

Maritime Policing and the Pax Britannica: The Royal Navy's Anti-Slavery Patrol in the Caribbean, 1828-1848

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*Cet article est basé sur la documentation fournie par Alexander Milne (1806-96), patrouilleur anti-esclavagiste des Caraïbes de 1837 à 1841, ainsi que sur les rapports parlementaires relatifs à la capture des navires esclaves par les vaisseaux de la Marine royale de 1827 à 1848. Cet article revise également les conclusions mentionnées dans le livre de Christopher Lloyd, *The Navy and the Slave Trade* (1948), sur l'efficacité des efforts de la marine dans les Antilles. Lloyd affirme que moins de treize pour cent des navires utilisés pour la traite des esclaves et proscrits par le tribunal de prises entre les années 1819 à 1840 furent capturés dans les Caraïbes. Une enquête approfondie des preuves suggère que de 1828 à 1839, ce nombre était en réalité plus de vingt-cinq pour cent.*

Although now more than fifty-five years old, Christopher Lloyd's *The Navy and the Slave Trade: the Suppression of the African Slave Trade in the Nineteenth Century* remains the most comprehensive work on the Royal Navy's role in suppressing the slave trade on West Coast of Africa.¹ Lloyd devotes almost the whole of the first half of his work - that

¹ Christopher Lloyd, *The Navy and the Slave Trade: The Suppression of the African Slave Trade in the Nineteenth Century* (London, 1949; Frank Cass reprint 1968). All page citations in this article refer to the reprint edition. Lloyd's work addresses both the east and west coasts of Africa, the volume being split fairly evenly in its coverage.

Since it appeared, two other book-length works have examined the topic, W. E. F. Ward's *The Royal Navy and the Slavers* (New York, 1969) and Raymond Howell's *The Royal Navy and the Slave Trade* (London, 1987). Neither adds significantly to Lloyd's assessment of the respective roles played by the African and North America and West Indies Squadrons in suppressing the West African slave trade. Although well-researched, Ward's is an essentially popular history that takes no cognizance of anti-slave trade activities in the Caribbean and Western Atlantic, while Howell's highly scholarly study is wholly devoted to the East African slave trade, which was longer-lived and in many respects more resistant to British anti-slave trade efforts than that on the west coast.

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dealing with the transatlantic trade between West Africa and the Americas - to the activities of the squadron stationed off the African coast. Indeed, he mentions the work of patrolling vessels on the other side of the Atlantic only in passing. "It would be wrong," he admits near the end of a chapter on the early years of the West African Squadron, "to suppose that suppression activity was limited to the coast of Africa," but immediately adds that although "many of the ships on the West Indies or Brazils stations sailed with similar warrants... they were seldom specifically commissioned for this task alone."² Moreover, he stresses that "the difficulties of interception were even greater on that side of the Atlantic, and as the years passed less and less attention was paid to the ports of disembarkation and more and more to the points of embarkation on the west side of the Atlantic." As if to emphasize his opinion of the North America and West Indies Squadron's paltry contribution to the suppression effort, he describes a single chase off the coast of Cuba in 1829, which he categorizes as "typical" of patrols in the Caribbean.³ For Lloyd, and also for W. E. F. Ward, author of *The Royal Navy and the Slavers*, the sole significant component of the navy's Atlantic anti-slavery patrol was that stationed on the west coast of Africa, rather than in the Caribbean or off the east coast of South America.⁴

Lloyd's emphasis on the eastern Atlantic is based on his analysis of the activities of several "Courts of Mixed Commission" established in 1819 as a result of treaties negotiated between Britain and Spain (23 September 1817), Portugal (28 July 1817), and the Netherlands (4 May 1818). The bulk of slaves carried from Africa to America after outlawing of the slave trade in Britain (1807) and the United States (1808) were transported in ships bearing the flags of those three countries or illegally flying the flags of France or the United States. Neither of the last two nations, however, was at that time amenable to permitting British officers to stop and search their vessels for evidence of slave trading, so the navy's efforts were concentrated on ships flying the flags of those countries which the British government was able to pressure into allowing the right of search.

For a recent general history of the Atlantic slave trade, see Hugh Thomas, *The Slave Trade, The History of the Atlantic Slave Trade: 1440-1870* (London, 1997). For the nineteenth-century trade, including British suppression efforts, see pp. 559-791.

² Lloyd, 76-77.

³ *Ibid.*, 11.

⁴ Note should also be made of works by Leslie Bethell and David R. Murray. The former's *The Abolition of the Brazilian Slave Trade: Britain, Brazil, and the Slave Trade Question* (Cambridge, 1970) contains detailed chapters on "the British Navy and the Mixed Commissions" (122-50), "The Extension of Britain's Powers, 1839" (151-79), and "Britain and the Slave Trade, 1839-1845" (180-213) which examine Royal Navy operations off Brazil as well as Africa. He admits that the "navy did not confine itself exclusively to the west African coast in its efforts to suppress the illegal slave trade" (133) but since his focus is Brazil, the activities of the North America and West Indies Squadron are mentioned only once in passing. Murray's *Odious Commerce: Britain, Spain and the Abolition of the Cuban Slave Trade* (Cambridge, 1980) does treat the Caribbean in a manner that Lloyd and Ward do not. See especially chapters 4-6, which cover the period 1817-40. Of particular value is Murray's data on the registry of vessels engaged in the Cuban slave trade and on the volume of slaves reaching the island in the first half of the nineteenth century. At the same time, however, his focus is at the level of policy and diplomacy, rather than naval operations, and thus, like Bethell, he does not deal with the anti-slavery patrol off Cuba in a systematic fashion.

The Courts of Mixed Commission were bilateral judicial bodies.⁵ Each consisted of two judges and two commissioners of arbitration, one apiece from each of the nations represented, plus a registrar from the nation on whose soil the Court sat. The British selected Freetown for the site of the courts within their territory and, accordingly, mixed Anglo-Spanish, Anglo-Portuguese, and Anglo-Dutch commissions were seated there from 1819 onward. On the other side of the Atlantic, an Anglo-Spanish court was established at Havana, an Anglo-Portuguese court at Rio de Janeiro, and an Anglo-Dutch court in Surinam. When Brazil declared its independence from Portugal in 1822, the Anglo-Portuguese court at Rio ceased to exist, and four years passed before the British government was able to secure a similar bilateral agreement with the newly-independent country (23 November 1826), the result of which was the creation of Anglo-Brazilian Mixed Commission Courts in 1828 at Freetown and Rio de Janeiro.⁶

Lloyd's evidence for the primacy of the Mixed Commission Courts at Freetown, and, by extension, the activities of the African squadron is, on the surface, impressive. Between 1807, when the slave trade was outlawed in Britain, and 1840, only sixty slavers were condemned as legitimate prizes by the Mixed Commission Courts at Rio de Janeiro, Surinam, and Havana combined, while 403 were condemned at Sierra Leone.⁷ Yet his general disregard of the "ports of disembarkation" does an injustice to the historical record and to the activities of those Royal Navy vessels, officers, and men engaged in the suppression of the slave trade in the Caribbean and off the coasts of the Americas. First, his assumption that a vessel brought before any of the Mixed Commission Courts at Sierra Leone must have been seized off the west African coast was erroneous. Second, even had it been correct, his focus on the large picture, chronologically, obscured a much more

⁵ For a comprehensive description of the circumstances surrounding the creation and subsequent activities of the several Mixed Commission Courts, see Leslie Bethell, "The Mixed Commissions for the Suppression of the Transatlantic Slave Trade in the Nineteenth Century," *Journal of African History* 11 (1966), 79-93. For the specifics of the courts' composition, see p. 82.

⁶ *Ibid.*, 82-83. In the late 1830s and early 1840s Foreign Secretary Lord Palmerston also negotiated similar arrangements with the governments of Chile (1839), the Argentine Confederation (1839), Uruguay (1839), Bolivia (1840) and Ecuador (1841), leading to the creation of joint Mixed Commission Courts representing Britain and each of those countries sitting at Freetown. The accomplishment was almost wholly symbolic, however; only two slavers flying South American flags came before these Courts during their existence. See Bethell, 82-83.

⁷ Lloyd, 77. Bethell provides a similar accounting for the period 1819-45 in his article on the Mixed Commissions (84):

Sierra Leone:		
	Anglo-Spanish Commission	241
	Anglo-Portuguese Commission	155
	Anglo-Brazilian Commission	111
	Anglo-Dutch Commission	21
Total		528
Havana:		50
Rio de Janeiro:		44
Surinam:		1

complex picture if analysed decade by decade. Not all of the slavers condemned at Sierra Leone were captured in the eastern Atlantic, nor was the ratio between seizures in the eastern and western Atlantic consistent between 1828 and 1848. Most importantly, by largely ignoring the dedicated efforts of cruisers in the Caribbean to interdict slave vessels as they neared their destinations, he passed over a significant chapter in the history of British anti-slavery activities.

This is not a comprehensive account of those activities, but by focussing on the experiences of one Royal Navy officer, Alexander Milne (1806-96), it may serve as a useful *entree* to an examination of several of Lloyd's assumptions and conclusions. Milne commanded a brig (HMS *Snake*) and two frigates (HM Ships *Crocodile* and *Cleopatra*) on the North America and West Indies Station between early 1837 and late 1841. He was in many respects typical of the nineteenth-century Royal Navy officer corps, save that he eventually managed to reach the top of the profession. He was the son of Admiral Sir David Milne (1763-1845), a lowland Scots officer who had distinguished himself during the French Wars and at the bombardment of Algiers in 1816. When Sir David sailed to take up command of the North America and West Indies station in 1817, he took along Alexander, his second son, as a first-class volunteer. The younger Milne subsequently served as midshipman under Captains Basil Hill, Edward Brace, Patrick Campbell, William Hoste and Samuel Hood Inglefield before receiving an acting lieutenant's commission on the brig *Cadmus* on the Brazils (South America) Station in 1827. His appointment, made by station commander-in-chief Rear-Admiral Sir Robert Waller Otway, was subsequently confirmed by the Admiralty and three years later Milne was advanced to commander by Sir George Cockburn, who bestowed his "haul down" promotion upon leaving the Admiralty on his good friend Sir David's son.⁸

Both Cockburn and the elder Milne were staunch Tories and the Whigs' accession to power in late 1830 marked the only prolonged period that Alexander spent on half pay during his entire 60-year career. Repeated applications by Sir David, to both the 1830-34 Whig administration (mostly Sir James Graham's Board of Admiralty) and the brief 1834-35 Conservative government under Sir Robert Peel, bore no fruit. Only in late 1836 did the elder Milne's entreaties to First Lord the Earl of Minto, another lowland Scot and personal acquaintance, pay off. Alexander was given command of HMS *Snake*.⁹

From the moment he learned of his assignment to the West India division of the North America Station, Milne had in mind slavers, not because of any abolitionist or moral sentiments, but, as he candidly admitted to his brother, there were "lots of Slavers, if we can catch them & get £5 a head for them...."¹⁰ Indeed, when he learned in early 1837, while *Snake* was still fitting out at Sheerness, that Sir Charles Paget had been named as successor to North America and West Indies Station commander-in-chief Sir Peter Halkett, Milne lamented

⁸ John Beeler, (ed.), *The Milne Papers*, vol. 1 (Aldershot, Hants., Navy Records Society, 2004), ix-xiv, 53.

⁹ *Ibid.*, 53-54. *Snake* was a brig-sloop of 16 guns, 434 tons (builder's measurement); launched in 1832, and wrecked in the Mozambique Channel, engaged on anti-slavery patrol on the east coast of Africa, on 29 August 1847. Milne commanded her from December 1836 to January 1838.

¹⁰ Milne to David Milne, 1 January 1837, *The Milne Papers*, vol. 1, 61.

"Sir C Paget goes to our station - West Indies - to relieve Sir P. Halkett, which I regret as I expected to have got good cruising grounds from him, & I do not know Sir Charles.""

His apprehensions about Paget proved unfounded. Upon reporting to the station commander-in-chief in May 1837, Milne was assigned to the Jamaica division and was first ordered to cruise for three months off the east coast of Cuba, where he and the *Snake* spent the period from late June to early September 1837, chiefly on the lookout for slaving vessels. Upon reaching Port Royal early in September, however, Milne was ordered by the Senior officer there to carry the mail from Kingston to Santa Marta and Cartagena, Columbia, to collect the accumulated mail in those places, staying no more than three days at each, and to return to Port Royal.¹²

Once back at Jamaica in early October, he was ordered to sea by Commodore John Strutt Peyton to carry out a sequence of tasks which reflect the numerous demands on Royal Navy vessels in American waters. First, Milne was to proceed to Falmouth, Antigua, to land specie, then to head for the western part of Campeche Bay in the Gulf of Mexico in search of an uncharted shoal, on which HMS *Madagascar* had previously grounded. Having located the shoal, Milne was directed to recover the anchors, guns, and chain cable which *Madagascar* had been forced to jettison, survey the shoal and, those tasks completed, to head for Campeche, Mexico itself to investigate reports of piratical activities by ships from the Texas Republic "and take such steps in the affair as you may upon consideration deem the matter to require." Once that operation was finished, Milne was to return "with the least possible delay" to Port Royal for further orders.¹³

Only part of these orders was carried out. As Milne reported on his return, he had found no sign of the shoal on which *Madagascar* had grounded. Moreover, *Snake* herself lost every anchor she carried in a hurricane, making it impossible to visit Campeche Bay safely. Not that the cruise was devoid of accomplishments. On 23 November, on the return passage to Port Royal, *Snake* spotted a strange vessel off Cape Antonio, Cuba, and pursued it. As Milne subsequently described in his report: "We...made sail in chase[.] on observing her from the masthead she was evidently using her sweeps which confirmed our former...suspicions, we accordingly continued in chase and rapidly clos[ed on] her with a fresh breeze in squalls from the NW[war]d. It however fell nearly calm about Noon and obliged us to have recourse to our sweeps. The slaver now being within range[,] several shots were fired from the two long guns when she hoisted Portuguese colours and shortened sail. At 1:40 we took possession of the Portuguese Brigantine "*Arrogante*"...[*She*] had cleared out from Cape de Verdes for Havanah, but was actually from the Rio Gallinas coast of Africa with a cargo of 406 slaves."¹⁴

Milne reported the vessel to be adequately fitted and provisioned, and sent her to Port

¹¹ Milne to David Milne, c. 20 January 1837, *Ibid.*, 62-63.

¹² Peyton to Milne, 8 September 1837, National Maritime Museum, Greenwich (NMM), Milne papers, MLM/106/6.

¹³ Peyton to Milne, 10 October 1837, NMM, MLN/102/6.

¹⁴ Milne to Peyton, 10 December 1837, *The Milne Papers*, vol. 1, 69. *Arrogante* had actually shipped 437 slaves. By the time the prize crew brought her into Port Royal only 330 remained alive, dysentery being the chief cause of mortality.

Royal under the command of a prize crew, but later admitted to his brother (31 January 1838):

She was in a most wretched state~I could not have believed it~with 406 slaves on board[,] 100 men in Irons. None but the children had been on deck since leaving the Coast[.] They were all actual skeletons with death in their countenancesf.] When I went on board, I was shockedf.] Dead children lying about the deck~others just in the last stage, all calling for food & water & pointing to their mouths. The weather was cold & wet and not a stitch of clothes on [sic] & blowing hard[.] With all the assistance we could render & all the attention we could pay with an Asst Surgeon I sent on board of her, 74 died between the 23rd November & 2nd Dec: They had nothing but rice to eat & were in that state that they refused food. 17 had died in Irons one night, the vessel battened down from bad weather[.] Two of the slaves spoke English as they belonged to Sierra Leonef.] It was a most awful picture of slave dealing I ever beheld or ever wish to see[.]¹⁵

The following day, another slaver, the *Maria Therese*, was stopped, but her human cargo had already been unloaded and Milne concluded that she could not be seized unless slaves were on board.¹⁶ In this respect he was technically, if not practically, mistaken.

The original treaties between the British, Spanish, Portuguese, Dutch governments gave Royal Navy officers the right of search, but only permitted seizure of vessels if slaves were actually present. In the early 1820s however, first Spain, then Holland, and finally Portugal agreed that slavers could be seized and condemned if there were "clear and undeniable proof that slaves had been on board for the purpose of illegal traffic in the particular voyage in which the vessel was captured," and this clause should have been reason enough to seize the *Maria Therese*.¹⁷ According to Bethell, "[c]ases if this kind rarely presented the courts with any great problems...the smell alone was usually sufficient evidence upon which to condemn a vessel

¹⁵ Milne to David Milne, 31 January 1838, *ibid.*, 72.

¹⁶ Milne to Peyton, 10 December 1837, *ibid.*, 69.

¹⁷ Lloyd, 46; Bethell, "The Mixed Commissions," 86. See also Ward, *The Royal Navy and the Slavers*, 96. For the agreements themselves, see "Explanatory and Additional Articles to the Treaty concluded at Madrid, September 23, 1817, Between His Majesty and the King of the Spains, for the Prevention of the Traffic in Slaves, signed at Madrid, December 10, 1822," *Pari. Papers*, 1823, vol. XIX, 119-25; "Explanatory and Additional Articles to the Treaty concluded at the Hague, May 4, 1818, between His Majesty and the King of the Netherlands, for the Prevention of the Traffic in Slaves, signed at Bruxelles, December 31, 1822 and January 25, 1823," *Pari. Papers*, 1823, vol. XIX, 127-32; "Additional Articles to the Convention concluded at London, July 28, 1817, between His Majesty and His Most Faithful majesty, for the Prevention of the Illicit Traffic in Slaves, signed at Lisbon, March 15, 1823. *Pari. Papers*, 1824, vol. XXIV, 605-611. The Convention with the Netherlands also contained an "equipment clause," empowering British officers to seize vessels carrying one or more items associated with the trade, a list of which *can* be found in footnote 32. It might also be noted here that the clause regarding evidence of having carried slaves was, in all three agreements, clearly intended to apply to slavers collecting cargoes in Africa, rather than those having unloaded their slaves in the Americas, since it refers to masters who "...have put their Slaves momentarily on shore, immediately prior to their being visited by ships of war...." This context may explain Milne's belief that the *Maria Therese* could not legally be seized.

accused of having recently landed a cargo of slaves."

Was Milne ill-informed of the prize rules? Possibly, but it is worth noting that the *Maria Therese*, like the *Arrogante*, was sailing under Portuguese colours and, as of late 1837, trying such a vessel necessitated a voyage to Freetown, there being no Anglo-Portuguese Mixed Commission Court in the New World, a point that will be considered at greater length below. Suffice it to say here, a west-east voyage across the Atlantic between latitudes 7° and 20" N, against the trades, or one steering either north or south to take advantage of more favourable winds, would have resulted in a journey long enough for even the stench of a confined human cargo dissipate. As Lloyd notes, the new provisions of 1822-23 were "still too vague to ensure condemnation by the prize courts. Many naval officers...still had to suffer the chagrin of capturing a ship...and then seeing her escape condemnation because the proof that there were slaves on board was insufficiently clear."¹⁸

Following this piece of bad luck, Milne and his crew headed for Port Royal. But, as he reported,

[t]he wind continued light and variable during the 3rd and on the 4th at 4 PM a sail was reported on the Lar[board] Bow we considered suspicious from her being a Two Topsail Schooner and having altered course to near the land. At dark (c.6:10)...tacked in shore in chase[;]...At c.11 o'clock lost sight of the chase[,] having been able to see him only with the night glass since we tackedf.] At c.1:40 however we again discovered the chase from the maintop close on the Lar. Bow. [We] bore up and made sail and having got inshore of her tacked, she did so likewise on observing us[.] At 3 o'clock am came up on and hailed a Two Topsail Schooner which proved to be the "*Matilda*" having on board 259 slaves...bound from [Ambriz, Angola, on] the coast of Africa to St. Jago [Santiago] de Cuba but [who] had overrun his port.¹⁹

A prize crew was appointed with orders to take the captured vessel to Havana for adjudication by the British-Spanish Mixed Commission Court. Milne then headed for Cuba to land the slave

¹⁸ Lloyd, 46.

¹⁹ Milne to Peyton, 10 December 1837, *The Milne Papers*, vol. 1, 70. See also "Declaration of Capture," 4 December 1837, *Ibid.*, 67-68: "I Alexr Milne Comdr of HMS *S[nake]* hereby declare that on the 4th day of Deer 1837, being in or about the Latde__N Long 77.12W I detained the vessel named the "*Matilda*" sailing under Spanish colours, armed with 3 Guns one 18 P. Long, & 6-P Carronades commanded by Deihø Curnerno but in charge of I. Sugadar, who declared her to be bound from Ambris [Ambriz, Angola] to St. Jago de Cuba with a crew consisting of 37 men & boys__supercargo__Passengers whose names as declared by them respectively are minuted in list at the foot hereof and having on board 259 slaves, said to have been taken on board at Ambris on the 15th day of October 1837 and are enumerated as follows, viz. Men-56 Boys-93 Girls-48 Women-45 Children-17

"I do further declare that the said vessel appeared seaworthy *and* was supplied with a sufficient stock of water and provisions for the support of the said Negroes and crew on the destined voyage to St. Jago de Cuba. I do further declare that the said *Matilda* appeared a fine vessel *and* the slaves very healthy but [I was] obliged to victual her for her voyage to Havanah."

Similar declarations accompanied the rest of Milne's captures.

ship's passengers, who were not liable to capture. As he did, he, "chased another suspicious vessel (schooner)[.] She was a Portuguese schooner called the *Constitution* [bound] from St. Jago de Cuba to Havanah, and had landed her slaves."²⁰ Like the *Maria Therese*, Milne concluded that there was no point in sending the *Constitution* to Freetown, *sans* slaves.

Milne and his crew had almost three weeks to recuperate at Port Royal before heading out again on instructions from Peyton to take as many provisions as could be "conveniently stow[ed]" to re-supply the Navy's "Slave Depot" (Receiving) ship *Romney* at Havana. Once that job was performed, Milne was to cruise off Cuba in search of more slavers for the next month-and-a-half. But his luck had deserted him; having captured two vessels when engaged on other missions, he now came up empty-handed. Upon her return from this fruitless cruise *Snake* was again assigned (1 March 1838) to carry the mail to and from Santa Marta and Cartagena, on the South American mainland.²¹ At the beginning of April Milne was sent to Santiago de Cuba for a variety of purposes connected with British interests.

The *Snake* and her crew had only a few days' rest after returning from the Santiago mission before being sent out again, this time for a month-and-a-half on anti-slavery, anti-piracy patrol, shaping a course to Nassau (Bahamas), stopping first at Annotto Bay on Jamaica's north shore to search for deserters, before proceeding through the Crooked Island passage, between Crooked and Long Islands in the Bahamas, "where it seems likely the Slavers are at present steering for on their passage home."²² After touching at Nassau, Milne was to cruise "according to your own judgment and the information you may receive, either to round Cape Antonio and to cruize up the south side of Cuba or by any other track by which you think the object of your cruize will be best effected," returning to Port Royal by May's end. Milne chose to take the Northwest Providence Channel upon leaving Nassau (7 May), which took him near to the northwest corner of the Bahama archipelago. He then proceeding along the western edge of the chain, through the Straits of Florida, before turning toward Cuba. He touched briefly at Havana, then headed west, rounded Cape San Antonio, and returned to Jamaica off Cuba's south coast.

Like his last anti-slavery patrol, this voyage was devoid of tangible results. Milne's account of his proceedings upon returning contains little more than a report on the buoys in Nassau harbour and where he had sailed. Cruising for slavers was rarely exciting work; Milne indeed complained to his brother that "often I get no sleep, the officer of the watch constantly calling me, 'Another Sail in Sight' then [sic] we chase and examine, no sooner done than after another, and so on."²³ A few months later he reported:

Our [current] cruise has been a very stupid one, not having caught any slavers, one [having] seen one a long way off, which escaped the fascination of the *Snake* by the aid of a dark night.. Cruizing is very pleasant in fine weather but we have had about a month's daily rain & since then [he was writing in mid-November] constant gales from the Northward, & as we are blockading a

²⁰ Milne to Peyton, 10 December 1837, *ibid.*, 70.

²¹ Leith to Milne, 1 March 1838, NMM, MLN/102/6.

²² Leith to Milne, 15 April 1838, NMM, MLN/102/6.

²³ Milne to David Milne, 15 April 1838, *The Milne Papers*, vol. 1, 78.

Harbour near Havanah on a dead lee shore, it becomes somewhat tiresomef.]

The three harbours are Mariel, Cabanas & Bahia Honda, which I suppose to be the places where the slaves are landed[.] It is most difficult to say where it is best to search for them, & I could take any station I liked, & therefore chose this[.]

The villains are so cunning & so cautious that they are rather difficult to find, but more difficult to capture[.]²⁴

It was not that there were no slavers to be had. Milne informed Commodore Peyton following capture of the *Matilda*, "[f]rom information received from the prisoners we had on board[,] I was enabled to find out that a Brig with 600 slaves on board sailed two days before them for Cuba[,] also [of] several schooners with Cargoes[,] and an American [vessel] was getting wood and water on preparatory to taking on board slaves...."²⁵ Early the following year he wrote his brother that while visiting Havana, "I counted 10 Slavers all nearly ready for sea.. .40,000 Slaves are landed yearly in Cuba which divided into 400 gives about 100 vessels engaged in the traffic & the English vessels which are seldom cruising don't capture more than 800 per year. The risk of landing is therefore not great, particularly as you cannot touch them if within shot of the Batteries on shore."²⁶

In April 1839 Milne was promoted to captain and given command of the frigate HMS *Crocodile*?²⁷ His rank and ship had changed but his activities remained largely unaltered. He spent the first several months in his new command travelling to and from Mexico to points as distant as Halifax as part of a British attempt to mediate a dispute between Mexico and France, but by December 1839 he had returned to Cuba to inquire into "the Kidnapping of Negro Boys from Jamaica which have been sold at St. Jago de Cuba and adjacent Ports[.]"²⁸

Early the following year he received from new North America and West Indies Commander-in-Chief Sir Thomas Harvey (Paget having died on 30 January 1839) instructions which were typical of those issued to him while in the Caribbean: "...you are hereby required and directed to complete the Provisions of Her Majesty's Ship under your Command to three months and having done so and being in all respects ready to put to sea and to cruize around Cuba either to the Northward or the Southward as you may deem best from any intelligence you may receive, for the protection of British Interests and the suppression of the Slave Trade until the 20th of April when you are to return to Port Royal for further orders...."²⁹ After several fruitless anti-slave patrols this voyage finally bore fruit; on 13 April 1840,

²⁴ Milne to David Milne, November 1838, *Ibid.*, 81.

²⁵ Milne to Peyton, 10 December 1837, *ibid.*, 70.

²⁶ Milne to David Milne, 31 January 1838, *ibid.*, 72. Total numbers liberated, most of them off Africa of course, ranged from 2300 to 8600 per year between 1828 and 1840. 800 per year in the Caribbean was probably not too far from the mark for years in which few captures overall were made, but was likely *an* underestimate for others, and for the annual average.

²⁷ e^rate, 28 guns, 500 tons, builder's measurement. Launched at Chatham, 28 October 1825; sold 22 November 1861.

²⁸ Milne to J. Wright, H. M. Consul, Santiago de Cuba, 8 December 1839, MLN/101/15.

²⁹ Harvey to Milne, 15 February 1840, *The Milne Papers*, vol. 1, 89.

...when off the North side of the Grand Cayman on the 13th April, I fell in with a suspicious Sch[oone]r running to the West[war]d[.] having alt[ere]d course for the purpose of closing with the stranger[.] it was observed he made all sail to avoid our closing, upon which I made sail in chase to the Westward and[.] after a Run of 38 miles succeeded[.] by firing from the long gun[.] in bringing to a Schooner under Spanish colours called the "*Mercedita*"[.] three days out from Trinidad de Cuba[.] bound to Cape Lopez Rio Gabon Coast of Africa[.] there being no slaves on board[.] I directed the hold to be opened and found 1st[.] Boilers of an unusual size in which were stowed biscuit. 2nd[.] Leagers³⁰ of large size[.] some shook and marked[.] ready for being put up; neither had she close hatches fitted to her Hatchways[.] and[.] as these several articles were in violation of the 10th Article of the existing Treaty between Great Britain and Spain for the suppression of the Slave Trade, determined me [sic] to send her in for trial before the Mixed Court of Commission at Havana, she [sic] was accordingly placed in the charge of a Prize Crew under command of Lt Woodman[.] to whom I delivered the necessary papers required by the Act of Parliament and[.] on his Arrival at Havana[.] he produced them before the Court; the trial was immediately commenced, and the vessel condemned as a legal Prize to the ship under my command.³¹

The fate of the *Mercedita*, compared to that of the *Maria Therese* and the *Constitution*, both of which were allowed to go free despite unequivocal evidence of having carried slaves, sheds considerable light on the dynamics of the trade in the late 1830s and early 1840s. By the terms of the 1817-18 treaties, evidence of intent to engage in slave trafficking - manacles, extraordinarily large stocks of food and water, or any other suggestion of a human cargo - was not sufficient evidence for seizure for prize court adjudication, nor did the subsequent 1822-23 revisions (except that with the Netherlands) take into account the equipment peculiar to the trade. In 1835, however, Britain finally pressured Spain into agreeing to the so-called "Equipment Clause," by which a suspected slaver could be seized if any one of a number of suspicious items were found on board.³² Portugal, however, refused to accede to this clause despite incessant badgering by British Foreign Secretary Lord Palmerston. Finally, in 1839, Palmerston and the government, their patience exhausted by Portuguese prevarication, acted

³⁰ Water casks.

³¹ Milne to Harvey, 23 May 1840, *The Milne Papers*, vol. 1, 92-93.

³² Lloyd., 46-47. These were:

1. Hatches with open gratings.
2. An extraordinary number of divisions or bulkheads in the hold or on deck.
3. Spare planks from which to make a slave deck.
4. Shackles, bolts, or handcuffs.
5. A larger supply of water, or the means to carry water, than was necessary for the needs of the crew.
6. More cooking utensils and vessels *than* were necessary for the crew.
7. A much greater stock of food *than* was necessary for the crew.
8. A large number of mats or other sleeping gear.

unilaterally. The Foreign Secretary denounced Portugal in the House of Commons in ringing terms:

I say, so far from abolishing the Slave-trade, she has substituted her slave-trading flag in the place of all the slave-trading flags in the world. In proportion as we have been enabled to exclude that trade from the flag of Holland, the flag of France, and the flag of Spain, we find the flag of Portugal extending its protection to the trade which was formerly carried On under the flags of those different Powers. Not only has she not fulfilled her engagements with us—not only has she retained her trade where it was when those engagements [the treaties] were contracted, but she has actually increased it; and there is now not a slave-trader that crosses the ocean that does not carry his protection of that traffic under the prostituted flag of Portugal...I believe not less than 100,000 Africans from one side of the Atlantic to the other, are annually carried from a state of liberty to a state of slavery into the Brazils and Cuba under the flag of Portugal."

And the government pushed a Bill through Parliament that permitted British warships "to seize Portuguese vessels equipped for the Slave Trade and bring them before Vice-Admiralty Courts as pirates, thereby treating them in the same way as British slavers would be treated."³⁴ Had Milne stopped the *Maria Therese* and *Constitution* in 1840, rather than 1837, they too would have been seized under the terms of this 1839 "Act for the Suppression of the Slave Trade."³⁵

As Palmerston suggested in the course of his speech, the Portuguese flag had become a refuge under which slavers of other nationalities sought shelter.³⁶ Milne certainly agreed. As he wrote his brother in early 1838 following a visit to Havana, where every slaving vessel he saw flew Portuguese colours, "[w]e cannot touch them unless they have actually slaves on boardf.] The Spaniards we can seize if they have a slave deck or Irons or Mess Tubs or large

³³ *Hansards Parliamentary Debates*, 3rd Ser., vol. L (1839), col. 124. Palmerston's whole speech occupies cols. 123-27.

³⁴ Lloyd, 47-48.

³⁵ *Hansard*, 3rd ser., vol. L, Table of Statutes passed in the 2nd session of the 13th Parliament of the United Kingdom of Great Britain and Ireland, 2 & 3 Victoria, LXXIII, "An Act for the Suppression of the Slave Trade." The Bill received royal assent on 24 August 1839.

³⁶ Murray confirms the overall accuracy of this supposition in *Odious Commerce*, 103:

Nationality of Cuban Slave Trade Vessels, 1834-40					
Year	Spanish	Portuguese	United States	Other	Total Arrivals
1834	29	3	-	<u>1</u>	33
1835	42	8	-	-	50
1836	29	14	-	-	43
1837	3	48	-	-	51
1838	4	44	-	2	50
1839	2	29	6	-	37
1840	7	29	5	-	41

Water Casks[.] Consequently^] they carry it on under the Flag which gives most protection[.]”³⁷

Clearly this was an exaggeration; some vessels continued to fly the Spanish flag, making possible Milne's capture of the *Matilda* and *Mercedita*, and his final prize. During the summer of 1840 *Crocodile* sailed northward for the summer to perform another essential task of the station - fisheries protection off the Grand Banks - but in the autumn Milne returned to the Caribbean, temporarily in command of HMS *Cleopatra*, and it was in that vessel, while engaged in a diplomatic mission to the Danish Virgin Islands at the end of December 1840, that he seized his fourth slaving vessel.³⁸ He was returning from St. Thomas when on the evening of the 27th, he "captured between Norman Island and Santa Cruz the Spanish Schooner '*Secundo Rosario*' with 288 Slaves from 'Rio Pongo' West Coast of Africa, bound to Porto [sic] Rico[.]”³⁹ Again, the standard practice was followed; a portion of the slaver's crew was removed to *Cleopatra*, and a prize crew detailed for the captured vessel with orders to sail to Havana for adjudication by the Mixed Commission Court. Following this success, Milne again headed northward for a second summer of fisheries protection, this time in the Gulf of St Lawrence, before returning to Britain in November 1841, after four-and-a-half years in the Western Atlantic and Caribbean.

Milne's experiences and accomplishments while engaged on anti-slavery patrol suggest several points on which Lloyd's account might be amended. Most obviously, his assumption that all vessels condemned at Sierra Leone were captured in African waters is incorrect. In writing to his brother following the capture of *Matilda* and *Arrogante* in 1837 Milne reported that although the former vessel had "been condemned...& I am now clear of her-not so the '*Arrogante*'. She has gone to Sierra Leone to be condemned[.] Her Capt & 30 of her crew have gone in her[.] Capt Fraser [also] took a Prize with 130 slaves....She would have gone to the same place if sea worthy but is condemned[.] The officers & men have gone over in *Arrogante*.”⁴⁰ In other words, of the three vessels captured in the Caribbean about which Milne wrote, two were adjudicated in Africa. Nor was this policy unusual. Indeed, the lack of an Anglo-Portuguese Mixed Commission Court in the Caribbean or Western Atlantic mandated it. Add to that fact the likelihood that most slavers between 1835 and 1840 sailed under Portuguese colours, and it becomes clear that a portion of the Anglo-Portuguese Mixed Commission Court's business concerned captures made on the far side of the Atlantic. In 1834, three of the seven vessels bought before the Anglo-Portuguese Mixed Commission Court at Sierra Leone were captured by ships on the North America and West Indies Station, four of fourteen in 1836, five of eighteen in 1837, five of nineteen in 1838, and one of thirteen in 1839. Moreover, a few Spanish-, Dutch- and Brazilian-owned vessels captured in the western Atlantic and Caribbean were sent to Freetown for adjudication rather than to Havana, perhaps because of the local circumstances in both Africa and the Americas. Bethell notes that cases brought before the Mixed Commissions in Sierra Leone were typically adjudicated more speedily than

³⁷ Milne to David Milne, 31 January 1838, *The Milne Papers*, vol. 1, 72.

³⁸ 6th rate, 26 guns, 905 tons, builder's measurement. Launched, Pembroke, 28 April 1835; broken up, February 1862.

³⁹ Milne to Leith, 5 February 1841, *The Milne Papers*, vol. 1, 126.

⁴⁰ Milne to David Milne, 31 January 1838, *ibid.*, 72.

at either Havana or Rio de Janeiro, in part because the British judges and arbitrators at Freetown "frequently found themselves sitting alone."

Each of the three commissions at Sierra Leone started out in 1819 with a full complement of officials, but during the next few years all the foreign commissioners left. A Brazilian commissary judge... arrived in 1828 to take up his post in the newly-constituted Anglo-Brazilian commission, but, after his death in 1834, Brazil, like Spain, Portugal and the Netherlands, was represented only intermittently at Sierra Leone... In the event of their being a vacancy or vacancies in a mixed commission when a ship was brought in, the remaining members of the commission were authorized to proceed with the adjudication. Thus, if only one foreign commissioner were present and a dispute arose, a case was automatically settled by the British arbitrator. And, in the absence of foreign commissioners altogether, the case was settled by the British commissioners acting alone.⁴¹

Moreover, although Freetown was notoriously unhealthy, and British commissioners too suffered high sickness and mortality rates, their places could be more easily filled than those of the foreign judges and arbitrators, thanks to the presence of British colonial officials who could and did deputize. Finally, the British commissioners in Havana and Rio often faced hostility, even threats of bodily harm, in pursuit of their duties. The commissioners in Rio during the 1830s "frequently called on the national guard to escort them through angry crowds which were apt to hurl stones at the courthouse when the mixed commission was in session."⁴²

Thus, one finds that, according to Parliamentary Returns, in addition to the slavers captured by the South American and North America and West Indies Squadrons that were adjudicated at Havana, Rio, and the Anglo-Portuguese Court at Sierra Leone, two vessels were tried at the Anglo-Brazilian and four at the Anglo-Dutch Courts at the last place in 1829, two at the Anglo-Spanish Court and one at the Anglo-Brazilian Court there in 1830, one at the Anglo-Brazilian Court in 1831, one at the Anglo-Spanish Court in 1835, another in 1836, and two more in 1839. As a consequence of this undercounting, the number of slavers taken by Royal Navy cruisers in the western Atlantic and Caribbean was significantly higher than Lloyd concluded.

His figures for the period 1819-40, based as they are solely on the place of adjudication, suggest that less than 13 per cent were seized beyond African waters. The figures drawn from Parliamentary Returns for the years 1828-39 reveal a different picture, one in which more than a quarter of captures were made by ships on the North America and West Indies and South American Stations:

⁴¹ Bethell, "The Mixed Commissions," 87-88.

⁴² *Ibid.*, 84.

Slave Vessels Seized, By Station, 1828-1839⁴³

Year	W. Coast Africa	North Amer./W. Indies	South America	Total
1828	25 (86.3%)	4 (13.7%)	0 (0%)	29
1829	17 (60.8%)	5 (17.8%)	6 (21.4%)	28
1830	15 (75%)	5 (25%)	0 (0%)	20
1831	7 (70%)	1 (10%)	2 (20%)	10
1832	7 (78%)	2 (12%)	0 (0%)	9
1833	8 (72.7%)	3 (27.3%)	0 (0%)	11
1834	11 (61%)	5 (28%)	2 (11%)	18
1835	16 (64%)	8 (32%)	1 (4%)	25
1836	43 (80%)	10 (18%)	1 (2%)	54
1837	22 (71%)	9 (29%)	0 (0%)	31
1838	23 (70%)	8 (24%)	2 (6%)	33
1839	61 (83.5%)	5 (7%)	7 (9.5%)	73
Totals	255 (74.8%)	65 (19%)	21 (6.2%)	341

The ratio of captures, however, shifted dramatically over the course of the 1840s, especially after 1844. In 1840, 11 of the 63 slavers (17.5%) taken in the Atlantic or Caribbean were seized by ships of the North America and West Indies or South America Stations, 12 of 76 (15.8%) in 1841, 5 of 56 (9%) in 1842, 9 of 40 (20.3%) in 1843, 3 of 49 (6.1%) in 1844, 3 of 84 (3.5%) in 1845, 0 of 42 (0%) in 1846, 0 of 80 (0%) in 1847, and 2 of 89 (2.3%) in 1848. The increasing number of captures in West African waters is easily explicable; the force on that station grew

⁴³ These statistics are drawn from the following Parliamentary Papers: "A Return of Slave Vessels brought before the several Courts of Mixed Commission for Adjudication, between 1 January 1828 stating the name of the Seizor, and the Decretal part of the Sentence, whether Forfeiture or Restitution," *Pari. Papers*, 1837-38, vol. LII, 161-65; "A Return of Slave Vessels brought before the several Courts of Mixed Commission for Adjudication, since the first day of January 1838, to the latest date to which the same can be prepared; distinguishing the Flag under which each vessel was seized, the Name of the capturing ship, and the Commander thereof; the Amount of the registered Tonnage of each Vessel, as well as the Amount by British Measurement; and if Slaves on Board, stating the Number at the time of Seizure; also the date of the Decretal Part of the Sentence, whether Forfeiture or Restitution, with the Amount of the Proceeds of Sale or of Costs awarded, and distinguishing the Expenses of Condemnation and breaking up of each Vessel, and the Moiety remaining for distribution to the Captors," *Pari. Papers*, 1839, vol. L, 3-5.; "A Return of Slave Vessels brought before the several Courts of Mixed Commission for Adjudication, since the 1st day of January 1839, to the latest date to which the same can be prepared; distinguishing the Flag under which each Vessel was seized; the Name of the capturing Ship and the Commander thereof; the Amount of Registered Tonnage of each Vessel, as well as the Amount by the old and Present Admeasurement, and if Slaves on board, stating the Number at the time of Seizure, and the Date of the Decretal part of the Sentence, whether Forfeiture or Restitution, with the Amount of the Proceeds of Sale, so far as the same can be made out, or of Costs awarded, and distinguishing the Expenses of Condemnation and breaking up of each Vessel, and the Properties remaining for Distribution to the Captors (so far as can be made out at the Foreign Office)," *Pari. Papers*, 1840, vol. XLVI, 1-7; "Return of the Number of Slave Vessels Captured by Her Majesty's Cruisers since the Year 1831, inclusive; showing the Date of capture, the Place of Condemnation, and the Number of Slaves at the Period of capture and Adjudication or when landed prior to Trial; also, an Account of the subsequent Disposal of the Liberated Slaves after Adjudication," *Pari. Papers*, 1842, vol. LXIV, 536-41.

from eight warships in 1829 to twelve in 1835, to nineteen in 1839, and eighteen in 1842, while at the same time the number of small, fleet vessels on the station suitable for the duty increased.⁴⁴ By 1845 there were twenty-two vessels on the station, by 1850, twenty-four.⁴⁵

More mysterious is the absolute decline in the number of captures in the western Atlantic and Caribbean. Some of the drop was surely due to the dwindling number of effective ships on both the North America and West Indies and the South America Stations. In 1826, when the West Africa Squadron numbered eight vessels, two of them engaged in surveying, the South America Squadron consisted of twelve ships and the North America and West Indies Squadron thirty-five, no fewer than nineteen of them effective warships stationed in the Caribbean.⁴⁶ Nine years later, during a brief period when the West African Squadron was amalgamated with the Cape of Good Hope Squadron, the combined force numbered fourteen ships (one of them a mooring vessel), there were fifteen ships off the east coast of South America, and thirty-eight vessels on the North America and West Indies Station, although no less than thirteen of them were not effective warships.⁴⁷

Ships on the North America and West Indies, South America, and West Coast of Africa Stations,
1821-50⁴⁸

Year	North America & West Indies		South America (Brazils)		West Coast of Africa	
	Effective	Non-effective	Effective	Non-effective	Effective	Non-effective
1821	28	7	12	0	7	2
1826	29	6	12	0	6	2
1830	25	10	14	1	10	3
1835	25	13	15	0	12	2
1840	24	18	20	3	20	2
1848	13	16	12	0	23	2

In early 1848, by way of contrast, the West Africa Squadron numbered twenty-five ships (all but two of them effective) and the Cape of Good Hope Squadron (which was responsible for the southernmost extent of both east and west coasts) another thirteen (nine

⁴⁴ "A Return of the Number of Vessels of every Class in Her Majesty's Service which have been Employed on the West African Station, in each Year since 1828, specifying the Name, Class, and Force of each, together with the Numbers of their respective Crews; and stating the Number of Deaths in each Vessel in each Year, distinguishing those which have occurred by Action or by Accident (in part continuation of Return ordered by the House to be printed, 17th February 1830)," *Pari. Papers*, 1842, vol. XLIV, 532-34. See also Lloyd, Appendix C, "Strength of East Indies (Including China and Australia), Cape of Good Hope and West Coast of Africa Stations from 1821 to 1875, 280-84.

⁴⁵ John Beeler, *British Naval Policy in the Gladstone-Disraeli Era, 1866-1880* (Stanford, CA, 1997), 28. This data was compiled from the official *Navy Lists*, published by Admiralty authority.

⁴⁶ *Navy List*, 1826.

⁴⁷ *Navy List*, 1835. Those non-effective ships included three convict and five receiving ships, a diving bell vessel and a troop ship. The remaining three vessels were a ship out of commission at Bermuda, a surveying vessel, and an unarmed yacht.

⁴⁸ *Navy Lists*, 1821-48.

effective). The South America force was twelve effective vessels, and the North America and West Indies Squadron had dropped to twenty-nine vessels, of which no fewer than sixteen were non-effective. The effective cruising force on the whole station, stretching from Labrador and Newfoundland to Barbados, Trinidad, and Tobago consisted of only thirteen vessels. Moreover, two of them (*Endymion* and *Vindictive*) were large frigates, unsuited for anti-slavery patrol.⁴⁹

This last fact points to another reason that the number of captures made in the Caribbean dwindled during the 1840s: the North America and West Indies Squadron's composition. The best sailing vessels for anti-slavery cruising were the smallest and fleetest, schooners and ketches in particular, followed by brigantines, brigs,⁵⁰ and sloops. The least effectual were the biggest: ships of the line and large frigates. In 1835 the North America and West Indies Squadron's effective cruising force consisted of four armed steam vessels (of great utility for pursuit in the light and variable winds common to much of the Caribbean basin), four schooners, four brigs, seven sloops, and six frigates, two of them sixth rates capable of employment used in the anti-slavery patrol role.⁵¹ The total of such ships was twenty-five. In 1840 the numbers were one steam vessel, three schooners, two brigantines, two brigs, nine sloops, and three small frigates, a total of twenty ships.⁵² In 1845 there were two schooners, one steam sloop, four sloops, and two sixth rates, nine cruising vessels in all.⁵³ By 1850 there was one steam vessel, one schooner, two steam sloops, three sloops, and two sixth rates, again nine vessels total.⁵⁴ The number of suitable cruising vessels typically on the station by the mid and late 1840s, therefore, was barely a third of what it had been in 1835, and even this count is somewhat inflated, since frigates such as *Trincomalee* (assigned to the station 1847-50), although classed as sixth rates, were, at more than 1,000 tons burthen, really too big to operate effectively as cruisers.⁵⁵

⁴⁹ *Navy List*, 1848.

⁵⁰ *Snake*, a brig designed for speed by controversial Controller of the Navy William Symonds, was highly praised by Milne. In an early 1838 letter to his brother he stated "...the *Snake* is a Flyer & of that there is no doubt! Last night... we chased a Brig called the *Esther* or Greenock[.] We were going 9.2 [knots] on a Bowline [i.e., close-hauled] with Topgallant sails set & of course came up to her[.] much to her annoyance". See Milne to David Milne, 31 January-17 February 1838, *Milne Papers*, vol. 1, 73.

⁵¹ Steam Vessels: *Dee* (4), *Flamer* (6), *Meteor* (2), *Spitfire* (6); Schooners: *Pickle* (5), *Pike* (12), *Pincher* (5), *Skipjack* (5); Brigs: *Cruizer* (16), *Gannet* (16), *Racer* (16), *Serpent* (16); Sloops: *Champion* (18), *Comus* (18), *Dispatch* (16), *Lame* (18), *Racehorse* (18), *Scylla* (18), *Wasp* (16); Frigates: *Rainbow* (28), *Vestal* (26). The remaining frigates were *Belvidera* (42), *Forte* (44), *Pique* (36), and *President* (52).

⁵² Steam Vessel: *Spitfire* (6); Schooners: *Lark* (4), *Pickle* (5), *Skipjack* (5); Brigantines: *Griffon* (3), *Hornet* (6); Brigs: *Charybdis* (5), *Pilot* (16); Sloops: *Comus* (18), *Racehorse* (18), *Racer* (16), *Ringdove* (16), *Rover* (18), *Sanke* (16), *Serpent* (16), *Satellite* (18), *Sappho* (18); Frigates: *Cleopatra* (26), *Crocodile* (26), *Vestal* (26). Note that *Snake*, classified as a brig-sloop, is listed in the latter category.

⁵³ Schooners: *Lark* (2), *Pickle* (2); Steam Sloop: *Hermes* (?); Sloops: *Electro* (18); *Hyacinth* (18), *Rose* (18), *Scylla* (16), Frigates: *Eurydice* (26), *Spartan* (26).

⁵⁴ Steam Vessel: *Kite* (3); Schooner: *Bermuda* (?); Steam Sloops: *Plumper* (8), *Vixen* (6); Sloops: *Helena* (16), *Persian* (12); *Sappho* (12); Frigates: *Alarm* (26), *Trincomalee* (24).

⁵⁵ Indeed, of the frigates on the North America and West Indies station in 1835, 1840, 1845, and 1850, only Milne's *Crocodile*, at 500 tons builder's measurement, and HMS *Rainbow* (503 tons bm) were comparable in size to sloops and brigs. The other sixth rates on the station in those years were all considerably larger: *Alarm* 1,066 tons, *Eurydice* 1,066 tons, *Spartan* 1,066 tons, *Trincomalee* 1,066 tons, and *Vestal* 918 tons. His capture of the *Secundo Rosario* while in temporary command of *Cleopatra* notwithstanding, at 918 tons builder's measurement, that ship too was too large to operate effectively as an anti-slave trade cruiser.

Conversely, the station flagship in both 1845 and 1850 was a ship of the line, whereas no such vessels were present in 1835 or 1840.⁵⁶ One factor driving the change in composition, especially from the late 1840s onward, was doubtless Britain's growing concern over "filibustering" expeditions emanating from the United States, activities which called for the presence of larger vessels in the Caribbean.⁵⁷ Even in light of the diminution of the squadron's cruising force, however, its anti-slavery record from 1840 through 1848 comes as something of a surprise. Cruisers seized four vessels in the Caribbean in 1840 (one of them Milne's *Mercedita*), one in 1841, and none whatsoever from 1842 through 1848; the South America Squadron was almost wholly responsible for the few captures recorded outside of African waters.⁵⁸

Slave Vessels Seized, By Station, 1840-48

Year	W. Coast Africa	North Amer.AV	Indies	South America	Total
1840	52 (82.5%)	4 (6.4%)		7(11.1%)	63
1841	64 (84.2%)	1 (1.3%)		11 (14.5%)	76
1842	51 (91%)	0 (0%)		5 (9%)	56
1843	31 (77.5%)	0 (0%)		9 (22.5%)	40
1844	46 (93.8%)	0 (0%)		3 (6.2%)	49
1845	81 (96.4%)	0 (0%)		3 (3.6%)	84
1846	42(100%)	0 (0%)		0 (0%)	42
1847	80 (100%)	0 (0%)		0 (0%)	80
1848	87 (97.7%)	0 (0%)		2 (2.3%)	89
Totals	534 (92.3%)	5 (.8%)		40 (6.9%)	579

⁵⁶ HMS *Illustrious* (72) in 1845, HMS *Wellesley* (72) in 1850.

⁵⁷ I am indebted to Professor Andrew Lambert for pointing out this fact.

⁵⁸ Sources: "Return of all Vessels Captured by British Cruisers for Violation of Slave Trade Treaties in each Year from 1840 to 1847 inclusive, which have been brought before the Mixed Commissions established Abroad under Treaties with Foreign Powers for the Adjudication of Captured Slave Vessels; showing the Name of the Captured Vessel; the Date of Capture; the Sentence, whether Forfeiture or Restitution; by what Court Adjudicated and the Number of Slave Captured.," *Pari. Papers*, 1850, vol. IX, 356-60; "Return of all Vessels Captured by British Cruisers in each Year from 1840 to 1847 [sic: 1848] inclusive, which have been brought for Adjudication before British Courts of Vice-Admiralty Abroad under the Statutes of the 2d and 3d Victoria, cap 72, and 8th and 9th Victoria, cap. 123; showing the Name of the Captured Vessel, the Date of Capture, the Sentence, whether Forfeiture or Restitution; by what Court Adjudicated, the Tonnage, and Number of Slaves Captured," *Pari. Papers*, vol. 1850, IX, 361-68; "A Return of all Vessels, their Names and Tonnage, Captured (on suspicion of being engaged in Slave Trade) from 1840 to 1848, both inclusive, specifying the Date of Capture, the Latitude and Longitude, and whether with Slaves on board or not; and the Number of Slaves captured during the same period in each year, with the Number of Deaths between the Date of Capture and Adjudication, showing the Annual per centage [sic] of Mortality," *Pari. Papers*, 1850, vol. L V, 76-88.

⁵⁹ "A Return of all Vessels, their Names and Tonnage, Captured (on suspicion of being engaged in Slave Trade) from 1840 to 1848, both inclusive, specifying the Date of Capture, the Latitude and Longitude, and whether with Slaves on board or not; and the Number of Slaves captured during the same period in each year, with the Number of Deaths between the Date of Capture and Adjudication, showing the Annual per centage [sic] of Mortality," *Pari. Papers*, 1850, vol. L V, 76-88. I have compiled the data from all of the returns cited above into a single database. Anyone interested in consulting it should contact me at jbeeler@tenhoor.as.ua.edu.

Despite this dramatic drop, however, the evidence from the period 1828-40, not to mention Milne's experience, suggests that interdiction of slavers was significantly less difficult in the western Atlantic and Caribbean than Lloyd and subsequent commentators assumed. It would, however, be going too far to suggest that had the Navy been able to devote a comparable number of vessels chiefly, if not wholly, to anti-slavery patrol as were stationed across the Atlantic, their accomplishments might have rivalled those attained by renowned African squadron officers such as Francis Collier, Joseph Denman, Henry James Matson, William Browne Oliver, and William Owen. Lloyd's claim that "the difficulties of interception were even greater" in the Western Atlantic and Caribbean than off Africa is surely correct. Even though the only significant destinations for slaving vessels from the 1820s onward were Cuba, Puerto Rico, and Brazil, Cuba's coastline alone is 2,316 miles, and Brazil's some 4,600 miles.⁶⁰ Compared to these vast expanses, to say nothing of the thousands of additional miles encompassed by the geographical limits of both stations (until the creation of a separate Pacific Squadron in 1838 to patrol the west coast of South America, vessels of the South American Squadron were also responsible for that duty), the 3,000 miles of coastline stretching from Senegambia to southern Angola patrolled by the West Africa Squadron was relatively modest. Furthermore, with trade and fisheries protection, and specie- and mail-carrying duties that likewise far surpassed those on the far side of the Atlantic, it should be no cause for surprise that the number of vessels assigned to the North America and West Indies and the South American stations was consistently inadequate to permit sizeable detachments to patrol the waters off the major ports of slave debarkation in Cuba, Puerto Rico, and Brazil.

Finally, unhealthy as west Africa was, it can be argued that greater danger attended anti-slavery patrol in the Caribbean during the summer and autumn months. First there was the threat of fever. Milne's letters to his brother frequently mention his concern about the health of his crew, and the places to which he sailed. Even in January fever could be a risk, as Milne reported in 1839: "[f]he Yellow Fever has been very bad in Jamaica-many have died & the Admiral was given over, but has rallied."⁶¹ A few months earlier he informed his brother that "'Sapphire has had a severe touch of fever—upwards of 70 cases[.]'"⁶² Fortunately, none of Milne's own ships suffered a similar outbreak, although he himself fell sick in late 1839: "I called at Antigua & then went to Barbadoes arrived there the 23rd Oct: & there I caught the fever, was cautious & got the Doctors in time[.] A few hours makes all the difference in this climate[.] They bled me

⁶⁰ On the numbers of slaves shipped to Cuba, Brazil, and other destinations in the Americas after the outlawing of the slave trade, see Philip D. Curtin, *The Atlantic Slave Trade, A Census* (Madison, Wisconsin: University of Wisconsin Press, 1969), 231-241, especially Table 67, p. 234. Curtin points out the data reliability problems that probably make his estimates more accurate than those of Lloyd (Appendix A, "The Atlantic Slave Trade," 275-76) and returns furnished to Parliament such as "A Return 'showing the Total Number of African Negroes landed for the purposes of Slavery on the Islands and on the Continent of America, from the Year 1815 to the Year 1843, both inclusive; distinguishing the Number so landed in each of those Years, and distinguishing the Number landed in each Year on the Territory of each Separate State or Power, so far as the same can be made up from Documents in the possession of Her Majesty's Government,'" *Pari. Papers*, 1845, vol. XLIX, 567.

⁶¹ Milne to David Milne, 30 January 1839, *The Milne Papers*, vol. 1, 84.

⁶² Milne to David Milne, November 1838, *ibid.*, 81.

& what [not] with Calomel &c I am now well, but had a sharp attack."⁶³ A few lines later, though, he reported "[t]he *Satellite* however has lost several men—a Lieut: and a Mid: & the only officers doing duty were the Capt[,] Purser & Surgeon." At the end of December 1840 he forthrightly told his brother, "I hope to be enabled to make arrangements to get to the North during the ensuing summer, which is a very great treat, not only for the comfort of a good cold day, & amusement, but to avoid the hot rainy weather of the West Indies & its attendant Yellow Fever, by no means an agreeable companion on shore, and still less so on boardf.]"⁶⁴

There was the additional peril of hurricanes in the summer and autumn, a danger absent from the West Africa Station. Milne recorded his experience with one such in late 1837. His brig lost all of its anchors during the violent weather.

Every body says they expected it for one going down in the Hurricane months. It was a hurricane or the end of one we experienced called the Cayman hurricane from the devastation made on those Islands about 70 miles west of Jamaica, but we [fared] better than our neighbours—The *Racer* was hove on her beam ends, her Tops were in the water & luckily her Bowsprit went & then her masts. She had not sail set & top Masts on deck[.] Her chain cable in the hold was thrown into the Purser's cabin[.] This... happened the last week in September & at the same time the *Comus* near Bermuda was nearly lost[.] Capt Bennett of the *Bamboo* said - if *Snake* or any [similar] Brigs had been there they would have foundered."⁶⁵

The conjunction of these circumstances - geography, the multiplicity of duties beyond anti-slavery patrolling to be carried out in American waters, disease, and weather - coupled with domestic pressure from abolitionists, doubtless explains why anti-slave trade efforts focussed increasingly on Africa after 1840. And yet despite the long odds, not all Navy officers ceased their efforts to interdict slavers close to their destinations. When Milne returned to the North America and West Indies Station as commander-in-chief in early 1860, one of his chief concerns was the continued demand for slaves in Cuba. He wrote to his friend, First Naval Lord Richard Saunders Dundas, from Havana shortly after his arrival on station, "There are 4 Slaver's [sic] fitting out here but since your Lordships last order about *Syx* we have not a single cruising ship and Ere [sic] long I Expect [sic] to hear that the slave vessels are making successful runs. The Americans caught a slave ship with 300 on board some few weeks ago and took her to Key West."⁶⁶ As he knew from earlier experience, the navy could and did make a notable contribution in the western Atlantic and Caribbean to the

⁶³ Milne to David Milne, 6-12 November 1839, *ibid.*, 86.

⁶⁴ Milne to David Milne, 31 December 1840, *ibid.*, 122.

⁶⁵ Milne to David Milne, 31 January 1838, *ibid.*, 71.

⁶⁶ Milne to Dundas, 9 May 1860, NMM, MLN/116/3. The American vessel to which Milne referred was the *Wildfire*, captured by the USS *Mohawk* off Nuevitas on 26 April 1860, with more than 500 Africans on board, rather than the 300 he reported. *Wildfire* was condemned on 7 June 1860, but a Grand Jury refused to return an indictment against her master, Phillip Stanhope, for slaving. See <http://www.melfisher.org/lastslaveships/slaveships.htm> (accessed 26 July 2006) for a description of *Wildfire*, its cargo, capture, and disposition.

anti-slave patrol effort. Surely it is time that his achievements and those of the many others who played roles in the service's attempt to suppress the slave trade in American waters received the recognition that they warrant.