



# prize papers project

**Portal Launch  
22 February 2022**

**Introducing the Printed Prize  
Appeals: Selected Examples  
from HCA 45**

The following pages provide selected examples and brief explanations of terms and phenomena related to the collection ref. TNA, HCA 45. The links provided lead directly to the digital collections in the portal.

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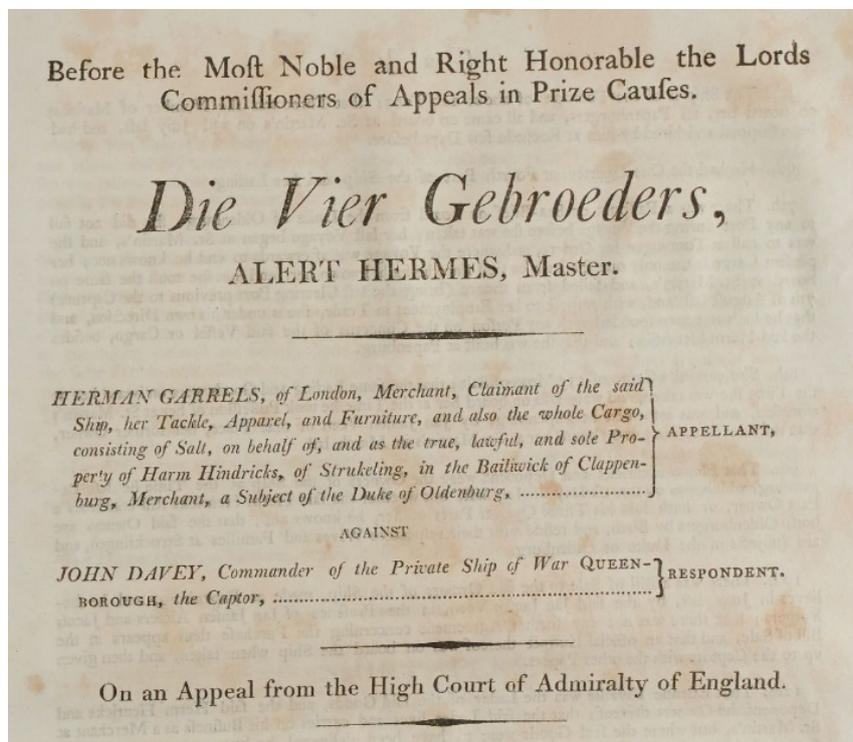
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## Introduction

The [Prize Papers Project](#) has digitised 55 volumes of [printed Prize Appeals](#) (HCA 45) 1793-1815 - the Appeal Court's own bound set of 1,593 printed appeals, with manuscript judgments added. These were initially catalogued by The National Archives, London, and a member of the Oldenburg Prize Papers team, and with the help of a grant from the [William Nelson Cromwell Foundation](#).

In the days when wooden ships could be taken by (threat of) force, without necessarily sinking, the capture of enemy or neutral ships and their cargoes as 'prize' was a standard part of warfare, to disrupt enemy trade; and neutral ships were captured, if they were suspected of carrying enemy goods.

During the French Revolutionary / Napoleonic Wars, and the War of 1812, the British alone captured more than 25,000 ships across the world. The High Court of Admiralty in London or the many British Vice-Admiralty courts in the Caribbean, the Atlantic, the Mediterranean, and the Indian Ocean judged the legality of the captures.



Just over 3,000 appeals from the judgments of these lower courts were submitted by neutrals (NOT enemies), or by disgruntled British captors, to the Lords Commissioners in Prize Appeals, in Downing Street. About half the litigants printed their arguments and evidence, for the convenience of the Appeal Court: these 1,593 printed appeals are now available online. They contain detailed evidence about

- the [slave-trade](#) from Africa
- [trade](#) across the world
- [letters](#) sent by ship, about family life and business
- the [British captors](#), both Royal Navy and privateers.

## What is in a printed appeal?

First, each side presented their own narrative of voyages, cargoes and capture, with details of the trial in the lower court. The examinations of the captured crews, and transcriptions (in English translation) of the relevant ship's papers and letters found on board the ship, were printed in an appendix as evidence of national status.

There was a considerable time-lag between capture, decree in the original court, and a decree in appeal. Four years from capture was quite usual; some cases lasted a decade. Delays were inevitable when relevant papers were held in various parts of the world.

## Who appealed, and from where?

The majority are about United States ships, with neutral northern Europeans coming in next (Denmark, Sweden, and German states – Prussia, Hamburg, Bremen, Danzig, Lubeck, Oldenburg etc). British captors also appealed over disputed joint-captures.

Two-thirds of the printed appeals were from judgments made in the 14 Caribbean Vice-Admiralty courts, Newfoundland and Nova Scotia. Appeals from the London High Court of Admiralty and the Mediterranean Vice-Admiralty courts (Malta, Minorca and Gibraltar) amount to a further 469. 45 appeals came from the Vice-Admiralty Courts of Bombay, Calcutta, Madras, Ceylon and the Cape of Good Hope, from ships traversing the southern hemisphere in the course of trade with China, Japan, Indonesia, India and Mauritius. 13 come from Sierra Leone, which dealt mostly with slave-trade captures.

## Slave-trader appeals

There are roughly 70 appeals about the capture of ships involved in the trade in enslaved people from Africa to the Americas, Caribbean, and Mauritius, both before and after 1807 (which saw British and US acts against the slave trade). The slave trade appeals include

- 24 American appeals: see e.g. [the 'Polly', John Widdefield \(master\), from the Vice-Admiralty Court of Jamaica, 1804](#) – which had on board 144 enslaved people from the Rio Pongo, [Guinea], and 44 tusks of ivory, to be sold at Havana, Cuba.
- 11 Portuguese appeals: see e.g. [the 'Sao Joaquim', Vincente Thomas Dos Santos \(master\), from the Vice-Admiralty Court of the Cape of Good Hope, 1817](#) – a voyage taking 340 enslaved people from Mozambique to Brazil in 1815;
- 8 Spanish appeals: see [the 'Gertrudis La Preciosa', Jose Torne \(master\), from the Vice-Admiralty Court of Sierra Leone, 1816](#), bound from Old Calabar, [Nigeria], to Havana, Cuba, with about 477 enslaved people on board. These were 255 men, 123 boys, 40 women and 62 girls: not quite as indicated in the owner's instructions to buy 500 "head", as if people were cattle.

5. The cargo ought to consist of 500 head, to wit, 400 men, 100 women; the men ought to be from 12 to 18 years, and the women from 12 to 15; the colour of both sexes ought to be the blackest possible, of a regular stature, considering those that are very tall and very small faulty; they must also be robust and vigorous; none are to be received that have any corporeal defect, and much less those that may discover any contagious infirmity.

- 6 Danish appeals (small trades within the Caribbean): see [the 'Flying Fish', Joseph Treguglia \(master\), from the Vice-Admiralty Court of the Bahamas, 1803](#), where the master was from Gibraltar.

- 5 French appeals : see a British anti-slave trade capture in September 1815 of [the 'Belle de Bordeaux', Francois Brian \(master\), from the Vice-Admiralty Court of Antigua, 1817](#), bound from Angola to Guadeloupe, carrying 513 enslaved people.
- 1 British appeal: see [the 'Reimsdyke', James Mclver \(master\), from the Vice-Admiralty Court of Antigua, 1807](#) - a ship under a Dutch flag, but owned by [Thomas King](#), bound from Guinea to Demerara, with 400 enslaved people on board.

One appeal involved the enslaved rising up and seizing the ship: see [the 'Amelia', previously the 'Billy', Alexander Campbell \(master\), from the Vice-Admiralty Court of Sierra Leone, 1817](#). This rising ended tragically: John Roach of Liverpool, hunting slaving ships, found that although the Angolans on board had seized the *Billy* at sea, and were returning from mid-Atlantic to Africa, they had run out of food after five months at sea. Many had died of starvation.

on the 13th day of the month of January, in the year 1811, the said ship or vessel the *Kitty*, under the command of the said John Roach the owner, sailed from the port of Liverpool, in the county of Lancaſter, laden with a cargo of various goods and merchandise, on a trading voyage to the coast of Africa; that on the 17th day of the month of May following, the said vessel came to an anchor in Cape Mount Road, on the said coast; that at six A.M. the said John Roach, the maſter, ſent his boat to board a brig lying in the roadſtead of that place; that when the boat came near, the perſons on board the brig hailed, and ſaid they had a gun ready, and would fire at the boat if ſhe did not keep off; that the ſaid brig hoisted Portugueſe colours; that at 11 A.M. the boat of the ſaid ſhip *Kitty* was manned and armed, and ſent to board the ſaid brig, and on taking poſſeſſion of her, ſhe appeared to be an American veſſel under Portugueſe colours, and to have been cleared out from Bahia, for a cargo of ſlaves; that the ſaid brig at that time was called the *Billy*, and had many ſlaves on board, and alſo ſome goods as merchandise, and on examining her journal and papers, it appeared that ſhe had arrived at Cape Binda, on the coast of Angola, on the 7th day of December, 1810, and had ſailed from thence with her complement of ſlaves, on the 1ſt day of January, 1811, bound to the Havanna. It alſo further appeared, that on the 20th day of the ſaid month of January, when in the latitude of 1. 32. north, and longitude 24. 21. weſt, the ſlaves had taken poſſeſſion of the veſſel, and forced the captain and the greater part of the crew into a boat, keeping on board the boatſwain, who was a black, and three others all Portugueſe, to navigate the veſſel, and that they had been at ſea from that time until the 14th day of May following, when they came to an anchor in Cape Mount Road, and that the greater part of the ſlaves had periſhed with hunger, the ſaid brig having no provisions on board when ſhe came to anchor; that on the following day, the 17th of May, N. Goſſling's ſaid party, the ſaid John Roach, ſent people on board the ſaid brig, to examine her, and to hand her ſails, which had been looſe a long time, and then found one ſlave dead on board, and the greater part of the ſlaves not able to move for want of ſuſtenance; that the ſaid John Roach then took poſſeſſion of the papers of the ſaid brig, and ſent on ſhore to buy provisions for the ſaid ſlaves, but found it extremely difficult to procure the ſame, provisions of every kind being very ſcarce, and towards the cloſe of the day another ſlave died, and nine others were ſo bad, that it was thought ne-

## Neutral traders

As warfare spread across Europe, American and north European traders took over what had been French, Spanish and Dutch trades. The most traded commodities were:-

- sugar (450), coffee (443) from European slave colonies in the West and East Indies
- wine (242), brandy (143) from Europe
- foodstuffs – flour, corn, wheat, fish, cheese, butter, salt, beef, pork, peas etc
- ‘warlike stores’ - wood, iron, copper, hemp, sailcloth, pitch, tar, guns and powder
- dyestuffs – indigo, logwood, dyewood – perhaps for uniforms?

However, unusual commodities can also be found, specified in bills of lading. These paintings were sent from New York to Cuba in 1798, on the ['Hope', Samuel Herbert \(master\)](#).

One Box of Oil Paintings, containing One with a rich Frame, representing Two Men driving Cattle before them.	60
One ditto richly framed, representing <i>Tenier's</i> Laboratory of Painting, and painted by <i>Teniers</i> himself, containing some good Scripture-Pieces.	100
One ditto representing a Serpentine River, and richly framed.	50
One ditto representing a Man delivered from Gaol by a Judge.	45
Box of Oil Paintings, containing One Painting framed, representing Moses striking the Rock to procure Water to the Israelites.	40
One ditto also framed, representing a Man looking by a Window in a Court-Yard.	20
One ditto representing the Passage of the Red Sea, a Scripture-Piece.	20
Two Landscapes, original Drawings in Water-Colours, with rich gilt Frames, at 16 Dollars each.	32
One Box of Oil Paintings, containing Four Paintings with gilt Frames, representing Water Scenes, and Plays between Children, at 30 Dollars each.	120
One Ditto, a Scripture-Piece, richly framed, representing <i>Sampson</i> vanquishing the <i>Philistians</i> .	15

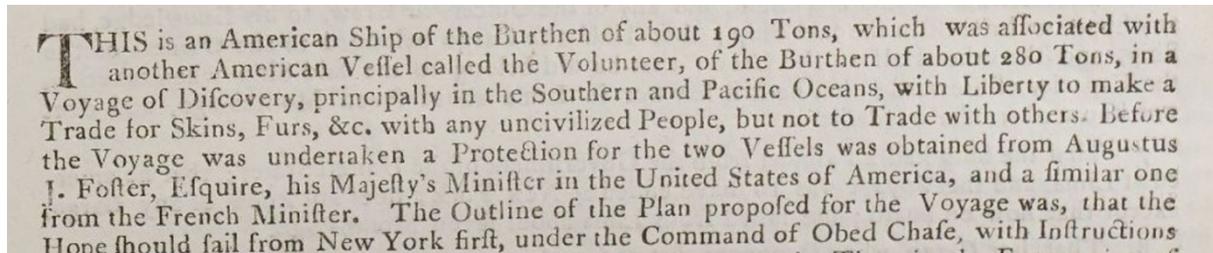
Could the second one be a version of [A Chemist in His Laboratory by David Teniers?](#)

Appeals about American, Caribbean and European trade, are the most common, and the commodities covered are more common too:

- An American ship, bound from Beverly, Massachusetts via Alicante, Spain to Livorno, Italy, laden with cod fish, sugar and frankincense: [the 'Amazon', Josiah Page \(master\), from the Vice-Admiralty Court of Malta, 1810](#). One of the owners of the cargo was [Israel Thorndike](#) of Beverly, who had himself made a fortune in prize-taking, and later became an important industrialist.
- A Swedish ship, bound from Barcelona, Spain to Charleston, South Carolina, laden with wine, brandy, almonds, nuts, soap, silk handkerchiefs: [the 'Charlotte', Swen Konigsen \(master\), from the Vice-Admiralty Court of Gibraltar, 1804](#).
- A Danish ship, bound from Suriname to Altona [then Denmark, now Germany], laden with coffee, cotton and cocoa: [the 'Brockdorff', Everhard Wildeboer \(master\), from the High Court of Admiralty, London, 1800](#).

Several American appeals were based on having a British pass, often to supply food for the Duke of Wellington's forces in Spain: see the ['Reward', Amos Hill \(master\), from the Vice-Admiralty Court of Nova Scotia, 1814](#).

Passes for exploration were unusual: see the ['Hope', Obed Chase \(master\), from the High Court of Admiralty, 1817](#).



THIS is an American Ship of the Burthen of about 190 Tons, which was associated with another American Vessel called the Volunteer, of the Burthen of about 280 Tons, in a Voyage of Discovery, principally in the Southern and Pacific Oceans, with Liberty to make a Trade for Skins, Furs, &c. with any uncivilized People, but not to Trade with others. Before the Voyage was undertaken a Protection for the two Vessels was obtained from Augustus J. Foster, Esquire, his Majesty's Minister in the United States of America, and a similar one from the French Minister. The Outline of the Plan proposed for the Voyage was, that the Hope should sail from New York first, under the Command of Obed Chase, with Instructions

Another unusual American appeal is for the ['Olive Branch', William Bryant \(master\), from the High Court of Admiralty, 1798](#) with its cargo of 15,000 muskets and bayonets, 21 brass field-pieces, and 3 gun carriages, bought in 1796 from the French government by Major-General [Ira Allen](#), to arm the Vermont Militia.

Americans were joining Europeans in trading in China, Japan and the East Indies – and Chinese merchants were getting involved. There are 2 appeals by the Chinese merchant [Howqua](#) of Canton, exporting tea to Boston in 1813, and to Nantucket in 1814: see the ['Hunter', William M Rogers \(master\), from the High Court of Admiralty, 1817](#) and the ['Rose', Rowland Gardner \(master\), from the Vice-Admiralty Court of the Cape of Good Hope, 1816](#).

For an American attempt to break into Japanese/Dutch trade, see the ['Rebecca', John McNiell \(master\), from the Vice-Admiralty Court of Bombay, 1811](#).

For similar European trades with the East, see the Emden ship ['Henriette' or 'Henrietta', Godtlieb Jager \(master\), from the High Court of Admiralty, 1805](#); or the Bremen ship ['Triton', Gottfried Melm \(master\), from the Vice-Admiralty Court of Jamaica, 1803](#).

A shadier venture was a cross-Pacific voyage by the American ship ['Topaz', William Nicholl \(master\), at the Vice-Admiralty Court of Bombay, 1811](#), taken as a suspected pirate in Macao harbour.

## Letters sent across the world

Many ships carried mail, and the appeals often print these. Letters were used by captors to provide evidence of enemy affiliation, and as such were collected on capture, numbered as an audit, and inspected by the courts. Many original letters survive in the Prize Papers of the High Court of Admiralty (TNA series HCA 30 and HCA 32), and the next digitisation will include several thousand letters from the 1740s.

The Danish ship ['Faedrelandet'](#) carried letters from Dutch Batavia [Java, Indonesia] to Copenhagen, despite the prohibition on doing so by her Danish owners. This one, No 36 of those on the ship, is from C L Wieling, a Dutch administrator, to his brother Willem in Amsterdam, and is worth reading. He unsuccessfully tried to disguise the letter's 'Dutch character' by putting it inside an outer envelope, addressed to their mother in Hamburg.

No. 36.  
Letter from  
C. L. Wieling, dated  
Sumarang,  
15th Oct.  
1798, to A.  
Wieling  
Amsterdam.

(B)

IS an Envelope superscribed, "Duplicate Mrs. Mrs. T. C. Martens, Widow of G. Wieling at Ham-  
burgh," comprising the following amongst other Inclosures; viz.

An Envelope superscribed, "Duplicate Mr. Mr. A. Wieling at Amsterdam," inclosing the following  
Letter; viz.

(Duplicate.)

Dear Brother,

I shall address you this Time in our Mother Tongue, otherwise I can neither preserve a Copy of my  
Letter nor prepare any Duplicates, unless indeed I were disposed to do them myself; but I have  
neither Patience nor Inclination for it: I have received a Letter from our dear Mother, dated on the  
13th of *March* of the present Year, informing me of your good Health, and that you had, on the  
ninth of the same Month, celebrated the Anniversary of my Birth over a Bottle of Wine. This In-  
formation afforded me considerable Pleasure, as I feel, in the first Place, highly interested in your  
Health, and, in the second Place, nothing contributes more to the Happiness of an Absentee than a  
Conviction that he is not forgotten.

Your Commerce cannot be very advantageous so long as the War continues, but that is an Evil  
you experience in common with others; for here, in the most extreme Part of the World, we have  
scarcely any Means of Subsistence; for these three Years past we have been daily hoping for Peace,  
but it should seem as if we were not to enjoy it for these six Years to come.

In these hopeful Times my Wife took it into her Head to enlarge my small Family with a female Citi-  
zen who certainly does not carry the Appearance of having suffered much by the War, being a remark-  
ably fine, plump Child. I purpose having her baptized next *Sunday* by Name of my Mother. A Person  
not long since had his Child christened *Egalite*; but we may with more Propriety give our Children the  
Name of *Pauvrete*; and I am apprehensive that that of *Misere* will shortly become more ap-  
propriate.

I had Citizen *Carel Balibazar* weaned two Days ago. The little Friends do not seem to be too warm  
Advocates for the System of Fraternity; for when my Wife offers his Sister the Breast he makes a most  
tremendous

tremendous Outcry; he belongs to the Pthiticy Class, having been tormented for upwards of five  
Months past with an immense Quantity of Bile or Phlegm at his Stomach.

How is it with you, *Willem*? Am I to be the only one who provides for the Multiplication of our  
Family? *Boos*, as far as I know, is still without Children, and none of the others think of marrying-  
*Bentje*, amongst others, handsome as she is, seems to have determined upon a maiden Life:—is it not  
a Pity?

*Umbgrove* must, by this Time, be in *Amsterdam*; he got Home just before the Storm. At present  
nobody is permitted to return to the Mother Country in a foreign Ship, and we have none others in  
this Country, two or three Ships excepted, which are not in a Condition to make a Voyage to the  
Mother Country, and are only employed in this *Karrimelk* Channel in going from one Factory to  
another. We have no News here, save what we now and then get from *Europe*, and which is not al-  
ways of a very pleasant Nature. We in *India*, therefore, have not much Matter to entertain an *European*  
Correspondent with, unless we communicate to our Friends our Reflections on the Events that occur  
there, which at present is not very adviseable.

My Wife and Children are tolerably well; I alone still continue to labour under an asthmatic  
Disorder.

I have, as a Measure of Precaution, and which will serve for your Government, made my Will;  
wherein I have, amongst other Things, directed that my little *Carel* shall be sent to *Holland* as soon as  
he shall have attained the Age of five Years, in Order to his receiving a good Education under the  
Guardianship of *Jan Lubbert Umbgrove* and *Willem Arend Wieling*. You certainly will not refuse me  
this, my dear Brother, and decline taking upon you the Charge of this poor Lad, should he happen to  
lose his Father. I should not hesitate in such a Case, and consequently expect the same from  
you.

Farewell, *Willem*. May God grant you every Thing that can contribute to your Happiness,  
Health, Prosperity, and Contentment; and think now and then of

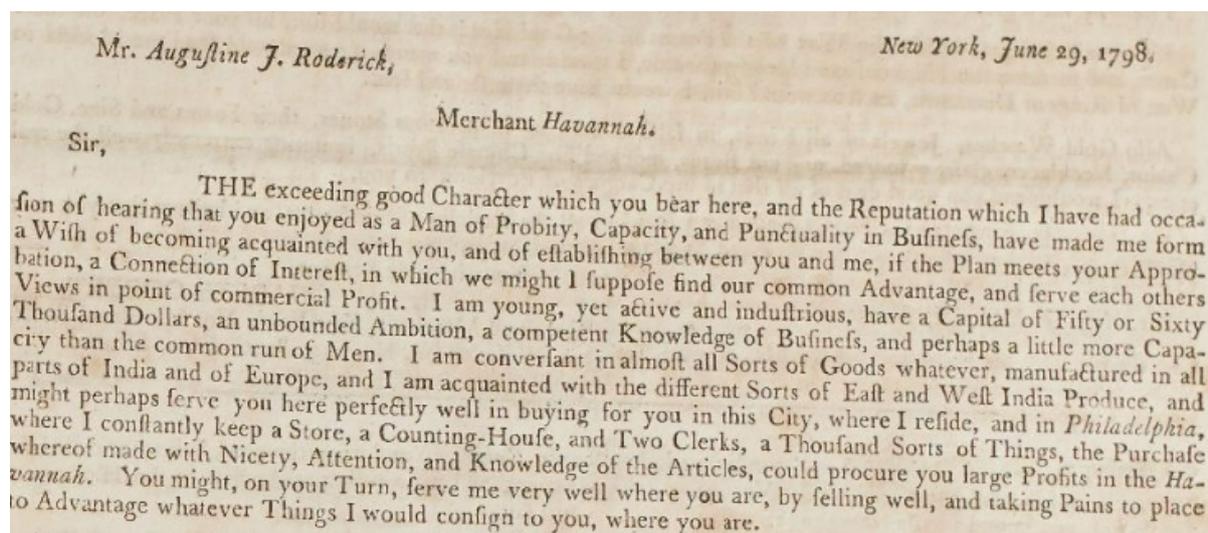
Your Friend and Brother,

(Signed)

C. L. WIELING.

Sumarang, the 15th Oct. 1798.

Charles Gobert, a merchant of New York, saw himself as a man of 'an unbounded ambition ... and perhaps a little more capacity than the common run of men:



He was perhaps not wholly trustworthy: see his instructions on selling perishable goods in Cuba:

4th. Try to sell my Hair Powder and Starch before you leave the Place, as sometimes little Worms or Insects are quickened into Existence in it, in warm Climates.

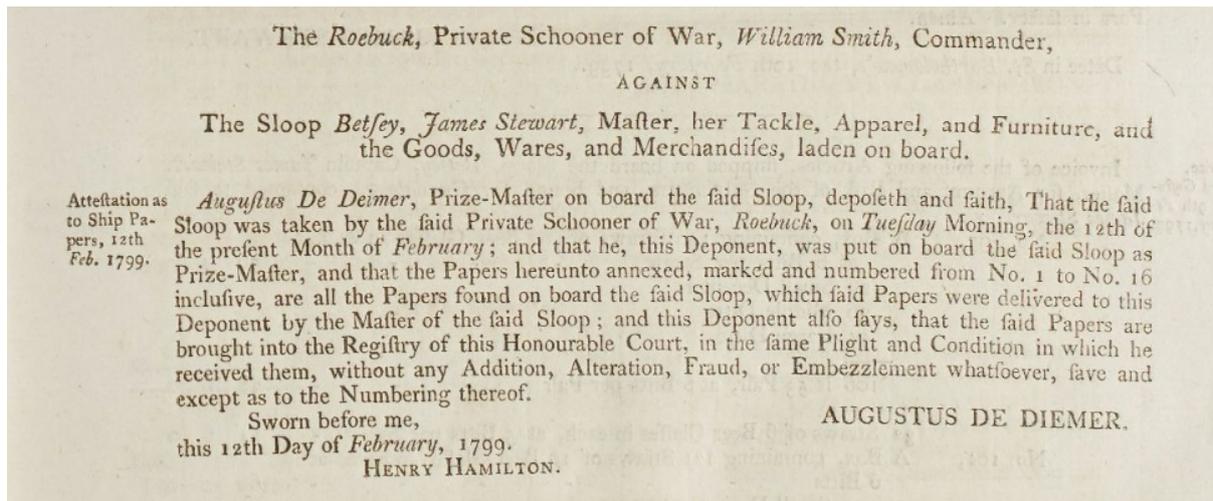
It was Gobert who was exporting the paintings listed above: alas, the capture of the ['Hope', Samuel Herbert \(master\)](#) wrecked his ambitions.

## The British captors

Prize-taking was an essential part of warfare. The printed appeals provide information about the myriad of small-scale actions undertaken by the Royal Navy and British privateers, which are very much less well-known than the pitched battles. The British captors named in appeals are twice more likely to be Royal Navy ships than privateers. Naval captors range from the smallest vessels (such as the tender *Minerva* which took the ['Anna Maria', Esper Hillebrandt \(master\), 1799](#) and discovered evidence of treason, up to the taking of a French warship by a squadron under Lord Nelson (the ['Genereux', Ciprien Raynaud \(master\), from the Vice-Admiralty Court of Minorca, 1803](#) ). The capture of the French warship [Hautpoul](#) in 1807 caused acrimony among her naval captors: the appeal gives detailed testimony from both British and French officers (the latter as prisoners of war) in [Prize appeal case for the ship 'Hautpoul', Armond Le Duc \(master\), from the Vice-Admiralty Court of Antigua, 1814](#).

There are also prize disputes over the capture of territory (or goods there) by British joint forces: see [Prize appeal case for 'Banda Neira and its dependencies' from the Vice-Admiralty Court of Madras, 1813](#), which describes the growing of mace and nutmeg on slave-manned spice parks at [Banda Neira](#): it was this capture that broke the 200-year Dutch monopoly on nutmegs. Other places subject to prize appeals include the Cape of Good Hope, Naples, Buenos Aires and Moose Island, Maine.

Privateers were very active in the Caribbean, snapping up trade along the American seaboard and to and from the islands. But they too obeyed the rules on seizing and numbering all the papers on any captured ship: as did the *Roebuck*, on capturing the ['Betsey', James Stewart \(master\), appealed from the Vice-Admiralty Court of Montserrat, 1803](#).



## Another way in

These captures can also be investigated in the TNA catalogue Discovery, by searching for ship, master, nationality, voyage, cargo, captor, court, etc from the page [High Court of Appeals for Prizes: Case Books \(Printed Appeal Papers\) | The National Archives](#). The results will in future link direct to the Prize Papers Portal, but currently typing a TNA reference with quotation marks (such as "HCA 42/50/2") into [www.prizepapers.de](http://www.prizepapers.de) will take you to the digital images of that appeal.

The National Archives wishes to thank the volunteers who worked on the initial cataloguing of the Printed Prize Appeals, and the William Nelson Cromwell Foundation for funding Dr Rhiannon Markless to catalogue the judgments.