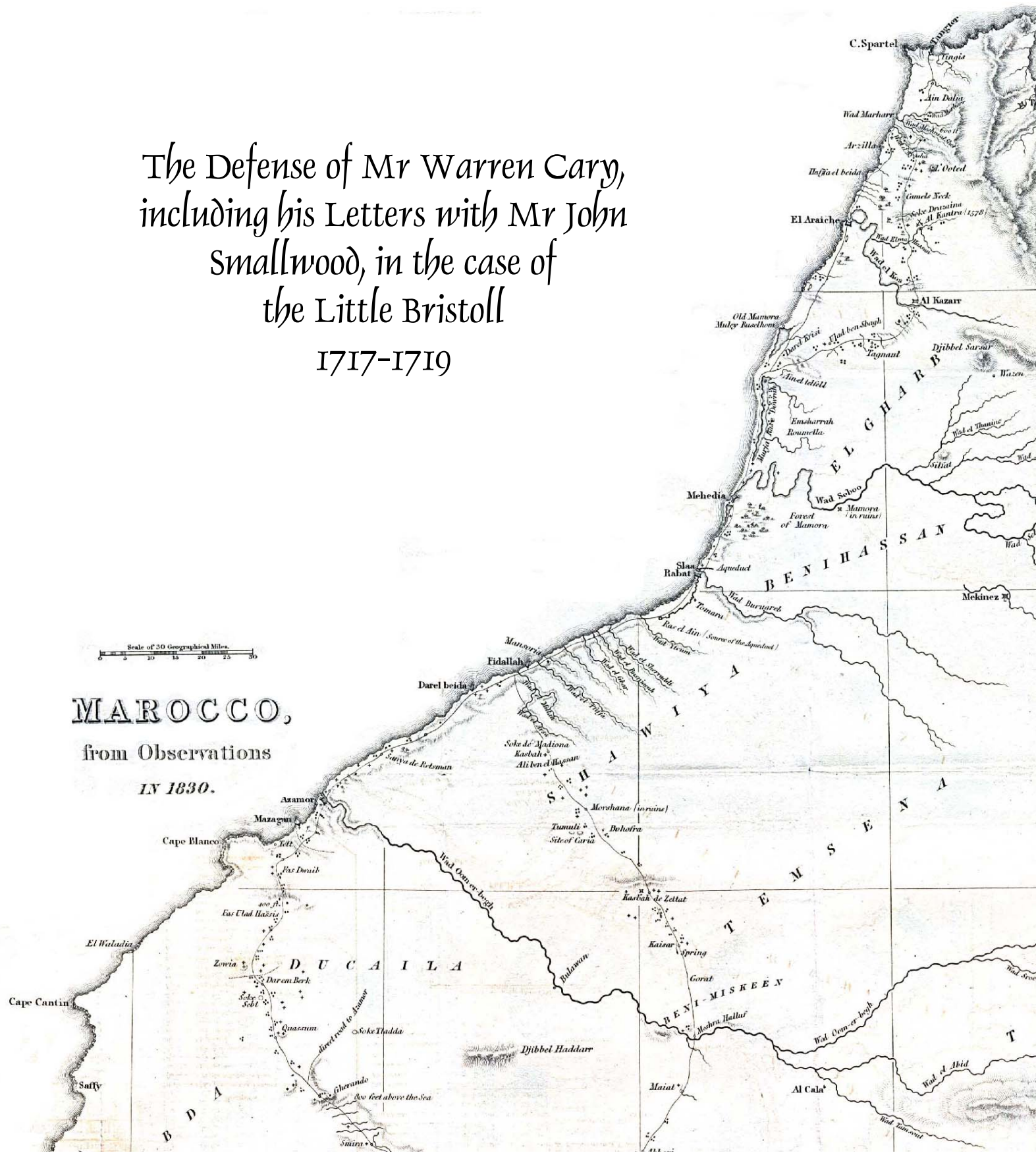


The Defense of Mr Warren Cary,
including his Letters with Mr John
Smallwood, in the case of
the Little Bristoll
1717-1719



Transcribed by Mr Simon Kidner

Front Cover:

An extract from a map of Morocco of 1830, showing Saphea (Saffy) in the south west, and the twin cities of Rabat and Saleh (Slaa or Sally) farther up the coast. Mequinez (Meknes) lies some 60 miles inland from Saleh and was the site of the Emperor's Palace.

*The Defense of Mr Warren Cary,
including his Letters with Mr John Smallwood,
in the case of
the Little Bristoll*

1717-1719

as transcribed by Simon Kidner

Transcriber's Note

This document is a transcription of the official record of the documents presented in the High Court of Chancery in 1720 in the case of *Bunyard vs Cary* (TNA reference C 11/461/11). The letters between John Duckinfield and John Mereweather are from the record of Bunyard vs Duckinfield (C 11/2226/39). James Bunyard was still pursuing the cases in 1739. At this stage I have yet to discover who won - the underwriters or the owners.

I have tried to produce an accurate transcription and not to second guess the scribe by correcting what will appear today as spelling mistakes. These spellings may reflect the court scribe or the original writer; they have been reproduced here without correction. I shall therefore have trouble in future with the correct spelling of words such as 'believe', 'business', and 'field'. I have inserted some basic punctuation only occasionally where I believe it is essential to assist comprehension, and the bulleted lists are similarly my device.

Illegible passages or missing words are indicated by square brackets. Deliberate gaps are indicated by underlining thus _____.

I owe thanks to Sue Giles, Curator of Ethnography & Foreign Archaeology, Bristol Museums & Art Gallery for pointing me to the main reference works and for explaining Arangoes, Niconees and Middle Gooseberries.

SK

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The Cast

The Ship Owners, Chandlers and Defendants

Warren Cary, a Merchant of Bristol and co-Owner of the *Little Bristoll*
John Duckenfield, a Merchant of Bristol and co-Owner of the *Little Bristoll*
John Scandrett, a Merchant of Bristol and co-Owner of the *Little Bristoll*
John Smallwood, a Ship's Chandler of London
William Davy, an Insurance broker of London
John Merewether, an Insurance broker of London

The Underwriters, and Complainants

James Bunyard, a Merchant of London
Isaac Da Costa Alverenquez, a Merchant of London
Robert Hackshaw junior, a Merchant of London
John Rudge, the administrator of the estate of the late Edward Rudge, one of the original underwriters

The Captain of the *Little Bristoll*, John Normanton

The Captain's wife, Ann Normanton

The Scene

The *Little Bristoll* has sailed from Bristol to the coast of West Africa to pick up slaves that are destined for the plantations of Virginia, Maryland or the West Indies. Two months after they leave Bristol, reports begin to circulate around the markets that a Bristol Galley has been captured by Barbary Pirates from Saleh - the fearsome "Sally Rovers". Mr Cary hastily arranges insurance on the *Little Bristoll* and her cargo. When it is confirmed that the galley in question is indeed the *Little Bristoll*, the Underwriters fear they have been cheated and refuse to pay for the loss.

During the Court session of Easter 1719, James Bunyard and his fellow Underwriters have issued a Bill of Complaint in the High Court of Chancery against Warren Cary and his business colleagues alleging that the policy was taken out fraudulently and with prior knowledge of the capture of the *Little Bristoll*.

The Court first issues a list of questions, or Interragatories, that must be answered in writing by all witnesses. Warren Cary then launches his defence...

Interrogatories to be administered to Witnesses to be produced sworn and Examined on the part of James Bunyard, Edward Rudge, Robert Hackshaw Junior and Isaac da Costa Alverenquez, Complainants against Warren Cary and John Smalwood defendants

Inprimis Do you know the parties Plaintiffs and Defendants in the Title of these Interrogatories named, or any, and which of them, and how long have you known them respectively, and do you know John Normanton of Bristoll, Mariner, late Master of the Ship *Little Bristoll* of Bristoll aforesaid, If yea: Sett forth what weight he was of, as exactly as you can to the best of your judgment.

2 *Item* Did you know the Ship *Little Bristoll* in the first Interrogatory menconed; If yea: Sett forth when you first knew her and how old she was at that time to the best of your knowledge and beleife; and sett forth by whom and by whose order she was built; and was she or was she not built after the maner of a Bristoll ship and was she altered in any maner after she was built; if Yea: Sett forth by whom and by whose order she was so altered, and where, and how was she altered; and sett forth whether you saw her sometime before her departure from Bristoll in or about the month of December 1717 and how long was it before such her departure that you last saw her and sett forth whether at that time her great cabin was painted or not; and if it was, what colour it was painted, and sett forth whether there was or was not any Locker near her Cabin door; and if there was, how bigg the same was and whether on the starboard or larboard side of the Ship; sett forth whether she had a Scollop shell painted or carved in her Tafferell and whether she had or had not a Coat of Arms or Scroll painted or carved in her sterne and if she had, what colour was the same painted, and sett forth what masts she had in her Tafferrell or Stern or in both and of what colour, and in what maner her Tafferrell & Stern was or were painted; and sett forth whether any, and if any, what figure was carved on her head and how painted; and sett forth where the Mizen Mast step was, whether between decks, or in the hold; and what work her wast was of; whether Quick work or not, and sett forth whether the said Ship was taken by any Rover, privateer or pirate; and if so, by what Rover privateer or pirate, and when particularly; and also sett forth whether the said ship the *Little Bristoll* had, or had not, at the time of her said departure from Bristoll in or about the said month of December 1717 at the time of her Capture, or at either or which of the said times, and what hoggs or piggs on board.

3 *Item* Do you know of any policy or policys of Insurance made at or about the City of Bristoll upon a ship called the *Little Bristoll* whereof John Normanton was Master; or upon her Cargo or either of them at any time between the Month of October 1717 and the Month of May 1718; if yea, set forth when such policyes are respectively made and by whose respective direcons, and when such direcons were given; and sett forth for whose benefitt such respective policys were as you know and your conscience beleives, and sett forth

by whom such policys were wrote or subscribed, and for what sumes particularly; and at or for what premio respectively, and at what times; and sett forth whether any and what loss mony was paid upon such policys respectively; and by whom, and to whom such money was paid.

4 *Item* Do you know of any policy or policys of Insurance that were made upon the *Little Bristoll*, and her cargoe or either of them at any time in the Month of March 1717 or in the Months of Aprill or May 1718 in or about the City of Bristoll: If yea, sett forth the particular days such policys were made or subscribed, and by whom respectively and by whose order, & for what sumes, and for whose benefitt they were respectively made out and sett forth whether any and what premio was offered for Insurance upon the said Ship her Cargo or either of them in the Month of May: and was refused to be accepted; if yea: Sett forth how much such premio was, and what day or days of the said Month of May such premio was offered and by whom and to whom.

5 *Item* Sett forth what was the generall Apprehension & opinion of Merchants & others at Bristoll between the fifteenth day of March 1717 and the [] fifteenth day of May following concerning the Condition Circumstances of the ship *Little Bristoll* whereof John Normanton was Master; was it generally thought, that she was then safe and well in her voyage, or was it beleived doubted or suspected that the said ship was taken or lost or had some damage or evill accident happened to her; and sett forth particularly what was your Opinion or apprehension at that time touching the Ship and whether there were any and what reports with respect to her; Do you know anything, and what, touching the Offering at some time or times and when in May 1718 by any person or persons, and whom, of any premio, and how much at the utmost for an Insurance on the said Ship *Little Bristoll* and her Cargo or either and which of them; and for what reason or reasons was or were made; Declare.

6 *Item* Do you know of any policy or policys of Insurance made out for insuring the ship *Little Bristoll* of Bristoll, and whereof John Normanton was late Master, and her Cargo or either of them between the Month of November 1717 and the Month of May 1718 at London. If yea, sett forth by whose direcon such policy or policys was or were made, and by whom respectively subscribed and for what sumes and sett forth particularly the respective times when the severall orders were given for such insurance and by whom and how much Insurance was ordered by each direcon and how the said policys are respectively valued, and what orders were given touching the valuation thereof.

7 *Item* Are you acquainted with the nature of Insurance upon Ships and Merchandizes. If yea, sett forth how long you have been so acquainted and sett forth whether it is usuall or customary for fair & honest Merchants to Insure more than the value of their real Interest in Ship and Merchandizes, and especially whether it is usuall for them to insure much larger sumes than the value of their reall interest.

8 *Item* Sett forth whether you received any letter or letters from any Owner or part Owner of the ship *Little Bristoll*, whereof John Normanton was Master, at any time between the 30th day of November 1717 and 20th day of May 1718: and did you write any letter or letters to such Owner or part Owner within that time. If yea, sett forth who such Owner or part Owner was and produce the severall letters so by you received, and declare of whose hand writing the same are, and sett forth whether the paper writing now produced and shewn to you doth contain true coppys of the severall letters wrote or sent by you unto such Owner or part Owner according to the best of your knowledge and beleif.

9 *Item* Are you acquainted with the nature of shipping as to their building apparel tackle and furniture. If yea, sett forth how long you have been and how you came to be so acquainted and sett forth whether any shipps built in New England are built after the manner of Bristoll shipps or not.

10 *Item* Sett forth what sort of Guns are called Swivell Guns, of what size they comonly are; what size shott they carry; and by what sort of shipps are they comonly carried; whether they are fixed on board of shipps or

requires whether are they most usually painted or not especially in small ship and when they are painted what is the usuall colour; and how and in what manner

Interrogatories to be Administered to Witnesses to be produced sworn and examined on the parte and behalfe of Warren Cary deft. att the suite of James Bunyard, Edward Rudge, Isaac da Costa Alverenques and Robert Hackshaw jun. Complainants

Inprimis Do you know the Parties Complainants and defendant or any or other and which of them and how long have you known them.

Respectively declare.

Item 2 Did you know the ship called the *Little Bristoll* on or about the time that she last sailed from the port of Bristoll for the coast of Africa to Wit on or about the month of December which was in the year of our Lord One thousand seven hundred and Seventeen and when particularly did she sett sail from Bristoll in the said voiage had she any and what cargoe on board her when she so sett saile who were the Owners of the said ship and cargoe and how were such Owners respectiveley interested therein and what was the value of said shipp and cargoe when she began her said Voiage was the said ship and cargoe afterwards lost or taken by Enimies and whom when and where declare what uou know or beleive touching the matters in this Interrogatory with the reasons of your beleife at large /.

Item 3 Did you see the Complainants or any and which of them signe or subscribe the Paper Writing or Pollicy of Insurance now showne to you or are you Acquainted with the characters or hand writing of the Complainants or any and which of them of whose hand writing are the severall Names of the Complainants or any and which of them and the sumes or words next preceeding such Names sett or subscribed to the said Paper Writing or Pollicy of Insurance was there any and what premium or sume or sumes of Money paid or otherwise and how Allowed or satisfied to the complainants any and which of them particularly as a consideration for their subscribing the said Paper Writing or Pollicy of Insurance or becomeing Insurers according to the Tenor of the same Pollicy was such Premium Sume or Sumes of money the comon or usuall Rate paid for Insurance of ships in the like voiages or not was there any discourse between the complainants or any and which of them and the Assured in the said Pollicy or any person or persons on his or their behalfe and whome by Name at or before subscribeing the said pollicy by the said complainants Respectively. If Yea, sett forth the substance and effect of such discourse. Declare pl ut supra.

Item 4 Are you or have you been Acquainted for any time and how long with the Method and Practice of insuring Ships and Goods Loaden on board them is it usuall or comon or not for the Merchants or Owners of such Ships or Goodes to insure more thereon than their Reall Interest therein and more particularly in such or the like voiages as are described in the pollicy of Insurance now shown to you or to cause Insurance to be made on any Ships or Goods wherein they have no Reall Interest and what is the reason of such Practice. Have you been Acquainted for any time and how long with the Method and Practice

of the defendant Warren Cary in causing insurances to be made and hath the said defendant at any time when and how often and in what particular instances caused himself to be insured above his Reall Interest in the Ship or Goods mentioned in the pollicyes or hath he at any time when and how often and in what particular instances caused Insurances to be made on any Ships or Goods wherein he had no Reall Interest and if Yea, what were the Reasons or Occasions of his causing such Insurances to be made. Declare pl ut supra.

Item 5 Have you either sailed in or been any waies concerned in ships which have sailed from the port of Bristoll to the coast of Affrica. In what space of Time are such voiages comonly performed and in what distance of time is it usuall to have Advice of such ships Arrivall on the coast of Africa from their first setting out in such voiages and more particularly in case a ship should begin in such voiage on the two and twentieth day of december and should arrive on the coast of Africa is it comon or usuall to have Advices at Bristoll of such Arrivall on or before the Tenth day of May then next ensuing and supposing no such advices should come within such space of time. How much per centum would it be worth to insure such ship in case there were no account of any Misfortune that had happened to her. Declare pl. ut supra.

Item 6 Were there any Advices either at London or Bristoll after the two and twentieth day of December 1717 and before the tenth day of May then next ensuing and when particularly of any Bristoll ships being taken and by whom. If yea, who brought or gave such Advices was there any particular ship & what named as the ship so taken or were any descripcions given of such ship by such Advices and what were such Advices and Descriptions in particular and to whom brought or given were such Advices or descripcions comonly known amongst Merchants and Insurers of ships at London and Bristoll or either and which of those places or were they not and particularly did the complainants or any and which of them know thereof on or before the said Tenth day of May 1718 or did they not were there any and what sume or sumes of money insured on the said ship *Little Bristoll* or her cargoe either at Bristoll or London after such Advices came and at what Rate or Premium and by whom and when were such Advices known to the person or persons or any and which of them who became Insurers on the said ship or cargoe of whose hand writing are the Name or Names of the person or persons subscribed to the policy or pollicyes of Insurance now shown to you did they or any and which of them did subscribe their Names thereto for the considerations and According to the Tenor of the same pollicyes and at the times therein Expressst or for any other and what considerations or at any other time.

Item 7 Of whose hand Writing are the severall Letter or Letters now shown to you or any and which of them were the same written, sent or received about the daies of their respective dates or at any other times and when, and of whose hand Writing are the severall copie or copies of Letters now also shown to you are the same true copies of such

Letters or do they vary therefrom and in what particulars or were there any such Original Letters Written and by whom and when and were such their Respective dates or at any other time or times and when declare [ut supra]

Item 8 Where was the said ship *Little Bristoll* and the boat belonging to her in her said voiage or either and which of them Built; what hands had she on board when she began her said voiage or when she was taken had she made any voiage or voiages before or was she then New built were her sailes new or not when she began her said Voiage or when she was taken were there any and what bottled Cyder or Beer on board her had she any and what Guns and how planted or placed in her and were the same painted or not and with what colours was there the figure of a Lion carved or painted on her and of what colour; where was the furnace placed in her; had she any rise forward or how was her Upper Deck built; had she any Barricadoe or any painted scollop shell or any coat of Armes or scrole in her sterne; was her sterne or the streakes on her quarters or her cabin or any and which of them painted and of what colours respectively; had she any Locker on the Larbourd side behind the cabin door, any chests or chest in the cabin or any Holland checks for shirts or any Brawls on board her and in what vessels was such Brandy and were such vessels if any hooped with iron; how many Anchors or Cables had she and were the same or any or which of them New; had she any hoggs or potatoes on board her; was her boat new pitched and tarred or had it any streak of lead colour paint & had she any Locker of about eighteen inches Square in her cabin in the nature of a Beaufett Locker in an Angle; were there any Loopholes out of the cabin upon the deck; was there any Landskipp painted in any and what part of her cabin and in what forme did the Mizzen step between decks or in the hold; of what colour were her vanes; of what sort of Worke was her Mast had she any and what Bobstays or shrouds for her bolspritt or any Galleries on her quarters or any Badges; had she any Beefe on board her; where was the same killed and was the same fat large and good or was the same thin or poor or what other condition and how was the cask thereof Marked; were there any herrings on board her, and how were the cask of the herring Marked; was there any Hatt edged with Gold or a Grey Coat trimmed with Black or a camblett coat or any wickered Bottles on board her and to whom did the same Respectively Belong. Declare what you know or beleive touching the Matters in this Interragatory and more particularly as to the time when the said ship sailed from Bristoll as aforesaid with the Reasons of your beleife.

Item 9 Did any other and what ship or shipps particularly sail from Bristoll or London or any other and what parte of Great Brittain for Guinea or the coast of Africa [in the] Month of December 1717. If yea, of what burthen, or how many tonns, were such other ship or shipps or any and which of them and what number of Swivell Gunns or any carriages for cannon and what Masts or any and what flying top Gallant sails or any holes thro' the Quarter Cloths or any [] painted and of what colour or any [] under the cabin or any Water Butts or White Herrings or Brandy or beefe on board or any Bonaventure or halfe

Mizen or an [] Deck or any Brass pans and if what size or any and what Handscrews on board. Have you been acquainted for any time and how long with the Trade from Great [Brittaine to Guinea] or the coast of Africa. If yea what sorts of ships are usually employed
Declare pl ut supra

Item 10 Do you know _____ Bayly of _____ Mariner. Did the said _____ Bayly Arrive in any and what voiage 1718 and when and where particularly did he so Arrive and in what shipp and from what voiage did the said _____ Bayly year One thousand seaven [hundred and Any advice or account touching the said ship Little Bristoll. If yea, what was the substance and effect thereof. Did the defendant Cary Receive any to her from the time of her sailing from Bristoll in December 1717 till the said Arrival of the said Bayly and what when sent or received. Declare pl ut supra

Item 11 Do you know of any Matter or thing Materiall or effectual for the benefitt of the defendant Cary; if yea, sett forth the same fully and at Large as if you were [] according to the best of your knowledge remembrance Judgment and beleif.

Thos. Owen

*The separate Answer of Warren Cary one of the Defts to the Bill of
Complaint of James Bunyard, Edward Rudge, Isaac Da Costa
Alverenquez, & Robert Hackshaw junior, Complainants*

This defendant [saving and reserving] to himself now and att all times hereafter all benefitt and Advantage of Excepcon to the manyfold Errors Uncertainties and Imperfeccons in the said Bill of Complaint contained for Answer therein or so much thereof as this defendant so advised [] materiall for him to make answer unto Your Lordship this Defendant Answereth and saith that on or about the thirtieth day of Aprill in the year of our Lord 1718 this defendant did writt a letter of that date from Bristoll to John Smallwood another defendant in the said Bill named and residing in London and did then order it to be putt into the Post Office and on or about the fffifth day of May then next following as this defendant beleives it was as the said Letter went by the post to the said Smallwood. And thereby this defendant did desire him to make for him this defendant two or three or four hundred poundes insurance on the *Little Bristoll* John Normanton master from Bristoll to the coast of Africa and att and from thence to Virginia and to do it in the said Smallwood's owne name without proof of Interest on Ship and Goodes on the best termes herunto And in the said Letter did signify that the said ship was [well] sheathed; was of about one hundred tonns, had twenty men and sailed from Bristoll the 22nd of December then last past or to that effect but for greater certainty he this defendant refers to the said Letter it selfe when it shall be produced to this Honourable Court. And this defendant believed that the said Letter went safe to the hands of the said Smallwood for that he this defendant sometime after received a letter as from the said defendant Smallwood dated London May 10th 1718 advising this defendant that the said Smallwood had insured for him this defendant on the *Little Bristoll* four hundred pounds att and from Bristoll to Affrica and port of discharge in Virginia or Maryland or the West Indies ship and goods both or either without prooffe and that the Under writers were £100 Isaac da Costa £100 Robert Hackshaw £100 Edward Rudge £100 James Bunyard £ of £400 at £5 φ Cent. But for greater certainty herein this defendant referes as to the said last menconed Letter now in the Defendant's Custody ready to be produced to this Honourable Court. And therefore this defendant beleives it to be true that the said defendant Smallwood and (who for anything this defendant knows to the contrary) William Davy another defendant in the said Bill named (and who for anything this defendant knows to the contrary is a broker for procuring insurance on Ships and Merchandizes) did on or about the Ninth and Tenth days of May in the said year 1718 propose to the Complainants to subscribe a pollicy for insuring the *Little Bristoll* and her cargoe for such voyage as aforesaid and did offer or propose to give to the Complainants five pounds per Cent premio which (for anything this defendant knows to the contrary may be a Comon premio for such voyages when the ships are good and substantiall and are known or generally supposed and believed to be in Safety and good condicon but this defendant knoweth not whether the said Smallwood did or did not pretend that he or some friend or Correspondent of his for whome he transacted the said Insurance had some very considerable share in the said ship

and her cargoe or that such ship and cargoe were of very high value but that it might be difficult to prove such Interest and that therefore he the said Smallwood was minded to make the Insurance without proof of interest nor doth this defendant know nor can he sett forth what the said Smallwood did or might say upon that occasion nor whether the Complainants or any or either of them did ask of the said Smallwood or Davy or either of them where the said ship then was or what Occurences had been received of her or what Circumstance or Condicon she was then generally supposed to be in or what particularly they the said Smallwood and Davy or either of them did then know or had heard or did Apprehend or beleive touching the Condicon or Circumstances of the said ship or whether the said Smallwood, Davy or one of them did or did not declare to the Complainants or some or one of them that the said ship was then but very lately sailed from Bristoll well fitted and in very good condicon for the said Voyage and that they or either of them or any other person to their respective knowledge or beleife had received no Account or Advice or that no Account or Advice was then arrived concerning her or that for Ought that was at that time known or heard by the said Smallwood and Davy respectively or by the principalls or Correspondents of the said Smallwood the said ship was safe and well nor whether the said Smallwood did or did not say and declare that it was a very fair Adventure and done only for the Merchants' security without any fraude or further designe nor doth this defendant know what the said Smallwood and Davy or either of them did declare upon that occasion. And this defendant for all these matters refers to such Answers as the said Smallwood and Davy shall think fitt to make touching the same. But this defendant saith that he beleives it to be true that the Complainants did severally and respectively subscribe a pollicy for insuring the said ship and Cargoe or one of them in the said voyage at the said premio of £5 per Cent and that the said pollicy was made without proof of interest. But this defendant knows not whether the Complainants did or did not depend that the said Smallwood or his principall or Correspondent for whome such Insurance was made had really an Interest in the said Ship and Cargoe. And this defendant rather beleives that the Complainants did not depend thereon or expect that they should have the benefitt of an averrage or Salvage in case of Loss or damage happening to the said ship proporconed to the damage that should be sustayned and the Insurance that was or should be made by the Owner or Owners thereof. And this defendant further saith that some time after this defendant received the Letter herein before menconed as from the said Smallwood adviseing his having insured for this defendant the said four hundred pounds. One Captain Bayly arrived in Bristoll in the Ship *Mercury* from Gibraltar and brought advice that the ship called *Little Bristoll* (Captain John Normanton Commander) was carried into Sally. Att which news he this defendant was very much concerned and shortly afterwards wrote an account thereof to the said Smallwood. And this defendant beleives that some time afterwards the said Smallwood or the said Davy by his direccon did apply to the Complainants for the lost money on the said pollicy and acquaint them that advice was newly come and since their subscribing the said pollicy that the said ship and her cargoe were taken by Sally Rovers. But whether the said Davy either with or without the direccon or privity of the said Smallwood did or did not declare and affirme to the

Complainants that the Insurance which had been made on the said ship and cargoe were not so large as the Owners Interest therein and particularly that the Insurances made by or for the said Smallwood or his principall or Correspondent did not amount to the value of his or their Interest and that it was a very fair insurance which had been made by or for him or them and without any fraud collusion or evill designe he this defendant knows not but this defendant beleives that they the said Smallwood and Davy or one of them did declare it was a fair insurance and without any fraud and particularly that the said Smallwood did declare that the Complainants knew nothing of any unfairness in the said Insurance. And if the said Smallwood and Davy or either of them did so declare or affirm, this defendant saith that such Affirmacons as touching any knowledge or beleife of him this defendant to the contrary were true. And this defendant beleives that the said Smallwood did likewise apply himselfe to the Complainants and press them to pay the whole loss money. And this defendant saith that he knoweth not that the said Smallwood did conceal from the Complainants who the person was for whose benefitt and by whose Order and direcon he procured the said pollicy to be made out and subscribed as aforesaid or what insurances had been made by or for the benefitt of his principall or Correspondent or what were the reall and true value of the said Ship and Cargoe nor doth this defendant know what Enquiry the Complainants made concerning the loss of the said ship and the insurances thereon made and refers for these matters as the said Smallwood shall think fitt to make concerning the same. But this defendant beleives the Complainants did or might understand that the said ship and cargoe did belong to him this defendant and to John Duckinfeild and John Scandrett senior John Scandrett junior and Charles Scandrett (as this defendant saith such parts of the said ship as are herein after menconed really did) and that the said ship had departed from Bristoll in or about December One thousand seven hundred and seventeen before the makeing of the said pollicy and was taken by Sally Rovers in the month of January next after the said month of December. But this defendant doth not know or beleive that the Complainants did find that some or any Advice Informacon Hint or Intelligence had before the said subscribeing the said pollicy been given to the said Smallwood and Davy or One of them or to him this defendant and the said Duckinfeild and the Scandretts or some or one of them that the said ship the *Little Bristoll* was taken or lost or that there was good reason to beleive, suspect or apprehend that she was taken or lost. And this defendant for his owne part doth deny that he had att any time before the subscribeing the said pollicy by the Complainants any Advice Informacon Hint or Intelligence given to him this defendant (nor doth he beleive that the said Smallwood Davy Duckinfeild and the Scandretts or any or either of them had any Advice Information Hint or Intelligence) that the said ship called the *Little Bristoll* was taken or lost or that there was good reason to beleive suspect or apprehend that she was taken or lost nor had he this defendant before the subscribeing the said pollicy any Advice Informacon Hint or Intelligence of any ships having been taken or lost saving as herein after is menconed nor did this defendant before the subscribeing the said pollicy beleive or Suspect (otherwise than as hereinafter is menconed) that the said ship the *Little Bristoll* was taken or lost at or before the time of subscribing the said pollicy by the Complainants. And this

defendant saith that he knoweth not what Informacon the Complainants had of large Insurances made on the said Ship and her Cargoe by him this defendant and the other Owners thereof or any of them. But this defendant denyes that for his owne part he or (to his knowledge or beleive) any of the other defendants in the Bill named (saving as is herein after menconed) made or caused to be made att any time either before or after the subscribing the said pollicy by the Complainants any other Insurances or of any greater value on the said Ship and her Cargoe in reference to this Voyage in question than are herein after sett forth And this defendant deny that the said pollicy so made or promised to be made out by the said Smallwood or Davy and subscribed by the Complainants as aforesaid was (to any knowledge or beleife of him this defendant any fraud or imposicon on the Complainants nor doth this defendant knew what the Complainants might say to the said Smallwood and Davy touching the discoveries pretended by the said Bill to have been made by them the said Complainants nor what they did desire the said Smallwood to write or represent to him this defendant or such as was to have the benefitt of the said pollicy. And this defendant denyes his having been Guilty of any Injustice in or about the [] but beleives that after a demand made of the said loss money of the Complainants he this defendant did lett some time pass before he sued for the same which patience of his he this defendant saith was with no other purpose than to give them time to consider about paying the same and to avoid if this Defendant could the trouble and expence of sueing about the same.

But this defendant saith and confesseth that after some time was past without this defendant being paid the said loss money or any part thereof he did Write or send Orders to an Attorney or Practicer of the Law in London to sue the Complainants on the behalf of him this defendant for his said loss money. And this defendant beleives that his said Attorney or Agent did accordingly on behalfe of him this defendant lately comence Accons against the Complainants respectively on the said Subscripcions in his Majestys Court of Kings Bench att Westminster and cause the Complainants to held to spetiall baile thereon. And this doth admit that he went willingly proceed to prosecute (as he hopes he shall be at liberty to do) the Complainants att Law for recovery of the severall sumes by them subscribed as aforesaid. And this defendant denyes that he ever did for his [creased ms illegible] and he beleives that the said Smallwood never did give out that the said ship the *Little Bristoll* did not sail on the Voyage in question untill this Month of March last [] before the [] said Bill of Complaint but this defendant beleives [] to be true that he also the said Smallwood might give out that they or either of them had received no Advice Informacon Hint or Intelligence whatsoever touching the said ship the *Little Bristoll* untill after subscribing the said pollicy as aforesaid by the Complainants and that the premio given or paid to the Complainants for such subscripcion was a good and high premio and as much as his said insurance deserved att the time. And this defendant denyes that he for his owne part did (and he beleives that none of the other defendants in the Bill named did) ever give out that the said Smallwood and he this defendant or either of them made no other or larger insurances on the said ship and Cargoe or either of them than what were made in and by the said pollicy subscribed by the Complainants as

aforesaid and that such Insurance was much less than the value of the said persons interest who were to have the benefitt thereof and therefore that they or one of them ought to receive the full loss money on the said subscripcon. And this defendant admitts that the interest of him this defendant was fully insured before the subscripcon was made by the Complainants. But he is advised and therefore humbly insists that the said policy having been made without proof of interest did and doth mean and intend the same as a pollicy made on the terms of interest or no interest and that it shall or ought to be deemed or taken only as Wager on the Contingency of the Ships Arrivall or non Arrivall and not to be looked upon or considered as an Insurance to come into and be reckoned among other insurance only to make up and make good the loss that the said Smallwood and he this defendant or one of them should or might really susteyne. And this defendant admits that the said pollicy was intended by him this defendant and (as he beleives) by the said Smallwood also only as a Wager or in the nature of such without regard to any interest in the said ship or cargoe and was made as a fair and voluntary Adventure without any notice intelligence hint or Suspicion to or in him this defendant or (as he beleives) the said Smallwood of any loss damage or other Accident having happened to the said ship the *Little Bristoll* or any other ship as herein after is menconed. And this defendant denyes that he ever refused to discover to the Complainants the burthen Age or true value of the said Ship or the particular or true values of the Cargoe. And this defendant saith that the said ship the *Little Bristoll* did (according to the best of his remembrance and beleife) sayle from Bristoll on the voyage aforesaid on or about the 22nd day of December 1717. And if the Master thinks it was the twenty third of December this defendant [admits] to be mistaken in that particular but this defendant doth not certainly know that had she arrived at the coast of Africa in or due and comon time her Arrivall might have been heard of by the Owners or some of them before the time of the said subscripcons of the Complainants. And this defendant rather beleives it likely that she might arrive therein in a due and comon time and yett the Owners have no certain account thereof here before the time of the said subscripcons. And this defendant denyes that about two months or any other time before the making the same subscripcons some advice hint or intelligence by Letter or Letters otherwise was come to him the defendant or (to his knowledge or beleife) to any or either of the other Owners of the said ship the *Little Bristoll* from whence or whereby it was known or (otherwise than as herein after menconed) was so much as beleived or conjectured that the same Ship was lost or damaged or had some evill accident befallen her nor doth this defendant know or believe [whether] it was at any time before the making the said subscripcone so farr credited and beleived att Bristoll that the said Ship was then lost or probably lost that fforty guineas or twenty guineas per Cent or even less than ffive guineas per Cent were or was given att Bristol for insurances or insurance on the said ship and her Cargoe or either of them nor doth this defendant know or believe Nor did he (otherwise than by the now Bill of Complaint) ever hear that forty guineas or near such a sum were or was refused to be accepted or were or was given or offered at Bristoll or else where for insureing or reinsureing said Ship and her Cargoe or either of them. Nor doth this defendant know or beleive nor did he ever hear otherwise than by the said Bill that so much as twenty

guineas per Cent or any more than five Guineas per Cent as aforesaid were or was given at Bristoll for Insuring or reinsuring on the said ship and cargoe or either of them saving as is herein after menconed that is [] he this defendant some time after the subscribeing the said pollicy by the Complainants (and not before or did hear that the said John Duckinfeild had twenty guineas given to him for insuring one hundred pounds the said Ship and Cargoe or other of them but by whom the same were so given or for whom such last menconed Insurance was made or the time when it was made or whether it was before or after the [subscribeing] ■¹ the said pollicy the Complainants (if such [] and Insurance were really given and made) he this defendant knoweth not nor ever heard. And if the said Duckinfeild did accept twenty guineas to Insure such one hundred [] aforesaid as it an Argument to this defendant that he the said Duckinfeild did not att any time before the Arrival of Captain Bayly herein before menconed beleive that the said ship the *Little Bristoll* was really taken or lost. And this defendant saith that tho' there was before the said subscripcions made by the Complainants some report (as to herein after menconed) of some ships having been taken and carryed into Sally yett he this defendant did so little beleive that it was his ship the *Little Bristoll* that he did himselfe some time after the hearing of the said Report and before the time of the said subscripcions made by the Complainants subscribe a pollicy of Insurance on the said ship the *Little Bristoll* for thirty pounds at and for the premio of five pounds per cent and no more. And this defendant doth beleive that five pounds or five guineas per cent was att that time the comon premio given on ships abroad in that voyage and he also beleived that five pounds in London and five guineas in Bristoll per cent was a reasonable premio for insuring on the said ship the *Little Bristoll* att the time of subscribeing the said pollicy by the Complainants for this defendant saith that Insuring in London is usually cheaper in London than in Bristoll. And that the said ship the *Little Bristoll* was of the burthen of one hundred tonns or thereabouts and was then not above three years old and was well sheathed, rigged, and fitted out for a voyage and was a tight and prime ship and a good sailer and was navigated by no less than twenty two able British sailors and sailed out in good order and condicon from the port of Bristoll on or about the 22nd day of December 1717 for the Voyage aforesaid and that there was not till the Arrival of the said Captain Bayly and advice that she was taken or carryed into Sally or lost or that any misfortune whatsoever had happened to her and the said ships having been gone soe long from Bristoll without news of her being lost or damaged ought (in this defendant's apprehension) to be looked upon as considerable lessening of the then risque to be run by Insurers on her and her cargoe. And this defendant further saith that att and before the time of subscribeing the said pollicy by the Complainants he this defendant was interested as Owner of and in one full fourth part of the said ship and her cargoe and he hath heard and believed that the said John Scandrett the Elder who is of Bristoll aforesaid Merchant was then an Owner of One other fourth part of the said ship and cargoe and that the said John Scandrett Junior and Charles Scandrett who are both of Bristoll Grocers and Merchants were each interested in one other fourth part thereof and thatt the said John Duckinfeild was then Owner of the other

¹ start of second parchment in TNA copy

fourth part thereof. And this defendant saith that the said ship the Little Bristoll was att the time of her departure from Bristoll as aforesaid for and on the voyage in question worth (according to the best of the defendant's judgment and beleife) the sums of twelve hundred pounds. And as to the Cargoe sent in her for the said Voyage the same consisted of the particulere and values and was bought of the severall persons following (vizt):

- One hundred ninety three gallons and five pints of Brandy bought of Henry Nash of Bristoll, distiller, at the price of £26=18=0;
- Twelve gallons of Vinegar bought of the same person att the price of £0=12=0;
- Four hundred and nine pounds weight of Battery² and cask bought of the defendant Smallwood at the price of £32=16=9;
- One hundred and fifty fine Brawl and Qundell bought of the same att the price of £63=17=6;
- One hundred Niconees³ and Barras⁴ bought of the same at the price of £83=0=8;
- Six thousand one hundred and forty Rangoes and Box bought of the same at the price of £69=1=6; &
- for comission and charges paid the said Smallwood £6=2=4;
- Fifteen hundred seventy five Copper Rodds⁵ and thirteen boxes bought of Joseph Fowles of Bristoll;
- Brazier at the price of £120=0=0
- Eight thousand three hundred fifty one manelas⁶ bought of Samuell Cichelle of Bristoll;
- Brasier at the price of £139=3=6;
- Fourteen tonnes four hundred and twenty eight pounds weight of Iron bought of Henry Combe of Bristoll Linnen Draper and Merchant of the price of £282=9=0;
- Five hundred and three pound weight of Cheese bought of Joseph Ludlow then of Bristoll, Cheesemonger, att the price of £3=10=0;
- Nineteen hundred fifty five pound weight of Bugle⁷ bought of John Goddard of Rotterdam Merchant at the price of £97=15=0;
- Two hundred weight of sugar and cask bought of the defendants John and Charles Scandrett at the price of £3=0=0; &
- Twelve hundred twenty nine pounds weight of Rise being bought of the same person att the price of £10=2=0;
- Twenty five iron-bound Buttes bought of John Evans of Bristoll Cooper att the price of £32=10=0;
- One hundred bushells of Beanes bought of Edward Jackson a Bristoll Trowman at the price of £11=9=0.

² pans that had been hammered or battered into shape from flat sheets of brass

³ an Indian cloth

⁴ a course linen from Holland

⁵ Iron and copper rods served as currency and were particularly favoured by traders in the Bight of Benin (now Nigeria).

⁶ Brass manillas were bracelet-shaped objects and also served as currency

⁷ Bugles were tube-shaped glass beads, usually black, used to ornament clothes (OED)



Fig. 1 Brass manillas (Liverpool Museum)



Fig.2 The slave ship *Dobson*, built in Liverpool in 1770. The bowl was made to mark her launch.
(Liverpool Museum)

And the prime Cost and (as this defendant beleives) true value of the whole of the said Cargoe amounted (according to the best of this defendant's computacon and beleife) to the sums of Nine hundred Eighty two pounds seven shillings amd three pence and this defendant further saith that in or about the month of November 1717 (being before the sailing of the said ship from Bristoll on the voyage aforesaid) he this defendant did give direccon to one Joseph Thomas (who keepes at Bristoll a Public Office of Insurance on ship and goodes) to gett five hundred pounds insured on the said ship the *Little Bristoll* and her cargoe which this defendant beleives was done accordingly and subscribed by the several persons following (viz.^t):

- o Austin Goodwin - £50
- o Thomas [Lsort] - £50
- o Edward Lowe - £50
- o Noblett Ruddock - £150
- o Samuell Johnson - £25
- o Edward Daniell - £50
- o Thomas Whitehead - £25
- o George Mason - £50
- o the said Joseph Thomas for Francis Freeman - £50 (total = £500)

All of which persons are of Bristoll aforesaid. But this defendant saith that two hundred and fifty pounds (and no more) of the said five hundred pounds was for the benefitt of this defendant. The remaining two hundred and fifty pounds thereof being done for the benefitt and att the request of the said John Duckinfeild. And this defendant further saith that in the months of January and Aprill then next following, he this defendant did send direccons to London for Insurances to be made on the said ship and her cargo. And that the same should be made for moneys amounting together to Eight hundred pounds for the benefitt of him this defendant and the said other Owners which this defendant beleives was done accordingly by the agency of one Mr Bigley Wilson who (as this defendant hath heard) is or then was a Broker in London for procureing Insurances on Ships and goods. But this defendant saith that five hundred pounds (and no more thereof) was really for the benefitt of him this defendant and was (as he beleives) subscribed by the persons following (viz.^t):

- o Isaac Da Costa - £150
- o Peter Le.... - £100
- o Christopher Emett - £50
- o Andrew Broughton - £50
- o John Radburn - £100
- o Robert Willmott - £50 (total = £500)

And as to two hundred pounds more of the said eight hundred pounds the same was to be for the benefit of the said John Scandrett Senior, John Scandrett junior and Charles Scandrett and was (as this defendant believes) done accordingly. And the remaining £100 of the said £800 was to be for the benefit of the said John Duckinfeild and was (as this defendant believes) done accordingly. And this defendant further saith that in the said month of April 1718 this defendant did direct the making the said policy of insurance subscribed by the Complainants aforesaid for the said £400 which last mentioned policy this defendant admits was intended for the sole benefit of him this defendant. And he saith that he did not make or cause to be made any Insurances or Insurance on the said ship and Cargo or either of them for the benefit of him this defendant other than and besides the Insurances herein before mentioned for £550, £500 and £400 nor were or was there any other Insurances or Insurance made on the said Ship and her Cargoes or either of them for or in relation to the said voyage by or with any order consent knowledge or privity of him this defendant. But this defendant hath heard that the other defendants the said Scandretts and Duckinfeild or some or one of them (but which he knows not) did make some other Insurances or Insurance on the said ship and cargo or one of them but what or when or where or by whom subscribed he this defendant knows not and if the said severall insurance made as aforesaid by this defendant do exceed the real value of this defendant's interests in the said ship and cargo yet this defendant conceives that he had good and justifiable reasons for causing the same to be made and he saith that the true reasons which induced him this defendant to cause insurances to that value to be made for the benefit of him this defendant were first that he this defendant considered that the said Ship was likely to make and he then verily believed that she would make a very considerable and profitable voyage in case of her arriving safe in Virginia which might well answer the charge of so insuring and in case of her doing otherwise that then he this defendant might by so insuring beyond the value of his interest get something towards making amends for the loss of the profit of the said Voyage. And secondly that it some time so happens that among Insurers some prove insolvent and this defendant considered that he having caused severall insurances to be made on the said ship and cargo by different Insurers he might by means of insuring beyond his interest recover somewhat from L.... of the Insurers that might go towards making satisfaction for any loss he might sustain by the Insolvency of others of them if any such Insolvency should happen. And this defendant saith that for the reasons aforesaid he did only insure in this manner upon the occasion now in question but he had usually done the like before in such Voyages and for the same reasons. And this defendant believes that the like hath frequently been done by other Merchants and he considers that the Method is a reasonable and prudent one. And this defendant saith that causing the Insurance for the £400 in question to be made in London and this defendant living at Logreat a Distance from thence as Bristoll be this defendant apprehends that it would be difficult for him to make full proof of his interest in the said ship and Cargo and the difficulty of making such proof might (as he also apprehends) have been well enough alleged as a reason for making the said insurances without proof of interest yett this defendant did not

himself alledge any such reason for doing it nor doth he knowe that the said Smallwood or any other person on this defendant's behalfe did alledge any such reason for making the Insurance in that manner. And the defendant saith that his directing the same to be so done was for the reasons herein before sett forth and he denies that the same were made in that manner with any fraudulent or corrupt designs. And though this defendant admitts that his full interest in the said ship and cargoe had been insured for him before the making the insurances for the £400 in question, yett this defendant doth not believe or admitt that the making the last menconed Insurances without proove of interest is a fraud in itself or not to be allowed in Equity. On the contrary this defendant for the reasons aforesaid and in regard that it was att the choice and eleccon of the Complainants to subscribe or not subscribe the said pollicy without proove of interest and that the under Writing of it without such proof is lookt upon among Merchants to be only in the sense of a wager as aforesaid between the Assurers and the Assured in relacon to the arrival or non-arrival of the ship insured he this defendant takes such insuring without proove of interest to be a very fair and Warrantable way of Insuring and doth humbly apprehend that he ought to have the full benefitt of the Insurance made for this defendant's benefitt on the said pollicy as much as if he had not Insured his full interest before. And this defendant denyes that he ever concealed or gave direccon for concealing from the Complainants any premios that had been or were then given at Bristoll upon the said ship nor doth the defendant know or believe nor did he ever hear otherwise than by the new Bill of Complaint that on or about the fifth or six daye of May 1718 or within one two or three days from that time or at any time before the subscribing the said pollicy by the Complainants or at any other time forty Guineas per cent premio were either refused to be taken or offered to be given at Bristoll for Insurance or reinsurance on the said ship. And this defendant denies that at the time of giving any direccons by this defendant for insuring on the said ship or immediately after or at any other time twenty guineas per cent and more or so much or any more than the five guineas per cent herein before menconed were or was given at Bristoll on the said ship by him this defendant or by or with his order to procurement knowledge or privity saving that he this defendant as is herein before menconed hear since the subscribing the said pollicy by the Complainants (and not before) of the twenty Guineas received as aforesaid by John Duckinfeild. And this defendant denyes that he ever did (to his remembrance or beleife) acknowledge or admitt in conversacon with any or either of the other defendants in the Bill named or any other person or persons upon any occasion whatsoever the pretended truth of all and every or most or any of the matters and charges in the said Bill of Complaint contained or hath heard or been informed of or doth beleive the same otherwise or further than is herein before or hereinafter in his this defendant's Answer sett forth nor doth this defendant know or beleive that any or either of the other defendants in the said Bill named have or hath ever acknowledged or heard or been informed or do or doth beleive the pretended truth of all and every or most or any of the said matters and charges otherwise or further than is by him this defendant sett forth as aforesaid in this the said Answer. And this defendant also denyes that any information, advice, Intelligence or hint whatsoever came to him this defendant or (to

his knowledge or beleife) to any or either of the other defendants in the said Bill named or to any other person or persons in great Britain in any part of Aprill or May before the subscribeing the said pollicy by the Complainants at any other time before their subscribeing the same or untill the fifteenth day of May in the year of our Lord 1718 that the said ship the *Little Bristoll* was taken or lost or had any misfortune happened to her or that there was good reason to believe she was taken lost or had mett with any misfortune and this defendant likewise doth deny that in any part of Aprill or May before the subscribeing the said pollicy by the Complainants or at any other time before their subscribeing the same, any ship did (to the knowledge or beleife of this defendant) arrive att London from the Mediterranean or coast of Africa. The Master whereof (as tis pretended) did report or give an account to the said Smallwood or any other person or persons (who as it's pretended by the said Bill communicated the same to the defendants in the Bill named or some or one of them) that the said ship called the *Little Bristoll* was taken by the Sally men or decribed the said ship in such manner as that he this defendant and the other defendants in the said Bill named or some or any or either of them by such descripcion well knew or (otherwise than wherein after menconed) any ways apprehended or feared that the ship whereof the account was given was really the ship in question. But this defendant saith and confesseth that on or about the 17th day of March 1717 and (to the best of remembrance and beleife) not sooner he this defendant heard of some report or reports in Bristoll concerning some Bristoll built ship having been taken by a Sally Rover and carryed into some port on the coast of (■⁸) [Africa.....] which report was so farr from being a secret that it was at the Comon Insurance offices in the said City of Bristoll and also att and upon the Tolzey there (which is the place where Merchants use dayly to meet)



Fig. One of the four 'Nails' that used to stand in Tolzey Walk, a covered colonnade erected in 1583 along the south wall of All Saints Church. These round-topped pedestals were used by merchants when closing a sale. Money was placed on the surface of a Nail, signifying the bargain had been struck; hence the expression 'paying on the nail.'

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[at or about that] time that he this defendant first heard of such report. And this defendant was at or about the same time informed that the said News came from London from one Mr John Mereweather in a letter to correspondents or correspondent of his in Bristoll. And this defendant at or about the same time heard it also reported that some Letter was come from

⁸ start of third parchment in TNA copy

one Captain Mathews, Master of a small ship called the *Dove* of Bristoll, to some Owner or Owners [from] Bristoll (vizt.) Aberman Elton (now Sir Abraham Elton), Richard Champion, Merchant, Christopher Devonshire, Merchant (since dec'd) and (as this defendant beleived) others of Bristoll (whose names this defendant knowes not) which did make some mencon of the like matter. Whereupon this defendant made further inquiry and was informed that the said Mathews had writt a letter to such Owners of his or some or one of them by a ship called the *Loyalty* then newly arrived in the port of London from the Coast of Barbary and whereof one Cornish was Master and one Adams was Mate and that in such letter the said Mathews did mention that he was informed a small Bristoll Galley of about one hundred tonns bound for Guinea with a scollop shell in her sterne was brought into Saphea the first of February last new stile⁹ or to that effect. But this defendant never read or had a sight of the said Letter said to come from the said Mathews but this defendant saith that he did find means to come att the sight of the said other letter said to come from the said Mereweather and found it to be dated on or about the fifteenth day of March 1717 and to import that the Mate of the ship *Loyalty* that came from Barbary had told him that he was on board the ship that was brought into St Cruce the 18th of January [cco] that he examined every Chest and place of the ship for papers whereby to discover the Ship's name and that upon Mr Mereweathere asking him how he could tell she was a Bristoll ship he answered by her built and Boats or to that effect. And the same letter menconed the said Adams giving this further descripcion of the ship so seen by him (vizt) that 'twas a new ship, her second voyage; about one hundred tonns; six swivell Guns; no Ports or Carriages for Cannon; three masts with flying top Gallant Sails; a Coat of Arms in her sterne and painted lead colour; a new boat never at sea; a Lyon painted yellow and Lead colour; a furnace upon deck; and that the Moore said she had fourteen hands and that halfe of them were Spaniards otherwise they would not have taken her or to that effect. And this defendant saith that he was not upon the Reading the said letter or meeting with the Intelligence aforesaid or otherwise satisfied nor did he beleive thatt the said ship *Little Bristoll* was the ship so taken. And it then seemed very strange and inconsistent to him this defendant that a person should write from St. Cruce (as this defendant then understood the said Mathewes did) that he was informed a Bristoll ship was carryed into Saphea and at or about the same time a person arrived from Saphea (as this defendant then understood the said Adams was) should report that he was on board such ship att St Cruce. And therefore this defendant on or about the 22nd March 1717 wrote a letter from Bristoll to the said Smallwood in London touching the said report and therein signified that it came from London firstly to observe how in the stories held together and desire the said Smallwood to examine further into the matter to which and to other letters afterwards writt to him by this defendant he this defendant received such answers as appears in the Coppies of Letters herein after menconed & annexed to this present Answer of this defendant and this defendant further saith that the account of the ship reported to be so taken as aforesaid which was sent by the said Smallwood to this defendant and said to have been received by him from the said Adams & the other

⁹ after the New Year had been moved to 1st January from 31st March.

accounts to which this defendant had aforesaid did in& parts of the description agree to the said ship the *Little Bristoll* and so far as is next herein after allowed (that is to say) in the particulars as following (vizt):

- in the ship being 100 tonnes (as this defendant saith the *Little Bristoll* was or thereabouts);
- in her having six Swivell Guns on board;
- in her having noe carriages for cannon (as this defendant beleiveth she had not);
- in her having three masts and flying top Gallant sailes;
- in her having holes through the quarter clothes (as this defendant beleives she had);
- in her having quarter cloathes painted lead colour;
- in her having boards under the cabbin;
- in her having Water Butts & white herring & brandy & beefe on board
- in her having a Bonaventure or half misen;
- in her carrying her boat upon deck; and in her having brass panns about eighteen inches and a pair of handscrews on board.

Nor doth this defendant know, remember or beleive that the ship so said to be taken did agree to the *Little Bristoll* many other particulars besides those before mentioned. But this defendant also saith that the accounts touching the ship so taken as aforesaid which were sent by the said Smallwood to him this defendant & were said to have been received from the said Adams & the other accounts that came to this defendant had as aforesaid did in a considerable number of other particulars (many of which this defendant doth & then did think very material ones) disagree to the said ship the *Little Bristoll* and particularly this defendant saith that whereas in one of the accounts that came to this defendant from the said Smallwood it is intimated that the ship spoken of the said Adams was a Bristoll Galley & a new ship & her sailes new & that was said on board they had beer & bottled cyder to be sold; that she had six swivell Guns on her quarters painted green; that the Lyon was green & lead colour; the ship's furnace upon deck a small rise afore & abaft with a barricadoe built up about eight foot high with chequer work; that she had a painted scollop shell in her Tafferel; a coat of armes or scrole in her stern under that shell painted lead colour; a streak of lead colour on her quarters; her Cabin painted plain or primed; a locker on the larboard side behind the cabin door not painted; four chests in the cabin & in one of them some Holland cheque for shirts; that the brandy was in English Iron bound barrells; that the said ship had four anchors to the bows, her cables new; that there were two small hoggs on board, some carrots & potatoes; the boat new pitched or new tarred within side that it had a streak of lead colour paint afore & abaft; that the said Adams was told that she carryed fourteen hands & that half of them was Spaniards. And whereas in another of the accounts sent by the said Smallwood to this defendant said to have been received from the said Adams it is intimated that as to the said ship spoken of by the said Adams:

- the locker in the Cabin was about eighteen inches square in the nature of a Bouffett Locker in an angle or angell on the larboard side unpainted;
- that the Rise was just abaft the Main Mast as was the Baricadoe;
- that there were no Loopholes out of the Cabin upon deck;
- that the cabin was all plain painted between a lead colour & a white;
- that there was no such thing as a Landskip¹⁰ painted in the middle of the Bulkhead of the Cabin in form of a shutter to a Bouffett;
- that the Mizen Mast stept between decks;
- that she had blew vanes;
- that the Waste was quick work;
- that the said Adams could not say whether she had more than one bobstay¹¹ nor could say there were any Boatspritt shrouds;
- that she had no Galleryes on her quarters but badges; that he was certain she had six swivell guns fixed abaft;
- that the beefe was poor thin stuff & not good;
- that the casks was marked B No. 64 or 164;
- that the herring barrell had the letter **E**;
- that the said Adams bought out of her a hat trimed with Gold;
- that there was a grey coat trimed with black & lined with black & also a Camblett¹² coate; &
- that there were two wicker bottles of Brandy about five gallons each supposed to be stilled from Cyder.

Now he this defendant as to the said Marks, descripcons & particulers saith that the ship the *Little Bristoll* now in question was not a Bristoll built ship but as this defendant hath heard & beleives & doubts not but to be able to prove was together with her boat built in New England. And this defendant also saith that the said *Little Bristoll* had been at sea before & that her sails were not new when she sailed last from Bristoll. And that there was not (to the knowledge or beleife of this defendant) any bottled beer or bottled cyder on board her in the said voiage & that she had but four swivell guns fixed on her quarters & that those were painted green & red; that the Lyon was painted white & red; that the furnace when she sailed last from Bristoll was not upon deck but in the Cook roome; that she had no rise forward but that the upper deck was flatt afore and abaft except over the great Cabbin; that there was no barricadoe at all; that this defendant doth not nor did knowe that she had ever any painted scollop shell in her sterne or any Coat of Arms or scrowle in her sterne. And further this defendant saith that her sterne & the streakes on her quarters were painted white & red; that her Cabbin was painted of a dark Walnutt colour that she had no locker on the larboard side behind the Cabbin door; that this

¹⁰ landscape

¹¹ a bobstay is a rope used to draw down the bowsprit of a ship and keep it steady - OED

¹² camblet, or 'camlet', was originally an expensive eastern fabric made from the hair of the Angora goat; subsequently of cheaper substitutes - OED

defendant never knew she had any chests or chest in the Cabbin or any Holland Check for shirts. And tho' she had some brandy on board yett it was in small caggs¹³ & these wood bound. Nor doth this defendant know or beleive that she had any in Iron bound barrells or vessells. And he also saith that she had but three anchors & but one new cable. Nor doth or did this defendant ever know that there were any hoggs or carrotts or potatoes on board her. Nor at the time of her last sailing from Bristoll was her boate new pitched or new tarred nor had itt then any streak of lead colour colour paint & that at her said sailing last from Bristoll she had no less than twenty five men on board with the Master (& all of them British men) to navigate her for the said Voyage; that she had no locker of about eighteen inches square in her Cabbin painted in the nature of a Bouffett¹⁴ locker in an Angle; that she had no rise just abaft the main mast nor any barracadoe but that she had a rise abaft the Mizen mast; that there were sevrall loopholes out of the cabin upon her deck; that the cabin was painted plain between a lead colour & a white; that she had a landskip painted in the middle of the bulkhead of the Cabin in form of a shutter to a Bouffett ; that the Mizen mast did not step between decks but in her hold; that at her last sailing from Bristoll she had not blew but white vanes; that her wast was not quick work but bare timber heads; that she had two bobstays & had also boutspritt shrouds; that she had galleryes on her quarters & not badges¹⁵; that she had but four swivell guns fixed abaft; that the beefe on board her at her said last sailing from Bristoll was a fatt large and good Meat & had been killed in Bristoll just before her said sailing & was not thin or poor stuff; that the cask of it was not then marked B No. 64 or 164 but was marked SL; & that the herrings were marked with the same last menconed mark. Nor doth or ever did this defendant knowe that the Master of the said ship the *Little Bristoll* or any other person on board her ever wore or had any hatt trimd with Gold; or that there were any such cloaths on board her as a Grey coat trimed or lined with black & a Camblett coat. Or that there were any wickered bottles of brandy or wickered bottles of any other liquor on board her and this defendant saith that he is the better able to say what marks or descripcions do agree or disagree to the said ship the *Little Bristoll* for that he this defendant was at the time of her last sailing from Bristoll for the said voyage & for some some time before had been husband or purser of her & directed & managed the fitting her out for the said voyage & was very well acquainted with her. And as to its being menconed (as it was) in one of the said accounts from the said Smallwood that the said Adams intimated that he (though but a middle-man) in trying on the grey coat & Camblett Coat found both of them too little for him & that therefore he beleived if they were the Captain's that the Captain was but a small man. This defendant confesseth & saith that the Master of the said *Little Bristoll* (who was Captain John Normanton) was indeed but a middle-sized man but this defendant further saith that there were many other ships (sevrall of which this defendant was concerned in) that sailed from Bristoll in the same voyage and at or about the

¹³ kegs or casks

¹⁴ a buffet was a cupboard in a recess for china and glasses. OED

¹⁵ badge, (*bouteille, fausse galerie*, Fr.) in ship-building, a sort of ornament, placed on the outside of small ships, very near the stern, containing either a window, for the convenience of the cabin, or the representation of it: it is commonly decorated with marine figures, martial instruments, or such like emblems.

same time that the said ship the *Little Bristoll* sailed last from thence and that some of the Masters of some of the other ships were also middle siz'd men & one (if not more) of them was (as this defendant beleives) some what less in person than the said Captain Normanton and as to severall of the other marks & descripcions herein before menconed as agreeing to the said *Little Bristoll* & (as this defendant did and doth conceive them) very materiall ones [Ise] this defendant did upon receiving the Accounts aforesaid find & consider that the same did agree as fully as fully to some of the said other ships & which other ships which so corresponded to such marks did arrive safely home from the Voyage after the time of subscribing the said pollicy by the Complainants and that most of the said marks which agreed to the said ship *Little Bristoll* few ships that go a Guinea voyage are without and this defendant further saith that he also before the subscribing of the said pollicy by the Complainants heard that a certain ship called the *Elizabeth* of London fitted out at Southampton for Guinea & which was said to have sailed in the same month that the said *Little Bristoll* did, was of about the same burthen with the said *Little Bristoll* and this defendant was for some time apt to beleive that the said ship *Elizabeth* was the ship reported to be so taken as aforesaid. And he this defendant confesseth that upon some after informacon he was of opinion that the said ship *Elizabeth* was not the ship so taken as aforesaid & did begin to think that the ship so taken might possibly be some ship from Bristoll yet he this defendant was far from knowing or being certain or being satisfied that it was the said ship the *Little Bristoll*. And further this defendant saith that when he considered as aforesaid she at that time did very much in his mind that severall of the marks & descripcions before menconed to the said *Little Bristoll* did as equally and as fully agree to diverse of the said other ships and more over that the before menconed account of the ship to be taken as aforesaid & the marks & descripcions thereof given by the same did plainly disagree to the said ship the *Little Bristoll* in so many materiall particulers as are herein before sett forth he this defendant could not but beleive that there was good reason to suppose that the ship reported as aforesaid to be taken might be some other ship rather than the *Little Bristoll*. And tho this defendant confesses that he had at some times some fears & apprehensions whether it was not the said *Little Bristoll* (& which fears this defendant conceives to be the more naturall & usuall when it is reported (as it was in the case that the ship (if it goes and returnes safe) will make a very profitable Voyage) yet this defendant saith that he never did throughly beleive before or untill the arrival of Captain Bayly herein before named that the ship reported to be taken as aforesaid was really the said ship the *Little Bristoll* and the matter standing before that time so dubious & uncertain as aforesaid he this defendant thought it a fair and honest as well as a prudent thing to cause such insurances to be made as aforesaid and further this defendant saith that the said Captain Baily upon his arrivall aforesaid reported that there was for some time after the said Captain Normanton being taken as aforesaid some hope or prospect that he & his crew & the ship would be released and that the Moors seemed disposed thereunto. But that upon the Arrival aforesaid of some Captain of a British Man of War to treat about the ransom of slaves some words dropt from the said Captain of the Man of War that gave disgust to the Emperor of Morocco and that thereupon the Moors

refused to release the said ship or the said Normanton or his crew or to that effect which last menconed account of Captain Baily (& nothing else) gave occasion to this defendant in one of his Letters to the said Smallwood dated 17th May 1718 to use these words (vizt) (there was some hopes of him (meaning Normanton) with the rest of the prisoners be released which is now dispaired of) or to that effect. And this defendant further saith that he & the other owners of the said *Little Bristoll* or some or one of them received a letter as from the said Captain Normanton dated Mequinez in Barbary June 30th 1718 wherein mencon is made that he the said Normanton had wrote to them in February then last before of his misfortune of being taken in by the Admirall of Sally. But this defendant saith that such letter so said to have been written in February before did never come to the hands or (otherwise than by the said letter of June 30th) so much as to the knowledge of him this defendant or (to his knowledge or beleife) of any of the said other owners and that the said letter did not come to the hands of this defendant or (to his knowledge or beleive) of any of the said other Owners till the month of December 1718. And this defendant saith that he hath in a schedule herunto annexed, which he prays may be taken as part of his Answer to the said Bill of Complaint, Letters in true and copies in her verba (as he beleives them to be) of all such letters since the said ship's last departure from Bristoll as were (to his knowledge or beleife writ sent or received touching the said ship the *Little Bristoll* as also a Certificate from Mequinez aforesaid touching the same. But for the greater certainty as to the contents of the said Letters & certificate this defendant craves leave to refer to such letters & certificate when the same shalbee examined nor can this defendant sett forth more fully than he hath already done herein before and in the said schedule all or any the orders, direccons, advices or accounts wrote, sent, given or received touching the sailing, loss, danger, damage or condicon of the said ship or any apprehension thereof after the said ship's last departure from Bristoll or touching the said policy & the receiving & getting in the Loss money thereupon & comprising the respective times when the same were given sent or received save that this defendant saith that as to the said Letter of the 30th of April 1718 this defendant beleived that tho' he wrote it on or about the same 30th of Aprill yet that it was not sent away from Bristoll till on or about the 5th of May 1718 and that as to such other of the said letters as past to and fro between Bristoll & London the(y) were writ upon the days they respectively bear date & came to hand at the usuall times that the post bring & carry Letters and that as for the letter of October the 12th 1718 from Mequinez as aforesaid this defendant cannot exactly remember the time when the same was received. And this defendant doth deny that he ever refused to discover or sett forth to the Complainants any of the said Letters or any advices whatsoever which he or any other person or persons with his privity had or received or had wrote or sent touching the said ship. And as to any pretended concealing from the Complainants any advices or intelligence touching the said ship or in relacon to the names thereof & of the [] he this defendant never had any discourses or correspondence with the Complainants or any or either of them concerning the same or touching the said Insurance. Nor doth this defendant know thatt he said Smallwood did conceal from them any thing touching the said ship or relateing to the names of her & of the

Master nor doth this defendant know nor can he sett forth what discourses passed between the said Smallwood & the Complainants before the subscribeing of the said policy of Insurance by the said Complainants nor [] the Complainants were induced to subscribe the same for the premio of £5 per cent unless it was that the Complainants looked on £5 per cent to be a reasonable & sufficient premio. Nor doth this defendant know any reason why they should not have looked upon it as such. Nor doth this defendant know anything to the contrary but that the Complainants had before their subscribeing the said policy the same and as much intelligence and advice as this defendant himself had touching some ship's (called a Bristol ship or Gally) of about one hundred tons being taken and carried into Sally. And this Defendant doth beleive that in truth they had so & that they did not look upon the ship so reported to be taken to be the *Little Bristoll*. And if they had not then such informacon or advices yett this defendant beleives they might without their own default & upon small inquiry have easily have had the same before the time of their subscripcions aforesaid the [] for that the first account that some ship was so taken as aforesaid came (as this defendant understood) from London and this defenadant saith that after the same came to Bristoll & was publicly & comonly known Insurances were there made on the said Ship the *Little Bristoll* for the premio of five guineas per cent & not higher (to the knowledge or beleife of this defendant) unless the said John Duckinfeild had such twenty guineas as aforesaid per cent and he this defendant doth deny that he had or received at any time before the subscribeing the said policy by the Complainants or until the before menconed arrivall of Captain Bayly any advice, Intelligence hint or account whatsoever that the said ship the *Little Bristoll* was taken or had mett with any damage or ill accident or (otherwise of further than is herein before expressed) any advice intelligence hint or account whatsoever touching the pretended probability of its being the *Little Bristoll* that was taken or when or from whence it was [] it was not the *Little Bristoll*. And this defendant doth deny all & all maner of combinacon & confederacy in the Bill charged without that that any other wise or thing in the Complainants Bill of Complaint contained

The Schedule to which the defendant Cary's Answer Referrs.

Bristoll

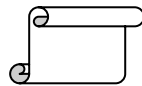
23 December 1717

Mr John Smallwood

Sir, I writt you last post and therein sent you the four Bills endorsed have now yours of same date and observe what you say as to the Bill on Wise. Said Bill is sent back. But if it was not I should not approve of no such acceptance for in four months more I don't doubt of haveing another in itt's room with 15 per cent Interest thereon. Mr Wise is really a fine correspondent to put Bills of 4 or 5 Months after they are rightly due I don't doubt but itt's absence now its returned as if he had accepted itt. The *Bristoll* and *Barkery* with the rest of our ships outward bound sailed yesterday. Being the Needfull, I am,

Sir, Your most humble servant,

Warren Cary



Bristoll

17th March 1717

Mr John Smallwood

Sir, I received both yours adviseing the Receipt and forwarding my letters by the page for which I thank you, wee have various reports concerning a Bristoll built ship taken by a Sally Rover & carryed in. I intreat youle favour me so far as to enquire very p'ticular into that matter of the Capt of the *Loyalty* that came from the coast of Barbary which I am informed brings this report, what sort of a ship itt was wither she had any carved worke in her sterne or only painted; whether she had any Badges on her Quarters or nott if any how they were painted and if a painted shell on each or a carved shell or what elce and also wither she had a painted shell in her Taffell or a coate of Arms if either wither painted or carved what colour her Quarter Cloths was painted & whether any quarter cloth came round over her Taffell and also wither she had nothing all round her Quarters; whither she had two Shivill¹⁶ Gunns fixt forward and four more abaft which went through her Quarter cloths of about £1-0-0 weight each or wither she had any Guns in carriges att all or any ports for Guns below; wither the sailes of her head and sailes along her sides were painted white or of a light colour or Yellow; what colour said ships head was painted & also her sterne & inquire whither the most part was not painted white & red or red and yellow whither the deck was flush fore & aft or whither she might have any riseing over the great cabbins abaft with loopholes in that Bulk head or whither she had any riseing of the mainmast with loopholes in it or no; what coloures she had belonging to her; whither white

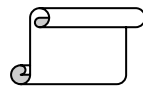
¹⁶ shivill - sic

blew or red; whither the boat was new or used or nott if nott how painted whither said boat had not a strake of blew between two strakes of black; & whither it was a newingland built ship or a Bristoll built ship; & how many men might be on board her when taken; whither the furnace which is reported to be above deck was new or ould & whither or nott her sailes were for the most part of them new or ould whither the ship had Quike work along her Wast above deck or Bear timber heads with mastboards nailed to them & if you can enquire whither the cabbin was painted of a walnutt colour or of a red marble colour & how high said ship might be between decks. I desire youle examine the master & whome else you think fitt by this letter & pray be very particular in your answering which youle greatly oblige. Sir,

Your most humble servant,

Warren Cary

pray faile nott making answer by return of the post & pray Enquire whither said ship had any round house or nott.



London
March the 20th 1717/8

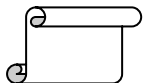
Mr Warren Cary

Sir, I received yours of the 17th curr.^t requesting I would inform you as much of the particulars as I could learne of Capt. Cornish that came from Barbary about the Bristoll gally that was taken & carried into Sally for answer he came from Saphea & the ship was carried into Santo Crews; he did not see the ship neither doth he know so much as you do att Bristoll neither doth Mr Addams to whome this ship belongs butt by them I understand there is a letter in Bristoll as they are informed that came from a person off Santo Crews this ship which in some measure describes the ship that is taken which is all the satisfaccon I could get from them.

I am, Sir,

Your most humble servant,

John Smallwood



Bristoll
22nd March 1717/8

Mr John Smallwood

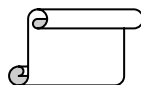
Sir, I received your favour of the 20th currant observe what you could gett in answer from Capt. Cornish as to what you say of the report being brought from this town I shall give give you a fine insight & show you that it came from London. First Capt. Mathews in a small ship called

the *Dove* of this place writt his own by the *Loyalty* which is arrived with you that he was informed a small Bristoll Gally of about 100 tonnes bound for Guinea with a scollop shell in her sterne was brought into Saphea the first of February last. Mr S this is all the account we have had here. Now I shall give you copy of what Mr Mereweather have writt downe here word for word by which youle plainly see that the substantiall part of the news came from your place (viz^t) Dated 15th March, Caspia. I was yeasterday on board the *Loyalty* that came from Barbary the mate of which ship told me that he was on board the ship that was brought into St. Cruce the 18th January as appeared by his Journell & that she was taken few days before he said that he examined over every chest & place in the ship to find some papers whereby he might have discovered the ships name. I asked him how he could tell she was a Bristoll ship he answered by her build & her boat now I begg you to enquire of said mate wither this be true & also of Capt Cornish whither his mate was all that time att St Cruse or nott for its very strange to me that a person should write from St Cruse that he heard a Bristoll ship was carryed into Saphea & att the same time a person from Saphea should report that he was on board such a ship att St Cruse. This story don't hold together very well so hope there's nothing in it however I desire youle examine said mate about this matter very particular & among my other questions ask him if the ship had a white bottom & whither her six swivell guns wear painted green or nott.

I am, Sir, Your most obedient servant,

Warren Cary

ps the descripcion the mate gave Mr Mereweather word for word of the ship taken as far as he could remember which cannot be expected to be very exact said mate having only his memory to depend on a new ship on her second voyage about 100 tonnes only six swivell Guns no ports or carrages three masts with flying Top Gallant Sailes a Coate of Arms in her sterne painted lead colour a new boat never at sea a Lyon painted Yellow & Lead colour the Moores said she had 14 hands & half of them were Spaniards otherwise they would not have taken her farther he reports. Said ship had a furnace upon deck pray ask him whither it was a furnace for Negroes or for the ships company & lett me know all you cann.



Mr Warren Cary,

Sir, I received your favour of the 22nd curr.^t had answered it before but have been at Greavesend ever since tuesday Morning 3 a clocke came home but Yesterday. This day made it my buisness to find Capt(ain) Cornish and his mate but could meet with neither. I shall endeavour to do it monday & then advise you what informaçon I can gett from them in the interim.

I am, Sir,

Your most obliged humble servant,

John Smallwood

London
April 1st 1718

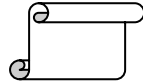
Mr Warren Cary

Sir, I am now to give you the particulars I received from Mr Adams, Mate of the *Loyalty*, in relation to the Bristoll Gally taken & carried into Saphea. The *Loyalty* arrived at Saphea the 16th January, the 17th he saw a ship in the offin, the 18th she came into the road shewing no colours, took her to be a prize & found her an English ship & a Bristoll Gally about 100 tonnes a new ship as he imagined her sailes new but something battered as if had meet with bad weather. Ye 20th the said Adams went to go on board but fearing the moores should detain him or missuse him went to board his own ship again the 21st in the morning went again to go on board but before he entered the ship at a distance he asked if they had anything to sell they answered him they had Beer and Cyder and Brandy & beefe upon which they threw him 3 bottles of cyder which civillity encouraged him to go on board. It was the 21st in the morning and upon coming on board he asked them what they had to sell they told him as before he asked if they would sell any beefe which they said they would do but that he must come on board in the evening for fear they should be detacted selling things out of the ship from the people on shoare he found her to be a Bristoll Galley bound for Africa. Shee had six swivell Guns on her Quarters painted green and holes through the quarter cloths with flaps over the holes when the Guns were in and fore & aft the quarter cloths painted lead couller and as he remembers some flourishes or trophies; the Lyon green and lead couler; the ships furnace upon Deck, the Negroes ditto in the hold; a small rise afore and abaft with a barricade built up about eight foot high with chequer work to keep the Negroes of the quarter deck a painted Scollop shell in the Tafferell a Coat of Arms under that shell painted Lead colour; a streak of lead colour on her quarters to the best of his memory down hall Top Gallant sayles; her cabbin painted plaine or primed; a locker on the Larboard side behind the cabbin door not painted; 4 chests in the cabin in one was some holland cheque for shirts which he would have bought but the price they made was to dear. No books or papers to be found; her beams was down abaft under the cabbin; he saw none of the cargoe but the water butts and 6 barrells of Best herrings which he says was very good he opened one of them; the Brandy was in English Iron bound barrells. She had four anchors to the Bowsher cables; there was two small hoggs on board about 3 months old which the moores would have sold him also some carratts and potatoes; the boat new & pitched & new tared within side had a strake of lead couler paint fore and aft. The 21st in the evening he went on board again and bought a cask of beefe which he brought away with him the Bonder was taken out and putt on board the *Rover* that they told him she carried 14 hands but half of them was Spaniards which he beleives was a mistake and only told to favour the bringing that ship [] the *Rover* was out upon the [c] he cann nott say exactly wheather her bottom was Black or white Capt. Mathews or Adams tolld me had his advise from him it was with a [] words & perswasions I gott this account he saying he had given an account before and that had been with him before and he did not know what I meant by it. I then shewed him your letters, read them to him when had so done he was extremely

civill and wished he could have thought it had been of any use to any Gentleman he would have taken more notice and been more particular by this account. I promise it will be answered who the ship belongs to & wish it may not be your hard fortune and should be sorry for any of your friends. I am with respect, Sir,

Your obliged humble servant,

John Smallwood



Bristoll

7th April 1718

Mr John Smallwood

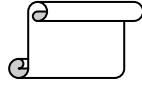
Sir, I received yours of the 1st curr.^t and [I give] you thanks for your care and trouble you took for my Information. Something looks likely and others gin to contrary so that I cant give my opinion however I desire that which Information you have and whence you may gett be kept a secrett between you and myself for my good friend I must desire you once more to talke with Mr Adams if it be not to(o) much trouble and ask him how big the locker behind the cabin door might be wheather it was a small thing of about 15 or 18 Inches square or how be pleased to ask him whereabouts the rise abaft was weather at the main mast or at the minor mast and whether there was any Loopholes out of the cabbin upon the deck and whether there was not a small Landskip painted in the middle of the Bulkhead of the Cabbin in forme of a shutter to a bouffett. Ask him whether mison mast stept between decks or in the hold and what sort of a mizon sail she had and if the inside of her wast was quickwork or the timber heads naked and whether he is sure there was a roe forward as well as abaft, whether or no she carried her boat between decks or not and as he took such perticular notice of these pray you ask him whether there was any Bowspritt shrouds and whether she take had any Gallerys on her quarters and if so what figure might be out of them and whether he is sure she has six swivel guns fixt abaft & whether the barricade he speaks of apeared to be built before the ship went out of port & whether it looks as if it had been done at sea. No ship out of this port have any such thing. Inclosed comes Phillip Beach's note of hand for £100 which receive and pass to my credit. I begg youle receive the debenteres as soon as possibly you can and settle my account.

I am your most humble servant,

Warren Cary

pscould gett the Beefe barrell which was bought out of the ship and send it down to me by horse carriage. I am willing to pay for it and it cant cost much but will be a great satisfaction for me. I am [informed] its marked BN^o4 and if you can please to lett me know the burnt mark that is on the Herring Barrell and what other marke may be upon that cask please to spend and settle with the mate and go on board.....promise to pay Mr James Carnitt or order one

hundred pounds on the 20th of Aprill next London February 27th 1717 Phillip Beach £100 in Basinghall Strett.

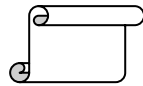


London
Aprill 10th 1718

Mr Warren Cary

Sir, I am favoured with yours of the 7th curr^t. with the inclosed note of hand for £100 when received shall apply to your credit. I shall receive the money for your debenture tomorrow and in a post or two will settle your account. I have made it my buisness this day to find out Mr Adams but I cannot hear where he lodges the press¹⁷ being hott. I fear I shall not be admitted to see him but I shall not faile of getting to the speech of him if possible and do what you require and then advise you may be assured what passes between you and me on this affaire shall be a secrett. I am, Sir,

Your most humble servant,
John Smallwood

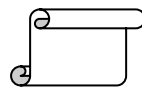


London
Aprill 17th 1718

Mr Warren Cary

Sir, I have made it my business for this three days to find Mr Adams but I cannot meet with him. The Captain have promised me if possible he will find him out tomorrow & will lett me know where I can meet with him which if I do will advise you the petticulars you desire in the interim

I am, Sir,
Your most obliged humble servant,
John Smallwood



¹⁷ the press gangs, who 'recruited' extra hands for the Navy

Bristol
19th April 1718

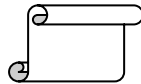
Mr John Smalwood

Sir, I received yours of the 17th curr^t. and observe the resolutions to give me all the Informacon you can for which I thank you inclosed I send you John ..yeo Bile on Raymond Desmith for £100 which pass to my credit. I begg you will receive the debentures from the Custom house and send me your account as soon as possible the want of which keep open three ships accounts I want to have settled. Pray advise if middle gooseberry be plenty as also Arrongos¹⁸ nicomees & right Brawles. I shall be fitting out ships suddenly for Guinea & would not be disappointed in the cargo as I have been these Years past before I buy ships I'll procure a cargo being the needfull from, Sir,

Your most humble servant,

Warren Cary

pray advise if you know any ship called the *Elizabeth* of your place which fitted out in Southampton for Guinea and sailed some time in December last for Guinea from thence. She is about 100 tonnes. If you hear of such a ship please to enquire and see if she bee any ways described like what Mr Adams have told you.



London
April 19th 1718

Mr Warren Cary

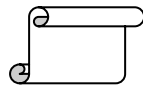
Sir, Last night Mr Adams came out of the countrey att which time I mett with him from whom have the following perticulars (viz.^t) the locker in the cabbin was about 18 inches square in the [manner] of a Bouffett Locker in an angell on the laboard side unpainted; the rise was just abaft the mainmast as was the Barracado; no loopholes out of the cabbin upon deck in all plain painted between a Lead couller and a white; as to a Landskip painted in the middle of the Bulkhead of the cabbin infore of a shutter to a Buffett there was no such thing as he can remember; the mizen mast steep between decks. She had a Bonaventure or half mizen & blew vaines; the wast was quickwork to the best of his memory; there was no rise forward; the boat she carryed upon deck; he cannot say whether she had more than one bob Stay neither can he say there was any Bowspritt Shrouds. No galleries on her quarters but [bag is] neither remember if figure on the [Bag] is; he is certain she had six swivell Guns fixt abaft; he is of opinion her Barracado was built at sea it being ruff also chequer work; he said the beefe was poor thin stuff & not good; the casks was marked BN^o 64 or 164 supposed to be the number of pieces in the cask; I should have had the cask but it was stained; the Herrings barrell had the letter E but does not remember any other letter. If the Capt. wore edge Hatts he bought one

¹⁸ arrongos were types of bead

out of her trimd with Gold, there was a Grey coat trimd with black and lind with black also a cannissett coat he would have bought but was when he came to try them on Boathe to(o) little for him and Adams but a middle man so that he beleives if they were the Captain's he was but a small man; they [set] up a brass span about 18 inches wide which they would have sold him: and said they had more of that sort; there was two wiked bottles of Brandy about 5 gallons each supposed to be stilled from cyder also a paire of handscrews about 3 foot long double handled & further he cannot say. This account I hope will give you a farther light into this matter. I have received the money for the debentures and shall send you your Account in a few days. I am with respect, Sir,

Your obliged humble servant

John Smallwood



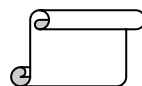
London
Aprill 22nd 1718

Mr Warren Cary

Sir, I am favoured with yours of the 10th curr.^t with inclosed Bill for £100 when received shall apply to your credit my man being out of order prevents my not sending your account the moment he gott out of doors shall send it you. Middle Gooseberry¹⁹ you may have also arranges, no India Niconees nor Brawles²⁰ to be had; the English niconnees sell very well and now there is Brawles made in England which I am perswaded will do a patron of which if you do desire I will send you; India Basts you may have also potaoes & tapsell & I have enquired about the ship *Elizabeth* that fitted out in Southampton for Guinea as you desired but can as yett hear of no such ship but I shall make a further Enquiry in the Interim I am, Sir,

Your obliged humble servant,

John Smallwood



Bristoll
28th Aprill 1718

Mr John Smallwood

Sir, I received yours of the 22nd curr.^t wherein you advise the receipt of mine of the 19th with the inclosed Bill for £100 as to the ship taken into Sally she don't belong to me nor do I believe she belong to this port this is chiefly to entreat youl forward my account the reason I have already given being the needfull at present from, Sir,

Your most humble servant,

Warren Cary

inclosed comes Mathew Becsell's Bill on Thomas Bribell for £10

¹⁹ another type of bead, presumably

²⁰ Niconees and Brawl were types of cloth made in India

Bristol
30th April 1718

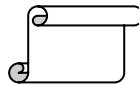
Mr John Smallwood

Sir, I desire you make me two or three or 4 hundred pounds Insurance on the *Little Bristol*, John Normanton, from hence to coast of Africa and att and from thence to Virginia. Do it in your own name without proof of Interest on ship and goods on the best termes you can. Said ship is now sheathed about 100 tonnes 20 men & sailed home on the 22nd December last. Get it done by good men & without loss of time having no more to add at present but am, Sir,

Your most humble servant,

Warren Cary

ps I hope youl advise its being done by return of the Post.



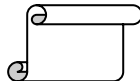
London
May 8th 1718

Mr Warren Cary,

Your favour of the 28th Ultimo with inclosed Bill for £10 came to hand when received. Shall apply to your credit. Inclosed you have your Account by which you will find the Balance in my favour to be £19=19=2 when examined I presume will appear to be right. I have made all the Enquirey possible about the ship that went from Southampton and cannot learne whom she belongs to. I am, Sir,

Your obliged servant,

John Smallwood



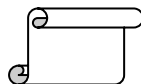
London
May 8th 1718

Mr Warren Cary,

Sir, I have your favour of the 30th Ultimo. I presume it was dated through mistake for should have been the 5th curr.^t I observe you take no notice of the receipt of mine of the 1st with your Account inclosed. According to your request I have given orders for your Insurance [] Shall gett it done the Pollicy was not began when I came this day from Exchange. I have not more but to assure you I am, Sir,

Your obliged humble servant,

John Smallwood



London
May 10th 1718

Mr Warren Cary,

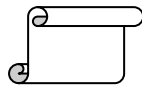
Sir, I am only to advise you I have insured for you on the *Little Bristol* £400 att and from Bristol to Africa and port of discharge in Virginia or Maryland or the West Indies ship & goodes both or either with proof the under Writers names you have as under. I hope you have examined your Account & find it Wright and that you will please to rewrite the Balance which will greatly oblige, Sir,

Your most humble servant,

John Smallwood

£100 Isacc Da Costa £100 Robert Hackshaw £100 Edward Rudge £100 James Bunyard

[Totalling] 400 at £5 per cent.



Bristol
12th May 1718

Mr John Smallwood,

Sir, My Last was the 30th past since now received yours of the 1st, 8th & 10th curr.^t with the former your account wherein I cant agree by reason I want credit for the three Bills mentioned under amounting to £59-6-0 which you have omitted one thing new I believe you have mistook in for the Battery²¹ you(r) account of the *Bristol* I charged at £8 per cent that for account of the *Romsey* is charged at £9 per cent which hope youl rectifie likewise I observe the contents of your letter and thank you; letter 10th [] 'tis in your owne name without Endorsement so soon as you send me a fresh account, shall order the Balance and am, Sir,

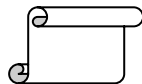
Your humble servant,

Warren Cary

Benjamin Goodwin's Bill on Mr Jones at Mr Jacksons £6=16=1

James Smith's on Robert Cary £27=10=0

Graves Pack on ditto £25 = 0=0 : £59=6=1^d



London
May 15th 1718

Mr Warren Cary,

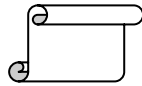
Sir, I have your favour of the 12th curr.^t by which observe your short credit for two Bills on Robert Cary for £52=10 which my man omitted posting as to the Bill of Godwin on Mr Jones at Jacksons £6=16 with Messrs Dee & Bell protested the drawer being in towne and they have

²¹ Battery were hammered pots and pans

promised me will use their endeavour to gett him to pay it when they can. See him he is a clergyman and have now two livings in England but where he lives they cannot tell and as they have an Account to make up with him are in hopes shall either hereof or see him in a little time the Battery on the *Little Bristoll* at £8 per cent. The cellar is to have the draw back that on the insurance at £9 per cent you are to have the draw back be pleased to debitt me with the two first Bills £52=10 and give me credit for £22=4=6 for Insurance on the *Little Bristoll* I am pleased that the Insurances done at the same time; had an order to make some Insurance for another person on that ship but could not gett it done I observe what you say about the Pollicy it shall remain as it is now till further order you have had credit for the draw back for the 7 Θ of Battery which was included in the debenture of the Beades. I am, Sir,

Your obliged humble servant,

John Smallwood



Bristoll
17th May 1718

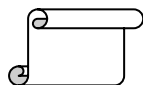
Mr John Smallwood,

Sir, I received your favour of the 15th curr.^t the contents of which I have noted accordingly be pleased to take up the Pollicy of £400 and keep in your own possession the 15th curr.^t arrived Capt. Bayly in the morning from Gibraltar which brings advise of the *Little Bristoll* Capt. John Normanton being carried into Sally this news is no way agreeable to you but know not how to help itt. There was some hopes of him with the rest of the Prisoners be released which is now dispaired off. Inclosed I send you a Bank note for £50 as Under I designed to have remitted in full. But am disapointed but will as soon as possible interim I am, Sir,

Your most humble servant,

Warren Cary

Dated 22 January last no. (647)



London
May 17th 1718

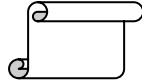
Mr Warren Cary,

Sir, I presume Mrs Normanton have advised your last post that her husband is taken into Sally which news was not published till yesterday at which time saw some of the Insureres whom have in a [shameful manner] abused me saying I was sensible when the Insurance was made by all circumstances that the ship was taken I assure you it concernes me much that it so happens [for could I so much as...] I would not have appeared in it for ten times my commissions and that which agravates me more to that Mr Mereweather should say as I am

informed he could have had orders to make her but refused it which makes him the honest man and me the knave how this matter will end time will determine. I can assure you they swear they will not write a pollicy for (you now) and say it is a dam'd fowle Insurance. I have no more to add att present. I am, Sir,

Your most humble servant,

John Smallwood



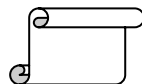
Bristoll
21st May 1718

Mr John Smallwood,

Sir, I received yours of the 17th curr.^t and observe what you say of the *Little Bristoll* and am sorry to find you so much abused. I don't know but Mr Mereweather might have had an order from my brother [] for more some insurance sometime past and if he had known any thing amiss of the ship he ought to have informed the insurers of it. If not I can't see why should he refuse to do it he may boast as much as he pleases but I can't see wherein it can add to his advantage however my good friend I do assure you that when I writt for the Insurance to be made I knew nothing of the ship being taken nor ever heard anything of the ship nor relating to her from the time she sailed hence till last Thursday as you well know that a Report have been a considerable time of a Bristolls ship being taken and carried into Sally & by what description I could learne the *Little Bristoll* seemed safe nor could I find that twas any ship from this place you may remember what I writt you of a ship that sailed from Southampton which I thought to be the ship taken but was informed to the contrary this made me conclude it must be some ship from this place and the *Little Bristoll* being the lykelyest of any that belonged to me and in all probabillity would have made a great voyage this I say indured me to to make the Insurance the news of the ships being taken coming so soon after the Insurance was done have caused this jealousy in the Insurers I writt you the 17th and therein send you a Bank note for £50 having no more at present but to assure you I am, Sir,

Your most humble servant,

Warren Cary

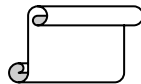


London
May 20th 1718

Mr Warren Cary,

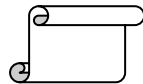
Sir, I have your favour of the 17th curr.^t with the inclosed Bank Bill for £50 which have placed to your credit. I shall do as you direct with the Pollicy. I am sensured very much about the

insurance and the more so because Mr John Mereweather has told the Insurers he might have had severall²² orders on your Ship but refused them beleiveing she was the ship that is taken. I am heartly sorry it should so happen knowing it will be a prejudice for my reputacon lett it appear never so fair my respects wait on you and good Madam Cary. I am, Sir,
Your most humble servant,
John Smallwood



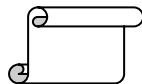
Bristoll
28th May 1718

Mr John Smallwood,
Sir, I writt you the 21st since have yours of the 20th curr.^t and am very sorry to find you censured after so groce a manner inclosed I send you Joseph Windam Bill on Edward Wood for £100 which place for creditt having nothing more but to assure I am, Sir,
Your most humble servant,
Warren Cary



London
May 31st 1718

Mr Warren Cary,
Sir, I have your favour of the 28th curr.^t with the inclosed Bill for £100 which shall apply to your creditt. I am with respect, Sir,
Your obliged humble servant
John Smallwood

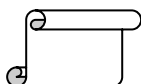


Mequinez in Barbary
June 30th 1718

Gentlemen,
I wrote you in February last of my misfortune of being taken by the Admirall of Sally of 16 Guns 130 men on the 11th day of January last about 130 Leagues to the westward of Cape St Vincent. She was going to cruce off the Westward Islands and I was standing to the SW by S so hapned to see her about 12 at noon and att 5 she was up with me and the 5th day of

²² Chancery copy actually reads "he mought have had sewall orders..."

February was carried into Sally and on the 11th day arrived up at the Mequinez and there stayed till the 31st March following and then was carried down to Sally again and had possession of our Ship about 7 days untill the men of War appeared on the coast then the ship was taken pound again and the 12th June was ordered up to Mequinez and all the men putt to hard work so that now the Ship and Cargoe is intirely lost as you will see on the other side of the certifficate wee might have had our Ship & Cargoe again being taken 9 days after the ambassadour had made a [] so that when he spoke of us to the Emperor he imediately granted us and Ship but the Ambassadour told him he did not thank him for us which word if had been lett alone wee should have come away I cannot write fully for Letters are stopt and lookt into before go out of this country all our ships company are well only Jacob _____ who dyed 50-60 days after wee departed Bristoll of a consumption I have not to add but for the aforesaid reason am forced to be silent. I remain, gentlemen,
Your humble servant to command,
John Normanton



Mequinez in Barbary
June 30th 1718

These are to rectifie all whom it may concerne that whereas the Ship *Little Bristoll* Burthen about 90 tonnes or thereaboute belonging to Mr Warren Cary Mr Jno Duckinfeild Mr John Scandret & Sons in Bristoll and bound for new Callibar on the coast of Affrica John Normanton Commander with 20 men more did on the 23rd December 1717/18 sett sail from Kingswade Port of Bristoll with the aforesaid ship and company with a reall designe and intent for the aforesaid new Callibar on the coast of Guinea [] but by the misfortune of contrary winds and bad weather was forst into the Bay of Biscay and afterwards when had a fair wind stood to the South West and on the 11th day of January was taken by the Admirall of Sally called the mustaffa a ship of 16 guns 130 men and was carried into Salley ye 5th of February following and 3 days afterwards was carried up to Mequinez in Barbary and there did stay till the 31st March & then was ordered down to Sally again and had possession of our ship but about 7 days afterwards the English men of war appeared of Sally then our ship was taken from us again and on the 12th June 1718 wee was all carried up to Mequinez so that now wee see there is no likelihood of ever getting the Ship again and the Ship is made a perfect wreck all her stores necessaries Iron work coppersheaths and new sheat cable and harses 2 new anchors all her cordage and roapes cutt all to peices her Decks and Saill all rent and she a perfect wreck and not fitting to go to sea and that we see no appearance of getting her again all which wee can testify upon Oath when required thereunto as Witness our hand that are above written:

o John Normanton o Edward Bryan

Witness we have seen John Normanton signe to this paper

o John Stocker o Thos Morey

Mequinez

October ye 14th 1718

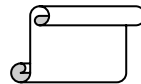
Gentlemen,

I make bold to acquaint you of my hard misfortune of being taken in to this cursed place on the 11th January last about 130 leagues to the Westward of Cape St Vincent by the mustaffa the Admirall of Sally a ship of 16 Guns 125 to 130 men & was carried into Sally about 4 days afterwards when I was at Mequinez the ambassador came in. I delivered to him the name and time of my ship's being taken and the first time that he went before the King the King at the first word gave him our Ship and men and promised to pay for our Cargoe in the Ambassador told him the King that he did not thank him for it nor did he come for us which when the court heard they contrived way to send him away without those he came for besides us and Ship and cargoe which loss of ship and cargoe and our slavery is only attributed to his haughtiness pride and ambition to stand upon his masters honour in a countrey where neither Honour Christianity or Justice is to be had all which can be attested by all the Commanders here when if please god wee come home. We hear this day that our Admiral St George Bing is off att Tetuan God knows the truth of it. All our men are in health except Peter _____ who dyed before wee was taken. I have not to add but remain, Gentlemen,

Your most humble Servant

John Normanton.

ps The Ship is now good for nothing made a prize of her, Cargoe sold & confiscated & nothing of her nor cargo will be gott except from Capt. Conninsburg Norbury the late ambassador.



Sir,

dated 23rd day December 1718

This comes to satisfie you that I have received this day a Letter from my poor spouse from Makenes dated the 30th June and desires me to acquaint you that he sent a Letter to you the same time to acquaint you of all his hard misfortunes and a certificate of the ships being taken which I hope will be serviceable to you I begg the favour of you to advise me if you have received the Letter he has sent you and Company 3 letters. Sir if you have not received any Letters from him if my Letter will do you any kindness in getting your Insurance itt is att your service from

Your most afflicted and humble Servant

Ann Normanton.

Pray direct for me living in [] walk in Limehouse London

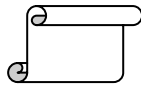
Bristoll
21st January 1718/19

Mr John Smallwood,

Sir, I received yours of the 8th curr.^t and observe the content & this serves to advise that I have this day passed my Bill on you payable to Mr Thomas Coates on order att three days' sight for £10-19-10¼ which I desire you pay itts now time to demand the insurance you made for me on the *Little Bristoll* which I desire you do I am ready to answer any objection and also to clearing self from many asspersions that may be thrown upon me if the Gentry will please to pay the loss. If so well; If not I shant use many complements but endeavour to compell them and am, Sir,

Your most humble servant,

Warren Cary



London
24th January 1718/19

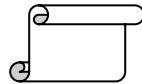
Mr Warren Cary,

Sir, I received yours of the 21st curr.^t by which observe you have drawn on me for £10-19-10¼ which shall received no honour. Shall discourse the Insurers the *Little Bristoll* they have severall times assured me they would not pay a penny without law and that they would make me sett forth all your letters and my answers in order to find out what pass between us which I told them I would do if required. I shall now summons them and give you their answers in the interim I am, Sir,

Your most humble servant,

John Smallwood.

ps George Alve's Bill for £7-11-3 on Gilbert Higson is protested shall I returne it you with protest or forward it to the men of warr to your brother of which pray advise -

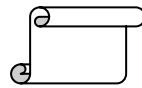


Bristoll
31st January 1718/19

Mr John Smallwood,

Sir, I received yours of the 24th current and observe what you say relating to the subscribers on the *Little Bristoll* which is that they would not pay that Loss without Law if they are resolved to go to Law right or wrong I cant help that but in the first place I am not afraid to engage myself in a suite of law with them though I had rather the matter could be accommodated without itt. I

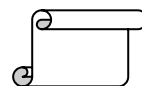
am not ashamed of having my letters produced in any respect but to End a long and tedious
controversie which I know must ensue if a suite of Law be comenced. I would rather make it up
by way of refference wherein I will answer my Questions that may be proposed as soon as if I
was to do it in the high court of Chancery which is the Place where the Insurers as I suppose
designed to bring it to. I desire youl forward the inclosed packett by the man of warr for my
brother and that you will also send him Alves protested Bill for £7-11-3 with some of the
freshest and most intilligable News and you'l oblidge Sir,
Your most humble Servant,
Warren Cary



London,
February 3rd 1718/19

Mr Warren Cary,

I have your favour of the 31st ultimo with inclosed which shall take care forward as yett the two
men of warr that are to go to Virginia are not appointed by whom shall forward the Bill I can
nott yett gett all the underwriters together that are on the Pollicy of the *Little Bristoll* but have
mett with two of them they assure me they will not pay the loss without trouble I will endeavour
to mollifie them of which shall advise in the interim I am, Sir,
Your most humble servant,
John Smallwood



Bristoll
February 21st 1718/19

Mr John Smallwood,

Sir, I received yours of the 19th curr.^t and return you hearty thanks for what paines you have
taken about my Letters and also about the Bills on Higgson his ways of coues endeure are
very unaccountable. I hope you will not give up the Bill till you have the money for in short the
Case seems to appear very desperate pray is the ship of that name gone for Angola & Virginia
or where else what will the Insurers do in relacon to the *Little Bristoll* will they pay or not
however I caution you not to shew any of my letters to them till I know upon what termes for if
they are agreed to be troublesome I shall not gratifie them in the least. I am, Sir,
Your most humble servant,
Warren Cary

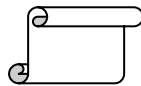
London
February 24th 1718/19

Mr Warren Cary,

Yours of the 21st came to hand I refer you to my last in relation to Higgson's Bill the ships of that name is not gone anywhere as yett three of the Insurers say they will not pay the loss on the *Little Bristoll* without double the fourth I have seen being out of Towne. I shall not show any of your Letters to them without your order I thank you for the caution given about the concernes in the *Peterborough* about an abstract of a cargoe for the Gold Coast I know Mr Mereweather sent such a one as he could gett about 12 days since the persons concerned must be content with that abstract for shall have none from me tho' could have given them something fresh having letters from Cape Coast of the 4th September last I begg youle return of the post if any vessell bound for Yorke river and when she will saile itt. I am requested to enquire from my good friend Mr Perry & some others they being desirous to send some letters by that conveyance the doing of which will greatly oblige, Sir,

Your most humble Servant,

John Smallwood



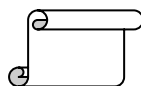
Bristoll
February 28th 1718/19

Mr John Smallwood,

Sir, I received yours of the 24th curr.^t and observe what you say of the Insurers. I shall take a fitt opportunity to call them to account. A ship was to sail from hence for James River this week. Suppose she is gone by this time I beleive a ship will go hence in about a month's time when I am certain will advise you more fully and will serve you Mr Perry or any other of your friends all that lyes in my power & am Sir,

Your most humble servant,

Warren Cary



Bristoll
14th March 1718/19

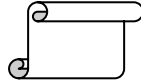
Mr John Smallwood,

Sir I received yours of the 10th curr.^t and thank you for the news therein Inclosed comes the debenture for the Arangoes on the *Ceralone* cost 12/8 which I expect youl stop from the person you bought them off and creditt my Acct. with the same I desire you lett me know the

Insurers on the *Little Bristoll* final resolution for I am now resolved to take measures in that
affaire and am, Sir,

Your most humble servant,

Warren Cary



London

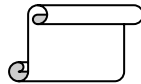
March 21st 1718/19

Mr Warren Cary,

I am favoured with yours of the 14th curr.^t with inclosed debenture the charge of which have
past to your credit this day was in company with some of the underwriters on your pollicy of
£800 by whom find they require a farther proof of your interest then what you have already
sent those on the Pollicy of £400 will not pay without trouble they being determined to stand a
Law Suite which concludes me, Sir,

Your most humble servant

John Smallwood



Bristoll

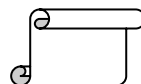
Aprill 1st 1719

Mr John Smallwood,

Sir, I received yours of the 21st past and observe the resolution of the Insurers on my pollicy of
£400 I desire youl endorse the Pollicy for my account and deliver it to Mr William Grigson
Atorney in the Old Jury. I have writt him to prosecute them in order to recover my loss.
Devonshire dyed yesterday of a feaver and diabatis being the need full from Sir,

Your most humble servant,

Warren Cary



London

Aprill 4th 1719

Mr Warren Cary,

I am favoured with yours of the 1st curr.^t the Pollicy of £400 on the *Little Bristoll* shall endorse
as you direct and deliver to Mr William Grigson and shall send your Account. I am greatly
concerned for the loss of my good friend Captain Devonshire which concludes me Sir,

Your most humble servant

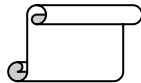
John Smallwood

London
April 9th 1719

Mr Warren Cary,

I have your favour of the 6th curr.^t by which observe you have drawn on me 2 Bills amounting to £112 which shall received no honour by your account. You will find you have overdrawne your account shall send next post this day mett with Mr Hackshaw who is one of the underwriters on the *Little Bristoll* Pollicy he requested me to inform my self on what termes you were willing to make up that loss which concludes me, Sir,

Your most humble servant,
John Smallwood

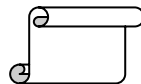


Bristoll
13th April 1719

Mr John Smallwood

Sir, I received yours the 9th curr.^t by which I observe you design to honour my draft on you for £112 for which I thank you that you did design to forward my Account & that one of the underwriters have desired to know whether I will take on the *Little Bristoll* to which I answered that I admire that any one should propose any abatem(en)t without giving some reason for it he knows my duemy councell or assume I shall recover but because I am not fond of contention I am willing to take £85 per cent if that will please him so if not I don't incline to abate anything of what is my due or at least w(ha)t the Law will allow me. Mr Grigson writes me he never heard one word from you concerning that pollicy so intreat you carry it to his house immediately on receipt of this otherwise I shall loose the advantage of this [] if the Gent had a mind to have made it up twould have been much proper for him to have made a generous offer then to have made enquiry! I would abate of my right I desire you informe him with the others that my case is very different from what they take it to be being what offers from Sir,

Your most humble servant,
Warren Cary



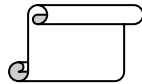
London
Aprill 18th 1719

Mr Warren Cary,

[Sir, I have] your favour of the 13th curr.^t I have delivered Mr Gregson your Pollicy and have his receipt for the same I have since that seen the Underwriters they are determined to stand your suite on that Pollicyhave your Account Balance in your favour £80=18=11¼ which I presume you will find right which concludes me, Sir,

Your humble Serv(an)t

John Smallwood.



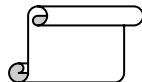
Mr John Smallwood

Bristoll
May 16th 1719

Sir, My last was the 13 curr.^t Since have yours of the 12th by which find a Bill proferred against you. I am sorry iff should cause trouble to you for my part I was never given to contention but as the Insureres have made me no offer but have severall times said they will pay no more than the Law will allow itt. Don't lye with my conveniency to propose any to them. I am, Sir,
Your most humble servant,

Warren Cary.

Capt. Hollyday in the *Jeremiah & Ann* is arrived in Virginia.



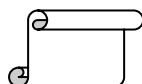
London
May 12th 1719

Mr Warren Cary,

Sir, Saturday last was served with a subpoena in Chancery to answer & sett forth all yours & my Letters in relacon to the Insurance I made for you on the *Little Bristoll* which will create a great charge and give me a great deal of trouble for am obliged to deliver in all your letters and coppys of my answers to them I wish the affaire could be acomodated to the satisfaction of all partys. This I thought proper to communicate to you which concludes me, Sir

Your humble servant,

John Smallwood



Bristol
June 1st 1719

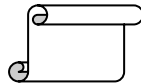
Mr John Smallwood,

Sirs, I writt you the 15th & 16th past since have had no answer so it be in the former I sent you a Virginia Bill for £29-0-0 on Mr Perry to gett accepted which I advise you don't advise the receipt of. I have now gott copy of the Bill filled in Chancery to which I shall give a very positive answer & desire that you and also Mr Davy will give your answer in so soon as possible you can and send me a copy thereof wherein youle greatly oblige, Sirs,

Your most humble Servant

Warren Cary.

ps In your answer to the Bill will be proper to signifye that the Insurers or one of them did severall times declare that they would pay no more than the Law would compell them to do as you advised me they did.



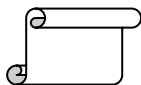
Bristol
June 3rd 1719

Mr John Smallwood,

Sir I writt you last post this is to intreate youle lett me have the copy of yours and Mr Cary is newer to the Bill filed in Chancery in a post or two if possible but be sure to lett me have it so soon as Possible you can and before you sware to itt this will be very proper that our Answer may not differ. I should be glad to hear from you and am, Sir,

Your most humble servant

Warren Cary.



London
June 4th 1719

Mr Warren Cary,

Sir, I am favoured with yours of the 13th, 16th Ultimo & 1st curr.^t Shall answer the former fully when rec(eiv)ed Goodwin's Bill from Mr Bell which he have promised to deliver inclosed you have the Bill on Mr Perry for £29-0-0 returned Accepted. This day had the copy of the Insurers' Bill sent me to answer which shall do so soon as possible I begg you excuse brevity having much buissness att present to dispatch which concludes, Sir,

Your most humble Servant

John Smallwood

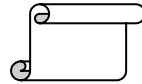
London
June 6th 1719

Mr Warren Cary,

Sir, I have yours of the 3rd curr.^t a copy of my answer you shall have so soon as can be finished they will not insist on Mr Davey's answer he being only made a party to the Bill for form sake last post I inclosed you the £29-0-0 Bill on Mr Perry presume come safe to hand.

I am Your most humble servant,

John Smallwood



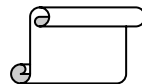
Bristol
June 20th 1719

Mr John Smallwood,

Sir, I received yours of the 4th & 6th current with the former the £29:0:0 Bill accepted for which I thank you, my wife is wheary at my engaging in a Chancery Sute which inclines me to make an end of itt & desire that you privately inform yourself of the Insurers disposition that way and see what they will offer. Mr Grigson writes me that I must have one of the ships crew to prove the ships being taken before the tryall can come on att Common Law so that I cant tell what answer to make him by reason all the crew are in Sally & none returned nor like to come. I should be glad if that Buisness were ended & am, Sir,

Your most humble servant,

Warren Cary.



London
June 20th 1719

Mr Warren Cary,

Sir, I am favoured with yours of the 20th June. As yett have not seen one of the Gentlemen on your Pollicy to discourse them and Mr Grigson and your Bristol Lawyer was with me about my Answer which I cannot finish till after next wecke I propose to go to Portsmouth Monday next I shall make it my buisness to discourse them if to be mett with before I goe and Advise their result. Inclose you have Mr Goodwin's Bill and Protest which I received from Mr Bell which concludes me, Sir,

Your humble servant,

John Smallwood

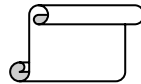
London
July 14th 1719

Mr Warren Cary,

Sir, Yours of the 11th current with Inclosed three Bills for £55:1:0 when accepted shall return you them as you desire. I have discoursed two of your Insurers on the *Little Bristoll* they will make no Disposalls they say if you are Incluable to accommodate the affaire you ought to make proposells what youle settle itt att consider me, Sir,

Your most humble servant,

John Smallwood.



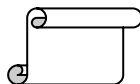
Bristoll,
July 15th 1719

Mr John Smallwood,

I received yours of the 4th curr.^t and observe the resolution of the Insurers I can nott go on att Common Law for want of Evidence to prove the ship Taken which must be one of the captives 'Viva voce' and how long it may be before either of them returned no one can tell for which reason I am content to take 75 or 70 per cent and putt an end to the Law. Enclosed I send you nine Bills of Exchange as under amounting to £416=6=11 which please to gett accepted and Returnd me so soon as you can as yett no news of any of our Virginia [Bite] Ships. I fear the *Eugene* will make a very lame hand of itt & am, Sir,

Your most humble servant,

Warren Cary



London
July 21st 1719

Mr Warren Cary,

I am favoured with yours of the 18th current with nine Inclosed Bills for £416=6=11 when accepted shall return them I shall discourse the Insurers in the *Little Bristoll* Butt fear they'le not accept your offer of which shall advise in the interim. I am, Sir,

Your most humble Servant

John Smallwood.

Correspondence between John Duckinfield and John Merewether

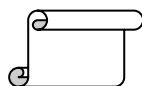
Bristoll

December 30th 1717

Mr John Merewether,

Sir,

Yours 17th & 21st Curr.^t are before me which had answered in course but the Holy Dayes drew me out of Town one week. I am puzelled about the Rangoes and am really very much concerned at the trouble you have & the Loss we are like to have which you say may be £40 or £50. I think if so Bentink & Sons ought to pay it they not sending a certificate which they ought to have done. I must desire your good management in this Affaire which will be cheifly in the Appraisement which when done we must export them. I see no other way. Inclosed I send you Bentink & Sons Letter which pray returne with their other Letters. I note you have paid [Jamaican?] £150. Inclosed you have a Bill for £100 next post will send you more but in short we are all here in confusion about Guineas & all Gold in generall nothing butt silver will pass they deny pcs at Customhouse at 21/ Pray write me what will be the Issue hereof the *Berkly* Gally Captain Pitt sailed hence the 22nd curr. as did the *Little Bristoll* Captain Normanton both for Callibar & Virginia. Pray do me £500 each shipp or shipp & goods on the best Termes you can, but be sure have good men. The *Rebeckah* is certainly a loss but I had best allow the Insurers a small matter more than comon & adjust it –



Bristoll

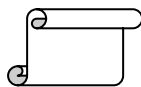
Jan 4th 1717

Mr John Merewether,

Sir,

Yours 31st ultimo & 2nd curr.^t are before me. I observe Mr Gibbons has writt you about the *Berkly's* salvidge. Indeed he told me he would do so tho' I told him you had received & credited my Account with it. I can expect no other from such people & must only blame my self in being too forward in serving such but the thing lies here. You have adjusted at 10 per cent but I have not yett adjusted here nor I am afraid shant at as much as you have perhapps by 2 per cent. Now he wants to be paid as you have adjusted but as I ordered both with you & here for him & others as well as myself (as I have told him). I shall bring it to an averidge & we will all fare alike. The *Rebeckah* to be sure is Lost she sailed from Virginia the 11th August & no account of her since. Pray if you can adjust the loss. We have no news of the *Berkly* & *Little Bristoll* (not *Little Robin*). I doubt not their being well off they are both sheathed this voiage & well fitted & manned the Insureres are cautious Gentlemen. Inclosed you have a Bill

for £80 which place to my credit. I depend on my insurance done next post. Add £250 to the *Berkly* & £100 to the *Little Bristoll*. I am in hast.



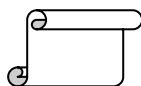
Bristoll
Jan 8th 1717

Mr John Merewether,

Sir,

Yours 4th curr.^t Credit me account £500 Insurance on the *Berkly* and £500 on the *Little Bristoll* at 5 per cent which I am very well pleased with the Ships as I writt you was well sheathed with Oak sheathin this voiage twas two much for my family to run being $\frac{1}{4}$ of one and $\frac{3}{16}$ of the other else would not have gone one penny I desired you last post to add £250 more on the *Berkly* & £100 on the *Little Bristoll* which please to gett done. I am concerned in the pollicy Brother Carey did on the *Rebeckah* which to be sure is a loss. I am but £100 there. I should be very glad to have that pollicy also adjusted but the reason I mentioned to you to adjust mine is I find Mr Preistly is £100 for me and I am not pleased with the charracter I hear of him therefore if you think any danger should be glad if you would give him a bottle of wine please and make up the loss with him privately Allowing what you think fitt which I leave to your self.

I am -



Bristoll
March 12th 1717

Mr John Merewether,

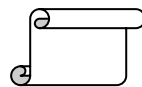
Sir,

Your favours 1st & 4th curr.^t are before me. You say the *Eugeen* to be wrote the whole voiage out & home will cost 8 or 9 Guinnys per cent. I have been very busy ever since received yours dispatching her & Sunday morning last she sailed by seaven a clock & a fair wind ever since she has 20 Guns and 50 odd men. Please to write me what you can do her for out & home Write me the lowest by Good men then to do her here, at 10 per cent. I have offered them 8 per cent for the whole & will not give more. I expect you can do it under. Shall be expecting an answer from Bentink & Sons. We have sold our ps^{es} for the *Bembridge* here Mr Adams at $\frac{5}{7}$ else you should have had them sent you to dispose off. We have account from London last post of a shipp arrived from Barbary giving an account of a Bristoll ship bound for Guinny taken of Maderah by the Sally men it makes a mighty Noise with us. One thinks tis one ship another thinks tis their shipp so most are uneasy. I am concerned *Peterburrough* sailed 12th December *Romsey* sailed 5th December from Ireland, *Rozzlily* and *Little Bristoll* from hence 22nd

December. I hope tis none of these on the first & third I am insured but the *Romsey & Little Bristoll* I am short so pray do me £200 on the *Romsey* and £300 on the *Little Bristoll* both from here to Guinny & Virginia you may say the *Romsey* from Ireland or here as you please ditto both ships Goods & value the pollicyes over & above all other insurance they are writt here today at 5 per cent [a Governor] Pray be Nimble because such a report of a ship being taken will make every one fear his own & consequently premioes may rise perhapps you may know more than we in such case I leave you to do as for your self.

I am etc.

ps I mean they are writt at 5 per cent to the coast only but if you can do it to the coast & Virginia is Captain Hackett sailed pray the price of sugars & indigos. Charles Porter is Master of the *Romsey*.



London
March 15th 1717

Mr John Duckinfeild,

Sir,

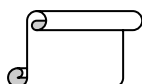
I have before me your favour of the 12th. The *Eugene* may be Insured to Madagasca, Santalena, and her discharging ports in British America for £5-10 per cent your best hands. Tis at all times impossible to write with exactness how any Voyage if is new those premios are left to me. It's very seldom I hear of any complaints that I give too much. I was yesterday on board the *Loyalty* which came from Barbary the Mate of which shipp told me if he was on board the ship which was brought into Santa Cruz the 18th January ... and that she was taken ten days before. He said that he examined over every chest and place in the shipp to find some papers whereby he might have discovered the shipp's name. I asked him how he could tell she was a Bristoll shipp he answered by her built and her boat. On the other side are the particulars of what he could recall. You are little acquainted with the temper of our Insurers and I am afraid you never will. I durst not offer to make any Insurance on either of the ships you mention unlesse I would warrant her not the shipp taken. There is a report of a Bristoll shipp taken and I would argue my heart out of the improbability that it can be such or such a shipp would be same thing. You very well know the cause of an Insurers Writing is grounded on some assurance of the shipp's safety. The Mate told me that the Moores said that there were some Spaniards aboard the shipp otherwise they had not taken her. The men were all on board the Cruiser which was not come in. I desire you would acquaint Mr Tunbridge of these particulars which will go to other hands this post. The *Drake* sailed from the Downs the first of yr last Easterly Winds. The demand for Sugar for exportation continues and in considerable quantities. Wee have a great many still on hand. Good Jamaica from 30 to 38. The time for Indigoe is not yett come in next month it's expected that it will sell well.

I am Sir,

Your very Humble servant

John Merewether

[ps] The *Eugene* must be warranted sheathed if any Insurance is done here. The descripcon the Mate gave me of the shipp taken & is as farr as he could remember which cannot be expected to be very exact he only haveing his memory to depend on – a new ship, her 2nd voyage, of about 100 tonns, only 6 Swivell Gunns, no ports or Carriages for cannon, 3 masts with flying top gallon sails, a Coat of Armes in her sterne & painted lead colour. A new boat never at sea. A Lyon painted yellow & lead colour with furnise on deck. The Moores said she had 14 hands and half of them were Spaniards otherwise they had not taken her.

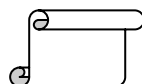


Bristoll
March 15th 1717

Mr John Merewether,
Sir,

I writt you last post & then desired you to Insure me £200 on the *Romsey* & £300 on the *Little Bristoll* the reason I did so was because we had such a Noise of a ship with a scollupp shell in her sterne being taken since which I have inquired & find none of my ships have any such thing. If you have done what I desired tis well if nott please to stopp doing it. You writt to more than one Thursday & have a particular account of what you learned in relation to the above news I should have been glad of the same favour at this time not many here (if any) are more concerned than my self to Guinny therefore when any News happens that way I begg you will lett me know it. Next week we make up the *Berklyes* account & shall very soon remitt you'll take no thing I'll for depend upon it. I am with respect –

I begg the price of Jamaica sugars & your thoughts of it having 40 hh^{es}dy. We will there be a war or not.



Bristoll
Aprill 4th 1718

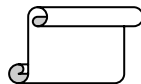
Mr John Merewether,
Sir,

Yours 1st currt. is before me which brings me the pollicy on the *Prince Eugeen* for £2700 being endorsed which is all to our satisfaction. I beleive the Mistake you have made proved in our disfavour 10 per cent take as your comision & then 'twill be right I have showed your Letter & pollicy to all concerned & they all agree with me that beleiveing you have gott good men & that

you have done your utmost in the lowness of the premium we are all willing to allow your comition for the for the whole & will pay you accordingly if you think an subscriber doubtfull we depend you will lett another in his roome under you have Captain Hooks order to charge him with his Insurance the sume you must charge him with is £24:2 for £400 insurance Mr Baugh will send you the same sume he would given it me but I desired him to Write you himself because I would have him correspond with you in your next send me inventory of the whole please to pay the Ballance of Captain Hook's Accountt to Capt. Elias Pearse & send me his receipt received of you on Account of Capt. Hooke it being Money he was to pay Pearse on Account *Prince Eugeen's* cargoe I am told you do the Guinny ships at the same premio as before if so pray do me £100 or £200 on the *Little Bristoll* you may add it to the same pollicy or put it in a new one Interest or no Interest which you think best we have no further Account it is only my own thought inclines me to do it pray faile not doing it.

I am –

PS I leave the premio to your self I have no Answer yett from Bentink & Sons Give me the price of Sugar & Indigo & your thoughts. If you want the *Eugeen's* pollicy I will send it.



London
Aprill 8th 1718

Mr John Duckinfield,

Sir,

I have before me your favours of the 5th acknowledging receipt of of the pollicy on the *Prince Eugene* for £2700 Insurance which I hope you will never have any Occasion to send me againe. I am very well pleased with the allowances of my Commission for the errors are to be rectified yet that being a generall Insurance 'twas a mistake that I was very much ashamed of. I have taken some paines to advance the reputation of our Bristoll adventurers and have succeeded so farr as to prevaile on some to Write y^{ny} tho' always refused them. I would do as much for you as any man whatsoever. But I dare not make any Insurance on any shipp I apprehend to be concerned in the report of being taken by the Sallee men unless would warrant the shipp free from said danger. I made some Insurance on the *Colston* and *Society*. But if I had not being very well satisfied that neither of those shippes were concerned in the report [I would have] not done it. I am in great hopes of the *Little Bristoll* has escaped. Butt I dare not attempt making any Insurance on her therefore I begg you would do what you have a mind to insure among your own insurers. I have debitted Captain Hooks £24:2:0 for £400 insurance on the *Eugene* and shall pay Captain Pearse £50 on his account. There is an account depending between the Captain and my selfe which when wee have settled shall send you his receipt. I am heartily oblidged to you for encouraging Mr Baugh to be my

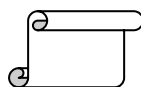
correspondent. I should esteem it as matter of very good to him to have it confirmed. Inclosed is letter of Attorney which I desire you to execute and returne me & that way take out your bounty bill and Dispose of it. Mr Peers has shown me a letter from Bentinck & Sonns wherein they have sent over severall paragraphs of your Letter wherein they say that you misquote the letter wherein you write that you ordered them to send any Certificate.

I am etc.

Indigo 4/6 to 4/10 [French] 5/6 sugars continue as they did. But the French shippes beginn to arrive from their W. Indies plantations. I have credited your Account £24:2 for Captain Hooks Insurance & the like sume for Mr Baugh and Am, Sir,

Your very humble servant

John Merewether

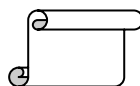


Bristoll
Aprill 12th 1718

Mr John Merewether,

Sir,

I have your favour 8th curr.^t & as you say I hope I shall never have Accasion to returne you the pollicy on the *Prince Eugeen* every one concerned is very well pleased with you in your concerns & I have not you may be sure been backward in recomending it. I know you are not used to be Guilty of such mistakes. I wonder you have not done my Insurance on the *Little Bristoll* you say you did the *Colston* & the *Society* but you would not done it but you was satisfied they had no share in the report. I can't but wonder you should be so deceived the *Colston* & *Little Bristoll* sailed together Indeed the *Society* sailed some time after but pray why is not the *Colston* concerned in the report as well as the *Little Bristoll* they sailed together & the description given answers one as much or more than the other Party. Do me £200 on her the same termes you did the *Colston* else shall not be pleased for I can't but expect you do for me a £8 or any one [when] I am on the same footing. I note you will pay Elias Pearce £50 for Captain Hook and that you have credited my Account £24:2 for him and £24:2 for Mr Baugh who tells me he has sent you £20 has paid me on the Tolzey £24:2 so you must charge me with same sum you having credited me with it before he told me to day what business he has in London will trouble you with you have returned the pollicies you sent to receive the Bounty. Pray lett me know as soon as you can what it will amount to as to Bentink & Sons my copy booke will prove what I writt them. I admire such men as they insist on it they will loose more by it. I am –

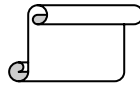


London
May 13th 1718

Mr John Duckinfield,
Sir,

I have before me your favour of the 12th. If I could have avoided drawing on you should have not donne it. But I confirme the Liberty I gave you of redrawing on me as your bill becomes due for which I hope will be att thirty days. The Rangoes are in the Officers custody at my command. Mr Peers tell me that Bentinck expects if you should be at the whole Charge which I can say nothing too but should be glad the differences was adjusted you shall not faile of haveing your Account by Tuesday post. Please to send me an affidavit of your interest in the *Rebecca* and the time that she sailed from Virginia and you give me orders for farther Insurance on the *Berkely* and *Little Bristoll*. I beleive both shippes may be insured att and from the Coast at 5 or 5 guineas per cent would not that be the best way you know our insurers never pay more than the assured can prove Interest. I wishe you a great deale of Pleasure this somer being, Sir,

Your very humble servant,
John Merewether



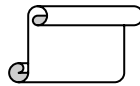
Bristoll
May 17th 1718

Mr John Merewether,
Sir,

Your favour 15th curr^t is before me . I note your liberty of redrawing for £150 which shall make use of as have Occasion I have not seen the Bill on Monday Morning early I begin my Terney that bill will fall but exactly the time I designe to returne which shall take care to pay & if I redraw shall not be less then 30 days I note the rangoes are at your comand which is well that Mr [Peers] tells you Bentink & Sons expects we shall be at the whole charge. You know I have offered to referr it & my partners agrees to it & we shall do no otherwise I think nothing can be fairer. Methinks I could be glad if you & Mr Peers would agree to dispose of them for the Best you can & then what the Loss is can only referr but would not have you sell them without Mr Peers consent. I have nothing from Bentinck & Sons since I writt them you say I must send and Affidavid of my Interest in the *Rebeckah* I have a Bill of Sale & she was wholly laden on our account & sailed the 10th, 11th or 12th of August last which is sufficient for you to recover the loss which pray do as soon as you can if they runs out the time hope they will not scruple to pay 90 per cent I am now forced to acquaint you that the *Mercury* arrived here Thursday last

from the Straights last from Gibraltar & brings us the bad news of our *Little Bristolls* being taken into Salley. I am very thankfull I am insured but you must pardon me if I blame you for not doing what I have more than once ordered especially because I am told others have done her since I writt you at 5 per cent tis in plain my very good friend so much lost to me but I must be content I am very ready & forward to serve your Interest & Bettincks you should do so to me where this poor unfortunate man was taken we know not but tis unlucky I am near £600 concerned & you have done me £300 had you done me £100 nay if but £50 more as I often pressed you I had been whole but I cant but think you unkind therein what you have done. I hope the men are good. Please to write me at Charles Duckinfields Esq.²³ at Macclesfield in Cheshire. I am –

Do me £200 more on the *Berkly* on the former pollicy which is at 5 per cent to the coast of Virginia.



London
May 17th 1718

Mr John Duckinfield,

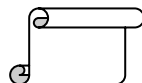
Sir,

I wrote you by last post without doubt you will hear enough this post of Captain Normanton's being taken into Sallee there is a Bill appeares drawn upon the Captain on his wife. I begann to be in hopes that after so long silence after the report of a Bristoll ship being taken that we should have heard of Normanton's arrivall on the Coast and not a Mequinez. I pity the poor man. Ill luck pursues him. I am, Sir,

Your very humble servant,

John Merewether

p.s. Now the shipp is taken if you will allow me 2 per cent extraordinary I will insure the Insurers. This security on the Insurers does not proceed from makeing late Insurances which I shall rather choose to throw up all buisness than submitt too. I am, JM



²³ Charles Duckinfield, 2nd Baronet (from 1729), born 18 November 1670, lived Macclesfield 1700 to 1720 and died 23 Feb 1741/2. John Duckinfield's brother. *East Cheshire Past and Present* by J.P. Earwaker, London, 1877

*The last Will and testament of
John Normanton, late Master
of the Little Bristoll*

23 August 1720

In the Name of God Amen.

The 23 day of August in the year of our Lord God 1720 and the sixth year of the reign of our Sovereign Lord George King of Great Britain France, I John Normanton of Limehouse Mariner but now a captive in Mequinez Barbary being very sick and weak in body but of perfect mind and memory thanks be given unto God therefore calling into mind the mortality of my body and knowing that it is appointed for all men once to dye do make and ordain this my last will and testament. That is to say principally and first of I give and recommend my soul into the hands of God that gave it and my body unto earth to be buried in a Christian like manner at the direction of my executor nothing doubting but at the General Resurrection I shall receive the same again by the mighty power of God. And as touching such worldly Estate wherewith it hath pleased God to bless me in this Life I give devise and dispose of the same in the following manner. In primis I give and bequeath to Ann Normanton my dear beloved wife and to Elizabeth Normanton my well beloved daughter whom I likewise constitute make and ordain my only and sole Executors of this my last Will and Testament by them freely to be possessed and enjoyed. And I do hereby constitute make and ordain my trusty and well beloved friend Captain Thomas Morey my only and sole Executor of all my Effects and debts that is due unto me here to be remitted unto Ann Normanton my dearly beloved wife and to Elizabeth Normanton my well beloved daughter. And I do hereby utterly disallow revoke and disannul all and every other former Testaments Wills and Legacys request and Executors by me in any way before this time named willed and bequeathed ratifying and confirming this and no other to be my last will and testament. In witness whereof I have hereunto sett my hand and seal the day and year above written. *John Normanton.*

Signed sealed published and decalred by the said as his last will and testament in the presence of us the subscribers viz^t. Testes *Adam Rigden, John Harpur, Christopher Allen, Andrew Laurence.*

Wee underwritten Merchants residing here do certify that this is a true copy taken out of Consul Hatfeild's Register Tetuan ye 14th November 1736

S.N. Christopher, Baron C Nich: Forward, Robert Shipton, George Young.

I do certify that the original will was brought from Mequinez and desired to be entered in my Register which I entered in my own hand.

Anth. Hatfeild

II Day of February 1736/7

Which day Appeared personally William Latton Esq. his Majesties Consul General to the Emperor of Morrocco and by virtue of his Corporal Oath deposed that he well knew and was acquainted with Anthony Hatfeild Esq. who was consul at Tetuan in Barbary from the year 1717. to 1728. as he is well Inform'd and beleived and that he this deponent afterwards resided with him at Tetuan as a Merchant and frequently saw him write and has ever since and doth now correspond with him by way of Letters whereby he is perfectly acquainted with his style manner and character of hand writing and he this Deponent having seen the copy of a Will of John Normanton of Limehouse but dying a captive at Mequinez in Barbary taken from the Registry of Anthony hatfeild then Consul hereunto annexed and the certificate at the bottom thereof in the words following. I do certifie that the original will was brought from Mesquinez and desired to be entered in my Register which I entered with my own hand and sign'd Anth. Hatfeild doth verily and in his Conscience beleive the whole certificate to be wrote by and be the handwriting of the said Consul.

William Latton.

The 11th day of February 1736/7

The said William Latton was sworn to the truth of this affidavit before me.

Stephen Cottrell surrogate

This Will was proved at London the Twelfth day of February in the year of our Lord One thousand seven hundred thirty six before the Worshipfull Robert Foulkes Doctor of Laws Surrogate to the Right Worshipfull John Bettesworth etc etc.....by the oath of Elizabeth Bellemie otherwise Normanton (wife of William Bellamie the daughter and surviving executrix named in the said will to whom Administration was granted of all and singular etc. etc.

Notes

John Normanton's earlier voyages

1702-4	<i>Happy Returne</i>	West Africa and Jamaica
1707-1708	<i>Happy Return</i>	West Africa and Jamaica
1716	<i>Houlton Gally</i>	Madeira and Barbados

Source: Richardson 1986

Ships other than the *Little Bristol* mentioned in the documents:

Ship	Page	Comment
<i>Barkery</i>	25	Sailed from Bristol 22 December 1717
<i>Bembridge</i>	50	
<i>Berkly Gally</i>	49, 52, 55	Departed Bristol 22 nd December 1717, Francis Pitts Master, bound for Madeira, New Calabar and Barbados. Delivered 143 slaves, including 2 dead. Richardson p. 60
<i>Ceralone</i>	42	See <i>Siralone</i>
<i>Colston</i>	54	70 tons, owner Robert Tobridge & Co. departed Bristol 9 August 1721 destination Jamaica, arrived back in Bristol 6 April 1723 Richardson page 95
<i>Dove</i>	27,	small ship of Bristol which brought back news of a Bristol Galley being taken
<i>Drake</i>	51	
<i>Elizabeth</i>	31,32	London-based slaver that set out in December 1717, and perhaps the ship that has been captured
<i>Jeremiah & Ann</i>	45	
<i>Loyalty</i>	25, 28,	Ship that brought news of the capture of a Bristol Galley; Captain Cornish master
<i>Mercury</i>	55	
<i>Peterburrough</i>	42, 50	Left Bristol on 18 September 1717, traded at Calabar, thence Barbados and York River Virginia. Arrived at Virginia with 93 slaves, including 6 dead. Arrived back at Bristol on 18 November 1718 Richardson page 65
<i>Prince Eugene</i>	48, 52, 53,	200 tons, 50 crew outward; William Stretton master; John Duckinfield owner; left 27 Feb 1718 for Madagascar. arrived York River 18 May 1719 carrying 340 slaves, returned to Bristol 26 October 1719 Richardson page 75
<i>Rebeckah</i>	49, 50, 55	50 tons 18 crew outward; Robert Welch master; Abraham Hooke & Co owner; left 3 April 1717; arrived Jamaica 8 April 1718; 87 slaves; left 4 June 1718; returned Bristol 30 September 1718. Bound outwards for Guinea. Imported into Bristol over 9cwt of redwood and 760 lbs of Guinea grains. Richardson page 66
<i>Romsey</i>	34, 50, 51, 52	80 tons; 20 outward crew; Charles Porter master; John Hollidge & Co. owner; left 8 November 1717 for Kinsale and Africa; traded at bonny/Calabar; arrived York River, Virginia 9 June 1718, carrying 125 slaves, 5 died; arrived Bristol 24 November 1718. Richardson page 67
<i>Rover</i>	28	This may simply refer to the pirate ship
<i>Rozzily</i>	50	
<i>Siralone</i>	42	80 tons; 24 outward crew; Rice Harris master; Warren Cary owner; left Bristol 13 December 1718 bound for Africa and Barbados. Brought back into Bristol over 2 tons of redwood. Traded at Calabar. Arrived York River, Virginia 18 August 1719 with 103 slaves. Returned to Bristol 2 January 1720.

Society	54	<p>Master William Webb; Owner William Freke & Co. left Bristol 18 December 1717; arrived Barbados 25 November 1718 with 129 slaves. Arrived Bristol 9 March 1719. Imports to Bristol 206 cwt. of 'Gum Arabeck or Gum Seneca', and over 25 cwt of ivory</p> <p style="text-align: right;">Richardson page 67.</p> <p>1719 for Cape Verde and Barbados under John Young master, William Freke & Co. owner. left Bristol 8 September appears to have returned directly to Bristol with 45 ½ tons of redwood, 1400 lbs of Guinea grains and 37 ½ cwt of ivory.</p> <p style="text-align: right;">Richardson page 85</p>
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People mentioned in the documents

Name	Page(s)	Comment
Adams	26, 28, 30-31	Mate of the <i>Loyalty</i> ; at first described as the owner
Addams,	26	Owner of the <i>Loyalty</i> , but probably just the mate (see above)
Alve, George	40, 41	
Bailey (Bayly), Captain	35	Master of the <i>Mercury</i> who confirmed the capture of the <i>Little Bristoll</i>
Baugh,	53, 54	
Beach, Philip	29,	Holder of one of Warren Cary's bills
Becsell, Matthew	32	
Bell,	34, 46, 47	
Bentink & Sons	49, 53, 54	
Bing, Admiral Sir George	39	
Bribell, Thomas	32	
Broughton, Andrew	14	Underwriter
Bunyard, James	34,	One of the underwriters of the policy on the <i>Little Bristoll</i> and Complainant against Warren Cary and others. Possibly the same James Bunyard who later held property in St Kitts
Carnitt, James	29,	Holder of one of Warren Cary's bills
Cary, Robert	34, 46	
Champion, Richard	18	Bristol Merchant
Coates, Thomas	40,	
Combe, Henry	11	Bristol linen draper and merchant
Cornish, Captain	26,27,	Master of the <i>Loyalty</i>
Cichelle, Samuel	11	Bristol supplier of manillas
Da Costa Alverenquez, Isaac	34,	One of the underwriters of the policy on the <i>Little Bristoll</i> and one of the Complainants
Daniel, Edward		Underwriter
Davy, William	46, 47	Insurance broker
Dee,	34	
Desmith, Raymond	31	
Devonshire, Christopher	43	Bristol Merchant
Duckinfield, John	7, 10,14-16,24,38	Bristol Merchant and part owner of the <i>Little Bristoll</i> ; owner of the <i>Prince Eugene</i>
Elton, Sir Abraham	18	
Emett, Christopher	14	Underwriter

Name	Page(s)	Comment
Evans, John	11	Bristol cooper
Fowles, Joseph	11	Bristol supplier of copper rods
Freeman, Francis	14	Underwriter
Gibbons	49	
Goddard, John	11	Rotterdam supplier of bugle (glass beads)
Goodwin, Austin	14	Underwriter
Goodwin, Benjamin	34,	
Griggson, William (Grigson, Gregson)	43, 44, 45, 47	Attorney in Old Jewry (Jury)
Hackshaw, Robert	34, 44	One of the underwriters of the policy on the <i>Little Bristoll</i> and one of the Complainants
Higgson, Gilbert	40, 41, 42	
Hollyday, Captain	45	Master of the <i>Jeremiah & Ann</i>
Hook, Captain	53, 54	
Jackson,	34	Banker ?
Jackson, Edward	11	Bristol Trowman and supplier of beans
Johnson, Samuel	14	Underwriter
Jones,	34,	
Lowe, Edward	14	Underwriter
Ludlow, Joseph	11	Cheesemonger, once of Bristol
Mason, George	14	Underwriter
Matthews, Captain	26,	Master of the <i>Dove</i>
Merewether, John	27, 35, 36, 37	London
Nash, Henry	11	Bristol-based distiller
Norbury, Captain Conninsburg	39	Late ambassador to Morocco
Normanton, Ann	35, 39	Wife of John Normanton
Normanton, John	33, 37, 38, 56	Master of the <i>Little Bristoll</i>
Pack, Graves	34	
Pearse, Captain Elias	53	
Peers,	54, 55	
Perry,	42, 46	
Pitt, Captain	49	Master of the <i>Berkly Gally</i>
Porter, Charles	51	Master of the <i>Romsey</i>
Priestly,	50	
Radburn, Andrew	14	Underwriter
Ruddock, Noblett	14	
Rudge, Edward	34,	One of the underwriters of the policy on the <i>Little Bristoll</i> and one of the Complainants
Rudge, John	iii	Son of Edward Rudge
Scandrett, Charles	7, 10, 11, 15, 38	Bristol-based grocer and merchant
Scandrett, John	38,	Bristol-based grocer and merchant. Also his son, John
Smith, James	34	

Name	Page(s)	Comment
Thomas, Joseph	14	"who keepes at Bristoll a Public Office of Insurance on ship and goodes"
Whitehead, Thomas		Underwriter
Willmott, Robert	14	Underwriter
Wilson, Bigley	14	Marine insurance broker, of London
Windam, Joseph	37	
Wise	25	Late submitter of Bills
Wood, Edward	37	

Crew of the *Little Bristol*

Edward Bryan	38	
John Stocker	38	
Thomas Morey	38	
Peter	39	Crewman who died before the ship was taken

Bibliography

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- Dresser, Madge: Slavery Obscured. The Social History of the Slave Trade in an English Provincial Port. Continuum. 2001
- Richardson, David : Bristol, Africa and the Eighteenth-Century Slave trade to America. Vol 1 The Years of Expansion 1698-1729. Bristol Record Society 1986, edited by David Richardson

Web references

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- <http://www.bristol-city.gov.uk/mus/slave5.htm> - Bristol City Museum's introduction to the slave trade
- <http://website.lineone.net/~stkittsnevis/bristol.htm> - The Bristol Slave Trade walk
- <http://www.discoveringbristol.org.uk> – Port Cities Bristol
- <http://www.liverpoolmuseums.org.uk/maritime/slavery/liverpool.asp> - Liverpool Museum