in May 1798:

Our West India Trade being in a Manner Innihilated, and our Traders meeting with repeated Losses, has drained most of the Circulating cash out of the place, and every one appear to be too distressed to fit out their
Vessels on the Fishing...As to myself, I am scarcely in way to Support my Family.

"Annihilation" was the word of choice in many petitions, letters and memorials, as Nova Scotia merchants responded to this crisis with a long, delayed and mostly futile campaign for fishing subsidies and trade protection in the West Indies. Another response was more dramatic: many families began to leave Liverpool for the New England states their parents had left a generation before. This was probably most dramatically demonstrated when even the Member of the Legislature for Liverpool, Benajah Collins, decided in 1797 that he could better pursue his fortune in Salem, Massachusetts.

**Vessels Employed in the West Indies**

**Liverpool Nova Scotia**

Within a few weeks of Perkins’ gloomy diary entry, he committed himself to privateering as an owner and agent, as did other leading Liverpool merchants and shipowners, including Hallet Collins, Joseph Freeman, Snow Parker and Joseph Barss, Sr. By 1798, it was clear that the risks and expenses of privateering were justified by the lack of real alternatives. The seven years of privateering that commenced in 1798 can be divided into three sub-periods: a brief era of expansion and success, 1798-1800; a year of crisis in 1801; a pause for peace in 1802; and a period of small-scale privateering from 1803 to 1805. The colony's first true privateer put to sea in 1798 from Liverpool, a port that would eventually account for half of Nova Scotia's privateers, although it was only one-tenth the size of Halifax. Liverpool also provided the officers and crew for many of the privateers from Halifax and Shelburne.
Perkins and his fellow owners quickly built a full-rigged, 130-ton, sixteen-gun ship especially designed for privateering. Local seamen responded equally quickly: seventy-five signed on in five days. As Wentworth still did not have letter of marque authority, the owners had to be content with a commission in lieu. Named the Charles Mary Wentworth, after the son of the governor, the new ship made its first cruise to the Caribbean from August to December 1798, capturing two substantial prizes: a Spanish brigantine and an American brig retaken from a French privateer crew. It was an encouraging beginning for the Liverpool privateering community.

The captain of one of the Halifax armed traders also began to make a name for himself in 1798. William Pryor, commander of the brigantine Nymph, was a Halifax merchant and captain who had been captured and imprisoned by the French early in the war. Released in an exchange, he was made master of Nymph in December 1798 and captured a small French privateer at St. Vincent while returning from a trading voyage.

The Wentworth left Liverpool in February for its second cruise, convoying a Liverpool merchant ship, Victory, and accompanied by a small schooner, Fly, as tender. This was a spectacular success: five prizes, worth an estimated £20,000, were taken. The cruise received special note in the Halifax papers and Liverpool merchants delighted in the parade of important Haligonians who journeyed to their town to bid for the prizes.

Not surprisingly, a host of privateers were soon launched, as success bred additional interest. Successful captures not only attracted attention but also made cheap vessels available to new investors. For example, in 1799 Charles Mary Wentworth captured Nostra Sen Del Carmen, which as the privateer Duke of Kent captured Lady Hammond, which in turn became the privateer Lord Spencer. The same year the Wentworth also captured Casulidad which, after being re-rigged as a brigantine, became the privateer Nelson and took two prizes on its first voyage. Meanwhile, in Halifax William Pryor took another prize, Sally, while returning in Nymph with rum from St. Vincent. Apparently impressed by Pryor's success, the owners of Nymph converted it from an armed trader into a predatory privateer in the fall of 1799.

Liverpool privateering increased steadily in size and ambition, culminating with the departure of three predators, carrying more than 250 men, in December 1799. Often working in teams, these privateers blockaded the Venezuelan port of La Guaira for weeks at a time, sometimes even attacking coastal fortifications. While not always successful, these sorties created havoc among the enemy. In one case, the governor of a small island and his garrison of gunners were taken prisoner.

Wentworth was able to boast to London of the success of the privateers sailing under his name.

The enclosed Journal of Proceedings of a Privateer fitted out & armed at Liverpool in this Province proves the great enterprize and spirit of the people & that they are useful to His Majestys Service by destroying the Forts, Ordnance & munitions of his Enemies as well as in capturing their property & destroying their commerce in which they have been particularly active and happily successful having taken and brought in prizes condemned to them in the Court of V. Admiralty of this province...to the amount of forty thousand pounds Sterling.
But there was a human price to pay for this success. A schooner taken early in the year was lost on its way home, along with its prize crew of six Liverpool mariners, who were never heard from again. Another prize schooner was captured by rebel forces off Santo Domingo. While its crew was eventually exchanged, the men were promptly pressed into the navy. At least two privateers were killed in sea battles and another ten wounded. One privateer was killed in a land attack. Two others died of sickness.  

Not surprisingly, the financial successes of 1799 led to an even greater investment in privateering the next year, which was the peak of privateering activity against the French. Liverpool merchants bought Francis Mary and Nymph in Halifax and built Rover to join the Wentworth and Duke of Kent. Halifax sent out Earl of Dublin, General Bowyer and Eagle, while Shelburne continued to use Nelson. The launch of Rover marked the peak of privateering achievement for Liverpool. Designed and built in the town, the fourteen-gun brig fought two notable engagements, successfully attacking a six-ship French convoy and defeating three Spanish warships off the Venezuelan coast. The Naval Chronicle, the semi-official and widely read journal of the Royal Navy, published an account of Rover's adventures. The preface recognised the connection between privateering and the trade crisis of the 1790s, as well as the remarkable nature of so much privateering from a "little village."

Our readers should be informed that the loyal Province of Nova Scotia having suffered most severely in the early part of the war...fitted out a number of privateers in order to retaliate ...one half are owned by the little village of Liverpool which boasts the honour of having launched the Brig Rover the hero of our présente relation."

In all, the eight privateers active in 1800 took twenty-two prizes. The nationality of these captures was changing in an important way — they were almost all American. In the first years of privateering, the predators took mainly French and Spanish craft. But the logs and letters of the privateer captains reveal how scarce these ships had become. Instead, the privateers encountered a procession of American vessels leaving enemy ports." A report to the French Assembly claimed that not a single merchant ship in the Atlantic still sailed under the French flag. The French and Spanish colonies increasingly turned to the neutral Americans to carry their cargoes." A complicated set of hotly-debated rules determined whether the cargo was contraband, but the ambiguities in the law made the cases challenging." In 1800, however, most decisions went in favour of the privateers, with only five being reversed on appeal.

By 1793 British privateering was governed by an elaborate legal system. The backbone was a series of Parliamentary acts enforced by a series of Vice-Admiralty Courts. Privateer owners had to prove that a captured ship, or a prize, belonged to the enemy or carried contraband. Captured documents and seamen often provided evidence, and the owners of the prize frequently used Nova Scotians to defend their vessel. Halifax decisions could, and often were, appealed to the High Court of Admiralty in London.

Sometimes the evidence of contraband was indisputable. When a Halifax privateer took Fly, a 105-ton schooner from New York, a letter discovered aboard from the prize's owner showed that the cargo was French:
Be extremely careful to destroy our correspondence, one single letter, this
for instance would expose vessel and cargo. We cannot too much repeat
to much burn all our letters and every paper that may rise a doubt of the
property not being neutral."

But in most cases the captors were not so fortunate. More typical was the case of Little
Charlotte, a sixty-three-ton schooner captured by Earl of Dublin. The prize was carrying
sugar loaded at Havana for Leghorn, Italy. The owner, Charles DeWolfe of Bristol,
Connecticut, argued that the sugar was payment for a debt owed him by a Spanish
merchant and was therefore neutral cargo. With no decisive evidence, the judge chose to
believe the privateers, who contended that the sugar was merely being transhipped through
DeWolfe to conceal its enemy origins. DeWolfe appealed unsuccessfully."

While they won most of the time in court, there were several losses at sea in
1800. Two privateers, the sloop Frances Mary and schooner Eagle, were captured by the
Spanish, while a third, the schooner Lord Spencer, was wrecked on a reef off the coast
of Venezuela. Fortunately, there was little loss of life, all of the Spencer's crew was
rescued, and most of the captured privateersmen were exchanged within a few months."
A far greater problem was the impressment of crews by RN ships. Several privateers
ended their cruises abruptly after impressment left them short-handed and their captains
refused to sail until their crews were granted legal protection.

The pace of privateering slackened in 1801, with only half as many captures as
the previous year. More significantly, court cases were more often unfavourable: half their
captures had to be released, sometimes with costs and damages levied against the privateer
owners. Simeon Perkins noted in his diary in July that:

The Owners of the Nymph are like to be prossicuted for Detaining the
Ship Fabius, for £5000 damages, and that Capt. Dean will not Succeed
in making prizes of the Vessels he has brought in, as the Americans are
in favour with Great Britain, and all the Prize Causes will be determined
much on their Side. No News of the Rover. I think Privateering is Nearly
at an End."

Perkins was correct in believing that the courts were now giving Americans the benefit
of the doubt. Fears that the anti-British candidate Thomas Jefferson would do well in the
fall Presidential contest seem partly responsible. The many grey areas in the trade laws
meant that decisions in privateering cases were always subject to political pressures.
Appeals from the Vice-Admiralty Court went to the Lords Commissioners of the
Admiralty, a majority of whom were privy councillors and alert to imperial diplomatic
concerns. A crucial decision at this time over the Polly reversed previous British policy
and allowed Americans to ship enemy cargo, providing it had been landed and duties paid
in the US before reshipment. Although this decision was overturned when concern
lessened, its protection of American interests had a profound effect for about five years."

While in 1799 Wentworth had responded to American complaints about captured
vessels with diplomatic explanations on how the law had to look after itself— "I very
much wish it had been in my power to have been more useful" — after 1800 he boasted
of his efforts to influence the Vice-Admiralty Courts: "I shall continue to recommend the greatest caution and moderation to our Courts in this Province." Wentworth ordered that a written statement of the rules, distinguishing enemy from neutral cargoes, be drawn up. When the Attorney General, Richard John Uniacke, came up with a list of principles that struck Wentworth as too severe, he had the Judge of the Vice-Admiralty Court rewrite them to better suit American sensibilities.

One of many cases that illustrate how the courts turned against privateers was over the 212-ton ship Argus, captured by the Shelburne privateer Nelson. Argus was taken en route to Bordeaux with a large number of French and Spanish passengers who owned substantial parts of the cargo. Furthermore, the ship's owner, the French-born Isaac Roget, was a very recently naturalized American citizen. Despite what the privateers thought was a promising case, Uniacke advised them to release the prize. Argus was allowed to continue to France.

Some of the court reverses were even more galling to the privateers. Nelson was forced to release Eliza, an eighty-three-ton schooner manned by French and Spanish crews and carrying Cuban sugar. Its captain, officers and owner were Americans, who claimed that the majority of the cargo was US-owned, even though the cook testified that the ship's papers had been thrown overboard and that the mate had hidden letters in the hold, "where even the Devil could not get them." Such evidence, circumstantial but damning, would have been decisive in 1800, but on 21 July 1801 Eliza was released, accompanied by a legal document that expressed a political reassurance to American shipping interests.

Ephraim Dean and Crew of the said Nelson being desirous as far as in her power to avoid disrupting the Trade of Neutrals...have agreed to give up and no further prosecute their libel against the said Schooner her cargo & to permit the said schooner to proceed upon her voyage without further delay.

This abrupt change in policy towards privateers had also occurred in previous wars. During the Seven Years' War, British privateers were encouraged to seize neutral Dutch ships trading with the French. Yet when the Dutch threatened war, many captures were reversed and privateer investors paid the price of official brinkmanship.

Simeon Perkins' resentment at the favoured treatment given to Americans was echoed by other owners. War had helped open new channels for American trade and made their ships an economic threat, which had been checked only by navy and privateer captures. The widely-circulated pamphlet, War in Disguise or the Frauds of Neutral Flags, expressed this resentment of neutral trade.

It is worth noting that not all the legal reverses stemmed from imperial commercial policy. Privateers did in fact make a few questionable captures. Even Perkins expressed some doubt when his ship brought in the large American merchant ship Fabius, with its papers almost all in order. Nelson also seized a few vessels under dubious pretense; in one case its crew refused to allow a neutral captain to defend his vessel in court, a significant violation of regulations. Nelson eventually released the captured ship without rancour, but even its agents in Halifax chided the privateer on an "imprudent" and "frivilous" seizure.
Such cases may seem to support the contention that privateering was piracy by another name. Yet they represented less than fifteen percent of privateer captures. Moreover, during one year the RN was forced to return almost half the ships it captured, a record no better than that of the privateers. Details of many of these navy cases do not make edifying reading. In one instance a naval captain sold a captured ship and distributed the proceeds without any scrutiny by the Vice-Admiralty Court. Other cases involved drunken boarding parties and the ransoming of enemy vessels, practices explicitly forbidden. One naval captain based in Halifax was recalled to England for too many illegal seizures, and when the Admiral of the station ignored the recall order, he too was ordered home. This is not to suggest that the navy had become a den of pirates but merely that naval officers faced, and often yielded to, many of the same pressures and temptations as did privateers.

With French and Spanish cargoes carried by American ships and off-limits, the privateering boom for all intents and purposes ended. From a high of eight privateers in 1800, the province's fleet fell to two by the end of the summer of 1801. Several, such as Charles Mary Wentworth and Rover, were converted to armed traders. In Bermuda, a similar wave of court reversals bankrupted several privateer owners. In Nova Scotia, one owner, James Woodin of Halifax, also appears to have been ruined. Woodin had purchased most of Earl of Dublin from his partners and invested heavily in the new brigantine General Bowyer. The court's reversal of one of the Earl's largest captures produced huge repayment orders in 1806. By then, his former partners reported that Woodin was "in debt to them in many sums" and "absent from the province and insolvent." The ownership of Liverpool privateer vessels was spread between many owners, thus mitigating the blow of court reversals. Moreover, even when they lost cases, damages were seldom applied. In the most serious case, the owners of Fabius dropped their damage claim from £5000 to £1000." Usually the privateer owners merely had to return the vessel and cargo, or repay its value, occasionally with interest.

The fact that the lucrative returns on privateering were fading mitigated the disappointment among privateer owners when news arrived of peace on 21 November 1801. Immediately called home from their cruising, the Halifax, Liverpool and Shelburne privateers were soon disarmed and sent on trading voyages, as merchants rushed to resume their West Indian commerce, which almost doubled in 1802 compared to its nadir in 1797-1798. Liverpool was no exception, sending the former privateer Rover and three other merchantmen to the West Indies.

But the brief Peace of Amiens ended in May 1803. Perkins noted that "the Brig Rover is expected to be fitted as a Privateer Immediately. I am to have a Small Share...the Voyage proposed for the Schooner Active to the West Indies must be given up." Once again the West Indies trade was threatened, and merchants shifted vessels and capital into privateering. Enthusiasm was lacking at first, as Spain, whose weakly defended trade was the favoured prey for Nova Scotia privateers, remained at peace. But as Rover recruited, rumours of a possible war with Spain and news of three prizes taken by the Halifax privateer General Bowyer arrived.

They have 36 men & boys on board. The shares have been sold at 11 & 12 £. As it is now war with the Batavian Rebublick & a very Great
prospect of War with Spain, the prospect is better than it was when we Set out in the Business."

Despite the early success of General Bowyer, privateering soon became a crushing disappointment. Spain remained neutral until late 1804, but gambling on its entry into the war a year earlier, the novice captain of Rover, Benjamin Collins, took three neutrals as prizes. The resulting claims for compensation soon overwhelmed Rover's owners and embarrassed Governor Wentworth. Public face was saved by revoking the commission of Rover's captain.

Censured by the Governor and absorbed in settling the many outstanding cases before the Vice-Admiralty Courts (some cases from 1800 dragged on until 1807), Liverpool's privateer owners reduced the scale of their operations. Judging by the recruiting difficulties in the final cruises of Rover, seamen also seem to have judged the chances of success as questionable.

Finally, Halifax merchants bought Rover as an armed trader but also showed little enthusiasm. The West Indies trade, while diminished by war and suffering from a new wave of French attacks in 1805, did not collapse as in the late 1790s. American merchantmen were no longer immune to French attacks. As Napoleon tightened his continental system, they faced more and more French seizures. This was little compensation to Liverpool, where the fishery suffered anew from American competition. Given the bleak economic options, privateering continued. In a telling diary entry, Simeon Perkins explained his continuing involvement: "the Cruize is likely to turn out it will not be a very Lucrative Business but in these hard times I am glad to under take any Lawful Business to Support my Family & pay my Debts."

Spain's declaration of war in December 1804 renewed interest in privateering. Henry Newton, a friend to several Liverpool families, wrote from Capetown in the spring of 1805 that "I hope prosperity will again shine upon you. A Spanish War, I trust will add something to your stores." Liverpool outfitted Duke of Kent and once again sailed it for the Spanish Main. The voyage, however, was less than a spectacular success. Although the Duke captured two schooners and a valuable shipment of slaves, one of the schooners was recaptured by the Spaniards at the cost of two Liverpool lives. Despite certificates of protection from the Governor, an RN ship impressed three Liverpool seamen.

Faced, in Perkins's words, with "a very moderate Cruize" and still settling damage claims, Liverpool's privateer owners closed their books. Local seamen, no doubt fearing impressment, also turned their backs on privateering. Whatever attraction it might have offered to a still sluggish Nova Scotia economy completely evaporated in 1807 with an upsurge of trade in the wake of the Embargo Acts. When Duke of Kent fired a gun to announce its return to Liverpool in the afternoon of 18 August 1805, it was the last recorded privateer to cruise from Nova Scotia until the War of 1812. Privateering had effectively ended in 1801 when it became almost impossible to seize enemy goods on American vessels. The lesson was not lost on some young privateer officers, such as Enos Collins. They could probably see that when the Americans became the enemy prospects would become very good for experienced privateers.

The twelve Nova Scotia privateers took fifty-seven prizes. The geographic distribution of the captures shows the far-flung nature of privateering in this era, with
seizures ranging from Sable Island to the southern mid-Atlantic. Four main hunting
grounds are evident. The most popular was "the Spanish Main," the Venezuela coast
between Margarita Island and Puerto Cavello. These captures yielded cargoes of cocoa
and indigo and inbound freights of wine, brandy and flour. Many captures were also made
in the Caribbean, with the Mona Passage between Puerto Rico and Santo Domingo the
most popular locale. Vessels with sugar, rum and tobacco were frequently taken here. A
third group broadly encompassed the mid-Atlantic and included vessels from both the
Spanish Main and the islands bound for Europe. A related fourth interception area was
off the US east coast. Prizes taken here usually carried cargoes of cocoa, sugar and other
produce from the French and Spanish colonies, which had been transhipped in American
ports to evade the British blockade."

Nova Scotian privateers contributed out of all proportion to their modest resources
to the disruption of enemy trade. Their concentrated efforts on the Spanish Main were
especially significant, since France had hoped that Spanish naval resources and colonial
produce would be a "nightmare prospect" to the British. The total value of prizes
approved by the Halifax Vice-Admiralty Court was about £120,000. This was a
significant injection into the Nova Scotia economy, especially to the most vulnerable
communities outside Halifax.

When economies was the driving force behind privateering, it would be inaccurate
to write it off as merely greed, unless all economic and business activities are so
described. Privateering also had little in common with piracy, as it was reasonably regu­
lated and closely allied to state goals, sharing more with naval prize-taking than with the
social bandits of the golden age of piracy." Privateers who ran against state interest in
Nova Scotia, such as Benjamin Collins, were quickly reined in and punished.

Neither were privateers the nucleus of an embryonic navy. But they were in a
very real sense a sea-going version of the militia, sharing many organisational links with
the militia establishment in Liverpool and, like the Provincial Marine, providing a sea­
going platform for land forces." In a broader sense privateering was an armed defence
of the West Indies market, both directly and indirectly. Privateers sought initially to
destroy the French privateers that had crippled their trade, but their most frequent prey
became neutral American merchantmen carrying goods to and from the West Indies. The
privateers in a sense were taking a piece out of their competition. The commercial-
military rivalries evident in this relationship reflect tensions that would eventually lead to
the War of 1812.

The driving force behind privateering in Nova Scotia at this time was the
province's economic relationship with the West Indies. Privateering only became attractive
when the West Indies trade collapsed. Indeed, privateering was carried out by the same
owners and crews who depended on the West Indies; when peace arrived in 1802, they
eagerly sought to return to peaceful trade. In fact, privateers often strove to carry on this
commerce when converted to armed trading ships, bringing West Indian cargoes back
under the protection of their own guns. Privateering helped carry the region, especially
outside Halifax, through the hard times of the late 1790s, and offers an example of a bold
response by these communities to an international crisis over which they had little control.
NOTES

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1. Public Archives of Nova Scotia (PANS), Record Group (RG) 1/171/26. This notice can also be found in the Royal Gazette for several weeks following.


4. The source material, especially for Liverpool, offers a revealing blend of records. The diaries of Simeon Perkins, owner of a privateer and a town official, record the movement of people, ships and money. The records of the Vice-Admiralty Court, which regulated privateering, offer detailed material on captures, about seventy percent of which have survived for this period. A logbook of a six-month privateering cruise and two crew lists exist. Privateering is frequently mentioned in the papers and correspondence of the Governor, and an assortment of letters from privateering captains and officers exists, along with advertisements and notices in Halifax newspapers. From these records, I have created a database of privateering mariners, vessels and prizes for the years 1793-1805.


9. PANS, RG 1/171/48, Governor's Commission, 10 July 1793.

10. West Indian governors with less authority than Wentworth commissioned privateers and the RN was ordered not to interfere; see A.G. Jamieson, "Admiral James Young and the 'Pirates,' " Marine-
er's Mirror, LXV (1979), 74. Similarly, when the captain of the frigate HMS Brunswick seized a prize from the Nelson, a Shelburne privateering brigantine in 1799, London backed up Wentworth and ordered the prize released. PRO, CO 217/73/21-23, Portland to Wentworth, 20 January 1800.

11. David Starkey, British Privateering Enterprise in the Eighteenth Century (Exeter, 1990), 38-42, has established a ratio of 2.5 men per ton as an approximate divide between deep-water privateers and armed traders. In the early nineteenth century armed traders were commonly called "letter of marque ships" to distinguish them from privateers, but as this term is easily confused, I have opted for Starkey's term "armed trader."

12. PRO, CO 217/64, Wentworth to Henry Dundas, 23 July 1793. The Halifax station appears to have grown about the turn of the century, but little has been written about North American squadrons in this period. The number of naval ships varied widely depending on season and the presence of visiting squadrons.

13. PANS, RG 1/172/90, Earl of Moira's Commission, 14 April 1794. Earl of Moira's tonnage (130) and armament (fourteen guns) closely matched the average of 117 tons and fourteen guns in provincial privateers. Moirawas manned largely by the provincial infantry unit, the Royal Nova Scotia Regiment. Similarly, Liverpool privateers provided a seagoing platform for men from the Queens County militia. Earl of Moira was a schooner re-rigged as a snow, a practice of adding square sails to a fore-and-aft rig which would be followed by major privateering vessels, such as Nymph, Duke of Kent and Nelson. Nova Scotia had a well-established provincial marine tradition dating to the 1750s, outfitting provincial warships when naval protection was inadequate. One of the early provincial marine commanders, Silvanus Cobb, was a founder of the town of Liverpool. See W.A.B. Douglas, "The Sea Militia of Nova Scotia," Canadian Historical Review, XLVII (1966), 22-37; and J.C. Arnell, "The Armed Vessels of the Nova Scotia Government in the Late Eighteenth Century," Mariner's Mirror, LV (1969), 195-208.


17. Bastedo and Robertson, "Experiment," 58.

18. These voyage numbers extracted from Perkins, Diary, III, xxxix. Liverpool customs registers do not appear to have survived for this era but those for nearby Shelburne show a similar pattern, as do the fragmentary lighthouse duties for Halifax in PANS, RG 31/105/1. Julian Gwyn's analysis of Halifax shipping also points to a serious 1795-1796 slump; see his "'The End of an Era:' Rum, Sugar and Molasses in the Economy of Nova Scotia, 1770-1854," in James H. Morrison and James Moreira (eds.) Tempered by Rum: Rum in the History of the Maritime Provinces (Porters Lake, NS, 1988), 117.

19. Perkins' notes appear optimistic on the outcome of the three cases. Adamant was released, but captured by a French privateer soon after, while George & Tracey was released and arrived in Halifax the next month. Jean de Chantai Kennedy, Bermuda's Sailor so of Fortune (Hamilton, Bermuda, 1963), 45.

20. Patrick Crowhurst, The French War on Trade: Privateering 1793-1805 (Aldershot, 1989), 31; Royal Gazette, 27 February 1798; Basedo and Robertson, "Experiment," 62; Perkins, Diary, 10 May, 22 and 24 July 1797; 4 January, 16 June and
4 October 1798; and 6 January, 4 June, and 2 August 1800; William McNutt, *The Atlantic Provinces: Emergence of Colonial Society 1712-1857* (Toronto, 1965), 114-115; and Gerald S. Graham, *Empire of the North Atlantic: The Maritime Struggle for North America* (2nd ed., Toronto, 1958), 223. Perkins described *Flying Fish* as both a "privateer" and "armed schooner," but there is no record of a commission or letter of marque, unless it was authorized by a Vice-Admiralty Court in the West Indies.


24. *Nymph's*, new commission on 26 August 1799 showed it with a crew of ninety; newspaper accounts referred to its voyages as "cruises," indicating an evolution from armed trader to privateer. PANS, RG 1/172/89; *Royal Gazette*, 20 May 1800.

25. PRO, CO217/70/188, Wentworth to Portland, 29 September 1799.

26. These casualties are mostly from Perkins, *Diary*, with additional detail from letters by Joseph Freeman and Thomas Parker in National Archives of Canada (NAC), MG 23/117.

27. *Naval Chronicle*, V (February 1801), 176.

28. The logbook of *Charles Mary Wentworth*, November 1799-May 1800 records at least seven American vessels boarded (and released) in enemy waters, but none larger than launches, sloops or small schooners taken. PANS, MG 20/215/10, "A Journal Kept by Benjamin Knaut During his Cruise on Board the Privateer Ship *Charles Mary Wentworth* 1799-1800."


30. The British began the war by declaring all trade with the enemy subject to capture, while Americans argued that a neutral ship implied a neutral cargo. But after Jay's Treaty, enemy trade was defined by a list of contraband goods or cargoes with a clear proof of ownership by enemy citizens. Yet a wide variety of deceptive measures left ownership questions up in the air. Depending on the level of proof demanded, many cases could swing either way.


33. Perkins, *Diary*, 2 August 1800 (Francis Mary); and 4 October 1800 (Eagle); Logbook of *Charles Mary Wentworth*, 1 April 1800.


37. PANS, RG 1/50/351, Wentworth to Robert Liston, British Consul at Philadelphia, 18 November 1799; RG 1/50/149-150, Wentworth to Liston, 7 November 1800. Sadly, the two statements of principle mentioned by Wentworth do not appear to have survived for historians to compare.


Cases Argued and Determined in the Court of VîôÔ. Admiralty At Halifâc. 

The total number of prizes may be slightly higher, as a few taken before West Indies prize courts left little trace in Nova Scotian records. The Vice-Admiralty Court required the latitude and longitude of each capture from the privateer commander, and cross-checked this with prisoner interrogations. NAC, RG 8/4, Vice-Admiralty Case files.


44. Basedo and Robertson, "Experiment," 65.

45. Perkins, Diary, 24 June 1803.

46. Ibid., 26 August 1803.

47. PRO, CO 217/A137/30, Wentworth to P. Bond, British Consul in Philadelphia, 6 April 1804. Collins was demoted to a junior officer and fishing schooner captain. He would never command a privateer again and it would be several years before he was given command of even merchantmen to the West Indies.

48. NAC, RG 8/4/32, Berkley and RG 8/4/33, Brutus, taken by Earl of Dublin in 1800, were not settled until 1807 and 1806, respectively.

49. Rover was intended to be manned by sixty men and early cruises easily attracted this complement. However from 1801 the crews fell to forty-five and thirty-six men. PANS RG 1/171/105 and RG 1/224/136; Perkins, Diary, 27 January 1801 and 26 August 1803.

50. West Indies voyages fell from fifty-one in 1803 to thirty-eight in 1804, but this was a far cry from the mere twenty-one voyages in 1797. Basedo and Robertson, "Experiment," 65; and Perkins, Diary, 9 August 1805.

51. NAC, MG 23/J17, Edward Newton to Mrs. Dewolfe, 23 May 1805.

52. Perkins, Diary, Perkins to Uniacke, 21 August 1805.

53. It is widely believed that Collins bought a small, fast ex-slave ship in 1811 in anticipation of a coming conflict with the United States; Snider, Under the Red Jack, 10-11.
Appendix 1: Armed Traders Commissioned in Halifax, 1793-1805

<table>
<thead>
<tr>
<th>Ship</th>
<th>Rig</th>
<th>Crew</th>
<th>Tons</th>
<th>Guns</th>
<th>Commission Date</th>
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<tbody>
<tr>
<td>Britannia</td>
<td>ship</td>
<td></td>
<td>301</td>
<td></td>
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</tr>
<tr>
<td>Rasheigh</td>
<td>ship</td>
<td></td>
<td>220</td>
<td></td>
<td>July 10, 1793</td>
</tr>
<tr>
<td>Duchess of Argyle</td>
<td>sloop</td>
<td>25</td>
<td>78</td>
<td>8</td>
<td>July 26, 1793</td>
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<tr>
<td>Triton</td>
<td>ship</td>
<td></td>
<td>165</td>
<td></td>
<td>April 6, 1795</td>
</tr>
<tr>
<td>Royal Fusiliers</td>
<td>schnr</td>
<td></td>
<td></td>
<td></td>
<td>July 28, 1795 &amp;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Feb 7, 1796</td>
</tr>
<tr>
<td>Lucy</td>
<td>ship</td>
<td></td>
<td></td>
<td></td>
<td>July 29, 1795</td>
</tr>
<tr>
<td>Charles Mary</td>
<td>schnr</td>
<td></td>
<td>78</td>
<td></td>
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<tr>
<td>Royal Edward</td>
<td>ship 30</td>
<td>98</td>
<td>16</td>
<td></td>
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<tr>
<td>Swallow</td>
<td>schnr</td>
<td>20</td>
<td>100</td>
<td>8</td>
<td>August 15, 1797</td>
</tr>
<tr>
<td>Adamant</td>
<td>Brigtn</td>
<td>10</td>
<td></td>
<td></td>
<td>August 15, 1797</td>
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<tr>
<td>Flying Fish</td>
<td>schnr</td>
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<td></td>
<td></td>
<td>August 15, 1797</td>
</tr>
<tr>
<td>Jane</td>
<td>ship</td>
<td>20</td>
<td>159</td>
<td>10</td>
<td>March 19, 1798</td>
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<tr>
<td>Sisters</td>
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<td>20</td>
<td>114</td>
<td>6</td>
<td>March 19, 1798</td>
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<tr>
<td>Nymph</td>
<td>brig</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Lord Nelson</td>
<td>ship 27</td>
<td>277</td>
<td>12</td>
<td></td>
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<tr>
<td>Caroline</td>
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<td>11</td>
<td>90</td>
<td>4</td>
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<tr>
<td>Flora</td>
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<td>18</td>
<td>146</td>
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<td>Commerce</td>
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<td></td>
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<tr>
<td>CM. Wentworth</td>
<td>ship 14</td>
<td>130</td>
<td>16</td>
<td></td>
<td>July 14, 1800</td>
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<tr>
<td>Asia</td>
<td>ship 50</td>
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<td>130</td>
<td>20</td>
<td>July 25, 1800</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>Sept. 8, 1800</td>
</tr>
<tr>
<td>Jason</td>
<td></td>
<td>25</td>
<td></td>
<td>10</td>
<td>Nov. 8, 1800</td>
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<tr>
<td>Jane</td>
<td>ship</td>
<td>20</td>
<td>159</td>
<td>10</td>
<td>May 4, 1801</td>
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<tr>
<td>Governor Carleton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>None found</td>
</tr>
<tr>
<td>Rover</td>
<td>brig</td>
<td>12</td>
<td>100</td>
<td>6</td>
<td>Sept. 13, 1804</td>
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<tr>
<td>Young Phoenix</td>
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<td>182</td>
<td>12</td>
<td></td>
<td>March 21, 1805-London</td>
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Sources: PANS, R G 1/172 and 224; NAC, R G 8/4/139-140; Perkins, Diary.
Appendix 2: Privateering Vessels in Nova Scotia, 1793-1805

<table>
<thead>
<tr>
<th>Ship</th>
<th>Year</th>
<th>Crew</th>
<th>Tons</th>
<th>Guns</th>
<th>Rig</th>
<th>Prizes</th>
<th>Home Port</th>
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<td>1798-1800</td>
<td>80</td>
<td>130</td>
<td>16</td>
<td>ship</td>
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<td>1799-1801</td>
<td>80</td>
<td>140</td>
<td>16</td>
<td>brigtn</td>
<td>11</td>
<td>Shelburne</td>
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<tr>
<td>Duke of Kent</td>
<td>1799-1805</td>
<td>100</td>
<td>196</td>
<td>20</td>
<td>ship</td>
<td>8</td>
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<tr>
<td>Rover</td>
<td>1800-1803</td>
<td>60</td>
<td>100</td>
<td>16</td>
<td>brig</td>
<td>8</td>
<td>Liverpool</td>
</tr>
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<td>General Bowyer</td>
<td>1800-1803</td>
<td>80</td>
<td>135</td>
<td>14</td>
<td>ship</td>
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<td>Halifax</td>
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<td>Fly</td>
<td>1799</td>
<td>40</td>
<td>71</td>
<td>10</td>
<td>schnr</td>
<td>3*</td>
<td>Liverpool</td>
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<tr>
<td>Nymph</td>
<td>1799</td>
<td>90</td>
<td>169</td>
<td>18</td>
<td>brigtn</td>
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<td>12</td>
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<td>14</td>
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<td>100</td>
<td>10</td>
<td>schnr</td>
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<tr>
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<td>100</td>
<td>130</td>
<td>18</td>
<td>ship</td>
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</tr>
<tr>
<td>Frances Mary</td>
<td>1800</td>
<td>50</td>
<td>10</td>
<td></td>
<td>sloop</td>
<td></td>
<td>Liverpool</td>
</tr>
</tbody>
</table>

Notes: * indicates prizes shared with CM. Wentworth. Total Prizes: 57; Average Crew: 74; Average Tons: 117; Average Guns: 14.

Sources: See table 1.