

THE UNIVERSITY OF HULL

‘Wanton and Torturing Punishments’: Patterns of Discipline and  
Punishment in the Royal Navy, 1783-1815

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## Abstract

The Royal Navy during the period between the end of the American Revolutionary War and the defeat of Napoleon had a record of success that was second to none, but it has long been held that this reputation was secured at the expense of its crews, who were forced to endure atrocious conditions and brutal punishments. In recent years this accusation has been challenged, and it has been argued, instead, that the punishment regime, in particular, was consonant with the criminal justice system ashore. This thesis is a contribution to the debate, specifically addressing the question of whether or not the infliction of summary punishment was administered as a measured response to misbehaviour on board or was, as has been charged, random and harsh.

The research behind it included an examination of the captains' and masters' logs from a sample of warships of the period in order to extract the data contained within them concerning summary punishment. The literature covering the debate is examined, leading to an explanation of the objectives of the research and the methodology employed. The data from the logs is placed in context with a discussion of the nature of the punishments concerned, and the men involved in the process. Finally, the results of the analysis of the data, and especially any patterns that shed light on the nature of the response, are presented.

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## **Chapter 1: Introduction**

The British Navy of the time of the Napoleonic Wars acquired a fearsome reputation, not only for its success but also, in the eyes of many historians, for the cruelty with which it recruited and treated its men. It is not simply that the forms of punishment, including hanging, flogging and gagging were, to the modern eye, barbaric and unacceptable. The scale of the punishment, the constant day-to-day infliction of humiliation and pain and the ever-present fear of falling foul of the system have been seen as disproportionate and resulting in a form of harsh imprisonment, from which there was little chance of escape; and that this was the cause of the difficulty in manning the Navy, resulting in the need for the press gang. That these forms of punishment were used is well documented. But it is possible that our view of the extent of their use is, partially, a fabrication. This dissertation, based on an extensive study of log books from the period 1783 to 1815, examines these claims. Specifically, it assesses whether the discipline at this stage in the history of the Royal Navy was a measured response to the challenges posed by a sailing navy, or could be categorized as ‘wanton and torturing punishments’.

### **Change**

The period around the French Wars was one of change, and it is important that attitudes towards punishment in the navy are considered against that background. The American War, which ended at the same time as the records used in this study started, dented British confidence, and losing the colony has been seen as somehow precipitating the end of slavery, Parliamentary reform and religious liberalization.<sup>1</sup> The change that it set in motion continued through the wars with France until after the 1830s when, it is said, it

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<sup>1</sup> Linda Colley, *Britons: Forging the Nation 1707-1837* (Newhaven: Yale University Press, 1992), p. 352.

seems to have run out of steam as Britain ran out of wars.<sup>2</sup> This change took a number of forms, but they were all interlinked.

To start with, there was the development of working class consciousness, which Eric Hobsbawm considered ‘came into existence ... around 1830’.<sup>3</sup> It was unlikely to have been that sudden, and other writers have given it a more leisurely incubation. E.P. Thompson saw it as developing ‘over a considerable historical period’, which he measured as from 1780 to 1832, although it has also been suggested that there was an ‘unprecedented’ involvement of the working class in national affairs after 1776, or about the time the American war started.<sup>4</sup> It was also seen by some as having played a part in the naval mutinies at Spithead and the Nore in 1797, something that would not, and could not, have been a factor had they occurred earlier in the century.<sup>5</sup> The ‘plebeian soldiers’ on whom the nation depended had to be re-cast as heroes.<sup>6</sup> And as the navy brought home a string of victories it, too, enjoyed a rise in popularity, as well as status; an unusual situation for a group of people whom writers such as Melville could characterise as always being at the bottom of society, like the wheels on a wagon.<sup>7</sup> There was a ‘mass propaganda effort’ through pamphlets and broadsides, against the French, and describing the dangers of invasion to high and low alike, so that everyone had some measure of ownership in the wars.<sup>8</sup> Yet the navy came in for considerable criticism after the wars and the fighting men themselves, from all services, became bitter when they

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<sup>2</sup> *Ibid*, p. 371.

<sup>3</sup> E.J. Hobsbawm, *The Age of Revolution: Europe 1789-1848* (London: Cardinal, 1991), p. 255.

<sup>4</sup> E.P. Thompson, *The Making of the English Working Class* (Harmondsworth: Penguin, 1978), p. 12; Colley, *Britons*, p. 7.

<sup>5</sup> Margarete Lincoln, *Representing the Royal Navy: British Sea Power, 1750-1815* (London: Ashgate/NMM, 2002), p. 25.

<sup>6</sup> Colley, *Britons*, p. 284.

<sup>7</sup> Christopher Lloyd, *The British Seaman 1200-1860: A Social Survey* (London: Paladin, 1970), p. 225; Herman Melville, *Redburn: His First Voyage* (New York: Doubleday, 1957), p. 133. Although Melville wrote from an American perspective, his comment resonated across the Atlantic.

<sup>8</sup> Stuart Semmel, ‘War of Words’, *BBC History*, Vol. 5, No. 12 (Dec. 2004), pp. 18-19.

were demobbed into the slump and unemployment that followed.<sup>9</sup> In Georgian society, the authorities bought the acquiescence of the people by holding out hope of improvement, both spiritual and worldly; but behind the façade ‘hunger [was] stalking in the midst of the smarmy self-congratulators who mouthed pieties and doled out philanthropic halfpennies’.<sup>10</sup>

The American War had also prompted opposition to the ‘tyranny’ shown by government in starting it, and incompetence in losing it, which continued as the French Wars progressed.<sup>11</sup> By the time peace came, Radicals like William Cobbett and Lord Cochrane saw Reform as the vehicle for removing an oppressive government and solving the country’s ills.<sup>12</sup> Radicals and reformers ‘adopted the mantle of true patriots’, and the symbolism of the navy was adopted as a political platform.<sup>13</sup>

The other side of the Reform coin was the danger of revolution. By 1833, Ralph Waldo Emerson, in England on his return from a European trip, thought that the power of the press would push Britain towards republicanism.<sup>14</sup> As early as 1831 Victor Hugo claimed to hear ‘the dull sound of revolution, still deep down in the earth, pushing out under every kingdom in Europe its subterranean galleries from the central shaft of the mine that is Paris’.<sup>15</sup> In the event Britain avoided the upheavals of the following decade. Reform in 1832, however, proved disappointing: ‘after a short interval of toleration and zeal, the liberals tended to moderate their enthusiasm for further reform and to suppress

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<sup>9</sup> Andrew Lambert, in Phil Eggington, ‘Nelson and His Navy - What is the Source of the Myths about Nelson’s Navy?’ (The Historical Maritime Society, 2002), <http://www.hms.ork.uk/nelsonsnavy myths.htm>, viewed 20.2.06; Colley, *Britons*, p. 321.

<sup>10</sup> Roy Porter, *English Society in the Eighteenth Century* (London: Penguin, 1991), pp. 344, 346.

<sup>11</sup> *Ibid.*, p. 345.

<sup>12</sup> David Cordingly, *Cochrane the Dauntless: The Life and Adventures of Admiral Thomas Cochrane, 1775-1860* (London: Bloomsbury, 2007), p. 261.

<sup>13</sup> Andrew August, *The British Working Class 1832-1940* (Harlow: Pearson Education, 2007), p. 10; Timothy Jenks, *Naval Engagements: Patriotism, Cultural Politics, and the Royal Navy 1793-1815* (Oxford: OUP, 2006), p. 4.

<sup>14</sup> Ralph Waldo Emerson, *English Traits* (London: The Waverly Book Company, nd.), p. 248.

<sup>15</sup> Hobsbawm, *The Age of Revolution*, p. 371.

the radical left'.<sup>16</sup> Two years later the treatment of the 'Tolpuddle Martyrs' marked the 'offensive against the working-class movement in Britain'.<sup>17</sup> In retrospect the 1830s would be seen as an important decade in the development of social legislation, with reform 'discussed and investigated at the "unofficial" and the "official" level as never before', but it may not have seemed so to those living through it.<sup>18</sup>

At the same time there was a tendency to reform the system of justice and punishment on shore. Instead of the 'Bloody Code', under which some 200 offences could be punished by the death penalty, an increasing amount of consideration was being given to reforming the criminal, rather than just punishing him.<sup>19</sup> The emphasis was moving away from exacting penalties on the body to altering the offender's mind; but this was not because of consideration for the individual but, rather, 'to punish better'.<sup>20</sup> Between 1808 and 1832 the death penalty was repealed for numbers of offences ranging from pocket-picking and vagrancy to horse-stealing and counterfeiting, including some 100 in 1823 alone.<sup>21</sup> This reforming zeal spread from the criminal justice system to improving the moral standing of the public at large, and the first English temperance society was formed in 1830.<sup>22</sup> It is, of course, important that we look at naval punishment in the context of punishment ashore, and it may seem to us that 'society at this time was rough and brutal, with almost all crimes being punishable by some form of physical chastisement', so that there was nothing remarkable about

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<sup>16</sup> *Ibid.*, p. 149.

<sup>17</sup> *Ibid.*

<sup>18</sup> Geoffrey B.A.M. Finlayson, *England in the Eighteen Thirties: Decade of Reform* (London: Edward Arnold, 1969), p. 49.

<sup>19</sup> Tim Hitchcock, Peter King and Pamela Sharpe, (eds.), *Chronicling Poverty: The Voices and Strategies of the English Poor, 1640-1840* (Basingstoke: Macmillan, 1997), p. 204.

<sup>20</sup> Helen Johnston, (ed.), *Punishment and Control in Historical Perspective* (Basingstoke: Palgrave Macmillan, 2008), p. 3.

<sup>21</sup> Dorothy Marshall, *Industrial England 1776-1851* (London: Routledge & Kegan Paul, 1982), p. 224.

<sup>22</sup> William Logan, *The Early Heroes of the Temperance Reformation* (Glasgow: Scottish Temperance League, 1873), p. 69; Brian Harrison, *Drink and the Victorians: The Temperance Question in England 1815-1872* (Keele: Keele University Press, 1994), p. 101.

corporal punishment in the navy.<sup>23</sup> But, after the wars, the main difference between justice at sea and justice on land became that the latter mainly involved incarceration while the former usually ended in a flogging.<sup>24</sup> Moves were made to mitigate punishment in the navy both during and after the wars by banning some of the harsher or unregulated practices but flogging lingered on, as we shall see, for some 60 years beyond the wars. It has also been suggested that very few criminals were being caught ashore, because the local constables were loth to take the risks associated with tackling violent criminals, so that it may have been, or seen to have been, that life was much harsher afloat because the justice system worked better.<sup>25</sup>

Another factor affecting attitudes to the navy during and after the wars was the spread of evangelicalism, which some have interpreted as helping to bring a lighter touch to the treatment of the men in the navy.<sup>26</sup> It has been seen as having offset some of the perceived increased cruelty resulting from the growth of central control by the Admiralty, and the concomitant decline of the patrician system of the earlier Georgian navy.<sup>27</sup> There was evidence of ‘a new morality’ being spread by John Wesley as he travelled everywhere after his evangelical conversion in 1785, introducing ‘equality of all men before God’ to people who had never been much connected to the established church, and creating a movement that lasted for some 40 years.<sup>28</sup> Evangelical officers at sea attracted the originally pejorative nickname ‘Blue Lights’, but their tendency to treat the people under them with consideration, with the resultant good effect on discipline,

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<sup>23</sup> Andrew Lambert, ‘Nelson’s Navy: Life in the 18<sup>th</sup>-century Royal Navy’ (Channel 4 History), <http://www.channel4.com/history>, viewed 19.12.05.

<sup>24</sup> Brian Vale, *A Frigate of King George: Life and Duty on a British Man-of-War 1807-1829* (London: I.B. Tauris, 2001), p. 35.

<sup>25</sup> Marshall, *Industrial England*, p. 220.

<sup>26</sup> N.A.M. Rodger, ‘Shipboard Life in the Georgian Navy, 1750-1800: The Decline of the Old Order?’, in Lewis R. Fischer, Harald Hamre, Poul Holm and Jaap R. Bruin, (eds.), *The North Sea: Twelve Essays on Social History of Maritime Labour* (Stavanger Maritime Museum/The Association of North Sea Societies, 1992), p. 34.

<sup>27</sup> *Ibid*, pp. 32, 34.

<sup>28</sup> Noel Mostert, *The Line Upon a Wind: An Intimate History of the Last and Greatest War Fought Under Sail 1793-1815* (London: Jonathan Cape, 2007), p. 50-1.



led to their gaining a wider acceptance.<sup>29</sup> Some of the better known of the naval names of the time may also be identified as the definitive Blue Lights: names such as Middleton, Kempenfelt, Duncan, Saumarez and Gambier.<sup>30</sup> As captains and admirals their influence was noticeable but often indirect: they acted as ‘enablers’, who were able to introduce chaplains to their ships and the opportunities for worship to their crews.<sup>31</sup> ‘There can be no doubt’, in one view, ‘that the Evangelical Movement played an important part in changing attitudes, though the extent of this is hard to establish’.<sup>32</sup> Although this is a truism applicable to any of the possible contributions to the process of change in this period, the fact that so many people would have seen that there was an alternative approach to violence in the search for order should not be ignored.

The practices of ‘starting’, or beating the men to their work, and of making a man ‘run the gauntlet’, were abolished during the Napoleonic War, but corporal punishment was still central to naval discipline until well into the nineteenth century. Abolition of flogging, in both the navy and the army, was on the Parliamentary agenda from the second decade of the nineteenth century onwards, a ‘perennial’ debate characterised by ‘redundant and stereotyped’ arguments that pitted the humanitarian considerations against the perceived impossibility of maintaining order and discipline without it.<sup>33</sup> A Royal Commission was set up in 1834 to study the practice as it related to the army (which found in favour of the continued use of the lash); campaigns were waged by radicals such as William Cobbett, Sir Francis Burdett and Joseph Hume; newspapers and journals covered the issue extensively; and Cobbett himself, having railed against flogging and against Parliament euphemising it as ‘corporal infliction’, was jailed for protesting about the flogging of some local militia for refusing to march

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<sup>29</sup> Richard Blake, *Evangelicals in the Royal Navy 1775-1815: Blue Lights and Psalm-Singers* (Woodbridge: Boydell, 2008), pp. 1-2.

<sup>30</sup> *Ibid.*, p. 272.

<sup>31</sup> *Ibid.*, p. 245.

<sup>32</sup> Tom Wareham, *The Star Captains: Frigate Command in the Napoleonic Wars* (Rochester: Chatham, 2001), p. 211.

<sup>33</sup> Eugene L. Rasor, *Reform in the Royal Navy: A Social History of the Lower Deck 1850 to 1880* (Hamden: Archon Books, 1976), p. 51.

without being paid.<sup>34</sup> In India, flogging was abolished in 1834, but only for sepoy and, remarkably, the abolition was repealed in 1845.<sup>35</sup> Despite all this, flogging was not officially suspended in the navy, even in peacetime, until 1871, nor generally until 1879.<sup>36</sup> The question of manning remained, and particularly that of impressment. This was partly in terms of the economic damage it could inflict on the maritime labour market, in the coming era of free trade; and partly of the humanitarian aspects of family deprivation and poverty it caused.<sup>37</sup> With the abolition of slavery, comparisons were made between the conditions of the seaman and the erstwhile slaves.<sup>38</sup> It was against this background of abolitionist debate that a book by an erstwhile seaman called William Robinson, entitled *Nautical Economy or Forecastle Recollections of Events during the Last War*, was published; a book which, as we shall see, was a polemical abolitionist text, but which arguably set the tone for over a century of writing about conditions in the Georgian navy.

What Robinson had to say about conditions in the navy struck a chord with later generations, who wanted their heroes. The fate of Sir John Franklin, in the view of Professor Lambert, was to be feted by Victorian Britain not as a gifted scientist and leader of men, but as a heroic explorer, struck down in the search for the North West Passage, 'a public endorsement of obedience, duty and resolve'.<sup>39</sup> In the same way, by the turn of the century, the seamen of the sailing navy included 'the most lovable, the grandest, finest, most warm-hearted grown-up children that could be found in the world.... They feared nothing - fear was a word they did not know; one who would lead

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<sup>34</sup> *Ibid.*, pp. 51-3; William Cobbett, 'Flogging Soldiers', in G.D.H. and Margaret Cole, (eds.), *The Opinions of William Cobbett* (London: The Cobbett Publishing Co., 1944), pp. 222-3; William Cobbett, *The Autobiography of William Cobbett: The Progress of a Ploughboy to a Seat in Parliament* (William Reitzel, ed.) (London: Faber and Faber, 1933), p. 116.

<sup>35</sup> Douglas M. Peers, 'Sepoys, Soldiers and the Lash: Race, Caste and Army Discipline in India, 1820-50', *Journal of Imperial and Commonwealth History*, 23, 2 (1972), pp. 234, 239.

<sup>36</sup> Rasor, *Reform in the Royal Navy*, pp. 54-5.

<sup>37</sup> Nicholas Rogers, *The Press Gang: Naval Impressment and its opponents in Georgian Britain* (London: Continuum, 2007), pp. 132.

<sup>38</sup> *Ibid.*, p. 133.

<sup>39</sup> Andrew Lambert, *Franklin: Tragic Hero of Polar Navigation* (London: Faber and Faber, 2009), p. 350.

them they would follow to the death'.<sup>40</sup> If this was the ignorant spendthrift of Nelson's navy, how much more was to be expected of the 'modern bluejacket', a theme that almost becomes a refrain.<sup>41</sup> 'If the feats of our old seamen fill us with admiration as at a valour that almost passes the human, what shall we not expect from these men of today, these children of the sea, so justly and tenderly loved by the nation?'<sup>42</sup> For Joseph Conrad, too, the picture painted by Captain Marryat of his adventures at sea was 'an exhibition of valour and of such achievement as the world had never seen before'.<sup>43</sup> 'Abhorrent as flogging might be to the modern mind', said Charles Robinson, 'it was part of the corrective system which gave us the splendid fighting complements of our ships'.<sup>44</sup> As with Franklin, these were examples of turning ancestors into heroes and hiding the real men behind and, ultimately, 'helping to send Captain Scott to an icy death and several million Britons to the muddy hell of the Western Front'.<sup>45</sup>

Other voices, however, rejected this romanticised view of their past. 'These were some of the good old times of which we hear people speak about, but we may thank God that we have been delivered from such enormities', wrote William Aitken of his working class childhood in the early nineteenth century.<sup>46</sup> 'We glibly talk of "better times", but this hurrying and superficial generation seldom thinks that these times are richer for the struggles and blood of those who went before them', wrote another.<sup>47</sup> This was in 1903. Two years later this theme was taken up by John Masefield in his book, *Sea Life in*

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<sup>40</sup> Archibald Greig Cowie, *The Sea Services of the Empire as Fields for Employment* (London: Anthony Trahearne & Co., 1905), p. 181.

<sup>41</sup> *Ibid.*, pp. 182-3.

<sup>42</sup> H.W. Wilson, 'Discipline in the Old Navy', *Macmillan's Magazine*, Vol. LXXVIII, May to October, 1898, p. 101.

<sup>43</sup> Quoted in Tom Pocock, *Captain Marryat: Seaman, Writer and Adventurer* (London: Chatham, 2000), p. 193.

<sup>44</sup> Charles Napier Robinson, *The British Tar in Fact and Fiction: The Poetry, Pathos, and Humour of the Sailor's Life* (London: Harper and Brothers, 1909), p. 323.

<sup>45</sup> Lambert, *Franklin*, p. 349.

<sup>46</sup> David Vincent, *Bread, Knowledge and Freedom: A Study of Nineteenth-Century Working Class Autobiography* (London: Europa Publications, 1981), p. 197.

<sup>47</sup> Charles Shaw, *When I was a Child*, quoted in *Ibid.*

*Nelson's Time* which, using *Nautical Economy* as its main source, firmly entrenched Robinson's description of the sailing navy as 'fact'.

### **Scope and Structure of the Thesis**

The objectives of this study are to explore the mythology surrounding discipline at sea during the period leading up to, and including the French Wars; to devise a means to analyse the challenges to this discipline and the authorities' response to these challenges; and to reach some conclusions about how measured these responses were. The design of the thesis is therefore to reflect this progress and present the findings as a measure of support or otherwise of these myths. The bedrock on which it is based is a database drawn from the recorded experiences of summary punishment aboard a sample of warships of the British navy between 1783 and 1815. Wherever possible, this data has been used to test claims and observations from contemporaries who recorded their experiences, and conclusions drawn from these records by later commentators.

Chapter 2 is an examination of the literature on which early ideas of life in Nelson's navy were based and of subsequent reactions and challenges to these ideas. Evidence from the early nineteenth century, and later interpretation of this evidence, painted a picture of a harsh and indiscriminate regime, and tended to create a consensus which reflected this, and which persisted throughout most of the twentieth century. More recently, questions have been asked about the authenticity of this picture in the light of contemporary patterns of justice, and the constraints placed on discipline by the demands made of the navy of the period, particularly in terms of manning. Attempts have been made to locate naval discipline as a whole within the context of Georgian society, and these provide a backdrop to this analysis of the day-to-day control of the men, but do not constitute exact parallels to it. That is because this study is not concerned with the wider questions of discipline as reflected in courts-martial, but only in that category of punishment which was formal enough to be reported in the logbooks kept by the officers responsible for running the navy's ships, but was summarily dispensed by the captains of those ships. Chapter 3 contains details of how the information about this summary punishment was obtained. The rationale behind the

selection of a sample of warships to be used in the study is explained, and the provenance of the information to be used in creating a database is spelled out. This chapter goes into detail about the types of data that needed to be gathered, the constraints on finding, recording and reconciling those data, and the assumptions and conventions involved in their use.

Corporal punishment is central to the debate about the relative harshness of the disciplinary regimes of the eighteenth and nineteenth-centuries, as it was central to the regimes themselves. Chapter 4 examines the punishments used by the authorities on the spot. Overwhelmingly, the most common form of physical chastisement recorded in the logs was flogging, with the cat-o-nine-tails, but a small number of alternative methods were also used, and these are included in this examination. From a twenty-first-century viewpoint the barbaric concept of corporal punishment can cast a shadow over any debate on discipline, so that it is an important feature of this chapter that the effects of these punishments, and the reactions of contemporaries to them are gauged, both from the point of view of the authorities who countenanced them and of the men who bore them.

When we analyse the offences for which the men were being punished, the category that looms largest in the literature is the one that concerns drink. Alcohol was an important feature of society at all levels during our period and was naturally a mainstay of life aboard ship. At a time when water may often have been scarce or unfit to drink, beer often stood as a substitute, but even this was subject to storage problems, and alternatives such as wine, arrack and rum were resorted to by the navy as replacements. Chapter 5 poses questions concerning the extent and consistency of the navy's provision of alcohol, and its various functions as a fillip to health or morale, or as a possible tool in the control of the men. Chapter 6 continues the theme of examining the crimes recorded in the logs. These were recorded under a number of headings and it is not always clear what each one comprised. In the main, however, it is possible to see a distinction between those that were direct challenges to authority or to the accepted

mores of the time, and those which were not. The latter group raises questions about the nature and extent of the offences and the authorities' reactions to them.

Chapter 7 introduces the *dramatis personae*. Ultimate authority devolved upon the captain of the ship, and individual personalities and their effects on their ships and their crews have been the subjects of much of the naval literature. But it is not always clear that reputations reflected realities, and the character of an individual ship may have been affected by each of several groups of men on board. Seamen, marines, foreigners and criminals all contributed to the efficient running, or otherwise, of the ship, and all featured to some extent in the punishment figures. Prejudice and rumour may often have played their parts in how these groups were perceived, and these are explored in depth.

In Chapter 8 we look at the measurable effects of time and place that may have had an influence on the levels of punishment on board our sample ships. Implications in the literature that the season of the year had an influence on behaviour, or that the day of the week was significant, are tested against the data collected here. Suggestions that the theatre in which a ship served may have been a factor have often been hampered by the size or shape of the samples used in the past, but our study comes to a clear conclusion. And the nature of the sample, and our ability to compare the results from it with a number of examples from the other sources, allow us to come to an important conclusion concerning the effect of the size of the ship on the chances of a man being punished.

Naturally, any conclusions to be made from this study are mixed. In testing some of the many theories that have been put forward as to the causes of rates of punishment in the Georgian Navy some results have emerged that were unexpected, even counter-intuitive. Naturally, any conclusions must be treated with caution, since the scope of the data used in this, as in any other study, must be limited. This analysis, while drawing on evidence from a wide range of sources, has aimed to look in depth at the treatment of thousands of the men who manned the navy over a period of over thirty years and, where it produces clear conclusions, these represent robust results. Whilst it has demonstrated

some broad trends in the naval discipline of the period, it opens up several avenues for future research, particularly into the lives of the individuals involved.

## Chapter 2: A Myth of Cruelty?

The aim of the research behind this paper has been to address the question of whether punishment in the Royal Navy at the time of the French Wars was harsh or cruel, by trying to assess the extent to which it was excessive or random. That such a question is there to be asked reflects the state of the literature on the subject, and it is that literature which is the subject of this chapter. N.A.M. Rodger made the point, in 1999, that from the end of the First World War until the 1970s military history, and particularly maritime history, was 'profoundly unfashionable'; but that that had greatly changed with the publication of 'at least 250 books of significance' over the 30 years leading up to his comment.<sup>1</sup> This lack of engagement with the subject would explain how it was possible that views of, and attitudes to, Nelson's navy could become entrenched and remain unchallenged for most of the twentieth century. There has long been a casual acceptance that the regimes on board His Majesty's ships were cruel in the same way as there has been a casual acceptance that homosexuality was rife on board, both of which assumptions are clear in Winston Churchill's much quoted summation of Naval culture as 'rum, sodomy and the lash'. Rodger himself was largely responsible for fracturing this consensus when he published his book *The Wooden World*, in 1986, in which he questioned some of our assumptions about why it was so hard to recruit men into the Navy. It is not too fanciful, therefore, to divide the literature on these topics into pre- and post-*Wooden World* periods.

The former period can be said to have started in 1905 with the publication of *Sea Life in Nelson's Time*, by John Masefield. This is not to say that Masefield was the first writer to engage with this subject. On the contrary, the fact of the abolition of flogging during the nineteenth century testifies to the interest in it. There was much debate in the early part of the century. There were 'reams of propaganda' promoting the restriction or abolition of corporal punishment, telling the public the extent to which 'such unrelenting

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<sup>1</sup> N.A.M. Rodger, 'Recent Books on the Royal Navy of the Eighteenth Century', *Journal of Military History*, 63 (July 1999), pp. 683-4.



severity has the lash been inflicted in the Royal Navy'.<sup>2</sup> Nevertheless, on the basis of this book, Masefield has been described as the 'leading advocate' of the view that discipline at the time of Trafalgar 'was characterized by the almost inhuman brutality of the officer corps'.<sup>3</sup> So, although *Sea Life* is not the earliest of the works we need to consider, it sets the scene for the debate. This section will therefore first examine what Masefield had to say on the subject, along with some other twentieth-century writings that together represented something of a consensus. We shall then examine the other main sources in chronological order: Jack Nastyface, as the original source; Professor Rodger, as the challenger of the consensus; and a range of more recent works that have tackled the subject.

### **John Masefield**

To many of us John Masefield is best known for the two poems 'Cargoes' and 'Sea Fever', published in 1902. Generations of Britons grew up knowing him as the poet laureate, a post he held from 1930 until his death in 1967. He was also famous as a writer of longer, narrative poems and several literary studies, as well as as a playwright and novelist. In addition he was responsible for several histories, including *Sea Life in Nelson's Time*. Almost from the start, this book is a list of the slights, poor conditions and punishments to which the crews of naval ships were subjected. The language is full of the imagery of slavery, imprisonment and cruelty: the seamen were 'driven together by the boatswain, who neither spares oaths nor blows'; it was 'the long, monotonous imprisonment aboard which made the hateful life so intolerable'; and the men either lived in the 'daily fear of being flogged' or became coarsened by their treatment and callous because of it.<sup>4</sup> In addition the food 'was nearly always bad, and sometimes villainous' and the conditions below deck were squalid and smelling of dry-rot, bilge water, decaying stores and dead rats.<sup>5</sup> 'Perhaps', he writes, 'no place has contained more vice, wickedness and misery, within such a narrow compass, than a ship of the line at the

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<sup>2</sup> John D. Byrn, Jr., *Crime and Punishment in the Royal Navy: Discipline on the Leeward Islands Station 1784-1812* (Aldershot: Scolar Press, 1989), p. 3.

<sup>3</sup> Byrn, *Crime and Punishment*, p. 1.

<sup>4</sup> John Masefield, *Sea Life in Nelson's Time* (London: Methuen, 1905), pp. 196, 124, 158.

<sup>5</sup> *Ibid.*, pp. 142, 89.

end of the eighteenth century.<sup>6</sup> Masefield dwells on the details of the punishments and the instruments used to inflict them, and concludes that ‘As a matter of fact the merchant-seamen [who, at the time, represented the pool from which the Navy mainly expected to recruit] regarded the Royal Navy with dread and loathing’ because of the conditions they had to endure.<sup>7</sup> ‘We certainly know’, according to one commentator, ‘that this book of Masefield can be traced as one of the sources of this dismal picture – but why did he write so?’<sup>8</sup>

Masefield went to sea aged 16, undertaking two voyages to north America, and it comes as something of a surprise to discover that this man, who wrote so evocatively of the sea, in reality hated the life. After three years attendance at a school ship, HMS *Conway*, he was apprenticed aboard the *Gilcruix*, a four-masted barque.<sup>9</sup> There he suffered from seasickness, and he was repelled by the brutality, blasphemy and bad food.<sup>10</sup> He contrasted the beauty of ships with the ‘misery and sin’ on board, and chose to leave his ship in New York and to spend several months as a vagrant instead of completing his second voyage.<sup>11</sup> He must have had a lingering resentment of shipboard life as a result of these early experiences, but Masefield served only on merchant ships, rather than under the stricter discipline of the military, and then nearly a century after the period about which he was writing. It is also hard to square this sort of attitude with his other writing. Yet he is very clearly painting a picture as bleak as he can make it. His own answer to the question of why he wrote such a description comes at the very end of the book: everyone owed ‘his gold or his rights to the men who lived wretched days long ago aboard old wooden battleships, under martinets... In order that our days might be pleasant, those thousands of long-dead sailors had to live and suffer... In order that we might walk erect among men they cringed before tyrants, and lost their manhood at the

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<sup>6</sup> *Ibid.*, p. 126.

<sup>7</sup> *Ibid.*, p. 123.

<sup>8</sup> Phil Egginton, ‘Nelson and His Navy – What is the Source of the Myths about Nelson’s Navy?’, <http://www.hms.org.uk>, viewed 20.2.06.

<sup>9</sup> Constance Babington Smith, *John Masefield: A Life* (London: Hamish Hamilton, 1985), pp. 18, 23.

<sup>10</sup> *Ibid.*, pp. 23-4.

<sup>11</sup> *Ibid.*, pp. 28-9.

gangway.’<sup>12</sup> This is a message to his Edwardian contemporaries that they should appreciate that the affluence, comfort and security they now enjoyed had been bought at some considerable cost.

Masefield took as his text, particularly for the sections on discipline and conditions, a book published under the name of Jack Nastyface. *Nautical Economy or Forecastle Recollections of Events during the Last War* was published in 1836 and was severely critical of the Navy, and particularly of its officers. *Sea Life* appears to accept *Nautical Economy* at face value. It has been suggested that Masefield, who was only in his twenties when he wrote the book, naively believed all that he read.<sup>13</sup> Alternatively, 1905 ‘was a time of deep pessimism’ for Masefield, and *Sea Life*, his first prose book, may have reflected this.<sup>14</sup> Whether Masefield was merely being naive and was genuinely inspired by Nastyface’s description of the hardships suffered by these earlier heroes, or whether he knowingly went along with the story, milking it for his own purpose, is not clear. Either way, the finger has now been pointed at Masefield for having ‘defined the scope of the study of discipline on board His Majesty’s vessels so narrowly’ that since then ‘those students of the British sailing fleet who have addressed the topic have been concerned largely with the question of cruelty’.<sup>15</sup> He drew what was to be the accepted image of naval discipline for most of the following century.

### **Consensus**

For a long time writers of naval history seem to have been happy to accept as a given that, whatever their theses on the general trends of conditions in the service, this poor treatment of seamen still pertained at the turn of the nineteenth century, and a glance at a small sample of these can serve to illustrate this consensus. Thus even when G.J. Marcus could see evidence that during the early part of the eighteenth century ‘the harshness of the system ... has been much exaggerated’, he considered that ‘there was a marked

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<sup>12</sup> Masefield, *Sea Life*, p. 217.

<sup>13</sup> Janet Macdonald, *Feeding Nelson’s Navy: The True Story of Food at Sea in the Georgian Era* (London: Chatham, 2006), p. 12.

<sup>14</sup> Smith, *John Masefield*, p. 92.

<sup>15</sup> Byrn, *Crime and Punishment*, p. 4.

increase in severity throughout the service as the century advanced', and that the contemporary view was that the long wars with France 'increased the mariner's horror of naval service to mammoth proportions'.<sup>16</sup> Peter Kemp had earlier written that life on board had, in fact, improved between the Seven Years' War and the French Wars, but that 'Only in the incidence of punishment was there no improvement'.<sup>17</sup> Christopher Lloyd concluded that the evidence that, towards the end of these wars, three-quarters of the naval establishment had been pressed lent credence to the view of the harshness of naval life, and that the 'high rate of desertion' helped to confirm it.<sup>18</sup> Michael Lewis took the view that in order to recruit sufficient men the Navy had had the choice of either making the service more attractive, in competition with the merchant branch, or of practicing impressments; and that, having made the choice to go for the cheaper option, it had to keep the men 'harshly disciplined, and practically prisoners'.<sup>19</sup> Eugene Rasor noted a 'general agreement even among those who became high ranking officers that conditions were harsh and debilitating', but that discipline was predicated on the assumption that the men were evil and degenerate and deserved only to be treated like criminals.<sup>20</sup> Improvements only came when technical and professional requirements produced a demand for 'higher caliber' men who would not accept practices such as flogging and not being allowed leave.<sup>21</sup> Although he made the point that the system was to blame and not the officers, and that 'the British Empire was not won by a set of savage gaolers flogging brutalized criminals to victory', Lewis was nonetheless of the opinion that, on the subjects of punishment and poor conditions, 'there is seldom smoke without fire'.<sup>22</sup> Often the writing concentrates on justification of the harshness of the regime, and particularly the frequency of flogging, usually by comparing it to the sorts

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<sup>16</sup> G.J. Marcus, *Heart of Oak: A Survey of British Sea Power in the Georgian Era* (London: OUP, 1975), pp. 117-8.

<sup>17</sup> Peter Kemp, *The British Sailor: A Social History of the Lower Deck* (London: J.M. Dent, 1970), p. 185.

<sup>18</sup> Christopher Lloyd, *The British Seaman 1200-1860: A Social Survey* (London: Paladin, 1970), pp. 179, 177.

<sup>19</sup> Michael Lewis, *The History of the British Navy* (Harmondsworth: Penguin, 1962), p. 184.

<sup>20</sup> Eugene L. Rasor, *Reform in the Royal Navy: A Social History of the Lower Deck 1850 to 1880* (Hamden: Archon, 1976), p. 16.

<sup>21</sup> *Ibid.*, pp. 33-5.

<sup>22</sup> Lewis, *The History of the British Navy*, pp. 182-3.

of penalties inflicted on shore. ‘For an offence bringing a seaman a dozen or so lashes, his brother on land might spend a year in jail or be transported for life’, according to Pope, writing originally in 1981.<sup>23</sup> In the face of this sort of comparison any level of cruelty was justified, and the case against the Navy was considered to be proven.

### **Jack Nastyface**

We have known for some time that the original source for this assumption, Jack Nastyface, was, in reality, a seaman called William Robinson, who entered on board the *Revenge* on 9 May 1805, just in time to fight at Trafalgar, and eventually deserted, probably on 30 April 1811.<sup>24</sup> It is not immediately clear why Robinson took against the service quite so vehemently. He claimed to have hated it from the first, but was not apparently so disenchanted that he was tempted to take the first opportunity to desert, since he returned voluntarily from his first leave in 1806 after some seven months’ experience of life in the Navy, and during his whole career he never appeared in any punishment lists.<sup>25</sup> Seven months is an interesting period of time: it is surely long enough to have allowed a man to acquire a clear idea of what life afloat entailed, and to decide whether he was suited to it; but it is not so long that he would have been entirely at ease with it. It may be that he was put off by one of the captains that he later served under, and Captain the Honourable Charles Paget has been particularly pointed out as having had a reputation for tyranny.<sup>26</sup> But as the punishment regime on *Revenge* seems to have been just as severe when he joined her under Captain Alexander Kerr as at any other time during his service, there is no obvious reason to assume this.<sup>27</sup> Another possibility is that, having been rated as purser’s steward from March 1809, or possibly earlier, he may have become disillusioned in January 1811 when he lost his rate ‘and all the perks that went with it’, and took the earliest opportunity to leave.<sup>28</sup> He claimed from

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<sup>23</sup> Dudley Pope, *Life in Nelson’s Navy* (London: Chatham, 2004), p. 220.

<sup>24</sup> C.G. Pitcairn Jones, ‘The Identity of “Jack Nastyface”’, *Mariner’s Mirror*, 39/2 (May 1953), p. 137.

<sup>25</sup> *Ibid.*, pp. 136, 138.

<sup>26</sup> Margarete Lincoln, *Representing the Royal Navy: British Sea Power, 1750-1815* (London: Ashgate, 2002), p. 25.

<sup>27</sup> Pitcairn Jones, ‘The Identity of “Jack Nastyface”’, pp. 137-8.

<sup>28</sup> Henry Baynham, ‘William Robinson, alias Jack Nastyface’, *Mariner’s Mirror*, 87/1 (Feb. 2001), p. 77.

the start of his account to have had ‘a roving mind’, which is what had led him to abandon his trade as a shoemaker in the first place, and it is certain that he would have resented reverting to the drudgery of being a plain landsman on board six years later.<sup>29</sup>

By the time he wrote his account Robinson had clearly adopted an attitude of hatred toward officers, and a demand for a radical reform of the service. To one contemporary reviewer it was ‘evidently a faithful picture and account of what the author saw and experienced’ and, although ‘more forbidding ... than the present state of our navy will generally warrant’, pointed towards further necessary reforms.<sup>30</sup> There is, however, at least some measure of exaggeration in *Nautical Economy*. Robinson is at pains to describe running the gauntlet as though it were still a standard punishment for theft.<sup>31</sup> He may have come across it at the start of his naval career, but it had been abolished by early 1806, or within a year of his joining *Revenge*, and so was certainly no part of naval discipline by the time he was writing.<sup>32</sup> He also claims that in summary floggings ‘From one to five dozen lashes are given, according to the captain’s whim, but the general number is three dozen’.<sup>33</sup> Henry Baynham, however, pointed out that while Robinson was on board *Revenge* 10,956 lashes were inflicted on 465 men, an average of fewer than 24 lashes per event.<sup>34</sup> He has been described as having had little in the way of education but to have ‘acquired considerable skill in writing at a later date’.<sup>35</sup> It may be fanciful, but one can see a difference in style between the plain and straightforward narrative in Robinson’s writing and the campaigning rhetoric, as though after he had told his story a different hand had added the commentary. ‘On opening our fire upon her’, he writes of an engagement with a French frigate, ‘the batteries commenced a well-directed fire upon us, and so violent, that we were obliged to abandon her; and on tacking ship to

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<sup>29</sup> William Robinson, *Jack Nastyface: Memoirs of an English Seaman* (Annapolis: Naval Institute Press, 1973), p. 1.

<sup>30</sup> Anon, Review of *Nautical Economy*, *Monthly Review*, 3/1 (Sept. 1836), p. 144.

<sup>31</sup> Robinson, *Jack Nastyface*, p. 143-5.

<sup>32</sup> See below, Chapter 4.

<sup>33</sup> *Ibid.*, p. 145.

<sup>34</sup> Baynham, ‘William Robinson’, p. 79.

<sup>35</sup> Henry Baynham, ‘Robinson, William [*pseud.* Jack Nastyface] (*bap.* 1787, *d.* in or after 1836), *seaman and writer*’, *DNB* (2004-5).

come out, we were shot like the *Leviathan* on the first June.’<sup>36</sup> Compare this salty storytelling with the oratorical style of the ‘Postscript’: ‘Great Britain can truly boast of her hearts of oak, the floating sinews of her existence, and the high station she holds in the political world; and if she could but rub out those stains of wanton and torturing punishments, so often unnecessarily resorted to, and abandon the unnatural and uncivilised custom of impressments, then, and not till then, can her navy be said to have got to the truck of perfection.’<sup>37</sup>

Probably we should agree with Henry Baynham that *Nautical Economy* should be viewed ‘as a piece of post Reform Act radical literature rather than a considered analysis of the pre-1815 naval administration’, and that Robinson’s radicalism may have been connected to his return to shoemaking.<sup>38</sup> John Byrn sees in it all the caricatures, ‘sadistic commanders, tyrannical boatswain’s mates, brutalized seamen, lacerated flesh, and the like’, of the abolitionist polemics.<sup>39</sup> It is a central feature of this project to test these caricatures against the evidence and to discover whether and to what extent Robinson’s rhetoric was revisionist. In that case, we must look for interpretations of the history of the wars that may be considered to be more dispassionate, and our starting point must be Professor Rodger.

### **N.A.M. Rodger**

In 1986 N.A.M. Rodger published *The Wooden World: An Anatomy of the Georgian Navy*, which attempts to ‘draw an anatomy of the inner life of the Navy’.<sup>40</sup> This is a

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<sup>36</sup> Robinson, *Jack Nastyface*, p. 129.

<sup>37</sup> *Ibid.*, p. 135.

<sup>38</sup> Baynham, ‘William Robinson’, pp. 79, 78. Baynham notes that we do not know what happened to Robinson between his leaving the Navy and writing *Nautical Economy*, but suggests that he may have returned to his father’s trade as a shoemaker. He then cites E.P. Thompson as an authority for declaring that ‘Shoemakers were frequently prominent in radical agitation’. See E.P. Thompson, *The Making of the English Working Class* (Harmondsworth: Penguin, 1978), p. 211 and, for further discussion on the opportunity and propensity for the radicalisation of shoemakers, E.J. Hobsbawm and Joan Wallach Scott, ‘Political Shoemakers’, *Past & Present*, 89 (Nov. 1980), pp. 86-114.

<sup>39</sup> Byrn, *Crime and Punishment*, p. 3.

<sup>40</sup> N.A.M. Rodger, *The Wooden World: An Anatomy of the Georgian Navy* (London: Fontana, 1988), p. 11.

snapshot of the Navy from early 1755 to early 1763, covering the period of hostilities with France, and later Spain, known as the Seven Years' War. The book is certainly comprehensive and rightly received favourable reviews, variously describing it as 'seminal', 'the best book on shipboard life and sea-service personnel in the eighteenth century that has ever been written', and even as creating 'a new starting-point for all future research on the subject'.<sup>41</sup>

In Rodger's view the picture of the Royal Navy as presented by writers such as Masefield differs enormously from what is known of Georgian life as a whole, and because of this historians, to a great extent, have been reluctant to tackle the subject. His stated aim is to 'test the traditional view of the internal life of the Navy by studying the evidence in detail for a limited period'.<sup>42</sup> His conclusions are that the Navy differed very little from the society of which it was a part; that it is inconceivable that an efficient fighting force could be moulded by cruelty and oppression; and that the Navy was, and could only have been, run by a combination of persuasion, payment and consent.<sup>43</sup>

He specifically addresses the question of how unpopular the Navy really was by means of a number of measures, and concludes that, although it may not have been popular, it was certainly not hated. Food was plentiful and generally of good quality, and the men, according to James Lind, who became the Physician at Haslar, were generally healthier than similar groups on shore.<sup>44</sup> The work was comparatively light: the ratio of tons of ship per man in a sailing man-of-war, a rough guide to the work-load put on the crew, could be as low as 3:1 compared with up to 20:1 on a merchantman or even 30:1 in the coasting trades, because of the need for a pool of men available for manning the guns and fighting the ship, in addition to those needed to sail it.<sup>45</sup> This is apparent in the official logs of the ships that have been used in this study (our logs), where there are

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<sup>41</sup> Colin White, 'What? No Rum?', *Observer* (n.d.); Daniel A. Baugh, 'Review', *Eighteenth-Century Studies*, 21/2 (Winter, 1987-8), p. 281; Bryan Ranft, 'Review', *EHR*, 103, 407 (April 1988), p. 417.

<sup>42</sup> Rodger, *Wooden World*, p. 11.

<sup>43</sup> *Ibid.*, p. 345.

<sup>44</sup> *Ibid.*, pp. 105, 111.

<sup>45</sup> *Ibid.*, p. 116.



regular references to keeping the men employed, usually in some task involving old rope, such as making up points and robbens. By contrast, the journal of a near-contemporary merchant seaman regularly mentions long hours on watch and at the wheel, with little suggestion of uninterrupted leisure or make-work projects.<sup>46</sup> In addition there was probably more living space on most warships, since space was valuable on a merchant vessel. The availability of medical treatment and the possibility of promotion in the Royal Navy and even, in old age, a pension also added to its attraction compared with the merchant fleet.<sup>47</sup> According to Rodger's figures only between three and six per cent of crews deserted from the Navy when they were given shore leave and therefore had the opportunity: in this period a ship could therefore not have been 'a floating concentration camp'; nor were the men desperate to escape at the first opportunity.<sup>48</sup> Rodger acknowledges that conditions in the Navy may have changed between the Seven Years' and the French Wars. In particular, the financial rewards for a seaman in the 1750s were probably at least as good as those for merchant seamen or even privateers; and the possibility of prize money gave them an advantage over the army.<sup>49</sup> By 1797 inflation had eaten away this advantage, and crews knew that their counterparts in the army were on a shilling a day, over half as much again as most seamen. But even this negative effect was soon mitigated by the Admiralty after the mutinies of that year.

In *The Wooden World* Rodger does not attempt to answer the question of exactly what changed in the Navy during the second half of the century or why it may have happened. He has since argued, however, that it could be explained by a decline in the principle of patronage: in the middle of the century a captain was able to create and maintain a 'following', by recruiting locally and retaining his followers as he moved from ship to ship; but as the century progressed and the Navy gradually became officered more from the middle class, rather than the patrician, the idea of a following

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<sup>46</sup> Michael Hay and Joy Roberts, (eds.), *The Sea Voyages of Edward Beck in the 1820s* (Durham: Pentland Press, 1996), passim.

<sup>47</sup> Rodger, *Wooden World*, pp. 64, 117.

<sup>48</sup> *Ibid.*, p. 144.

<sup>49</sup> *Ibid.*, pp. 129-136.

began to die out. At the same time, the Admiralty increasingly arrogated to itself the allocation of crews.<sup>50</sup> The result was less cohesion in crews, and especially an increasing gulf between officers and men. Most notably, the practice of ‘turning over’ men from one ship to another, typically without allowing them leave and, in many cases, dividing established crews amongst several ships, disrupted the ‘natural social unit of a ship’s company’; and the men began to resent the increasing numbers of ‘low-born officers’.<sup>51</sup> This last is a moot point, however, as it has also been suggested that there were more aristocrats in the Navy as the war progressed, leading to less severity in discipline over the period.<sup>52</sup>

It is difficult to test Rodger’s conclusions about the change over time. We cannot extract rates of desertion from our own sample of punishment records since, although they show what happened to those men who were recaptured, they do not necessarily record all of those who ran, although it would be possible, given time, to trace many of them through the Muster Lists. But the fact of the return of Robinson from his first leave gives us no reason to suppose that he faced conditions appreciably worse than those prevailing 50 years earlier. Indeed, it seems that desertion was often a random event, that ‘At some point, often after years of service, they decided that they had had enough and wished to leave’.<sup>53</sup> Certainly it has been suggested that men were more likely to run in the first few months of service, but other evidence contradicts this.<sup>54</sup> And the experiences of both William Robinson and Robert Wilson are evidence that others

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<sup>50</sup> N.A.M. Rodger, ‘Shipboard Life in the Georgian Navy, 1750-1800: The Decline of the Old Order?’ in Lewis R. Fischer, Harald Hamre, Poul Holm and Jaap R. Bruijn, (eds.), *The North Sea: Twelve Essays on Social History of Maritime Labour* (Stavanger: Stavanger Maritime Museum/The Association of North Sea Societies, 1992), pp. 29-36; N.A.M. Rodger, ‘Officers and Men’, in John B. Hattendorf, (ed.), *Maritime History, Volume 2: The Eighteenth Century and the Classic Age of Sail* (Malabar: Krieger, 1997), pp. 137-144.

<sup>51</sup> Rodger, ‘Shipboard Life’, pp. 31, 33.

<sup>52</sup> Tom Wareham, *The Star Captains: Frigate Command in the Napoleonic Wars* (Rochester: Chatham, 2001), p. 209.

<sup>53</sup> Thomas A. Malcomson, ‘Creating Order and Disorder in the British Navy: The North American and West Indies Station 1812-1815’ (PhD Thesis, York University, Toronto, 2007), p. 318.

<sup>54</sup> Contrast Rodger, *Wooden World*, p. 196, with Malcomson, *Creating Order and Disorder*, p. 318.

simply got fed up and left after a comparatively long service.<sup>55</sup> Also, since Robinson spent his entire naval career in the one ship, the *Revenge*, the problem of turning over from one ship to another did not arise in his case. We cannot look to anything in most of the mutinies of our period (notably those of 1797) to confirm or challenge any possible change in culture since the earlier wars, because this sort of dissension, usually over pay or unpopular officers, was always commonplace and even, according to Rodger, ‘conformed to certain unwritten rules’ concerning where and under what circumstances it would take place.<sup>56</sup>

In any event, the most telling of Rodger’s conclusions about the Royal Navy’s reputation apply to both periods, the Seven Years’ War and the French Wars, and are not dependent on whether or not there was a change in culture from one to the other. They concern, rather, the availability and types of men forming the crews. He is clear that no criminals, apart from smugglers and debtors, were welcomed on board.<sup>57</sup> He is also clear that the Impress service was unable for both legal and practical reasons to operate indiscriminately as a rule, although clearly boundaries would often have been pushed and mistakes made.<sup>58</sup> And he is very bullish on the numbers of volunteers entering the Navy. Many men volunteered for the available bounties once they realised the inevitability of being pressed. Rodger discounts a contemporary estimate (and is taken to task for doing so by one reviewer) that seven out of eight of these were not happy with the outcome and not to be trusted any more than pressed men.<sup>59</sup> These conclusions may or may not all be correct, but they are used to illustrate the conclusion that, when it came to manning during wartime, the Navy ‘was trying to draw a quart out of a pint pot’.<sup>60</sup> Contemporaries assumed that the supply of seamen in this maritime nation was inexhaustible, and that any difficulty in finding recruits must therefore have been due to

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<sup>55</sup> Robert Wilson, ‘Journal’, in H.G. Thursfield, (ed.), *Five Naval Journals 1789-1817* (London: NRS, 1951), pp. 121-276.

<sup>56</sup> Rodger, *Wooden World*, p. 238.

<sup>57</sup> *Ibid.*, p.171.

<sup>58</sup> *Ibid.*, pp. 172-4.

<sup>59</sup> *Ibid.*, p. 163; Baugh, ‘Review’, p. 280.

<sup>60</sup> Rodger, *Wooden World*, p. 183.

conditions: a fertile ground for a myth to grow (if myth it is) that the Navy was hated for itself.<sup>61</sup> Rodger demonstrates that the expansion of both the Royal Navy and the merchant marine during wartime could cause a deficit of trained seamen of two or even three times the available peacetime population.<sup>62</sup> Recent work has confirmed that, while the total number of men in the British seafaring workforce in the four years before the wars averaged fewer than 110,000, the total reached 276,000 at its wartime peak in 1812.<sup>63</sup> Since the expansion of the Royal Navy alone was from an average of under 30,000 to a peak of 147,000, there must have been many landsmen such as Jack Nastyface. The ratio of experienced seamen to landsmen at any one time is not clear, however, since the total seafaring workforce had increased by nearly 44,000 by the post-war period, suggesting that many of the new recruits graduated from landsmen to seamen during the wars and stayed on.<sup>64</sup>

We cannot underestimate the importance of this observation to the question of how cruel the Royal Navy was at this time. In any organisation, of any sort, there is always likely to be a constant hum of complaint; and modern businesses are always alert to the ‘hygiene factors’: those areas where anything less than perfection can trigger discontent. How much more likely is it, then, that in any system even approximating to a ‘total organisation’, mutterings will be heard. If, as is probable, up to two-thirds of the men serving in the Navy at any one time during the French wars were there under protest, then it is no wonder that there was dissatisfaction. Whether this manifested itself in disobedience and a correspondingly harsh regime, or simply resulted in an unrepresentatively poor reputation for their employer, it is part of our brief to find out.

### **Recent Works**

Rodger makes no attempt to quantify crime or punishment (except in the case of desertion, with which we will deal in some detail later), but since *The Wooden World*

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<sup>61</sup> *Ibid.*, p. 148.

<sup>62</sup> *Ibid.*, p. 149.

<sup>63</sup> David J. Starkey, ‘Quantifying British Seafarers, 1789-1828’, in Richard Gorski, (ed.), *Maritime Labour: Contributions to the History of Work at Sea, 1500-2000* (Amsterdam: Aksant, 2007), p. 102.

<sup>64</sup> *Ibid.*, p. 100.

was published several people have tackled the cliometrics of how much punishment was being inflicted. Usually they acknowledge that the debate was started by Rodger. Chronologically, by events covered rather than by date of publication, these were: Marcus Eder who, like Rodger, studied the Seven Years' War, 1755-1763; Greg Dening, who studied the period 1767-1795, but only looking at the 15 ships that entered the central Pacific during that time; Alan Jamieson, who covered the summary punishment on board three ships during the American War of 1776-1783; John Byrn, who made a thorough analysis of discipline between 1784 and 1812, but only looking at the Leeward Islands station; and Tom Wareham, who looked at short periods in the lives of seven frigates during the French Wars, 1793-1815. For comparison, Andrew Lambert also produced some figures for the frigate *Trincomalee* in the 1840s; and figures have been gathered for a number of other individual ships, many of which we will look at in Chapter 8.

It can be seen from this that there is some scope for comparison between these books and papers over time and across different stations. At first sight it would seem that a study of the Navy in general during the years between 1784 and 1815 should align with and complement both Eder's and Jamieson's to give a comparison over time; with Byrn's to confirm rates of punishment in the West Indies, and test his assumption that these were representative of those in other stations; with Wareham to confirm his figures for frigates during our period and establish evidence for variations between classes of ship; and to see how the regime at the start of the 1800s differed from the increasingly professional Navy emerging towards the middle of the century. To do this we must assess each of them in more detail.

*John D. Byrn, Jr., 1989*

John Byrn's *Crime and Punishment in the Royal Navy* was based on his PhD and published in 1989. In it, he explicitly accuses John Masefield of having been the 'leading advocate' of 'the myth that the service's discipline in the age of sail was characterized by the almost inhuman brutality of the officer corps', although other writers such as William Laird Clowes and H.W. Wilson were putting forward similar

ideas at the same time, around the turn of the twentieth century, and even from the same source material.<sup>65</sup> The result of this was to cause all students of naval history to concentrate on discipline, filtering everything from the mutinies of 1797 to justice ashore through the prism of brutality aboard ship.

Byrn identified 417 British warships that were sent to the Leeward Islands in the West Indies between 1784 and 1812, having selected this period to include times of both war and peace. Of these, only in 73 cruises had at least one of either the captain's or master's logbook survived intact, and there was no material conflict between it and the surviving fragments of the other log.<sup>66</sup> He assumes that punishment rates that applied in this area would be representative of those throughout the world, but his evidence for this is very slim and, to a large extent, circumstantial. He points out that his figures for mariners found guilty at court martial of murder and of striking officers match those of Arthur Gilbert in his article 'Buggery and the British Navy'; and that the percentage of men who deserted in their first six months aboard each of his ships matches a similar total from Rodgers' 'Stragglers and deserters'. He assumes that, because naval captains regularly moved between different stations they would not 'acquire correctional habits peculiar to a given locality'.<sup>67</sup> It may be that his assumptions are correct, and that punishment in the West Indies did match that in other theatres, but his comparisons are based on only a few points of contact with Gilbert and Rodger. They are also based only on court martial judgements and therefore exclude the more numerous summary punishments: if patterns such as the hurricane season had any impact on punishment rates this would most likely show up in the rates of summary floggings.

In fact Byrn finds almost no patterns at all in the distribution of punishments: whether in port or at sea; by season; by size of ship or by the length of the captain's

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<sup>65</sup> Byrn, *Crime and Punishment*, pp. 1-2.

<sup>66</sup> Byrn was happy to rely on only one version of the record for each ship, as long as there was no actual conflict between it and the remains of the other one; but he also aggregated the punishments of both, if both survived complete. This methodology differs from that used in the present study, as will be made clear in Chapter 3, below.

<sup>67</sup> Byrn, *Crime and Punishment*, p. 8 (footnote).

service. His sample produced a figure of nearly 7,000 floggings from the 73 voyages. Nearly 96 per cent of the recorded punishment events were summary actions as opposed to being the result of courts martial. He found that the most frequent causes for which men were punished were alcohol followed by neglect of duty, with insolence/contempt and disobedience well behind in third and fourth, which, as will be seen, differs somewhat from the results of the present study.<sup>68</sup> One of his conclusions was that, whereas Rodger had seen in the mid-eighteenth-century a Navy that was relatively free of class interest and formality, this had changed by the end of the century to a system much more formal and ordered. In addition, having noted that discipline relied on 'the lessons of Justice, Terror and Mercy' during this period, in the Navy as well as on land, he concludes that discipline in the Royal Navy of the period was 'a branch of eighteenth-century British criminal law', and that any differences between it and the law on land were 'more style than substance'.<sup>69</sup>

*Greg Dening, 1992*

In 1992 Greg Dening tackled the subject of the mutiny on HMS *Bounty* in *Mr Bligh's Bad Language*. In this well-known story Captain William Bligh has usually been cast as the villain who drove his crew to rebellion by his harsh treatment. In what the dust jacket describes as 'an anthropological history' he suggests that the rebellion was caused not by any cruelty on Bligh's part, but rather by what Dening calls Bligh's 'bad language'. In fact, Bligh seems to have flogged a smaller proportion of his crew than the average captain in this study and, on his second voyage to the area as captain of the *Providence*, flogged the lowest percentage of all.

Dening looked at the logs of the 15 British naval ships that entered the Pacific between 1767 and 1795, a period that 'embraces the beginning and the ending of the first British opening of the Pacific to exploration, discovery and exploration'.<sup>70</sup> He found that 21.4 per cent of the men on these ships were flogged during their respective cruises,

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<sup>68</sup> *Ibid.*, p. 123.

<sup>69</sup> *Ibid.*, pp. 54-5, 185.

<sup>70</sup> Greg Dening, *Mr Bligh's Bad Language: Passion, Power and Theatre on the Bounty* (Cambridge: CUP, 1992), p. 113.

and noted that this compared with only nine per cent recorded by John Byrn.<sup>71</sup> This may not be a true comparison since, although we know the lengths of the voyages covered by Byrn's sample, Dening does not give exact dates. If we assume that the average voyage was of three years' duration (working from the 'Years of Voyage' given in Table 1, on page 382), that would suggest a rate of one flogging for every 9.7 crewmen per year. Because his object was to examine the failings of one captain, and the need therefore to compare like with like, it soon becomes obvious that, measured against the other studies under discussion, and this thesis, his sample is very limited in several dimensions. All of his ships were on voyages of discovery or exploration in the Pacific, whereas the other studies all concentrate on vessels patrolling, guarding or fighting, none in the Pacific; and all were smaller than the average naval ship, with complements of only between 31 and 148.<sup>72</sup> The crews of all except the *Pandora*, the ship sent out to recover the mutineers, were mainly volunteers, which did not reflect the position of the Navy as a whole.<sup>73</sup> One other problem is that we are given totals of men punished per voyage, but no accurate guide to how long the voyages were. In some sense, then, Dening's sample does not compare at all with our study or with any of the others. But it does give us a lot of insight into the relationships between officers and men.

Bligh's 'bad language' amounted to failing to establish a proper distance between himself and his men, and included mistakes characterised by 'ducking, yarning and dancing'.<sup>74</sup> He banned the ducking over the side of men who had not yet crossed the equator, which robbed them of the chance of joining the loose brotherhood of those who had gone through this ceremony. He laid himself open to accusations that he had interfered with the men's rations: as purser as well as captain of the *Bounty* he was responsible for the provisions on board and the men resented being given pumpkins acquired at Tenerife in lieu of bread; and they were suspicious of the measures of other foodstuffs and suspected Bligh, on the basis of 'yarning' by one of their number, John

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<sup>71</sup> *Ibid.*, p. 114.

<sup>72</sup> *Ibid.*, p. 384.

<sup>73</sup> *Ibid.*, p. 113.

<sup>74</sup> *Ibid.*, p. 73.



Williams, of diverting some cheeses to his own home before the start of the voyage.<sup>75</sup> Added to this was the lack of space aboard the *Bounty* due to the Great Cabin having been given over to the cultivation of bread fruit destined for the West Indies, which meant that he did not enjoy the usual physical distance from his crew. His punishments were not consistent, and he had trouble with both his carpenter, William Purcell, and his master, John Fryer.<sup>76</sup> It is a chastening thought that while researchers have been attempting to see the patterns in summary punishment, looking for them in areas such as size of ship and geographical location, there is always going to be this huge random element: in this case largely comprising vegetables.

*Marcus Eder, 2004*

Marcus Eder has written on *Crime and Punishment in the Royal Navy of the Seven Years' War, 1755-1763*, thereby covering the same period as Rodger did in *The Wooden World*. He chose a sample, and studied the logs of, three ships per half-year of the war on each of six stations. He is acquainted with both the captains' and the masters' logs in the archive, but he does not make clear which he has based his study on. He implies that he sees the existence of two versions as providing a back-up for when a log is missing, rather than as a confirmation of what is actually in the log; and he seems unaware that the logs of other officers may be available.<sup>77</sup>

His main conclusion is that while writers such as Rodger had 'overoptimistic views about the navy's mildness ... at least at the trial and post-trial stage, the navy was hardly any harsher than the civil law system on shore'; but in this he, like Byrn, and in spite of the fact that the overwhelming majority of the punishments seen in his sample are summary, is concentrating on the formal system of trial and punishment, on the Court Martial. Jack Nastyface broadly seems to have supported punishment by sentence of a Court Martial, and so this is outside our brief. Eder does, however, produce several conclusions that are useful points of reference to us in our own study.

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<sup>75</sup> *Ibid.*, pp. 73-4.

<sup>76</sup> *Ibid.*, pp. 83-4.

<sup>77</sup> Marcus Eder, *Crime and Punishment in the Royal Navy of the Seven Years' War, 1755-1763* (Aldershot: Ashgate, 2004), p.16.

Eder assumes that not all punishments are recorded in the logs, because captains may not have been willing to tell the Admiralty that they had punished a serious crime such as sodomy with only a summary flogging.<sup>78</sup> Our own research suggests that any punishment was as likely to be left out of the captain's version as the master's. While it is certainly possible that a captain may have ordered all concerned to miss out an event, and it is certain that he had the power so to do, it would have required a wide conspiracy between the captain, the master, their secretaries and mates, and all of the other officers who were expected to keep logs. He concludes that there was more summary punishment in harbour than at sea, either because the business of being at sea 'exercised a disciplining influence', or because the captain would have had better things to do while at sea and may have kept the punishments on hold until back in harbour.<sup>79</sup> This is something which the present study is unable to address, as will be explained; but it disagrees with Marryat's suggestion that captains were reluctant to be seen punishing their men while in port.<sup>80</sup> It is also contradicted in the memoir of Samuel Leech which says that there was less flogging in port for fear of pushing men into desertion.<sup>81</sup> He says that 'the frequency of summary punishment increased with the size of the ship ... absolutely as well as in percentage of ship's complement'.<sup>82</sup> This goes flatly against the conclusions of the present study, and the relevant statistics (such as the rates of punishment per rate or complement of vessel) are not present in the book for comparison. Eder also makes some comparisons between rates of punishment in the different theatres of the war. Patterns vary for different offences in different areas, which will give us points of comparison as we examine the various crimes later on. But what is immediately striking is that the number of summary punishments in home waters is a little over half the average overall, and the number in the Mediterranean is nearly one-

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<sup>78</sup> *Ibid.*

<sup>79</sup> *Ibid.*, pp. 65-6.

<sup>80</sup> G.J. Marcus, *Heart of Oak*, p. 113

<sup>81</sup> Samuel Leech, *A Voice from the Main Deck: Being a Record of the Thirty Years Adventures of Samuel Leech* (Chatham: Chatham, 1999), p. 33.

<sup>82</sup> Eder, *Crime and Punishment*, p. 66.

and-a-half times the average.<sup>83</sup> As we shall see, this discrepancy is not quite matched by our figures.

It is, of course, possible that there were very different patterns in the mid-eighteenth century from those pertaining in the French Wars. We should agree with him that the punishment of running the gauntlet was probably harsher than a plain flogging, despite Dudley Pope's contrary opinion, particularly as the Admiralty felt strongly enough about it to have abolished it in 1806. But Eder found that '4-7 per cent' of all the summary punishment in his sample comprised running the gauntlet.<sup>84</sup> John Byrn has less than one per cent of his summary punishment as the gauntlet and the present study agrees: even though the sentence was banned two-thirds of the way through our (Byrn's and my) common time-period there is a clear discrepancy here for us to address.<sup>85</sup>

#### *Others*

A number of other works have produced figures for one or more ships, usually for only short periods of time. These are useful to this study for comparison, but we do not need to go into detail here. Alan Jamieson's contribution to the discourse is an article entitled 'Tyranny of the Lash? Punishment in the Royal Navy during the American War, 1776-1783'. It is worth mentioning because he studied the log books of three ships: a ship-of-the-line, a frigate and a sloop. He suggests that the location of the ship was significant but that the size of vessel was not, but his figures are skewed by an abnormally high punishment rate aboard the frigate, which was the only one of the three to spend a significant amount of time on foreign service, mainly to North America. He also found that marines tended to be punished more often in relation to their numbers than seamen, and that very few men were flogged more than once.

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<sup>83</sup> *Ibid.*, p. 118. Eder separates out the three stations that made up what this study considers one area: North America, Jamaica and the Leeward Islands. Of these, the Leeward Islands had numbers of punishments nearly 50 per cent higher than North America and nearly 100 per cent above Jamaica. This argues against Byrn's assumption that the Leeward Islands were representative of the rest of the world.

<sup>84</sup> *Ibid.*, p. 67. It is not made clear why there is a range in this statistic.

<sup>85</sup> Byrn, *Crime and Punishment*, p. 68.

## **Summary and Reflection**

As so often with historical problems, we are forced to view the past through lenses of partiality, and in the cases of William Robinson and John Masefield the partiality seems clear. Robinson appears to have nursed a grievance long after he left the Navy, and it may then have been easy to have persuaded him to vent his rage in the cause of reform. Masefield, the poet, was holding up a mirror to his contemporaries and we can imagine that he was delighted to find such a suitable basis for his polemic. Other writing is available, either in the form of memoir or in general texts on the subject. As far as memoirs are concerned, several will be referred to during the course of this study. Because many of them provided pointers to which ships to include in the sample used here, they will be dealt with in the chapter on sources. By and large, they do not tend to corroborate William Robinson or his supporters. In the case of the officers' recollections it is understandable that punishment was unlikely to be dwelt on, since it represented, at best, a failure in the smooth running of the organisation in which the officer had so much invested. Added to that, it was a potentially bloody and revolting event in its own right, and may have been considered not one suited to the sensibilities of family and friends. Below decks, naturally enough, there was more engagement with the subject of punishment, and William Robinson's account is supported by the likes of Samuel Leech and Robert Wilson. On the other hand, John Nicol seems to have drifted through a long career and have barely cared to notice any use of the lash, so we cannot be sure that their impressions were trustworthy or representative. We shall have to conduct our own investigation into the archives to see if we can tease out an accurate picture.

## Chapter 3: Methodology

### Introduction

The accusations that have been levelled at punishment in the Georgian Royal Navy are that not only was the discipline unnecessarily cruel, but that it was indiscriminate in its reach and arbitrary in its execution. Any indications that it was measured, consistent and commensurate with discipline will argue against this, as will a high rate of recidivism. Predecessors of this study have examined the system of discipline and punishment as a whole, covering both courts martial and summary versions. Useful as this has been, it has not answered this specific question. William Robinson made it clear that the injustice to which he objected occurred because in most cases there was no trial, as there should invariably have been in the army.<sup>1</sup> Whether, given the elitism inherent in the court martial system, and the possibilities for conflicts of interest, trials were really much fairer than summary decisions has been debated, but at least a man could see that his sentence was not just the result of his captain's whim.<sup>2</sup> For this reason, this study deals exclusively with summary punishments.

The alleged inconsistencies in summary punishments occur on a number of levels. First, it is suggested that men were punished for they knew not what, often never understanding what rules they had breached.<sup>3</sup> This suggests either that punishments were awarded at the whim of the individual captains or that crews were constantly being introduced to new rules, or to new situations or ships where they encountered unfamiliar regimes. If we can find evidence that similar crimes attracted similar levels of punishment within each ship or under each captain over a period of time, and that the crimes for which men were punished and the tariffs that they received as punishments

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<sup>1</sup> William Robinson, *Jack Nastyface: Memoirs of an English Seaman* (Annapolis: Naval Institute Press, 1973), p. 147.

<sup>2</sup> This is discussed by Marcus Eder, *Crime and Punishment in the Royal Navy of the Seven Years' War, 1755-1763* (Aldershot: Ashgate, 2004), Chapter 4.

<sup>3</sup> Robinson, *Jack Nastyface*, p. 150.

for these crimes were broadly similar between ships and under different captains, then we have some evidence that this was not the case: that they knew very well the regimes under which they served and understood the likely penalties. If we can further demonstrate that the same people were being punished repeatedly – and particularly if it seems that they were being punished for the same crimes again and again – then it could be argued that they accepted the risks and may even have made conscious decisions about the penalties they were willing to undergo. In some cases, particularly in relation to offences related to alcohol, there may have been a trade-off between the opportunity of getting drunk and the likelihood of a subsequent flogging.

Second, it is a common view that the level of punishment was unconscionably severe. This raises the question of whether the very process of flogging would automatically leave a man scarred for life, dehumanized or even permanently physically crippled. We will return later in this study to a discussion of what the effect of a flogging could be on a man: there are plenty of descriptions of the effect of the lash on a man's back, as well as some empirical evidence as to the physical damage that a cat-o-nine tails can inflict.<sup>4</sup> In the meantime, if we can find evidence that the same men were repeatedly punished, and especially if they were punished (as the logs show) on consecutive days or with up to 72 lashes, then we are left with questions as to why some men were willing to undergo this torture and were then able to survive it.

Finally, it is said that the extent or severity of punishment was often excessive as it was entirely at the discretion of the captain.<sup>5</sup> In theory, and according to the Admiralty's *Printed Instructions*, a maximum of 12 lashes could be awarded as a summary punishment: that is, without benefit of a Court Martial. It will become clear that a significant proportion, if not a majority, of the punishments given by the captains in our sample exceeded this maximum.<sup>6</sup> In many cases it is clear that a dozen strokes were given for each of several infringements, which showed adherence to the letter of

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<sup>4</sup> See Chapter 4.

<sup>5</sup> Robinson, *Jack Nastyface*, p. 139.

<sup>6</sup> See Marcus Eder, *Crime and Punishment*, pp. 26, 66 for a discussion of the twelve stroke rule.

the law if not to its spirit; but it is also clear that many captains felt that they were able to order significantly harsher tariffs (up to at least the 72 mentioned above) with impunity. There is no evidence that the Admiralty disappointed them. Again, we shall return later to definitions of what exactly constituted each of the crimes that were being addressed, but it may be that a severe summary flogging for, for example, a capital crime such as sodomy or mutinous behaviour, represented leniency when compared with flogging round the fleet or the extreme sanction of a hanging, either of which could be ordered by a Court Martial.<sup>7</sup>

To the ordinary crewman it must have seemed that he was at the mercy of the captain's every whim, and liable to be punished in the heat of the moment, but there is a lot of evidence that officers were encouraged to allow a cooling-off period. Contemporary accounts suggest that there were often delays of days or weeks between the discovery of a crime and its punishment.<sup>8</sup> An examination of the logs will rarely shed light on how long this cooling-off period was, since the date of the crime was rarely recorded; but some occasions, such as when the same man was punished on consecutive days, argue strongly that retribution could be very swift.

By definition, we can only consider those offences which were punished, and therefore were logged, and not those that were ignored, pardoned or undetected, and so measuring the relationship between crime and punishment in this way does not necessarily reveal the full character of shipboard regimes. Nevertheless, whilst acknowledging its limitations, extracting, quantifying and analysing summary punishment events offers a powerful tool with which to investigate the character of naval discipline.

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<sup>7</sup> See Chapter 6.

<sup>8</sup> For example, in 'Robert Wilson's Journal', in H.G. Thursfield, (ed.), *Five Naval Journals 1789-1817* (London: NRS, 1951), pp. 121-276; and in 'Black List, HMS *Blake*, 1811-12', in Brian Lavery, (ed.), *Shipboard Life and Organisation, 1731-1815* (Aldershot: Ashgate, 1998), pp. 409-16.

## Sources

### *Logbooks*

The data for this study are captured almost exclusively from logbooks held in the National Archives in London (TNA). The Admiralty during the Georgian period was a communications centre for the Royal Navy, acting as a conduit between government and the ships and officers under its control. One of its functions was to receive reports from all the elements of the fleet, and large numbers of these have survived. Included in this mass of paperwork are some 220,000 naval logbooks dating from 1669 up until the 1970s.<sup>9</sup> These logs had legal authority and, as such, could be used in courts martial or in disputes such as those over prize money.<sup>10</sup> Most of the logbooks can be found in the series ADM 50 through ADM 55 which cover, in order, admirals, captains, masters, ships, 'extras' (mainly a selection of captains' logs) and exploration, although users of the logs point out that classification is not always perfect and some can be found in other places.<sup>11</sup> In addition to these, there are surgeons' journals in ADM 101 dated between 1793 and 1880, and the National Maritime Museum has about 62,500 lieutenants' logs.<sup>12</sup> Other records may have strayed into other archives.<sup>13</sup>

Here we are concerned only with the captains' logs (from class ADM 51), and the masters' logs (ADM 52), each of which series comprises about 4,500 volumes of between four and ten logbooks. On the face of it, this may be seen as limiting our survey, since if we could encompass all of the available records for every ship with which we are concerned, we could be sure that we had the most comprehensive coverage of each voyage. Indeed, it has been pointed out that as there were potentially several lieutenants to a ship, there is plenty of scope for comparison and for filling in any gaps;

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<sup>9</sup> Clive Wilkinson, *British Logbooks in UK Archives: A Survey of the Range, Selection and Suitability of British Logbooks for Climatic Research* (Norwich: University of East Anglia, 2006), p. 5.

<sup>10</sup> Clive Wilkinson, 'The Non-Climatic Research Potential of Ships' Logbooks and Journals', *Climatic Change*, 73 (2005), p. 155.

<sup>11</sup> *Ibid.*, pp. 6-9.

<sup>12</sup> *Ibid.*, p. 12; Randolph Cock and N.A.M. Rodger, (eds.), *A Guide to the Naval Records in the National Archives of the UK* (London: University of London/IHR, 2008), p. 167.

<sup>13</sup> *Ibid.*, p. 14.



and that lieutenants routinely commanded the smaller ships of the fleet.<sup>14</sup> But there would be some element of diminishing returns as layer after layer of confirmation was added to our information, and the time available for research is finite. The supply of lieutenants' logs begins, in any case, to fade away after 1806, when they were no longer required to submit them; and previous studies along the lines of this one have tended to use mainly the captains' and masters' records, which may furnish useful comparisons. Surgeons' logs might be expected to add some colour to our study, as the ship's surgeon would most likely have been in attendance at any punishment. But his role was really just to confirm that the man being punished was fit to undergo it. This is shown in the diary of Robert Clark, captain of marines aboard the *Swiftsure* in 1815, who reported that the surgeon intervened in the flogging of a marine fifer on the grounds that the man was 'unfit to receive punishment at present'.<sup>15</sup> Unfortunately, those chaplains' and surgeons' records that have been available to us to date, such as those of Edward Mangin and James Lowry, seem to say very little about punishments.<sup>16</sup> The National Archives have, however, received a grant under the Wellcome Trust's 'Research Resources in Medical History' programme to catalogue ADM 101 by March 2010, after which it will certainly be worth following up our sample of ships to see if any further light is shed.<sup>17</sup>

The logs in TNA usually come grouped and either calf-bound or boxed, or sometimes both, especially when the binding is delicate or damaged. Most of the records in boxes have been rebound: there was a programme of rebinding in the 1920s and 1930s, in which each individual log was resewn, with a canvas cover. There must have been some variation in the care with which the rebinding was carried out, since Clive Wilkinson describes the binding in logs with which he is familiar as 'not close so the entire page is easily visible', whereas in many of the records used in this study it has

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<sup>14</sup> Wilkinson, *British Logbooks*, p. 13.

<sup>15</sup> Brian Lavery, (ed.), *Shipboard Life and Organisation 1731-1815* (Aldershot: Ashgate, 1998), p. 472.

<sup>16</sup> Edward Mangin, 'Some Account of the Writer's Situation as Chaplain in the British Navy', in H.G. Thursfield, *Five Naval Journals*, pp. 4-39; James Lowry, *Fiddlers and Whores: The Candid Memories of a Surgeon in Nelson's Fleet* (John Millyard, ed.) (London: Chatham, 2006).

<sup>17</sup> Bruno Pappalardo, 'Dissecting and Cataloguing Medical Officers' Journals in ADM 101', TNA Podcast Series.

unfortunately left some details sewn into the new binding and illegible.<sup>18</sup> Each volume or box usually contains logbooks from just one ship, but sometimes those of several vessels are bundled together. A majority of logs cover exactly one year, but many, even where there has not been a change of captain, master or commission, run to longer or shorter periods.

The layout of the pages in the logs is reasonably consistent, although generally in three forms, depending on when the log was created, and whether the ship concerned was on active service or not. At sea, a lot of information had to be gathered concerning the ship's progress, and there is considerable potential for using this in medical, social and environmental research. In most cases, in the eighteenth century, a double-page spread of the log was ruled up vertically to take the day and date, wind, and speed and position of the ship on the left-hand page, and 'Remarks', including actions taken, deliveries and punishments, on the right; and ruled horizontally under each day. When a ship was in port and observations were not needed the space was usually reduced to only the 'Remarks' section. The day was originally a 'nautical day', starting and ending at noon. The civil day was adopted in 1805, each ship apparently changing over when it received the instruction. On the *Edgar*, moored at Chatham, the captain's log recorded that 20 October was officially 36 hours long 'and ends at midnight agreeably to Admiralty order'. On the *Queen*, sailing between Gibraltar and Cape Pallas, the date was 4 December, when the master noted 'By an order from the Lords of the Adm<sup>ty</sup> The Log is from this kept by the Civil Day'. The master of the bomb *Thunder*, occupied with cruising off the North African coast, noted 'Altered the Log to Civil Time', but not until the end of 1 January 1806.<sup>19</sup> Nineteenth-century logbooks tend to be ruled for a page per day, incorporating the daily noon observations halfway down the page. Since punishments typically took place before mealtimes, usually at around 11.30 am before dinner but sometimes before the later meal, at around 4.30 pm, they are usually easy to find, but some care must be taken. For example, although in some logbooks there is a clearly mapped time scale to the day, in many the entries resemble a stream-of-

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<sup>18</sup> Wilkinson, *British Logbooks*, p. 8.

<sup>19</sup> *Edgar*, ADM 51/1519; *Queen*, ADM 52/3676; *Thunder*, ADM 52/3801.

consciousness, with one subject running seamlessly into another in a single paragraph, and a detail such as a punishment could easily be missed. The *Culloden*'s master's log for 9 September 1795 contains a certain insouciance about the punishment: 'Fresh Gales & made & short<sup>d</sup> sail occasionally Punish<sup>d</sup> W<sup>m</sup> Neal with three Dozen Lashes for Theft + disobedience of orders fitted a new Topm<sup>t</sup> spring stay Back<sup>d</sup> Miz Tops<sup>l</sup> occasionally to keep in our station'.<sup>20</sup>

Despite the presumed accuracy of ships' logs, the masters' and captains' logs do not always match, and we cannot tell from this distance which was more likely to be accurate. For example, it might be inferred from the captain's orders for HMS *Amazon*, in 1799, that the master's version had been so meticulously checked that it must have been accurate.<sup>21</sup> The masters' mates were given clear instructions to create a rough log which they were to show to the deck officers for correction; and the final version of the ship's log was to be signed by the various watch officers, having been presented to them with the rough log to compare it with. By implication, the captain's log would have relied on the ship's log for its information and, having been copied probably by the captain's secretary, may not have been subject to such detailed examination. It has also been suggested that the captain, as the person responsible for the punishment on board, may have had a reason to miss some off from his record of the voyage, since they may have been perceived as too lenient. In the case of sodomy, for example, 'the Admiralty might have found it hard to accept that such a (by the standards of the day) serious crime was not punished more harshly at court-martial level'.<sup>22</sup> The summary punishments in our sample for desertion or sodomy were far lighter than would have been inflicted after a court martial, and in this they appear not to have been unusual. Captain Graham Moore wrote that he had flogged and turned a man ashore for attempted sodomy on the *Bonetta*, a course of action he had previously seen as a lieutenant and considered 'not uncommon', but something he said he had 'no right to do'.<sup>23</sup> It may have been tempting,

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<sup>20</sup> *Culloden*, ADM 52/2876.

<sup>21</sup> Lavery, *Shipboard Life*, p. 120.

<sup>22</sup> Eder, *Crime and Punishment*, p. 16.

<sup>23</sup> Tom Wareham, *Frigate Commander* (Barnsley: Pen & Sword, 2004), pp. 68, 14.

under these circumstances, to have quietly let the matter rest. One problem is that neither version of the types of logs used in this study show signatures of any of the officers, except at the beginning and end, so that there is no evidence of who may have checked them.

If the captains' versions consistently had had less information in them than the masters', one might conclude that one was being copied from the other and accuracy was being lost in transcription, or that the captain was leaving details out of his reports. This does not, however, happen in our sample: the total number of events that were reported in masters' logs but missing from the corresponding captains' versions was approximately matched by the numbers recorded by captains but not by masters. This leaves open the important question of which series is the more reliable, which will be discussed in some detail below.

### **The Sample used in this Study**

#### *Sample ships*

An early influence on this project was a desire to see if the punishment regimes aboard our sample could be compared with contemporary impressions from people on board those ships, as expressed in memoirs and contemporary literature. Some 40 ships mentioned in memoirs and diaries therefore comprised an original pool, from which the final sample would be drawn. The comments made by these contemporaries varied from good to bad, and no attempt was made to produce any sort of balanced selection in this pool or, once selected for it, to flag any ships as having particularly harsh or lenient regimes. To have done so would have made it next to impossible to keep from influencing the choice of the final sample from the ships in the pool. For each of the 40 ships a record was made of all of the logs held at the National Archives dated between 1783 and 1815, a total of over 850 records.

To follow all 40 vessels was unrealistic, although at the outset of the project it was impossible to guess how many could be included in the final total. In some projects of this type, criteria may have suggested themselves: Byrn used the 73 ships that sailed to the Leeward Islands during a set period, 1784 to 1812, and for which there were matching logs; and Dening used the 15 ships that entered the Pacific between 1767 and 1795.<sup>24</sup> In others, some more arbitrary system of selection was used. Eder selected six ships for each of six stations for each of the seven years of the war, although he does not specify the criteria for selecting the six ships.<sup>25</sup> In this study, three main criteria have been used in the selection although, in the event, the most influential determinant of the final sample was time: time both in terms of the dates for which logs were available for each of the ships in the original pool; and of the time available for the research.

### *Matching Logs*

The original pool of potential sample ships was in no particular alphabetical, size or date order, but appeared in the order in which they had been gleaned from the various autobiographical or literature sources. Data capture started from the top of this list and continued until it became clear, at an early stage, that a severe pruning of the list was necessary. One of three circumstances determined that the next ship or ships should be omitted. The first circumstance that prevented a ship from being included in the sample was that there were not both captains' and masters' logs for matching time periods. In previous studies of punishment aboard Royal Navy vessels it has been usual to use both the captains' and masters' logbooks in order to glean as complete a picture of the regimes as possible. Indeed, Marcus Eder seemed to be aware of only these two versions of events, and has not considered the logs of any of the other officers on the ships.<sup>26</sup> Eder also gives no indication of how one version of the log for each voyage compared in accuracy with another. By contrast, John Byrn explains the criteria by which he selected his sample in some detail. Of the 417 ships that were sent to the Leeward Islands during

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<sup>24</sup>John D. Byrn, *Crime and Punishment in the Royal Navy* (Scolar Press: Aldershot, 1989), p. 7; Greg Dening, *Mr Bligh's Bad Language: Passion, Power and Theatre on the Bounty*, (Cambridge: CUP, 1992), p. 113.

<sup>25</sup>Eder, *Crime and Punishment*, pp. 63-4.

<sup>26</sup>*Ibid.*, p. 16.

his period, 1784 to 1812, only 73 were included. For each of these ships, either the entire captain's or master's log still existed, and what remained of the other matched the entire one exactly, or both existed in their entirety and 'the total number of different punishments listed in the two books' were taken as the most accurate version of events.<sup>27</sup> The existing historiography, then, is characterised by inconsistency of approach and, in some instances, a certain lack of transparency about methodology.

This demonstrates one of the problems to be addressed when using logbooks: there are many inaccuracies, so that any selection of data from them is bound to include some element of compromise or guesswork. Byrn used two slightly different sets of criteria. In one, he was forced to assume that the complete log is correct and complete, as confirmed, but only in part, by the remaining fragments of the incomplete one. But he has acknowledged that this correctness is unlikely to be always true, since in the second set of criteria he uses the aggregate numbers of crimes in any pair of matching, complete logs. He is also content to use either the captain's or the master's log as his model, depending on which one was complete, without considering whether there was a likelihood that one species would tend to be more accurate than the other.

We have to acknowledge that these problems are not completely soluble. In the present study only the masters' and captains' logbooks have been used, for the reasons explained above.<sup>28</sup> In most cases, while the information in the two series may often differ, the periods covered by the logs match. Taking our cue from Byrn, we have deemed these sets to be usable, giving us an aggregate total of punishments drawn from the combined evidence of the two officers.

In other cases there is no match whatever, and the records must be excluded from our totals. The frigate *Aquilon*, for example, was mentioned in the records of Francis, later Admiral, Beaufort, but was excluded at this early stage as, although there were masters' logs for much of our period, there were no captains' logs at all. This robbed us

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<sup>27</sup> Byrn, *Crime and Punishment*, p. 7.

<sup>28</sup> See above, pp. 40-1.

of a chance to compare the performance of Captain the Honourable Robert Stopford between this ship and the *Phaeton*, for which we do have records: one captain on two ships where we have some evidence from one of his officers that the captain's handling of his men matured considerably would have been extremely interesting.<sup>29</sup>

In many cases in the data that have been captured for this project, the dates of the two series overlap but do not exactly coincide, especially when there has been a change of either master or captain and the replacement officer has, naturally, started his journal afresh. At the start of the project, this was not expected to be a significant problem but, as the true extent of the variation between the two classes of record became apparent, it became clear that unsupported sections of any log could not be relied on. As a result, where data were originally captured from some logs for which the corresponding logs turned out to be incomplete, the figures from the unmatched sections have been omitted from the final totals. This resulted in the loss of some 1,300 out of the original 9,000 events recorded. Whilst the loss of any data is always to be regretted by the researcher these 1,300 events occur in close proportion to the totals for most of the ships in our sample, with the added benefit, perhaps, of watering down the effect on our totals produced by the notorious Captain Corbett, discussed in Chapter 6.

### *Rates*

Secondly, in order to obtain a sample which is approximately representative of the types of ship being used in the navy at the time, it was necessary to take into account the class, or rate, of ship. Although the total number of rated ships in the fleet increased enormously over the period, the predominance of frigates and of third rates with 74 guns remained throughout, and this is reflected in the composition of the sample by the inclusion of three 74s, four frigates and six others of less common types. Selection of the sample was straightforward, starting at the top of the list. Once the quota for each class of ship had been reached any further examples of each category were passed over. Admittedly, selection could have been more scientific but, with small numbers it would

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<sup>29</sup> See Nicholas Courtney, *Gale Force 10: The Life and Legacy of Admiral Beaufort 1774-1857*, (London: Review, 2003), *passim*.

have been impossible to have guaranteed randomness, and this method had the added advantage of exactly matching the time available for it, as the numbers of ships in each class grew with the time spent on the project.

In the Georgian Royal Navy most ships were rated according to size and firepower. Each ship would be assigned a descriptive number of guns and classed accordingly, so that one carrying 100 guns or more, such as the *Victory*, would be classed as a first rate. The formula was based on the number of long guns the ship could carry and therefore may not have always represented the actual armament, since the Royal Navy was quick to adopt the carronade. This was a light, large-bore gun of comparatively short range, produced at the Carron works near Falkirk in Scotland from 1779, and enabled smaller ships in particular to carry much more than their nominal armament.<sup>30</sup> The largest ship in our sample is the *Queen*, with a complement of 750 men. She was built in 1769 with 90 guns on three decks and classed as a second rate, although in 1811, outside the dates of the logs that we have for her, she was cut down to a third-rate two-decker.<sup>31</sup> Over the last ten years of the French wars Britain replaced some 50,000 tons of battleships, concentrating on first rates of up to 120 guns and eschewing second-rate three-deckers, but none of the former appeared in the original pool of 40 ships, so that the *Queen* must do service for all of the largest of the ships of the line.<sup>32</sup> Second rates varied from 90 to 98 guns, also on three decks, and by the time of the French Wars most were at the higher end of this range, which may have made the *Queen* somewhat old-fashioned in her original form and helps explain why she was later cut down.<sup>33</sup> She then served as a 74 until she was broken up in 1821.

First, second and third rates were considered to be ships-of -the-line, powerful enough to stand in the line of battle. The first two rates were comparatively rare: there

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<sup>30</sup> James Henderson, *Frigates, Sloops and Brigs* (Barnsley: Pen & Sword, 2005), p. 202.

<sup>31</sup> David Lyon, *The Sailing Navy List: All the Ships of the Royal Navy - Built, Purchased and Captured - 1688-1860* (London: Conway, 1993), p. 65.

<sup>32</sup> Andrew Lambert, *War at Sea in the Age of Sail 1650-1850* (London: Cassell, 2000), p. 183.

<sup>33</sup> Brian Lavery, *Nelson's Navy: The Ships, Men and Organisation 1793-1815* (London: Conway Maritime Press, 2000), p. 40.



were five first rates and nine second rates in full commission in 1794, and seven and five respectively in 1814.<sup>34</sup> Third rates carried between 64 and 80 guns on two decks, and were much more numerous, with 71 in full commission at the start of the war and 87 at the end.<sup>35</sup> At the battle of the Glorious First of June in 1794 sixteen of the 25 British ships and nineteen of the 26 French were 74s; and this predominance was even more pronounced at the Battle of the Nile four years later, when nine of the thirteen French and thirteen of the fourteen British were of this class.<sup>36</sup> Whilst the first and second rates, through a combination of superior fire-power and defensive strength, were reckoned by Nelson to each be equal to two two-deckers, the smaller ships were cheaper, sailed better and were more versatile.<sup>37</sup> Our sample contains four third rates: three 74s and a 64. The three 74s were of an age: the *Edgar*, launched in 1779, with a complement of 550 men, and the *Ganges* in 1782 and the *Culloden* in 1783, both designed to carry a complement of 575. The first two were hulked in 1813 and 1811, becoming respectively a receiving ship and a prison ship at Plymouth; and the *Culloden* was broken up in 1813.<sup>38</sup> The fourth is the *Ardent*, 64 guns, launched in 1782, but which ‘accidentally caught fire and blew up’ off Corsica in 1794 and was replaced two years later.<sup>39</sup> It is possibly something of an accident that it was replaced at all, since this size of ship was becoming rarer as a ship-of-the-line, but an East Indiaman, the *Princess Royal*, was purchased in 1795, while still on the stocks, and was launched the following year as the *Ardent*, with the same armament and similar complement.<sup>40</sup> Fourth rates, carrying 50 guns on two decks, were all but obsolete by this time, and are not represented in this sample. They could, like the *Leander* at the Battle of the Nile, appear in the line, although at some disadvantage; and large frigates such as were latterly built by the United States could be included in this

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<sup>34</sup> Henderson, *Frigates, Sloops and Brigs*, p. 185.

<sup>35</sup> *Ibid.*

<sup>36</sup> Sam Willis, *Fighting at Sea in the Eighteenth Century: The Art of Sailing Warfare* (Woodbridge: Boydell, 2008), p. 60.

<sup>37</sup> Andrew Lambert, *Nelson: Britannia's God of War* (London: Faber and Faber, 2005), p. xxiii.

<sup>38</sup> Lyon, *The Sailing Navy List*, pp. 68, 72.

<sup>39</sup> *Ibid.*, p. 75.

<sup>40</sup> *Ibid.*, p. 239.

class; but in the Royal Navy there were never more than about eight fourth-rates in full commission throughout the Wars.<sup>41</sup>

The most numerous of the rated classes of ships in the navy were frigates. Fifth rates carried between 32 and 44 guns, and sixth rates 28, typically on one deck. At the start of the war there were 66 and 22 of these classes respectively in commission, but by 1814 the numbers in the larger class had doubled to 121 and the smaller class had been phased out altogether.<sup>42</sup> As with the third rates, our sample includes four. The *Phaeton* was an '18 pounder' frigate, officially carrying 38 guns: it was launched in 1782 and continued in service until it was sold in 1827.<sup>43</sup> The *Hyperion* carried 32 guns, also 18-pounders. It was based on the design of a French frigate, the *Magicienne*, captured in 1781, was launched in 1807 and was eventually broken up in 1833.<sup>44</sup> The *Nereide* carried 36 guns but they were the smaller twelve-pounders.<sup>45</sup> She was actually French-built, launched in 1779 at St Malo as *La Nereide*. She was captured by the *Phoebe* in 1797 and served until she ran aground and was retaken by the French at Mauritius in 1810. She reverted to British ownership when Mauritius was taken the same year but not put back into service, and was sold soon after the war.

Although, in general, the British navy tried not to duplicate names of ships, it usually retained the names of those lost or retired, and applied them to replacements, usually of the same class.<sup>46</sup> We can be reasonably confident that we have identified the correct ship of each name, based largely on work already done in this field by David Lyon. The fourth frigate in our sample, the *Blanche*, exists in two incarnations. The first was a twelve-pounder frigate of 32 guns, which was converted for use as a troopship in 1799 and was wrecked in the entrance to the Texel in the same year.<sup>47</sup> It was replaced by

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<sup>41</sup> Lambert, *Nelson*, p. xxiii.

<sup>42</sup> Henderson, *Frigates, Sloops and Brigs*, p. 185.

<sup>43</sup> Lyon, *The Sailing Navy List*, p. 81.

<sup>44</sup> *Ibid.*, p. 127.

<sup>45</sup> *Ibid.*, p. 246.

<sup>46</sup> *Ibid.*, p. 1.

<sup>47</sup> *Ibid.*, p. 84.

another frigate in 1800, this time a larger 18-pounder of 36 guns. The new *Blanche* survived until 1805, when it was taken by the French in the West Indies and later burnt.<sup>48</sup> It will be seen that the replacement was not quite the same size and power of the original, but there was a tendency for frigates to get larger during the period we are looking at, culminating in the creation of the three 44-gun American frigates, *United States*, *President*, and *Constitution*.<sup>49</sup> At the start of the wars most British frigates were of 28 or 32 guns, and only eleven were of the maximum 38 guns. By 1814 the overwhelming majority were of 36 or 38 guns, several were of 40 or 44, and there were none as small as 28s, and it seems reasonable for us to follow that trend.<sup>50</sup> The discrepancy between the two versions of the *Blanche* is not, in any case, so large as to threaten the validity of our sample.

#### *Unrated Ships*

Each of the rates of ship covered so far were post ships, command of which merited the rank of captain. In addition, there were scores of smaller vessels, commanded by lieutenants and commanders, and assessed as carrying between four and 18 guns. These became much more numerous than all the rated ships combined over the course of the wars: from a relatively modest 76 in commission at the start to some 360 by the end.<sup>51</sup> It could be argued that, because of their numbers, these vessels should loom large in any study of punishment such as this. On the other hand, since the crews of these vessels were necessarily comparatively small, to include them in proportion to their actual numbers would both exaggerate their importance and place a strain on the research by only allowing us to cover the lives of a relatively small number of men per year of log book searched. In our sample there are only two of these vessels. Thus we have some material for comparison, but there is scope for more work to be done in this area.

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<sup>48</sup> *Ibid.*, p. 123.

<sup>49</sup> Robert J. Gardner and Brian Lavery, (eds.), *The Line of Battle: The Sailing Warship 1650-1840* (London: Conway Maritime Press, 2000), p. 40.

<sup>50</sup> Henderson, *Frigates, Sloops and Brigs*, p. 186.

<sup>51</sup> *Ibid.*, p. 185.

The two small vessels that we have included are the *Alacrity*, a brig/sloop of 18 guns, described by David Lyon as ‘the most numerous class of warship built in the age of sail’, and the *Thunder*, a bomb vessel.<sup>52</sup> The *Alacrity* was the first of its name, and was launched in 1806, having a complement of 121 men. It was captured in 1811 off Corsica by the French 20-gunner *Abeille*, and continued in French service until 1822.<sup>53</sup> A brig/sloop was two-masted and square-rigged and most, including the *Alacrity*, tended to serve in home waters, probably because a lack of storage space limited their range of operation.<sup>54</sup> The bomb-ketch had two masts set back in the ship to make room for, usually, two mortars on reinforced mountings, firing explosive shells. The *Thunder* was bought into the navy in 1803, converted from a merchantman called *Dasher*, and was at least the fourth of its name.<sup>55</sup> It was armed with the two mortars and eight 24-pound carronades, had a complement of only 67 men, and continued in service until it was sold in 1814.

The inclusion of only two small warships in our sample may attract accusations of poor representation but is unavoidable and, probably, for the best. Despite the large numbers of ships involved in this class, the numbers of men involved were comparatively small. We have only a few mentions of them in memoirs, and where we do, the records are, unfortunately, not very complete. We would like to be able to measure Jacob Nagle’s judgements of his captain’s strictness aboard the *St Lucia*, or James Gardner’s assessment of a cruel lieutenant named Jeynes aboard the *Orestes*, but the former simply is not in the records, and the latter is represented in TNA only by captains’ logs.<sup>56</sup> It would also have been useful to have compared Alan Jamieson’s study of the sloop *Wolf* during the Revolutionary War with its successor, but there were three

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<sup>52</sup> Lyon, *The Sailing Navy List*, p. 141.

<sup>53</sup> Lt Cdr K.V. Burns D.S.M., R.N., *Badges and Battle Honours of HM Ships* (Liskeard: Maritime Books, 1986), p. 15.

<sup>54</sup> Henderson, *Frigates, Sloops and Brigs*, pp. 204-5.

<sup>55</sup> Lyon, *The Sailing Navy List*, p. 281.

<sup>56</sup> John C. Dann, (ed.), *The Nagle Journal: A Diary of the Life of Jacob Nagle, Sailor, From the Year 1777 to 1841* (New York: Weidenfield, 1988), pp. 58-76; R. Vesey Hamilton and John Knox Laughtien, (eds.), *Recollections of James Anthony Gardner Commander R.N. (1775-1814)* (London: NRS, 1906), p. 59.

small ships with the name during our period, and with overlapping service, so that the chance of confusion ruled them out.<sup>57</sup> It is also not clear that the effort required to extract data for this class of ship would be worthwhile, since the number of man-years per ship-year is significantly lower in the 67-man *Thunder* than in any ship-of-the-line or frigate. Nor is it clear that it would add to the quality of our conclusions.

### *Complement*

In the same way that we can be sure of the identities of the various ships, we can usually be sure of the official complement of men for each ship. It is often pointed out, however, that the Royal Navy of this period was chronically, and at times almost debilitatingly, undermanned, and the literature is full of comments on this. Despite the Quota Acts of 1795, and throughout the wars, it seems common for a ship to have been some ten or fifteen per cent below complement, and for many of those actually on board to be relatively unskilled. To illustrate this, when Captain Rotherham made his survey of the crew of the *Bellerophon* in 1807, he had 534 men on board out of a complement of 590.<sup>58</sup> Captain Graham Moore found himself short of 25 men on the frigate *Bonetta* in 1785, even before ten more deserted while she stayed for two months in Portsmouth for a refit.<sup>59</sup> Even those men he had, he was often not impressed with. Later, on the *Melampus*, he considered that he had only 50 able seamen and the same number of ordinary seamen in his whole frigate's crew; and he was equally dismissive of the quality of a draft of 100 men he received from the *Victory* in January 1806, particularly since they had been the 'companions of Nelson'.<sup>60</sup> This sort of ratio may not have been unusual: of the 751 men aboard Captain Pellew's *Caledonia* in 1810, only 208 were described as 'seamen', the rest by their previous jobs on land, mostly labourers.<sup>61</sup> In some cases the shortfall was even more extreme: the ill-fated *Danae* originally sailed to

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<sup>57</sup> A.G. Jamieson, 'Tyranny of the Lash? Punishment in the Royal Navy during the American War, 1776-1783', *The Northern Mariner/Le Marin du Nord*, IX/1 (January 1999), pp. 53-66.

<sup>58</sup> David Cordingly, *Billy Ruffian: The Bellerophon and the Downfall of Napoleon* (London: Bloomsbury, 2004), p. 337.

<sup>59</sup> Wareham, *Frigate Commander*, pp. 87, 95.

<sup>60</sup> *Ibid.*, pp. 198, 261.

<sup>61</sup> Lavery, *Shipboard Life*, pp. 449-51.

Jersey in 1799 with a crew of only 77 men out of a complement of 155.<sup>62</sup> In 1803 Frederick Hoffman was appointed to the 74-gun *Minotaur*, on the Channel service, and recorded that there were only 340 out of a complement of 640 on board ‘and only forty men on board who knew how to go aloft except a few of the marines’.<sup>63</sup> There has been considerable discussion as to why there was this chronic shortage, with contemporary writers inclining to the belief that the conditions on board His Majesty’s ships, and especially the lack of leave, made it difficult for the service to recruit.<sup>64</sup> Shortages of men tended to drive up wage rates in the merchant service, making the navy even less attractive. More recently it has been pointed out, notably by Professor Rodger, that, in wartime at least, the navy needed more seamen than were actually available, in that their source for recruits was the merchant service, but there were simply not enough skilled men to man both the military and civil branches.<sup>65</sup> Conditions on board fighting ships were arguably reasonably comfortable, and the shortage of men would have impacted on their fighting ability much more than on their sailing safety, as the typical naval vessel would have been manned at a rate of as little as three tons per man, as against some ten to twenty common in merchantmen.<sup>66</sup> More recently still, there has been a suggestion that the problem was as much an endemic ‘fecklessness of the seagoing population’ as a wartime labour shortage, given that at the beginning of the 1821-4 commission of the frigate *Doris* she was manned with only 223 out of a complement of 245, and another 30 deserted ‘within weeks of being recruited’.<sup>67</sup>

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<sup>62</sup> Dudley Pope, *The Devil Himself: The Mutiny of 1800* (London: Alison Press, 1987), p. 39.

<sup>63</sup> Frederick Hoffman, *A Sailor of King George: The Journals of Captain Frederick Hoffman, R.N. 1793-1814*, A. Beckford Bevan and H.B. Wolryche-Whitmore (eds.) (London: John Murray, 1901), p. 187.

<sup>64</sup> J.S. Bromley, (ed.), *The Manning of the Royal Navy: Selected Public Pamphlets 1693-1873* (London: NRS, 1974), passim.

<sup>65</sup> See, originally, N.A.M. Rodger, *The Wooden World*, p. 183; more recently N.A.M. Rodger, *The Command of the Ocean: A Naval History of Britain 1649-1815* (London: Allen Lane, 2004), pp. 636-9; and David J. Starkey, ‘Quantifying British Sailors, 1789-1828’, in Richard Gorski, (ed.), *Maritime Labour: Contributions to the History of Work at Sea, 1500-2000* (Amsterdam: Aksant, 2007), p. 102.

<sup>66</sup> *Ibid.*, p. 116.

<sup>67</sup> Brian Vale, *A Frigate of King George: Life and Duty on a British Man-of-War 1807-1829* (London: I.B. Tauris, 2001), pp. 27, 34.

In pursuing our objectives, one of which is to discover whether punishment rates varied between different sizes and types of ship, it would be useful to know how many men were on board. This is, unfortunately, impracticable. It may be possible to establish the exact number of men entered on board a ship at the time of each punishment event but the muster lists are not always available. We would, in any case, find ourselves with a frequently shifting total, caused by secondments, deaths, prize crews and various other additions to and subtractions from the vessel's manpower. For example, while serving from time to time as a guard ship at Portsmouth during the 1780s and 90s, HMS *Edgar* regularly sent large detachments of men aboard other ships, and it is often unclear how many went and for how long. On one occasion the captain noted 'Reduced our complement to 400 Men', but without giving a reason.<sup>68</sup> On another, after a refit over a period of at least six months, he wrote that he 'received an order to Complete the Complement to 600' which, incidentally, is some 50 more than the nominal complement for this ship.<sup>69</sup> If punishment rates were dependent on the actual numbers of men on board, what would be the effect on our totals of this constant turnover of men? Similarly, while serving as a flagship in the West Indies during 1796-7, the *Queen* was, for a while, losing seamen to fever almost daily. She sailed from Spithead at the beginning of July, 1796, and moored at Martinique in the middle of September.<sup>70</sup> By the end of the month John Bray, a lieutenant, was dead, and between the fifth and nineteenth of October, a period of fifteen days, eleven more of the crew died. After this she spent most of her time cruising and the incidence of fever seems to have abated, but during the year covered by this particular log 28 men died: five officers, two marines and 21 seamen, only two by accident, and in both of those cases by falling overboard and drowning.

It would, however, make no more sense to measure punishments against the rapidly falling crew numbers than to use the total at the start or at the end of the voyage: even if the size of the crew was in decline, the ship itself, the captain, and the station on which they served were still the same. As any attempts to establish the exact crews of

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<sup>68</sup> *Edgar*, ADM 51/302, 20.12.1787.

<sup>69</sup> *Edgar*, ADM 51/298, 27.12.92; Lyon, *The Sailing Navy List*, p. 68. Lyon states that the complement of the *Edgar* was 550, although for the other 74s in our sample he gives 550/600.

<sup>70</sup> *Queen*, ADM 51/1178.

any of our sample ships would be enormously time-consuming, and would produce results that would be only patchy at best, for the purposes of this research, the size of the crew is taken to be its full complement.

### *Time*

The third circumstance determining which ships were selected was the time periods covered by their logs. As it became clear that it would not be possible to cover more than a small selection from the original 40 ships pointed up by the literature, the length of time for which the logs for each ship existed and matched emerged as a selection criterion. The data from the logs of the frigate *Hyperion*, for example, had already been gathered, and had yielded matched records for only just over two years (1808-1810). What was needed were data from as far as possible across the specified period. A chart showing from when during our period matching logs had survived for each ship was used to ensure that there would be data from as much of our period as possible, and that there would be comparisons both between similar and different classes of ships as much as possible. Thus, of the 74s for example, the *Brunswick*, on which Joseph Nagle enjoyed his time, and, even more unfortunately the *Revenge*, on which Jack Nastyface served under several captains, both appeared in a comparatively small portion of the four decades covered by the study, so they were dropped and gave way in the sample to the *Culloden*, *Edgar* and *Ganges*, which were the next three third-rates on the original list of 40 ships. Each of the latter three yielded data for most of the period between 1783 and 1815. The resulting sample gives a remarkably consistent coverage of the period for each type of ship, as will be discussed further in Chapter 6.

Finally, the time available for the research capped what could be achieved, resulting in a total of 13 ships, registered under 11 names. Two of the ships in the sample were replaced during the period: the *Blanche* frigate was wrecked in the entrance to the Texel in 1799 and the name was reused on a new frigate the following year; and the 64-gun *Ardent* accidentally blew up off Corsica in 1794 and was replaced in 1796. We took the view that, since each of the replacements was similar to the original, as was



the normal practice in the Royal Navy, the lessons to be learned from them would be equally valid.<sup>71</sup>

### *Sample Events*

Having established the sample of ships for the survey, the next step was to get a comprehensive list of all the summary punishments that were reported in the logs. In order to try to capture as much as possible of the summary punishment that went on in each ship the reports of the master and of the captain were compared: the existence of both logs for any particular time period being a condition of their use, and in this, we followed the example of Byrn.<sup>72</sup>

The details of punishments are sometimes clearly laid out, as in a list, but more often fall, matter-of-factly, within a continuous narrative, as with the example from the *Culloden* quoted above. The logs are full of information but most of it, relating to everything from weather to stores, is not germane to this project. It was not, therefore, practicable for the researcher to read every word of each log for this particular study. In view of the large number of logs to be covered they had to be visually scanned page by page, raising the possibility that events could be overlooked. Fortunately, both by the nature of the records as well as by double-checking, the likelihood of missing events is reduced by several safeguards. Comparisons with other studies that have incorporated the same logs as this one, which might confirm this accuracy, are understandably rare, given the number of extant logbooks, but two chance examples suggest that this method produced an accurate capture of the punishment events for which we were searching. Tom Wareham, in his book *The Star Captains*, uses a log from the *Nereide* which is one of those captured for this study.<sup>73</sup> The log actually runs for just over two years, but he uses 224 days worth of records in which he finds 134 floggings.<sup>74</sup> In the first 224 days of the log there were, in fact, 138 floggings, which suggests that the system used in

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<sup>71</sup> For a guide to the perpetuation of names of ships see, for example, David Lyon, *The Sailing Navy List*.

<sup>72</sup> Byrn, *Crime and Punishment*, p. 7.

<sup>73</sup> Tom Wareham, *The Star Captains: Frigate Command in the Napoleonic Wars* (Rochester: Chatham, 2001), p. 216.

<sup>74</sup> *Nereide*, ADM 51/1941.

compiling the present database works very well.<sup>75</sup> In another match, admittedly very short, in Stephen Taylor's *Storm and Conquest*, again of a log from the *Nereide* frigate, this time during 1809, our system picked up 28 events against 26 recorded in the other study.<sup>76</sup> From these comparisons it would seem that, with the following safeguards in place, we have good reason to be confident about our data capture.

In the first place, there are a number of key words and phrases that point up any punishment event. Part of the punishment ritual was to read out the *Articles of War* before the punishment took place, and in some of the logs this is recorded and therefore flags up the event (although the *Articles* were also regularly read on a Sunday, in accordance with Admiralty instructions, so this was often a red herring).<sup>77</sup> Then the word 'Punished' is almost universally used and, usefully, usually capitalised. It is a measure of the effectiveness of this method that 'Puncheons', a word of similar dimensions to 'Punished' but connected with deliveries of water or beer, could often catch the researcher's eye, suggesting that scanning delivered a good hit rate. Similarly, in the captain's record that the *Phaeton* had pumped ship in June 1811, the word 'Pumped' stood out; and in the same log 'Received' (for example bullocks or other supplies) often caught the eye.<sup>78</sup>

Then there is the incidence of details of the punishment: the names and the crimes, and the actual sentences inflicted. Apart from visiting dignitaries, or the arrival or departure of replacement ships' officers, names rarely appear in the logs unless men died or were punished. Names generally stand out from the background narrative and are easy to spot. The same applies to the crimes the men are punished for, especially the

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<sup>75</sup> Wareham's description of the log is not very clear: 'Between 16 August 1806 and 30 September 1808 (a period of 224 days) 134 floggings were inflicted on the crew', which is a mismatch between the dates of the log and the number of days in it. 224 days also seems an arbitrary number of days to use, as there is no obvious break in the log at this point. It is possible that he used a different 224 days, which would make this comparison invalid, but the closeness of his 134 floggings to my 138 suggests otherwise.

<sup>76</sup> Stephen Taylor, *Storm and Conquest: The Battle for the Indian Ocean* (London: Faber & Faber, 2007), p. 24.

<sup>77</sup> Lavery, *Shipboard Life*, p. 3.

<sup>78</sup> *Phaeton*, ADM, 51/2639.

most common occurrences, such as drunkenness, neglect, insolence and contempt. Numbers, however, by the nature of the logs, appear frequently, but most captains conveniently tended to award punishments of round numbers of dozens of lashes (lashes is also a key word that seems to stand out), so that spotting a mention of 12, 24, or 36 often gave a good indication that a sentence was being carried out.

Spotting these clues is helped by the tendency for punishment to have taken place at a set time of the day, usually just before the midday meal. If any punishment occurred on a given day, it tended to be recorded at a predictable place on the page. This helps in spotting events but, unfortunately, is not a universal rule, since some punishments took place at other times, usually before the afternoon meal but sometimes randomly during the day. Very rarely there will be two lots of punishment during the day, morning and afternoon, and one has to guard against the assumption that, having found an event, that is it for the day. When the frigate *Phaeton* anchored in Portsmouth at the beginning of August 1786, 38 men were punished in ten days for being absent without leave, including seven marines and a boatswain's mate. The eleven flogged on 5 August were dealt with in two batches, morning and afternoon, which could have been because they were recovered at different times of the day.<sup>79</sup> A rare afternoon punishment aboard the *Ganges* in 1807 may be explained by her having been involved in a chase in the morning, while on convoy duty in the Atlantic.<sup>80</sup> Overall, however, almost all of the events in our sample took place before dinner.

Even with these aids to finding the data it was clear that some events were going to be missed and, unfortunately, this will always be a problem with projects of this kind. To some extent the problem is dealt with by the matching of captains' and masters' versions, which was part of the design of the sample in the first place. But, as we know (because some 2,000 of the punishment events in the database only appear in either of the matching records, and not both), data missed by the authors of the logs may not be picked up. To guard against this, advantage was taken of the fact that two versions of

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<sup>79</sup> *Phaeton*, ADM, 51/689, 52/1914.

<sup>80</sup> *Ganges*, ADM, 52/3617, 13.1.1807.

each person's log were required to be deposited at the Admiralty. These were often distinguished as being either a log or a journal, and when both were available they were both looked at. Journals sometimes turned out to be less detailed than the corresponding logs: Cass Hallidey, master of the *Queen* under Captain Richard Thomas between 1805 and 1806 kept both a log and a journal, but only the former contained any punishment details at all.<sup>81</sup> But most of the journals, for both captains and masters, matched and provided a useful double-check. If both versions, log and journal, were not available, a second, more cursory scan was made of what *was* available. The extra time and attention thus paid to each record was justified as it occasionally turned up a missing event. The net result is that, in most cases, at least three versions of each day's events have been examined to create this database, and we can have confidence that it accurately represents the available record.

It was no surprise to find that the captains' and masters' logs did not always agree; but what was surprising was the amount of variation between the two, considering that the logs are considered to be the legal records of the ships.<sup>82</sup> If the logs had tended to match then the 9,224 reports extracted from both types of log might have yielded some 4,500 matched events. As it turned out, only some 3,000 confirmed, matched events can be identified. But the reason for using both captains' and masters' logs in conjunction is not only to reach agreement between the two, but also to try to fill in the gaps and over 2,000 of the reports, that each appear in one log only, can be added to our sample, giving a total of 5,000 events for us to analyse. These unmatched reports should be included even though they do not appear in both logs on the assumption that, while it is easy to leave something out of a report, it is unlikely that extraneous events will get in: we are more concerned with getting confirmation that no event took place than with corroborating those we already know about.

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<sup>81</sup> *Queen*, 52/3676, 8.11.1805-23.4.1806.

<sup>82</sup> See Clive Wilkinson, 'The Non-Climatic Research Potential of Ships' Logbooks and Journals', *Climatic Change*, 73 (2005), pp. 155-167.

Interestingly, these unmatched reports may come from either the captain or the master. It has been suggested that ‘some captains may have been inclined to suppress some details regarding punishments’ as ‘the tide was turning against the practice of severe and arbitrary punishment’.<sup>83</sup> This seems unlikely: if captains tended to understate their punishments there would be many more events reported in the masters’ logs than in the corresponding captains’. In fact, when there is disagreement between versions, this study has tended to favour the captain’s version on the perhaps tenuous assumption that he was more likely to have a full-time secretary to check details and spelling.

### *Legibility*

Actually extracting the information from the log books presents its own set of problems, both in terms of how much day-to-day detail has to be examined, and in how understandable that detail is.

The first problem is legibility, which is a problem common to any historian looking at hand-written records. In a way, it is encouraging to see how consistent the logs are in design and how accessible most of them are. Mostly the handwriting is good and, although there are plenty of inconsistencies in spelling, these mainly give a clear phonetic idea of what is meant. What is often quite hard, though, is interpreting individual letters, particularly when trying to distinguish capitals such as L, F, S and T. Ordinarily, in a piece of straight prose, these letters may be obvious from the context, but when the researcher is mainly trying to extract proper names the similarities between these letters becomes a factor. The tendency of some journal writers to foreshorten capital letters can also cause confusion. The writer of Captain Corbett’s log from the *Nereide* in 1808 wrote his capital J to look much like an I, or even a T, with the loop above the line.<sup>84</sup> Stephen Taylor, at least, was taken in by this, reading the forename Jn<sup>o</sup>, a common abbreviation for John, as In<sup>o</sup> or, in one case, as an abbreviation for Thomas.<sup>85</sup> This has resulted in four of the 26 punishments he records for this period having been

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<sup>83</sup> Wareham, *The Star Captains*, p. 220.

<sup>84</sup> *Nereide*, ADM 51/1941.

<sup>85</sup> Stephen Taylor, *Storm and Conquest*, p. 24. Taylor has also given the wrong reference for these events, citing the log for the following year, ADM 51/2590.

handed out to men named Inigo, surnames Gardner (twice), Finnamore and Carrim. The name Inigo has not appeared in full in any of the records used in the present study, whereas, as expected, John is the most common of all, and it is barely conceivable that three men named Inigo would turn up in the same few lists. In the same way, Taylor's reading of John Brown as Thomas Brown could conceivably be correct, except that Thomas is usually abbreviated as Thos or Tho<sup>s</sup>, rather than as Th<sup>o</sup> and is usually quite distinctive.

Another problem to the reader of these logs is that in a hastily scrawled journal the individual letters in a word often assume a uniformity which makes the exact name something of a guess. This is a problem not only with names but with the crimes the sailors are convicted of: words such as 'insolence', 'indecenty' and even 'inhumanity' can all seem very similar; and 'drunkenness', one of the most common crimes, is often easily confused with others such as 'dirtiness' or 'disobedience'. Edward Harle, of the *Phaeton*, was flogged on 11 September 1811. The captain's version of the log records that he got '48 lashes on the Breech for filthiness & Theft'.<sup>86</sup> The master's version is '48 lashes on the Britch for falseness & Theft'.<sup>87</sup> These are almost word-for-word versions of the same event, but raise the question of whether the researcher or one of the participants copied down the wrong word. Similarly, on the *Culloden* in 1804 two seamen named Jos<sup>h</sup> Langley and Mich<sup>l</sup> Clark received eighteen lashes each for filthiness, according to the captain, but for fighting in the master's version.<sup>88</sup> On checking, these were examples of differences in the logs, rather than transcription errors. Where two logs were clear but disagreed, the captain's versions were used.

The problem of legibility is made worse in many cases by the condition of the log books. As a rule, the writing has survived very well, although in a few cases the ink has faded almost away. Some of them are still in their original leather-bound Admiralty volumes, but most of these are in a very fragile condition. In fact, a majority of the logs

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<sup>86</sup> *Phaeton*, ADM 51/2939.

<sup>87</sup> *Phaeton*, ADM 52/4230.

<sup>88</sup> *Culloden*, ADM 51/1527; 52/3585, 20.8.1804.

used in this sample have been rebound, but often the binder has stitched through some of the contents. The result is that important details are lost in the stitching, often including the beginnings or ends of names or offences.

### *Names*

The next problem is the accuracy of the entries themselves. Ideally, one would like to identify clearly every man being punished, but this is simply not possible. For many of our events and for many of our offenders this does not pose a problem: if a man was punished and can be identified in both versions of the record, then for the purposes of finding gross rates of offending and punishment it is not important whether we have captured his name exactly. But when we are seeking to establish patterns of offending and punishment it becomes crucial. In many cases the spelling used in the logs is clearly guesswork, as is evident from the inconsistencies between entries for rarer names: Thomas Cumberledge, a seaman on the frigate *Nereide*, appears under eight different spellings in nine appearances, but we are entitled to assume that all of them relate to the same man.<sup>89</sup> But when this affects common names such as Neal, Burn(e), Donnolly or Moore then there is always the question of whether the variations in spelling represent one man or several. It may be possible to refer back to the muster lists to establish whether more than one spelling of each name existed on board, but this proved unfeasible, given the time available, for the magnitude of ships' time considered. Given time, it would be possible to pinpoint the identities of most of the men who have passed our scrutiny but, even then, the problems posed by the likes of Smith, Jones and Murphy mean that we will never be quite sure we have the right man.

Plenty of work has been done by historians on the problems of nominal record linkage. There has rightly been an emphasis on the need to be 'scrupulous and methodical' in establishing names before we start to count events in our analysis, which

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<sup>89</sup> *Nereide*, ADM 51/1941, 52/4195, passim. The captain's log has entries for this man as, variously, Cumberledge, Cumberlege, Cumblege, Cumblidge, Cumblige and Cumbreledge; while the master has him as Cumberledge, Cumbuledge and possibly, although it is not very clear, Cumbulure.

is certainly something to which we must aspire.<sup>90</sup> A number of rules and methods have been put forward to help us, and systems from Soundex onwards have been developed to provide us with tools for matching those names. Many of the tools which, it has been suggested, may be useful in identifying individuals in medieval prosopography are unavailable to us in the study of relatively closed groups of men on ships in the eighteenth and nineteenth centuries: there are no clues such as class, age or address to distinguish between different men of the same name.<sup>91</sup> David Herlihy also advocates rejecting records where there are mismatches in names, a process which would not be useful to us because, having selected our sample of ships and logbooks, and identified the punishment events, we cannot remove any without damaging our results.<sup>92</sup> Nor are we able to adopt any remotely scientific form of ‘preference coding’, by which we could measure the likelihood of any repeated name matching.<sup>93</sup> With some exceptions, where the names are unclear or inconsistently spelt and a view has to be taken as to what they really should be, the names are straightforward. We are not attempting to reconstruct the lives or service of individual men over time or from ship to ship. For one thing this would be an almost impossible job given the size of the population to be studied, the patchiness of the records and the tendency for some men to adopt ‘pursers’ names’, or aliases, to evade identification. There is no way of knowing how common this last was, but there is evidence that it occurred, the best known example possibly being that of Alexander Smith, alias John Adams, of the *Bounty* mutineers.<sup>94</sup> In the logs included in our sample there are examples that may point to this phenomenon. On the *Ardent*, on 4 January 1800, there is an entry ‘Punished Thomas Williams alias George Millar (seaman) with 48 lashes for attempting to desert’, and then another, three months later to

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<sup>90</sup> Richard Gorski, ‘A Methodological Holy Grail: Nominal Record Linkage in a Medieval Context’, *Medieval Prosopography*, Vol. 17, Number 2 (Autumn 1996), p. 146.

<sup>91</sup> David Herlihy, ‘Problems of record linkages in Tuscan fiscal records of the fifteenth century’ in E.A. Wrigley, (ed.), *Identifying People in the Past* (London: Edward Arnold, 1973), p. 51.

<sup>92</sup> *Ibid.*

<sup>93</sup> Gorski, ‘A Methodological Holy Grail’, p. 165.

<sup>94</sup> Sir John Barrow, *The Eventful History of the Mutiny and Piratical Seizure of HMS Bounty its Causes and Consequences* (First published 1831; Captain Stephen W. Roskill, ed.) (London: The Folio Society, 1999), p. 228.



the day, describing him in the same terms, when he was thrashed for theft.<sup>95</sup> And on the *Queen*, six years later, amongst a group of men punished ‘for different crimes’ were Noah Flood, Tho<sup>s</sup> Thomas and Rich<sup>d</sup> Richards, all of which may be genuine, but which all sound like the first thing that popped into their heads when they were recruited.<sup>96</sup> Other problems of record linkage, such as recurring surnames and eccentric or inconsistent spellings, remain unsolved, and these problems appear in the results from the Royal Navy logbooks in the same way as in other records.<sup>97</sup>

All writers on this subject will have had to deal with the problem of inconsistent spelling, or the ‘suspiciously similar but not identical names’ that jostle for position in the punishment lists.<sup>98</sup> As we shall see, names are often recorded wrongly and we are sometimes fortunate enough to be able to correct them by reference to both versions of the log. It is only to be expected, of course, that in written journals there will be mistakes, but there is some evidence that there was generally a cavalier attitude towards spelling names with which Georgians seem to have been relatively comfortable. Examples can be found even in published works. In *The Post Captain*, published in 1805 and based on the author’s experiences in the Royal Navy during the 1790s, characters described by the narrator have very different names from the same characters described by others within the story. The narrator’s ‘Robert Soundings, master’, becomes ‘Sam Soundings, master’ in a report by his captain, Captain Brilliant; and ‘Francis Easy, the marine officer’, becomes ‘Evelyne Easy, officer of marines’.<sup>99</sup> There is no sign that this is any sort of plot device, and no comment is made on it to explain the discrepancy; it just seems to have gone unnoticed. This attitude seems to have carried over even into official proceedings and documents. In the court martial into the loss of the *Danae*, the ship that mutinied in 1800, one of the men named in the proceedings as a mutineer was wrongly named by two of his officers: John McDonald was called Thomas

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<sup>95</sup> Ardent, ADM 52/2702.

<sup>96</sup> *Queen*, ADM 52/3676, 12.3.1806.

<sup>97</sup> Gorski, ‘A Methodological Holy Grail’, pp. 156, 160.

<sup>98</sup> Wareham, *Star Captains*, p. 220.

<sup>99</sup> John Davis, *The Post Captain* (Sulhamstead: Tops’l Books, 1984), pp. 83, 89.

McDonald by the master-at arms, William White, and Robert McDonald by the second lieutenant, the Hon. James Rollo.<sup>100</sup> Perhaps the second lieutenant may have been too remote from the forecandle to be too scrupulous about knowing or remembering the forenames of the crew, but the master-at-arms, effectively the ship's policeman, has no excuse. It may be that these were simple transcription errors on behalf of a clerk, but the suggestion that they were not properly checked suggests a very relaxed attitude to names in the face of what was, in this case, a very serious accusation.

### *Stations*

Identifying where the punishments occurred raises two questions: where in the world the ship was at the time, and whether the punishment took place while the ship was at anchor or at sea. Did the amount of punishment depend on the station in which the ship was serving? Byrn assumes that the results of his study of voyages to the Leeward Islands before and during the French Wars would show levels of punishment consistent with conditions in other theatres, but other writers disagree and we would like to throw further light on this. Similarly, what can we discover about how rates of punishment differed when the ships were at sea compared with when they were in port or anchored, considering the implications for access to land or alcohol?

John Byrn dismisses the problem of whether punishment rates differed between theatres in just a few words, pointing out that not enough quantitative analysis has been done on naval records to be able to answer it.<sup>101</sup> Because the rate of conviction for homicide in his own study matches that of Arthur N. Gilbert's calculation of the rate for the navy as a whole in the second half of the eighteenth century, and because his rate for desertion in the French Wars could be said to agree with Professor Rodger's estimate of desertion in the Seven Years' War, he concludes that the figures for the rates of punishment in the West Indies 'are probably more the rule than the exception for the service in the age of sail'.<sup>102</sup> A number of writers can be ranged against this conclusion,

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<sup>100</sup> Dudley Pope, *The Devil Himself: The Mutiny of 1800* (London: Secker & Warburg, 1987), pp. 126-7.

<sup>101</sup> Byrn, *Crime and Punishment*, pp. 7-8.

<sup>102</sup> *Ibid.*, p. 8.

although they are not necessarily backed by any better quantitative data, and the available examples tend to come from earlier than our period and from the merchant service as much as from the Royal Navy. Punishments on the *Dragon*, under Captain William Hervey, in the 1760s, were worse in the West Indies than elsewhere, partly because ‘temptations of the flesh’ and the ease of getting a voyage home on a merchant ship encouraged desertion.<sup>103</sup> Leonard Gillespie, the surgeon on the *Racehorse*, blamed the issue of ‘rum served for want of beer’ for the ‘many physical and moral evils’ which occurred in the West Indies, but not in the Channel service.<sup>104</sup> On merchant ships, according to Daniel Vickers, there seems to have been a clear correlation between the distance from home and rates of punishment, although this may have had more to do with the legitimacy of the punishment and the masters’ fear of getting caught.<sup>105</sup> This example applies to American merchant ships and suggests the relevance of ‘distance from enforceable law’, a concept that may not apply to the British fighting service; but we should not dismiss the possibility that there was an expectation amongst mariners that this should be so.<sup>106</sup> It may be that time away, rather than distance, is the more important factor in determining the crews’ behaviour. ‘Frustration theory states that deprivation leads to aggressive behaviour: the number of fights on the trawlers increases after 60 days at sea, but is three times greater ... from day 90 to day 120’.<sup>107</sup> This may be true of fishing boats but would be hard to establish in our sample of Royal Navy vessels, since very few of our log books show discrete commissions or voyages from which we could take measurements of 60, 90 or 120 days. Even if they did, we would be trying to compare the merchant service, in which a man was usually at liberty to join a ship at will and leave it at the end of a voyage, and the Royal Navy, where we know that the men may have been on board the same ships for years beforehand. Alan Jamieson noted that on the three ships that he studied from the Royal Navy of the American

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<sup>103</sup> Tim Clayton, *Tars: The Men Who Made Britain Rule the Waves* (London: Hodder & Stoughton, 2007), p. 229.

<sup>104</sup> Lavery, *Shipboard Life*, pp. 487, 502.

<sup>105</sup> Daniel Vickers with Vince Walsh, *Young Men and the Sea: Yankee Seafarers in the Age of Sail* (New Haven: Yale University Press, 2005), p. 241.

<sup>106</sup> *Ibid.*, 242.

<sup>107</sup> Charles P. Kindleberger, *Mariners and Markets* (Hemel Hempstead: Harvester Wheatsheaf, 1992), p. 61.

Revolutionary War, the one on which there was the most punishment was the only one that spent most of its war service in North American waters rather than close to home, and that perhaps ‘the strain of prolonged overseas service, and the proximity of an enemy with whom crew members would find much in common if they deserted, necessitated a stricter disciplinary regime’.<sup>108</sup>

In this study we have adopted a system of only four stations: Home, Mediterranean, West (comprising the Americas) and East (of the Cape of Good Hope). This is an oversimplification, since other writers have variously identified five, six, seven, eight and thirteen stations, but is a realistic response to the comparatively small size of our sample of ships and the difficulty of establishing exactly when an individual ship could be said to move from one region to another. It could be argued that a distinction should be made between North America and the West Indies, or between the North Sea and Channel, but even generalising this much still leaves the possibility that an individual ship may skew the results.<sup>109</sup> This is an intractable problem. The log-based CLIWOC Project assumes that the North Atlantic and English Channel would have been common for all the vessels whose logs it was using, and therefore do not even count it as a region.<sup>110</sup> This would not be appropriate for us, since some of our sample vessels were clearly stationed there, but it highlights the fact that almost every ship will have passed through it at some time in its voyage. Portsmouth, Plymouth and Cork would each have had admirals in command, but these together constitute the Channel Fleet. This would have included not only the Channel Fleet itself, but also a constantly changing range of cruisers and battleships patrolling and blockading the Atlantic seaboard, operating between the Western Approaches, Ireland and Portugal.<sup>111</sup> The North Sea Fleet operated between the Baltic, the Texel and the Nore, but we may include Chatham, Deptford and Midway in this region, each of which had their own commanders. For our purposes, both the Channel and North Sea Fleets are considered as the Home station.

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<sup>108</sup> Jamieson, ‘Tyranny of the Lash?’, p. 64.

<sup>109</sup> Wareham, *The Star Captains*, p. 102.

<sup>110</sup> Wilkinson, *British Logbooks*, p. 65.

<sup>111</sup> Wareham, *The Star Captains*, p. 102.

The East Indies station stretched from the Cape of Good Hope to China, but was sparsely populated by British naval vessels and only three of our sample ventured there. Technically, the Cape had its own commander from 1797, and became a separate station after 1805, but it controlled access to the east and we have to treat it as part of the same area.<sup>112</sup> Even so, the inclusion in our sample of the frigate *Nereide*, for example, captained by the infamous Robert Corbett who was court martialled for cruelty, although it gives us a standard to measure other punishment regimes by, will also disproportionately inflate the punishment rates for the Far East.<sup>113</sup>

On the other side of the Atlantic we can identify four separate commands, Jamaica and the Leeward Islands in the Caribbean, and Nova Scotia and Newfoundland to the north. Again, with only five of our sample having served in this theatre we have to combine these stations together. This is reasonable since there was a considerable overlap, with ships based in the Caribbean serving South America and the link between the Caribbean being established by ships often migrating north during the hurricane season; but it clouds any conclusions we can make about the effects of season on punishment rates.<sup>114</sup> As there was no separate African command, and ships sent to serve there usually went on to Jamaica, they too would be included in this classification.<sup>115</sup>

It has been pointed out that, although the Mediterranean station should be the easiest to define by geography, it extended as far as the Adriatic and to Cape St Vincent, Sparte, and Cadiz, and that the classification still applied even after the Mediterranean

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<sup>112</sup> Derek Cripps, *Royal Navy 1773-1807: Captains, Ships, Stations, Squadrons* (Wisconsin: Arlington House, 2002), file ST93; Wareham, *The Star Captains*, p. 102.

<sup>113</sup> See Wareham, *The Star Captains*, pp. 216-9; Christopher Lloyd, *The British Seaman 1200-1860: A Social Survey* (London: Paladin, 1970), p. 222.

<sup>114</sup> G.J. Marcus, *Heart of Oak: A Survey of British Sea Power in the Georgian Era*, (London: OUP, 1975), p. 27.

<sup>115</sup> Wilkinson, *British Logbooks*, p. 18.

was abandoned in 1797.<sup>116</sup> With ships sometimes serving as far north as Lisbon, there seems to have been some overlap with the Channel Fleet.<sup>117</sup>

This fourfold classification merges neatly with the four kinds of alcohol likely to be served, namely beer in the home ports, wine in and around the Mediterranean, rum on the Western stations and arrack in the Far East, whose various effects will be discussed in Chapter 5. There remains the problem of how to place each of our ships in one of these stations and in this, despite the wealth of Admiralty record-keeping, there is no accurate official guide. It has been pointed out that, due to poor communications, 'it was obviously thought sufficient to record the whereabouts of each ship according to its general or command disposition', which really does not give a clear picture of where the ship was.<sup>118</sup> Some vessels, especially frigates, were kept under direct Admiralty control and recorded under 'Cruising & Convoy', and could be sent on convoy duty or to reinforce other squadrons where needed.<sup>119</sup> In these circumstances it would be next to impossible to place them precisely. Again, in specific situations, ships could be miles away from where the records suggest they were. So in 1806, vessels officially designated as blockading French and Spanish ports were sent to track French squadrons thought to have evaded the blockade, and scattered as far as St Helena and the West and East Indies to give warning.<sup>120</sup> None of this activity was recorded in the station lists. Any system of defining where ships were using official sources will involve some arbitrary elements: in deciding which vessels to use in his study of voyages to the Leeward Islands, John Byrn found discrepancies between the length of time ships were absent from England and the length of time they were listed as having been in the West Indies, and decided to exclude any voyages where the latter was less than 75 per cent of the former.<sup>121</sup> The alternative is to rely on the positions recorded in the logbooks themselves. In the present project, no attempt was made to establish exactly where on

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<sup>116</sup> Wareham, *The Star Captains*, p. 102.

<sup>117</sup> Wilkinson, *British Logbooks*, p. 18.

<sup>118</sup> Wareham, *The Star Captains*, p. 101.

<sup>119</sup> *Ibid.*, p. 103.

<sup>120</sup> Wilkinson, *British Logbooks*, p. 39.

<sup>121</sup> Byrn, *Crime and Punishment*, p. 7.

the planet each of our sample ships were from day to day, but notes were taken of where they were at the start and end of each complete log, and at significant points in between. So, when a ship dropped anchor after a period at sea, its position was noted. If a ship sailed from one theatre to another, it is moot as to when exactly the change took place, and some judgement has had to be used. While this method cannot give a perfectly accurate position for each ship all the time, it is expected that it gives a more sensitive picture of the stations on which the men were serving than relying on the official postings.

Apart from recording where the ship was, we should like to know whether the punishment took place while the ship was at sea or anchored. This attempts to address the questions of whether the men's behaviour was much worse while at anchor – where they presumably had more opportunity to get hold of liquor – than when they were at sea, or whether the captain would avoid handing out punishment while in port. Most writers are clear that there would be more misbehaviour, and therefore more punishment, in port. In the words of one contemporary we should see a clear division between the two: 'Sea-going vessels are invariably in better order when at sea than in port, and the list of all punishments decreased to half'.<sup>122</sup> Similarly Captain Moore, from whom we have already heard, was clear that 'We are best at sea in every respect; the idleness, dirt and debauchery of the harbour ruins both officers and seamen'.<sup>123</sup> This seems to have been confirmed by Marcus Eder, who found a tendency during the Seven Years' War 'that summary punishment preferably took place when a ship was in harbour and not when it was at sea'.<sup>124</sup> He concludes that this was either because the men found more time for bad behaviour while in harbour or, intriguingly, that the officers were too busy while at sea to award punishment, 'and therefore postponed this punishment until the ship was back in harbour'.<sup>125</sup> There are two points of interest in the latter suggestion. We may wonder why Eder thinks officers would be too busy, given that space was

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<sup>122</sup> Francis Liardet, *Professional Recollections on Points of Seamanship, Discipline, &c* (Portsea: William Woodward, 1849), p. 281.

<sup>123</sup> Wareham, *Frigate Captain*, p. 176.

<sup>124</sup> Eder, *Crime and Punishment*, p. 65.

<sup>125</sup> *Ibid.*, p. 66.

usually available in the routine of the day for punishment to be fitted in, and the logs demonstrate that it frequently was. The other is that it seems to contradict a suggestion by Captain Marryat: that ‘some latitude is permitted, and the seamen are seldom flogged in harbour’.<sup>126</sup> In fact it is clear that captains *were* willing to punish their crews while in port, as more than half of the events in our sample took place while the ships were at anchor, but whether this is proportionate to the percentage of time spent in port is more difficult. Because of the way that the data have been gathered there was no opportunity of keeping track of what proportion of time all of the ships spent at sea, which is unfortunate. But even if we knew this, we know from journals, notably Robert Wilson’s, that there was usually a time lag between an offence and its punishment, and that this was encouraged as it allowed for a cooling-off period. It does, however, mean that a man punished at sea may have committed the crime ashore some time before, or vice versa. Sometimes ‘a rash of punishments’ has been noted when a ship put to sea, as with the *Dragon* in 1761, some of which were almost certainly connected with behaviour on shore, but with no indication of how long before.<sup>127</sup> Indeed, a punishment book kept for the *Blake* in 1811-12 makes this clear, with delays between the offence and the punishment of anything up to three months.<sup>128</sup> But for Captain Moore the drunkenness continued for days after the ship sailed, so that punishments in the first few days at sea were not necessarily for offences committed on land.<sup>129</sup> From March 1811 the Admiralty ordered that captains should submit quarterly punishment returns and, given time, it might be possible to recreate a precise pattern of where and when a sample of crimes from the last few years of the wars were committed and when and how they were punished.<sup>130</sup> Otherwise, we really cannot guess where the offences that were being punished at sea were committed. So it seems likely that finding out whether proximity to land was a determinant of behaviour may be impossible.

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<sup>126</sup> Frederick Marryat, *Peter Simple* (London: J.M. Dent, 1929), p. 71.

<sup>127</sup> Clayton, *Tars*, p. 228.

<sup>128</sup> Black List, HMS *Blake*, 1811-12, reproduced in Lavery, *Shipboard Life*, pp. 409-416.

<sup>129</sup> Wareham, *Frigate Captain*, p. 132.

<sup>130</sup> Byrn, *Crime and Punishment*, pp. 19-20.



### *Data Entry and Reconciliation*

The data so gathered were entered into an Access database. Once entered into the database, the sizeable task of reconciling the data remained to be done. As has been explained, although the captains' and masters' logs covered the same periods on board each ship, there were considerable differences between them. Many of these differences, some 2,000, were impossible to reconcile, because they were missing from one of the two logs. Some reconciliations presented opportunities to fill in details, as when only incomplete or unreadable details were available from one version, but could be added to from the other. A surprisingly large number of entries had to go through a more involved reconciliation process: surprising, because of the supposed legal standing, and therefore presumed accuracy, of these records.

Reconciliation was an iterative process, involving sorting and re-sorting the database by dates and names to identify the matches. Every recorded event was then coded according to its status: the captain's version of a matched event (A); the master's version of a matched event (B); unmatched and appearing only in the captain's version (C); unmatched and appearing only in the master's version (M); or unmatched and unmatchable (U), as the corresponding log was missing. This last was because, to start with, it had been assumed that the importance of comparing the captains' and masters' versions was simply to pick up an occasional missed entry. It was not until the project was well under way that it became clear that there were substantial differences between many of the officers' records of the same voyages, and that the potential unreliability of any one version was recognised. By this time some logs had been captured of which parts were unmatched. This happened because captains and masters were often replaced at different times and would start new logs out of phase with one another, and where there was an overlap the resulting unmatched data had to be treated as unreliable. In all, 1,309 of the 9,229 original events recorded, while still providing useful anecdotal evidence, do not feature in the statistics. Researchers should be wary of relying on one series alone for figures on punishment.<sup>131</sup>

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<sup>131</sup> For example, see Richard Blake, *Evangelicals in the Royal Navy 1775-1815: Blue Lights and Psalm-Singers* (Woodbridge: Boydell, 2008), p. 261. Blake used captains' logs from 1 January 1806 to 31 July 1809, and masters' logs from 28 December 1808 to 31 January 1811, for a study of punishment aboard

On the assumption that the captain's version of events is at least as likely to be accurate as that of the master, when analysing these data we will be using A+C+M as the definitive list of punishments in our sample. There may be some question as to which version should be taken as the default if there is a difference between the two. Intuitively, one might assume that the master's version would have been drawn up from the records kept during the working day, and that the captain would have had a copy made of this for his own records, which would suggest that there would be more transcription errors in the captains' logs. But since, as will be shown, there are as many events missing from masters' logs as from captains' in our sample, it is apparent that both are likely to have been either independently compiled, or that both were generated from the same source. The master's log from the *Nereide* for the period 16 August 1806 to 24 August 1807 starts off: 'His Majesty's Ship Nereide's Log Book, Commencing the 16<sup>th</sup> Aug<sup>t</sup> 1806 And ending the 24<sup>th</sup> Aug<sup>t</sup> 1807. Kept by Corthine Parker, Master'.<sup>132</sup> But Parker writes that he only joined the ship on 23 August, so he must have copied all the detail of the first week of the log from somewhere else. The captain would have had a clerk to do most of his paperwork, as is apparent from many of the logs. Examples such as that of the *Blanche*, in Portsmouth in 1789-90 show a contrast between the beautiful writing in some of the logs themselves and the entries and signatures of the captains, and it is not unreasonable to suppose that more care and skill would have been lavished on these than on the masters' versions.<sup>133</sup> These would most probably have been compiled by their mates, who may have been of varying literacy. Whether greater literacy really brought greater accuracy is, however, not proven. The writing often changes mid-log, while the captain's signature remains distinct from both the old and new styles, and in the case of Captain Roger Curtis of the *Ganges*, at Portsmouth between 1785 and 1787, a change of handwriting brought a change in the style of the log and, for some reason, a complete end to any recording of punishments.<sup>134</sup>

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the *Conqueror*, despite there having been large discrepancies between the two series during their six-month overlap.

<sup>132</sup> *Nereide*, ADM 52/3848.

<sup>133</sup> *Blanche*, ADM 51/95.

<sup>134</sup> *Ganges*, ADM 51/382, 2.7.1787.

It is not feasible to consider recording all the details of all the changes made in the reconciliation process, but some examples will illustrate the process.

Sometimes dates differ between the two logs, usually by a day: for example, on the *Phaeton* the captain's log has Peter McIntire, John McMillan and Robert Pestor being punished on 12 November 1788, but the master records these events as having taken place on the following day.<sup>135</sup> Similarly, on the *Hyperion*, four named men were punished on 14 August 1809, according to the master, but on the next day according to the captain; and on the *Ardent*, Bartholomew Conner was flogged on 21 November 1785 in the captain's version but on the following day according to the master.<sup>136</sup> The same inconsistency occurs in logs from the *Culloden* on a number of occasions, and repeatedly on the *Nereide*, on the *Blanche* and on the *Queen*. There is no obvious explanation for this. It is notable that these examples straddle the change from shipboard time to shore time, which took place in 1805. Otherwise, had all the examples been from before that year, we might have concluded that there existed some sort of confusion, when punishment took place just before noon, as to on which day it should be recorded. It is not always the master's or always the captain's version that records the event on the later date, although it is more often the master's. There is therefore no indication that the different routines of writing up the logs, or the quality of the recording between the captain or his secretary and the master or his mates caused the anomalies. This should not matter to our figures for punishments overall, except as far as analysing any difference between rates of punishment on the different days of the week is concerned. Despite this being a noticeable phenomenon, it only affects a few dozen events on under twenty occasions and should not markedly affect our results. Exceptionally the gap can be longer: there were two occasions on the *Blanche* of gaps of two days between the two records, one on the *Culloden* of three days, one on the *Phaeton* of four days, and one, on

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<sup>135</sup> *Phaeton*, ADM 51/689, 52/2452.

<sup>136</sup> *Hyperion*, ADM 52/4509, 51/2452; *Ardent*, ADM 51/57, 52/2154.

the *Edgar*, of as many as six, with John Morgan and John Warren listed as having been punished on 21 July 1801 in the captain's version and on 27 July in the master's.<sup>137</sup>

Sometimes, it is not inaccuracy as much as lack of detail which causes problems in reconciliation. On the *Edgar*, on 12 January 1802, the captain's log recorded that six men, comprising four seamen and two marines, had been punished for quarrelling and uncleanliness, but in this log, unusually, Captain Otway records no names at all.<sup>138</sup> Mostly this is not too much of a problem as the master, in this case a George Morrison, usually gives the details, but in this case he details only five men by name, three seamen and two marines.<sup>139</sup> We are confronted with the question of whether the captain or his clerk misremembered the number of men at the grating that day and reported six instead of five, or the master (or his mates) missed a name off the list. Our solution to this problem, in line with the assumption we made when deciding to use the two versions of the logs, is to include the extra, unnamed, sailor in our figures, although he will always remain anonymous. It could be argued, however, that it is more likely that the captain was in error, since he did not have the details of the men's names to corroborate his report. This happened again a month later when, according to the captain, five marines were flogged for disobedience of orders on 11 February 1802.<sup>140</sup> In the master's version, three marines and another man, all named, each received two dozen on the same day and for the same offence.<sup>141</sup> These are isolated cases, caused by the captain taking an unusually relaxed approach to record keeping, and we find only a few other instances. On the *Ganges* on 5 August 1782 the captain, Charles Feilding, in an atypical lapse from his normally full reports, simply recorded 'Punished three men for Theft and Foresaking their Stations', whereas the master's version has the details of two men being flogged for neglect of duty.<sup>142</sup> On most of the occasions when the two logs differ as to the number of

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<sup>137</sup> *Blanche* ADM 52/2773, 51/1360, 51/1401; *Culloden*, ADM 51/221, 52/2230; *Phaeton*, ADM 51/680, 52/3284, 21/25.6.94; *Edgar* ADM 51/1371, 52/2964.

<sup>138</sup> *Edgar*, ADM 51/1415.

<sup>139</sup> *Edgar*, ADM 52/2964.

<sup>140</sup> *Edgar*, ADM 51/1415.

<sup>141</sup> *Edgar*, ADM 52/2964.

<sup>142</sup> *Ganges*, ADM 51/381, 52/2317.

men being punished, it was the captain who recorded the higher number, but this is probably just a coincidence, as we can find an example of the master recording a higher total on the *Ganges* in 1806. On New Year's Eve the captain recorded that he had flogged three unnamed men for drunkenness, whereas the master had four named men flogged for theft, and another for drunkenness and attempting to swim from the boat.<sup>143</sup> In this case we must assume that the five men recorded by the master include the three in the captain's log, even though the crimes are different. To do otherwise would probably expose us to double counting. Perhaps, for example, the drunkenness was the result of the theft of some alcohol. We therefore arbitrarily coded three of the master's named men as matched (A) and the other two as unmatched (M).

But most of the problems with reconciling the two versions of the records of each voyage are to do with inaccuracies in the names. One measure of how random or measured punishment aboard the ships was is whether the same recidivists were receiving it or whether it was handed out evenly, and so it is important that we try to match the names where they seem to be variations of one another. We have already noted the cavalier approach to forenames amongst Georgian writers, and if there has been a simple substitution of one forename for another in one of the logs, and the date and details of the offence match, and if the captain's version is quite clear, then we have usually accepted that. On the *Culloden*, in 1789, Captain Sir Thomas Rich gave a man he called John Hunter seven lashes for drunkenness, a charge and sentence that the master confirms, but for a William Hunter.<sup>144</sup> Similarly, fifteen years later, Captain Christopher Cole gave a marine named Peter Gallagher and eleven other men between one and two dozen lashes each for drunkenness and neglect, but Gallagher is recorded as William by the master.<sup>145</sup> These examples are clear enough and offer no real difficulties, as long as neither John nor William Hunter, and neither Peter nor William Gallagher turns up again in the lists. Other difficulties are not so easily solved, and there follows a representative selection of the problems.

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<sup>143</sup> *Ganges*, ADM 51/1627; 52/3617.

<sup>144</sup> *Culloden*, ADM 51/221, 52/2241, 19.3.89.

<sup>145</sup> *Culloden*, ADM 51/1527, 52/3585, 13.7.04.

Some assumptions have to be made about not very readable names. Generally we avoid changing names, but sometimes, even if the other details of an event do not exactly match, it is a reasonable option, particularly if the name is in any way distinctive. So, on the *Edgar*, a man whose name looks something like Richard Alguter can be changed to match the Richard Algate in the other log, and Morrice and Morris Bremen are the same man as Morris Brennan. Silvester Cull has such a distinctive forename that there is little doubt that he is the same man as Silvester Cutt, and the same could be said of Walter Flarty and Walter Flouty, who are almost certainly variations on Walter Flaherty. A marine called John Scandling appears, written very clearly, and matched in both the captain's and master's logs.<sup>146</sup> But we also have the appearance of marines called Scanlon and one that seems to read John Scanbi, which seem both to be variations of the same name. But often, although one might suspect that two entries may be different versions of the same name, there is no evidence to connect them so, since the names of both Peter Bennett and Peter Barratt are clearly legible, we assume that they are separate. Similarly, John Gardiner and John Gardner could easily be the same man but they appear four years apart. There is no reason why a man may not be on the same ship for even longer than that, but, equally, there is nothing to tie the two together. There is also no evidence that Daniel Creighton should not be a separate man from Daniel McKenzie Creighton: despite the coincidence of the names, it may have been usual to deliberately distinguish between them, and we should treat them as separate. Similarly, we cannot tell whether J. Mahoney is the same man as Jeremiah Mahoney. But we see many examples where there is no clear way of deciding whether the spellings are right or not, such as with the variations of the name Donavan, Donavon and Donovan, or Kinnolley and Kennelly, or Robinson, Robertson and Robson. Variations of Morison, Morrison and Morris on this ship all have different forenames, and so remain in our list as separate men, but if all of the putative varieties of spelling of a surname have the same forename this is less clear. Can we conflate Michael Rafter, Michael Rafters, Michael Raytree and Michael Raftree? If so, he appears frequently. And there are plenty of men called Williams, who appear under only half-a-dozen forenames; but

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<sup>146</sup> *Edgar*, ADM 51/1385, 52/2964, 23.9.1800.

the surname is so common that we would be wrong to assume that they were only six men, so they may have been wrongly excluded from the total of repeat offenders in our survey.

On the *Phaeton*, Patrick Hays is assumed to be the same as Patrick Hayes, since they are both described as the ship's cooper, and John Hoffman is probably the same as John Hoffham, the variation that turns up more often. Frederick Walpser is probably the same man as Frederick Walpers, but a name that is hard to read, that may be Frederick Walker, or possibly Frederick Watkins, cannot also be assumed to be the same man, despite the coincidence of the same comparatively rare forename. The *Phaeton* also had two Johnsons, three Johnstons and a Johnstone, all with the forenames or initials James, John or J, and with no obvious connections. It is very likely that one or more of them were repeats, but it is impossible to tell. The same applies to all the variations of Philip, Phillip, Philips and Phillips: comparing the dates that these men were on board suggests that several of these may match but, again, there is no evidence of this. On many of the warships of this period there were a number of foreigners, and we cannot tell to what extent their names may have been anglicised. So Giusseppe P..g..ter (the name is barely legible) could easily have had his name anglicised to Joseph Pargeter on another occasion, but to assume that would be guessing.

When a name is particularly unusual it can be fairly safe to assume that if it turns up more than once it will be the same man. In the logs of the *Nereide*, noted above, the names Cumberlege, Cumblege, Cumblige, and Cumblidge all appear and are all called Thomas, so they are all combined with the man who appears twice as Cumberledge.<sup>147</sup> He appears a total of nine times, representing, in the two versions of the record, six punishments in eighteen months, for either drunkenness or dirtiness. This is severe, even for the cruel Captain Corbett, and it is interesting to speculate on whether the captain had a dislike of this individual, or whether Cumberledge was a particularly dirty and drunken sailor. Similarly, William Moor and William Moon, of the *Ardent*, are probably the same man but, whereas Cumberledge turned up twice with what common sense

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<sup>147</sup> *Nereide*, ADM 51/1941, 52/4195, 12.11.1806, 30.11.07, 7.12.07, 3.1.08, 25.4.08.

would suggest was the correct spelling, in this instance we have no clue as to which is the correct name.<sup>148</sup> Moor and Moon both appear in the captain's log but not in the corresponding master's.

Conversely, we often have to deal with names that are particularly common, such as Smith and Jones, and it is clear from the logs that even their shipmates could be confused by these. On the *Culloden*, in 1789, the captain recorded that he gave what looks like Ed'm Smith a dozen lashes for being absent without leave.<sup>149</sup> The master agreed with the offence and the tariff, but recorded the man as William Smith (5), indicating that he was the fifth of that name, and it is this added detail that suggests we should accept his version.<sup>150</sup> This seems quite possible, as another William Smith, this time number 2, was punished three months later, but again, although the captain agrees with the name this time, he still does not record the number.<sup>151</sup> Eighteen years later, on the same ship, a boatswain's mate was punished for theft. The captain called him P. Smith, but the master spelled his name out as John, and this extra detail persuades us to adopt John as his name.<sup>152</sup>

Sometimes we are given extra information about the men, such as their capacities on board, although this is vary rare and, indeed, occurs in only 250 out of the original 9,229 observations made. This is not enough to give us any hint at a profile of the average victim of punishment, or any idea of the distribution of those punished according to their jobs. This is unfortunate, since it would have been desirable to be able to test the accusation from Jack Nastyface that topmen, despite being among the best and most agile men in the crews, were often singled out for punishment by captains more conscious of presenting a good impression to their peers than of the welfare of the

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<sup>148</sup> *Ardent*, ADM 51/56, 18.6.1784, 16.3.85.

<sup>149</sup> *Culloden*, ADM 51/221, 15.6.1789.

<sup>150</sup> *Culloden*, ADM 52/2241, 15.6.1789.

<sup>151</sup> *Culloden*, ADM 51/221, 52/2241, 22.9.1789.

<sup>152</sup> *Culloden*, ADM 51/1751, 52/3738, 12.8.1807.



men.<sup>153</sup> We will, however, return to this question in Chapter 7.<sup>154</sup> The few examples that we have can, however, sometimes help us to identify repeat offenders. William Thompson appears three times on the punishment record for the *Thunder*. He is twice identified as an ‘Artisan’, which suggests a match, and all three appearances are in the same time frame. On a ship with a complement of only 67 men it is very likely that all three events involved the same man: we have to recognise that this is not absolutely certain, but would we be justified in counting all three events as the same? Similarly, a man on the *Ganges* called Ab<sup>m</sup> Ward was punished for mutinous behaviour in April 1807, and an Abraham Ward received 50 lashes for drunkenness and riotous behaviour the following January.<sup>155</sup> The first of these men was described as a forecastleman, the second as a seaman, and it seems reasonable to suppose that they were the same man. But, according to the master (the captain’s version being hard to read), a month after the first of these events an Abram Ward was flogged for disobedience, and it would be easy to assume that he, also, was the same man.<sup>156</sup> But he is described, in both the captain’s and the master’s versions as ‘MT’.<sup>157</sup> There is no indication of what this stands for, and it is possible that we have misread it in both versions, but it indicates that this is a different man and that the distinction was deliberately made. It may be possible to read too much into these extra details. On the *Culloden* there was a man flogged whose name was difficult to read, but could have been John or George, with a surname either Wise or Win, described as a carpenter. Another entry for a John Wise, described as a carpenter’s mate, could be the same man, but it is not impossible that two men with similar names worked in the same department, and that the writer deliberately made the distinction. Three other appearances of John Wise, but without any mention of where he or they worked, may or may not be the same man.

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<sup>153</sup> William Robinson, *Jack Nastyface: Memoirs of an English Seaman*, (Annapolis: Naval Institute Press, 1973), p. 150.

<sup>154</sup> See Chapter 7, p. 180.

<sup>155</sup> *Ganges*, ADM 51/1627, 13.4.07; 51/1721, 4.1.08.

<sup>156</sup> *Ganges*, ADM 51/1721, 11.5.07.

<sup>157</sup> *Ganges*, ADM 52/3833, 11.5.07.

Another route towards reconciling the logs is to sort the database by first name. It is unlikely that men who appear in the logs of the *Edgar* under the names of Woolley, Wolley, W... (only the capital is clear), Woodley and what seems to be Motley, but all bearing the comparatively unusual forename Bartholomew, are really different people, and we can reasonably combine them as Woolley.<sup>158</sup>

## **Conclusion**

Our object was to get a broad enough coverage of the logs to avoid the pitfalls of using small amounts of data, and the details of the daily activity of the ships was not necessary. There is much more information in the records and there is scope, given more time, for more detail about the ships and men involved in this punishment to be gathered. As it is, altogether over 300 years of manual records have been consulted in the preparation for this study, double-checked wherever possible, and the logs themselves compared with journals wherever these were also available.<sup>159</sup> After allowance was made for sections of either the captains' or masters' logs that could not be matched from the other series, the result is a comprehensive picture of the summary punishment across over 130 years of ships' time, spanning the period 1783 to 1815.<sup>160</sup> We therefore have a record of over 50,000 man/years spent aboard British warships during the period.<sup>161</sup> Care has been taken to create a sample in which the different rates of ship employed in the navy of the time are represented and, owing to the difficulties involved in establishing exactly how many men would have been aboard any one ship at any one time, all calculations in this study will be based on a full complement, as a consistent standard. Within the constraints of legibility and spelling, all the recorded punishment events have been captured and entered into an Access database, where they have been repeatedly sorted and matched in order to reconcile the different series as

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<sup>158</sup> *Edgar*, ADM 52/3607, 1.8.06; 51/1817, 9.7.07; 51/1620, 1.8.08; 51/2336, 1.7.08, 1.8.08, 6.12.08, 14.8.09.

<sup>159</sup> In total the logs contained approximately 110,045 days, or nearly 300.5 years.

<sup>160</sup> Matched portions of the logs amount to 47,729 days for each series, or 130.8 years.

<sup>161</sup> The total number of years covered by matched logs for each ship in the sample, multiplied by its official complement, gives a total of 57,500 man/years. Our total of 50,000 man/years makes some allowance for undermanning.

closely as possible. When there has been any disagreement, a consistent policy of selecting the captain's version has been adopted.

This process has delivered a total of nearly 5,000 punishment events across the whole sample. This gives a rough starting point to our investigation. On the face of it, one man in ten was flogged per year, on average, during this period, which could be considered to be a very high figure, representing a harsh regime across the service.<sup>162</sup> Looked at another way, however, it is unlikely that any one man would be flogged more than once in a ten-year career. Our task is to put some flesh to the bones of these raw figures.

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<sup>162</sup> This proportion makes some allowance for undermanning but not for those men on board, such as the commissioned and warrant officers who were immune from corporal punishment.

## Chapter 4: Punishments: Flogging and the Alternatives

### Flogging –Reactions and Results

Central to the question of how cruel the punishment regime was at the turn of the nineteenth century must be a discussion of how harsh the penalty of flogging was. The log books provide the raw figures for how many lashes were awarded by this captain or that, or on this ship or another, but never give any clue as to the victim's reaction to it, his condition after it or of any treatment he may have received for it. From our perspective, now two generations after corporal punishment was finally abandoned from its last outpost in the British Isles, it is hard even to imagine the scene or its effect on either the victim or the crowd, and the evidence for both is conflicting. So much so, in fact, that the Royal Navy deliberately emphasises the existence and use of the cat-o-nine-tails on the *Victory* at Portsmouth – an easy way to attract interest and demonstrate the contrast between then and now; and one that entrenches the public's belief in the cruelty of the regime.<sup>1</sup>

The instrument used to inflict a flogging was the cat-o-nine tails and, in general terms, this is familiar to most of us even at this distance in time. It was traditionally a whip that had a rope handle about an inch in diameter and two feet long, with nine tails of quarter-inch line tucked into it and whipping, or a Turk's head, to secure them; and it weighed about 13 or 14 ounces.<sup>2</sup> The likelihood is that a boatswain's mate would be ordered to make the cat, and would finish it off by binding the handle with red baize and making a red baize bag to put it in, although our logs give no details of this process; and it is said (by Herman Melville, amongst others) that the same cat would never be used twice, although this would seem to represent an unusual amount of labour and material, particularly on the frequent occasions when a dozen or more men were to be flogged on

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<sup>1</sup> David Davies, *A Brief History of Fighting Ships* (London: Constable and Robinson, 2002), p. 48.

<sup>2</sup> Dudley Pope, *Life in Nelson's Navy* (London: Chatham, 2004), p. 221.

the same day.<sup>3</sup> Indeed, naval tradition has it that a man sentenced to a flogging would have to make his own cat, which was then flung overboard after use, but this raises the same question of waste of materiel as well as one of quality control.<sup>4</sup> There is frequent mention in the secondary literature of the tails being knotted (although the reconstructions on the *Victory* do not show this), and of a thieves' cat, similar to the standard one but with the addition of three knots at three-inch intervals or, perhaps, 'larger and harder' knots.<sup>5</sup> The thieves' cat is mentioned in a contemporary memoir, and a refinement that would increase pain and damage reflects the seriousness of theft as a crime at sea (a crime often punished by the even more dreadful punishment of running the gauntlet), but, again, there is no definition of this in the logs, nor any distinction made in the reports between the types used.<sup>6</sup>

Estimates of the effects of this weapon on a man vary, both as to the subjective reactions of the sufferer and the onlooker and to the objective view of the damage done. Hollywood, in the 1950s, could assume that a man had to be dragged away, incapable of standing, after 12 lashes, and fifty years before this John Masefield quoted an unnamed captain as declaring 'I'll see the man's backbone'.<sup>7</sup> In the mid-nineteenth century, on the other hand, it was suggested that the idea that a flogging would 'cut the flesh off your back' was the invention of the 'crimps and shipowners "working on young minds"' to persuade them to join, or to remain in, the merchant branch.<sup>8</sup> Certainly, the possibility of serious damage to the lower back and kidneys of a wayward stroke was recognised, and a man may have had a leather belt or apron tied around his waist: but, again, this is reported in the secondary sources, but is not mentioned in our logs, and may only have

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<sup>3</sup> *Ibid.*; Herman Melville, *White Jacket, or The World in a Man-of-War* (A.R. Humphreys, ed.) (Oxford: OUP, 1966), p. 142.

<sup>4</sup> Jane Wilton-Smith, *HMS Victory: Souvenir Guidebook* (Portsmouth?: Pitkin Pictorials, 1991), p. 18.

<sup>5</sup> Wilton-Smith, *HMS Victory*, p. 18; Pope, *Life in Nelson's Navy*, p. 214; Christopher Hibbert, *Nelson: A Personal History* (London: Viking, 1994), p. 12.

<sup>6</sup> Robert Wilson, 'Robert Wilson's Journal', in H.G. Thursfield, (ed.), *Five Naval Journals 1789-1817* (London: NRS, 1951), pp. 164, 186.

<sup>7</sup> *Captain Horatio Hornblower RN*, dir. Raoul Walsh (1951); John Masefield, quoted in G.E. Manwaring and Bonamy Dobrée, *The Floating Republic* (London: Frank Cass, 1966), p. 60.

<sup>8</sup> J.S. Bromley, (ed.), *The Manning of the Royal Navy: Selected Public Pamphlets 1693-1873* (London: NRS, 1974), p. xliii.

been the case when a particularly heavy punishment was to have been inflicted.<sup>9</sup> In its extreme form, as a result of the sentence of a court martial, a flogging could be up to several hundred lashes, and at this level it has been described as ‘almost a death sentence’.<sup>10</sup> Indeed, the 17-year-old Samuel Kelly, a young merchant seaman at the time, witnessed a flogging through the fleet in 1781, which he considered ‘a most cruel punishment’, and one of the two men involved died the same day.<sup>11</sup> Although our logs, as we shall see, make many references to men being flogged alongside the ship in the course of such a punishment, none of them talk about a fatal result, even when the victim was from the same ship. The evidence of a naval chaplain, Edward Mangin, a man with a deep dislike of the navy, although representing the patrician class and therefore possibly aloof from the sufferings of the ordinary seaman, hardly raises the vision of any bloody or fatal outcomes. To Mangin, a man being flogged round the fleet ‘endured what, to me, appeared worse than death’.<sup>12</sup> But, even though his parish included the sick bay (‘narrow, noisome and wet’), the condition of men during or after punishment is never mentioned.<sup>13</sup>

No doubt considerable damage was caused by the cat, but we cannot necessarily accept statements such as an early twentieth-century conclusion that flogging ‘took not only the skin but the flesh from a man’s back; bones showed through’.<sup>14</sup> For one thing, a contemporary report of a flogging round the fleet suggests that the effect was much more in terms of bruising, with a description of the man’s ‘back swelled like a pillow, black and blue’, rather than specifically bloody.<sup>15</sup> For another, a surgeon was always present, and the remainder of the punishment was supposed to be postponed when a man

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<sup>9</sup> Pope, *Life in Nelson’s Navy*, p. 225; Hibbert, *Nelson*, p. 12.

<sup>10</sup> G.J. Marcus, *Heart of Oak: A Survey of British Sea Power in the Georgian Era* (London: OUP, 1975), p. 118.

<sup>11</sup> Crosbie Garstin, *Samuel Kelly: An Eighteenth Century Seaman* (London: Cape, 1925), p. 27.

<sup>12</sup> Edward Mangin, ‘Some Account of the Writer’s Situation as Chaplain in the British Navy’, in Thursfield, *Five naval Journals*, pp. 29, 36.

<sup>13</sup> *Ibid.*, p. 29.

<sup>14</sup> Quoted in T.H. Wintringham, *Mutiny: Being a Survey of Mutinies from Spartacus to Invergordon* (London: Stanley Nott, 1936), p. 69.

<sup>15</sup> Quoted in Christopher Hibbert, *Nelson: A Personal History* (London: Viking, 1994), p. 12.

was deemed unable to take any more.<sup>16</sup> Despite the existence of a number of surgeons' logs and memoirs, including numerous details of illnesses and treatments, there is almost no mention by the surgeons of the effects of punishment.<sup>17</sup> John Millyard, editing the memoirs of James Lowry, a surgeon in Nelson's fleet, makes this point:

Another surprising omission is the lack of reference to punishment. Part of the surgeon's regular duties was to attend floggings, to ensure that the subject was fit to take his sentence. Many later accounts of naval life of the period note with horror the effect of witnessing the first flogging, but not Lowry's. He may have been exceptionally fortunate in the captains he served under, but he must have seen the cat-o'-nine-tails in action on at least a few occasions. Even though he was a professional medical man, he was not insensitive to suffering – he was much moved by the plight of the wounded after battles in Egypt, for example – so we can only conclude that flogging was not as shocking to the contemporary sensibility as so many Victorian published memoirs would have us think'.<sup>18</sup>

In case we are tempted to conclude that the punishment was bloody but the reaction to it was hardened, another example raises the question of whether it was bloody at all. Whilst on Tahiti gathering breadfruits, Captain Bligh was plagued with thefts by the native population. After the theft of an azimuth he punished one local man with 100 lashes, 'but only the last stroke broke the skin'.<sup>19</sup> It is hard to imagine that a Tahitian's back is so much tougher than that of a British seaman; or that the boatswain's mates, even in the light of the horror with which the natives were seen to have held this sort of punishment, would have been allowed to lay on so much more gently when punishing a native as to have made much of a difference. If this report is accurate, we are left with

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<sup>16</sup> James Lowry, *Fiddlers and Whores: The Candid Memoirs of a Surgeon in Nelson's Fleet* (John Millyard, ed.) (London: Chatham, 2006), p. 11.

<sup>17</sup> For example, see the surgeons' journals in Brian Lavery, (ed.), *Shipboard Life and Organisation 1731-1815* (Aldershot: Ashgate, 1998), pp. 479-540.

<sup>18</sup> Lowry, *Fiddlers and Whores*, p. 11.

<sup>19</sup> Captain William Bligh, quoted in Caroline Alexander, *The Bounty: The True Story of the Mutiny on the Bounty* (London: Harper Perennial, 2004), p. 123.

either an anomaly, or an indication that much of the description of flogging is subject to hyperbole.

On the other hand, the summary punishment with which we are dealing, at which the number of lashes was normally not more than three dozen, could apparently inflict considerable damage. ‘Hot boiling lead poured on a criminal’s back would be but [missing word?] in comparison to the sufferings of those who come under the lash of the unrelenting Boatswain’s mates’, according to Robert Wilson, although he was never actually flogged himself.<sup>20</sup> ‘Three dozen lashes would “fill a man’s trowsers” waistband with blood’, according to another report, and it is hard to imagine that dragging nine thin hemp ropes, knotted or not, across the flesh would do anything less.<sup>21</sup> In an effort to demonstrate the damaging effect of a cat, an experiment with an ‘actual cat of nine tails weighing thirteen ounces’ demonstrated that pieces of pitch pine of various thicknesses could be broken with one or two strokes, and concluded that, if subjected to the same, ‘a man lashed to a grating would be severely bruised’.<sup>22</sup> There is no claim that this was in any way a rigorous scientific experiment: it reminds us that there would have been considerable weight behind a four-foot rope being wielded at speed by a strong man, but it does not attempt to assess how this weight is distributed across some 18 feet of line as it hits a man’s back. This is, unfortunately, unquantifiable, and therefore a fruitless line of enquiry, but it leads to the question of why ‘Three dozen lashes could kill one man; another would survive 200’.<sup>23</sup> ‘One man described it as “Nothing but an O, a few O my Gods, and then you can put on your shirt”’.<sup>24</sup> Melville’s fictionalised tale of his own experiences describes a man flogged for the first time as ‘insulted more than injured’.<sup>25</sup> But another man, a soldier flogged with the lighter army cat, wrote that after the first two or three strokes ‘The pain in my lungs was more severe, I thought, than on my back.

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<sup>20</sup> Wilson, ‘Journal’, p. 256.

<sup>21</sup> Quoted in Charles P. Kindleburger, *Mariners and Markets* (Hemel Hempstead: Harvester Wheatsheaf, 1992), p. 53.

<sup>22</sup> Pope, *Life in Nelson’s Navy*, p. 226.

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*

<sup>25</sup> Melville, *White Jacket*, p. 143.



I felt as if I would burst in the internal parts of my body'.<sup>26</sup> After a flogging, the measures taken to prevent infection almost seem calculated to prolong the pain, including applying thick paper soaked in vinegar, which 'really made them scream', or the more familiar remedy of rubbing salt into the wounds.<sup>27</sup>

According to the *Regulations and Instructions*, until 1806 the maximum number of lashes that could be awarded for each crime was limited to twelve. Not many captains adhered to this rule, although some kept to the letter of it. When he gave Thomas Austin fourteen lashes in 1786, Roger Curtis, captain of the *Ganges*, made it clear that there were seven for each of the crimes of disobedience of orders and leaving the boat whilst on duty; and that Thomas Curtin's 24 represented twelve each for leaving the boat and blasphemy.<sup>28</sup> But most did not bother to spell this out, even if more than one offence was mentioned. In the punishments recorded for this study the average number of lashes per flogging was between seventeen and eighteen, with the highest average at over 21 per event on the bomb *Thunder*, and the lowest at under 14 on the *Ardent*. Almost half of the 5,000 events were of a dozen lashes, and a quarter of them were for two dozen. A description of the effects of just 24 lashes being administered with a naval cat tells us that 'the lacerated back looks inhuman; it resembles roasted meat burnt nearly black before a scorching fire'.<sup>29</sup> Our logs are full of men who received this on almost a regular basis, 'as though an agreement existed – being quietly drunk meant a dozen lashes, and many men thought it was worth it'.<sup>30</sup> Melville describes reactions to punishment as ranging from 'D\_\_n me! It's nothing when you're used to it!' from a known troublemaker, to the first-timer who 'became silent and sullen for the rest of the cruise'; but this could be more of a psychological reaction to the humiliation than a physical reaction.<sup>31</sup>

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<sup>26</sup> Pope, *Life in Nelson's Navy*, p. 226.

<sup>27</sup> Hibbert, *Nelson*, p. 12; Wilton-Smith, *HMS Victory*, p. 18.

<sup>28</sup> *Ganges*, ADM 52/2318, 28.7.1787.

<sup>29</sup> Pope, *Life in Nelson's Navy*, p. 226.

<sup>30</sup> *Ibid.*, p. 222.

<sup>31</sup> Melville, *White Jacket*, pp. 142-3.

The highest totals of lashes given in our logs all occurred on the *Phaeton* in 1812. Edward Harle and William Taplin received 120 and 114 respectively, both including '48 on the Breech' for 'Beastiality'; and William Constable was given 60 on the back and 48 on the breech 'for abusing and striking a Centinel on his Post'.<sup>32</sup> Usually, though, if the punishment was particularly severe, which it often was for desertion, it would be spread across more than one day. John McDurmott, of the *Ganges* received 77 lashes in three instalments between 18 February and 24 April 1808, for desertion; and the same thing seems to have happened to Michael Smith, on the same ship and for the same offence, for a total of seven dozen between 14 and 30 March 1804.<sup>33</sup>

One anecdote from the Nore mutiny has an officer, half expecting retribution from a man he had recently had flogged, being told 'You did, sir, but I deserved it. You are a gentleman and a good officer. You never punished men but when they were in fault, and you did it as an officer ought to.'<sup>34</sup> Steve Pope points out that a captain and a handful of officers 'could not hope to maintain efficient control against such odds without an element of crew consent'.<sup>35</sup> We cannot help but ask the question: how *could* they have arrived at this sort of bargain if the effects were as bad as so often described?

It is often pointed out that the mutinies at Spithead and the Nore were concerned mainly with food and pay, and with punishment only in the cases of a limited number of individual officers.<sup>36</sup> Again, it hardly seems possible that flogging could not have been an issue if it was as bad as has been claimed. An explanation may lie in the mathematics: whatever the chance of an individual being beaten during his career, for most of them the punishment would always have been inflicted on someone else and was therefore much easier to bear. And since the punishment generally fell on the younger, less skilful

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<sup>32</sup> *Phaeton*, ADM 51/2643, 27.2.1812, 16.6.1812.

<sup>33</sup> *Ganges*, ADM 51/1721; 51/1471.

<sup>34</sup> Thursfield, *Five Naval Journals*, p. 84.

<sup>35</sup> Steve Pope, *Hornblower's Navy: Life at Sea in the Age of Nelson* (London: Orion, 1998), p. 56.

<sup>36</sup> For example, in 'Broadside', 'Crime and Punishment', <http://www.nelsonsnavy.co.uk>, p. 2; and Davies, *Fighting Ships*, p. 55.

men, most of the crew would have felt a warm glow of satisfaction at having cheated it.<sup>37</sup>

Doubtless there was also an element of pride, honour or self-respect to temper the punishment. Joseph Nagle, on the *Ganges*, was given a dozen lashes and told by the boatswain that he would be a ‘manawars man’ after two dozen more.<sup>38</sup> Joseph Bates considered that ‘there was no punishment more dreaded and disgraceful to which we were daily liable’ than extra ‘scouring brass, iron and filthy work’, although we might suspect that in ranking fatigues as worse than corporal punishment there is at least some element of hyperbole.<sup>39</sup>

The reactions of other people give us an equally mixed view of the harshness of these beatings. It is a common assumption that people were far more inured to cruelty two centuries ago than they are today but, as a young midshipman, William Dillon seems to have been genuinely shocked by his first view of a flogging, and the young Frederick Chamier was moved to tears by his.<sup>40</sup> Dillon soon came to ‘adopt the standard view about the necessity for that punishment’, and was prepared to have a man beaten on his first day as captain of the *Russell*, and later to give eight men 17 dozen lashes between them on one day.<sup>41</sup> A similar inconsistency appears in Nelson: the man who flogged almost half of his crew on the *Boreas* over an eighteen-month period is said to have become queasy on seeing a bullfight in Spain.<sup>42</sup> Richard Dana described himself as ‘sick and faint, angry and excited’, but this was before he actually witnessed a beating and was a reaction to ‘a human being, made in God’s likeness – fastened up and flogged

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<sup>37</sup> Michael Lewis, *A Social History of the Navy 1793-1815* (London: Allen & Unwin, 1960), p. 123.

<sup>38</sup> John C. Dann (ed.), *The Nagle Journal: A Diary of the Life of Jacob Nagle, Sailor, from the Year 1775 to 1841* (New York: Weidenfield, 1988), p. 46.

<sup>39</sup> Quoted in Nicholas Blake, *Steering to Glory: A Day in the Life of a Ship of the Line* (London: Chatham, 2005), p. 153.

<sup>40</sup> William Dillon, *A narrative of my professional adventures, 1790-1839: Vol. I*, ed. Michael A. Lewis (London: NRS vol. 93, 1953), p. 23; P.J. Van der Voort, *The Pen and the Quarter-Deck: A Study of the Life and Works of Captain Frederick Chamier, R.N.* (Leiden: Leiden University Press, 1972), p. 20.

<sup>41</sup> Dillon, *Narrative*, Vol. I, pp. xxi, xxxiii.

<sup>42</sup> Terry Coleman, *Nelson: The Man and the Legend* (London: Bloomsbury, 2005), p. 90; Peter Padfield, *Maritime Power and the Struggle for Freedom 1788-1851* (London: John Murray, 2003), p. 121.

like a beast' rather than to the result of the punishment.<sup>43</sup> Thomas Fremantle, captain of the *Tonnant* in 1794, presented himself as taking a robust attitude to corporal punishment: when some of his cutter's crew robbed a church, he wrote 'Sacreligious [sic] dogs. Gave them a good flogging for it'.<sup>44</sup> But three years later his new wife, Betsy, recorded that 'last night the ships company all got drunk and behaved horridly ill. Much flogging this morning which made Fremantle ill and broke my heart. I could distinctly hear the poor wretches cry out for mercy, from the cabin.'<sup>45</sup> Her reaction was, of course, perfectly appropriate to an 18-year-old Georgian lady of breeding but, if she read him aright, or if her husband was not putting on an act for her sake, then she has given us a broad hint that her contemporaries were not so hardened as we may have assumed.

### **Flogging – Comparisons**

An important consideration in assessing the cruelty of the punishment regime that we are looking at is to put it into context, by comparing it with other systems. Two points emerge. One is that, however unacceptable this sort of treatment may seem to us, it was common in the past and internationally widespread (although not universal, as would appear from the horror with which Tahitians are reported to have reacted when they first witnessed both Captain Cook and Captain Bligh flogging their own men).<sup>46</sup> The other is that even to the person being punished, a flogging may have been perfectly acceptable and, indeed, preferable to some of the alternatives. In this context we should briefly examine naval summary punishment in relation to the regimes in the army, abroad, and on land; at changes in this regime over time; and at the alternatives offered by courts martial.

As we have just passed the bicentenary of the British abolition of the slave trade, we should, perhaps, consider the most extreme examples of cruel punishment, which

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<sup>43</sup> Richard Dana, *Two Years Before the Mast* (London: Blackie & Son, nd.), p. 80.

<sup>44</sup> Anne Fremantle, (ed.), *The Wynne Diaries: The Adventures of Two Sisters in Napoleonic Europe* (Oxford: OUP, 1982), p. 253.

<sup>45</sup> *Ibid.*, p. 266.

<sup>46</sup> Alexander, *The Bounty*, p. 108; George Mackaness, *The Life of Vice-Admiral William Bligh R.N., F.R.S.* (Sydney: Angus and Robertson, 1951), p. 84.

were those handed out to slaves. We have plenty of witnesses to occasions when a slave was whipped ‘till the blood ran freely down his legs’; or ‘with a large whip which laid open the flesh for about two and a half inches *every stroke*’; or even to death.<sup>47</sup> Much of this evidence, and particularly these examples, was produced by the anti-slavery movement, and somewhat later than our period (in the above-mentioned case by the American Anti-Slavery Society in 1839), so almost coinciding with Jack Nastyface’s protest. It is very probable that many British seamen, like John Nicol who described ‘their cruel situation and sufferings’ in the 1780s, had seen the treatment of slaves at first hand in the West Indies.<sup>48</sup> But, despite the obvious facts that they were often imprisoned on board for years at a time in sometimes poor conditions and with tight discipline, there seems to have been no perception by seamen of any similarity between their treatment and that of slaves, even by William Robinson, and they would certainly have resisted any such comparison.

One of the most obvious comparisons for a seaman to make would have been between the regimes aboard naval vessels and merchant ships, since there was considerable movement of men between the two branches. This must have been particularly noticeable during the French Wars, as the expansion of the Royal Navy impacted on the total maritime workforce.<sup>49</sup> It has sometimes been assumed that, with crimping and undermanning, conditions in the merchant service were just as bad as in the navy, but with better pay and ‘at least the appearance of free choice’.<sup>50</sup> But the figures show that on even the smallest ships in the navy there was an average of almost two floggings a month, a figure that differs widely from what was officially reported to have occurred on merchantmen.<sup>51</sup> In four years at sea on the *Lady Frances* in the 1820s,

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<sup>47</sup> Theodore Dwight Weld, *American Slavery As It Is* (William Loren Katz, ed.) (New York: Arno Press and the New York Times, 1968), p. 64.

<sup>48</sup> John Nicol, *The Life and Adventures of John Nicol, Mariner* (Tim Flannery, ed.) (Edinburgh: Canongate, 2000), p. 65.

<sup>49</sup> See David J. Starkey, ‘Quantifying British seafarers’, in Richard Gorski, (ed.), *Maritime Labour: Contributions to the History of Work at Sea, 1500-2000* (Amsterdam: Aksant, 2007), pp. 83-103.

<sup>50</sup> Lewis, *A Social History of the Navy*, p. 101.

<sup>51</sup> Peter Earle, *Sailors: English Merchant Seamen 1650-1775* (London: Methuen, 1998), p. 155.

Edward Beck's journal only mentions one flogging, of 18 lashes for stealing liquor.<sup>52</sup> It is, of course, possible that other occasions have been missed out of the journal, but this seems unlikely given its apparent thoroughness. It would seem that even in the East India Company the average number of formal floggings was under two per year per ship, a mere twelfth of the naval rate; and even when, in one survey, a maximum of eight events was recorded on one ship in a 20-month period, this does not seem excessive.<sup>53</sup> It does, however, underestimate alternative punishments and the amount of violence on board merchant ships. Deserters from the EIC, rather than being formally punished, were often handed over to the navy; and it seems that merchant captains were partial to an informal 'drubbing' rather than a formal flogging, so that the actual punishment rate may have been rather understated.<sup>54</sup> There is a wealth of evidence of bullying and of beatings aboard merchant ships, with weapons as diverse as broomsticks, manioc roots, 'an Elephant's dry'd Pizle' and whips, often resulting in severe injuries or even death.<sup>55</sup> The gauntlet was also used in the Company's ships, as in the Royal Navy, as a punishment for theft. Incidentally, this sort of treatment was mild compared with reported conditions in the Dutch East India Company, where floggings could range from ten to 100 lashes, often with fines; there was death for murder, mutiny or sodomy, usually by being thrown overboard tied to the victim or the other suspect; and keelhauling, ducking and nailing a criminal's hand to the mast were also employed.<sup>56</sup> We cannot tell, from the literature, whether British seamen would have been aware of this, or what their reaction would have been.

Another potential source of comparison that *was* available to the ordinary seamen was with their enemies who were mainly, but not exclusively, the French. It has been said of the Spithead mutiny in 1797 that 'the real root of discontent was the

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<sup>52</sup> Edward Beck, *The Sea Voyages of Edward Beck in the 1820s* (Michael Hay and Joy Roberts, eds.) (Durham: Pentland, 1996), p. 201.

<sup>53</sup> Earle, *Sailors*, p. 155.

<sup>54</sup> *Ibid.*, pp. 156-8.

<sup>55</sup> See the many examples in Marcus Rediker, *Between the Devil and the Deep Blue Sea* (Cambridge: CUP, 1993), pp. 215-27.

<sup>56</sup> C.R. Boxer, 'The Dutch East-Indiamen: their Sailors, their Navigators, and Life on Board, 1602-1795', *Mariner's Mirror*, XLIX (1963), p. 98.

discovery the men had made from their prisoners – there was no flogging in the Republican Navy’.<sup>57</sup> There seems no doubt that the regime aboard French warships was very different from our own; nor that British seamen would have been aware of this. Only two years after the mutiny Graham Moore, captain of the frigate *Melampus* in September 1799, punished a marine for impertinence and reported that ‘the French Prisoners stare at an exhibition of this kind, they punish only thieves with stripes, for the generality of other crimes they confine and sometimes diminish their rations’.<sup>58</sup> We will discuss elsewhere why these punishments were not particularly effective or practicable for a warship at sea, and Moore was certainly of the opinion that they were ‘not at all exemplary... A punishment is nothing if it does not terrify the guilty’.<sup>59</sup> In any case, as we have seen, punishment was not apparently a factor in the mutiny; either in the demands made or, except in a number of individual cases, in any residual resentment. Comparison with the regimes aboard American vessels would have been limited, as the movement of men was more often from British to American vessels but, such as it was, Jacob Nagle suggests that random cruelty was the norm on board an American; and Samuel Leech found US naval discipline just as harsh as that in the British Navy.<sup>60</sup>

It is possible, of course, that the punishment regime changed for the worse over time, a change of which the men may have been aware. Some writers have characterised it as a ‘brisk paternalism’ in the 1650s, with punishment rates increasing after the Restoration.<sup>61</sup> Unfortunately, it is not always clear what is being measured in these comparisons. G.J. Marcus states that there was ‘certainly’ an increase in severity over the eighteenth century, but his conclusion is based on a change in the ‘normal’ court martial sentence from 50 lashes under Queen Anne to some 2-300 under George III, and does not necessarily translate into summary punishment on board.<sup>62</sup> Closer to our period, N.A.M. Rodger has suggested that discipline became harsher during the second half of

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<sup>57</sup> James Henderson, *Frigates, Sloops and Brigs* (Barnsley: Pen and Sword Classics, 2005), p. 46.

<sup>58</sup> Tom Wareham, *Frigate Commander* (Barnsley: Pen and Sword Maritime, 2004), p. 191.

<sup>59</sup> *Ibid.*, p. 192; and see below, p. 103.

<sup>60</sup> Nagle, *The Nagle Journal*, pp. 28, 30; Lewis, *A Social History*, p. 53.

<sup>61</sup> Earle, *Sailors*, p. 146.

<sup>62</sup> Marcus, *Heart of Oak*, p. 117.

the eighteenth century: that, whereas in the middle of the century the captain controlled recruitment, often bringing his countrymen into the navy and carrying them with him from command to command, as the century progressed the Admiralty wrested control of his followers away from him, leading to a remoter, and therefore harsher, atmosphere.<sup>63</sup> On the other hand it has been seen by others as 'more moderate' by the time of the mutinies, with seamen still regarding their officers as rather in a 'parental' light; that is, strict but fair.<sup>64</sup> It has certainly been suggested that the maximum summary punishment of a dozen lashes soon became the minimum.<sup>65</sup>

Another area where the men would have been conscious of a difference could be in the comparison between justice on board ship and that on land. There has been plenty of comment on the development of the 'Bloody Code' over the century leading up to the French wars, leading to a situation where some 200 offences were held to merit the death sentence. 'In truth, society at this time was rough and brutal, with almost all crimes being punishable by some form of physical chastisement'.<sup>66</sup> Corporal punishment of offenders on land was seen to be a 'normal practice', to the extent that, at least in the south of England, 'a favourite sentence for petty larceny was for the offender to be whipped till his (or her) back "be bloody"'.<sup>67</sup> But it has also been argued that the picture of naval cruelty, especially as depicted by John Masefield, differs markedly from depictions of British history as a whole, which may be one of the reasons why naval history has been neglected by historians generally.<sup>68</sup> Recently it has been suggested that the differences between justice on board and ashore could be described as being 'more

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<sup>63</sup> N.A.M. Rodger, 'Officers and Men', in John B. Hattendorf, (ed.), *Maritime History*, Volume 2: *The Eighteenth Century and the Classic Age of Sail* (Malabar: Krieger, 1997), pp. 139-40.

<sup>64</sup> Margarete Lincoln, *Representing the Royal Navy: British Sea Power, 1750-1815* (Aldershot: Ashgate, 2002), p. 26.

<sup>65</sup> A.G. Jamieson, 'Tyranny of the Lash? Punishment in the Royal Navy during the American War, 1776-1783', *The Northern Mariner/Le Marin du Nord*, IX, No. 1 (January 1999), p. 63.

<sup>66</sup> Andrew Lambert, 'Nelson's Navy: Life in the 18<sup>th</sup>-Century Royal Navy', *Channel 4 History* <http://www.channel4.com/history>, 19.12.2005.

<sup>67</sup> Marcus, *Heart of Oak*, p. 117.

<sup>68</sup> N.A.M. Rodger, *The Wooden World: An Anatomy of the Georgian Navy*, (London: Fontana, 1988), p. 11.



style than substance'.<sup>69</sup> But, again, these comparisons refer to official sentences, and are not therefore always helpful in assessing the overall punishment regimes on board, or whether William Robinson's 'wanton and torturing' accusation holds water. It is possible to find contemporary opinion that the sailor's lot compared favourably with that of 'most mechanics and labourers', but it may well be that this view, from 1803, was in line with most of the press; that it was influenced by the wartime need to justify the system of impressments, and was largely abandoned in favour of a much dimmer view after the peace.<sup>70</sup> Indeed, if conditions in the Royal Navy compare at all with those on land, and naval courts martial would often order several hundred lashes for an offence, then those men receiving a dozen or so on a summary judgement may be seen to have been served very lightly.

### **Flogging – The Army**

The comparison with naval punishment that comes out strongly from Robinson's complaint is that with the army, although his point was that flogging in the army could only be administered by order of a court martial.<sup>71</sup> The study of our logs shows that Robinson, or his contemporaries, would have had plenty of contact with the army, as soldiers were often shipped on board, not only when being transported but often, also, to act as marines. Although, on the face of it, the seaman would have had little for which to envy the soldier in terms of service, conditions and even provisions, there is some evidence that Robinson's complaint was justified.<sup>72</sup> In 1802, Joseph Wall was executed for having ordered the summary punishment, some 20 years earlier (he having gone into hiding in the meantime), of five men with 800 lashes apiece.<sup>73</sup> But the circumstances were extraordinary: not only did one of the men die within four days, but three of the men, including the sergeant who died, had been beaten by black slaves rather than their

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<sup>69</sup> John D. Byrn, *Crime and Punishment in the Royal Navy: Discipline on the Leeward Islands Station 1784-1812* (Aldershot: Scolar, 1989), p. 185.

<sup>70</sup> Lincoln, *Representing the Royal Navy*, pp. 66, 191.

<sup>71</sup> William Robinson, *Jack Nastyface: Memoirs of an English Seaman* (Annapolis: naval Institute Press, 1973), p. 147.

<sup>72</sup> Pope, *Life in Nelson's Navy*, p. 190.

<sup>73</sup> Linda Colley, *Captives: Britain, Empire and the World, 1600-1850* (London: Pimlico, 2003), pp. 328-9.

own men, and this reversal of the normal had been dwelt on, not only in most of the published material on the case, but even by the Attorney General at the trial.<sup>74</sup> Instead it would seem that summary punishments did exist for the army, and to a similar degree as in the navy. For offences such as drunkenness, debt and lateness a soldier may have been given extra drills or picquets, or banned from the canteen; but he may instead have been given the choice of 50 lashes or a court martial which, given the difference between court martial sentences and the typical summary punishments recorded in our sample of logs, would, to any of our seamen, certainly have made the former preferable.<sup>75</sup>

It certainly seems that flogging was the usual punishment in the army, so much so that William Cobbett railed that it was not until the Mutiny Act of 1811 that army courts martial were to ‘have *the power* of inflicting the punishment of imprisonment in lieu of that of *flogging*’, and it lasted until well into the nineteenth century.<sup>76</sup> It is certainly probable that alternatives such as imprisonment, or even transportation, may have been seen as more of a holiday than a punishment.<sup>77</sup> As with the navy, there were many good reasons why alternatives to flogging were not really practicable. Most soldiers were seen as ‘having nothing but their bodies’, which made fines pointless or hard to administer; transportation was often seen as preferable to service in India; prison was unhealthy, and the background of many of the troops meant that they were assumed to be accustomed to it; and flogging was cheap, and suited ‘the public arena’.<sup>78</sup> In any event, it was clearly administered widely and extremely severely. One soldier reportedly boasted, in 1727, that he had received a total of 26,000 lashes over a period of 14 years, and was said to have been given another 4,000 the next year.<sup>79</sup> Even if this level of torture is hard to credit, it is clear that some harsh sentences were passed. Sir Charles

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<sup>74</sup> *Ibid.*, p. 330.

<sup>75</sup> Douglas M. Peers, ‘Sepoys, Soldiers and the Lash: Race, Caste and Army Discipline in India, 1820-50’, *Journal of Imperial and Commonwealth History*, 23, 2 (1972), p. 221.

<sup>76</sup> William Cobbett, ‘Flogging Soldiers’, in G.D.H. and Margaret Cole, (eds.), *The Opinions of William Cobbett* (London: The Cobbett Publishing Co., 1944), p. 222.

<sup>77</sup> Colley, *Captives*, p. 333.

<sup>78</sup> Peers, ‘Sepoys, Soldiers and the Lash’, p. 226.

<sup>79</sup> Derek Jarrett, *England in the Age of Hogarth* (Newhaven: Yale University Press, 1986), p. 46.

Napier, who went on to command the army in India, recounted a story from about 1812, in which a man from the Horse Guards pretended to be suffering from rheumatism and unable to walk.<sup>80</sup> Twice the man received 500 lashes for malingering, but was offered a pardon after every 25 if he would run to the nearby church and back; on the third occasion, sentenced to 600, he broke after 500 and made the run, a distance of over half-a-mile. Perhaps, like a footballer fit for 90 minutes but collapsing in extra time, he could only take what he was used to; but even the repeated 500 was extreme, and some writers have been quick to adopt the idea that naval punishments were not as severe as this.<sup>81</sup>

On the other hand, 'there was general agreement that flogging in the Navy was more severe', with estimates that 'Forty-eight lashes in the Navy equalled 100 lashes ashore', or even that a naval flogging was 'four times as heavy as in the army'.<sup>82</sup> For one thing, the naval cat is said to have been heavier than that of the army.<sup>83</sup> For another, whereas in the navy a flogging was administered by a succession of boatswain's mates, experienced and in all likelihood strong in the arm, in the army it was done by the drummer boys who, one assumes, would be unable to 'lay on' with quite the same effect.<sup>84</sup> Again, it is not possible necessarily to take this comparison at face value. Cobbett described the cat he saw being used on soldiers of the Surrey militia, as 'nine strong whip cords, about a foot and a half long, with nine knots in each, and which cords are fastened, like the thong of a whip, to the end of a stick about two feet long': something that sounds like the harsher of the navy's weapons, the thieves' cat.<sup>85</sup> But then, Cobbett was a fervent opponent of flogging, to the extent of being fined and jailed for his comments, and was, as he admits, 'but a little boy' at the time he saw the

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<sup>80</sup> Quoted in Rosamond Lawrence, *Charles Napier: Friend and Fighter 1782-1853* (London: John Murray, 1952), p. 54.

<sup>81</sup> For example, Christopher Lloyd, *The British Seaman 1200-1860: A Social Survey* (London: Paladin, 1970), p. 219.

<sup>82</sup> Eugene L. Rasor, *Reform in the Royal Navy: A Social History of the Lower Deck 1850 to 1880* (Hamden: Archon Books, 1976), p. 50.

<sup>83</sup> 'Broadside', 'Crime and Punishment', p. 2.

<sup>84</sup> Peers, 'Sepoys, Soldiers and the Lash', p. 232; Cobbett, 'Flogging Soldiers', p. 223.

<sup>85</sup> *Ibid.*, p. 222.

punishment, so that his report may have been coloured by both time and inclination.<sup>86</sup> But Napier, then a major in the Horse Guards, wrote, in about 1812 or 1813, 'Poor fellows, for all their sins they are fine fellows, and their blood should be kept for better use than being drawn with a cat-o'-nine-tails'.<sup>87</sup> This is a description of a bloody punishment by a professional soldier.

What is clear from the records of army punishments is how widely flogging was administered. Due to the wide-ranging theatres in which British troops were stationed, and to the difficulties in comparing time periods for which data have been gathered, the following examples do not always give any sort of precise comparisons, but some of the numbers are startling. The average number of floggings per regiment per year in India between 1801 and 1808 was 7.59 in Bengal, 23.79 in Madras and 36.54 in Bombay.<sup>88</sup> For comparison, the average battalion strength for the army in 1809 was some 980 officers and men but, on the one hand, many battalions on active service were badly undermanned, and on the other, many regiments during the French wars were granted extra battalions, so that punishment rates per man are difficult to calculate.<sup>89</sup> In 1817, 635 white soldiers on Jamaica and 692 on the Windward Islands were flogged.<sup>90</sup> Given the problems of turnover of men, particularly due to disease, it is hard to turn these figures into percentages but, between 1817 and 1836, one man in 15 was flogged in Jamaica, although the rate on Gibraltar was a quarter of that.<sup>91</sup> Five years later, on Bermuda, 40 per cent of white soldiers 'suffered the lash' in one year.<sup>92</sup> Even in 1825, an average of one man in 59 was flogged in the whole of the British army, although by 1834 this had dropped to one in 111.<sup>93</sup> By this time, of course, we are outside the period

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<sup>86</sup> *Ibid.*, p. 223.

<sup>87</sup> Lawrence, *Charles Napier*, p. 54.

<sup>88</sup> Peers, 'Sepoys, Soldiers and the Lash', p. 230.

<sup>89</sup> Richard Holmes, *Redcoat: The British Soldier in the Age of Horse and Musket* (London: HarperCollins, 2001), pp. 106, 125.

<sup>90</sup> Colley, *Captives*, p. 332.

<sup>91</sup> Peers, 'Sepoys, Soldiers and the Lash', p. 233.

<sup>92</sup> Colley, *Captives*, p. 333.

<sup>93</sup> Peers, 'Sepoys, Soldiers and the Lash', p. 233.

covered by our logs, and the role and the manning of the Navy, and therefore its disciplinary regime, may be seen to have changed. But those of the army, in both the east and the west, had not. Even in 1836 it was still not unknown for a soldier in the United Kingdom to receive over 200 lashes, and in Bengal 31 men in one company were reported to have received an average of 380 lashes each over the previous six months.<sup>94</sup> Flogging continued in the British army until well into the nineteenth century: despite an 1834 enquiry and temporary abolition it was reinstated as late as 1845.<sup>95</sup>

### **Flogging – Courts Martial**

Finally, we have the comparisons between summary punishments and those ordered by courts martial. It is hardly necessary to go back to the memoirs (such as William Spavens's report of '300, 400, 500, 600 or 700 lashes, according to the nature and degree of the offence, or the determination of the court') to show that the sentences doled out by the courts were likely to be far in excess of the summary penalties inflicted by individual captains.<sup>96</sup> There are frequent examples in the logs of flogging round the fleet. A typical entry is that for 1 July 1786, in the master's log of the *Culloden*, moored in the Hamoaze: 'Flogged alongside John Duncan & John Lawrence (s) [from the *Hebe*] 40&30 resp<sup>ly</sup> it being the proportionable number allotted them by the sentence of a Court Marshal for Desertion'.<sup>97</sup> Sometimes these punishments could go on for a long time. While the *Blanche* was based in Antigua in 1790 a man called Jos<sup>h</sup> Carney, described as being from the sloop *Bonatta*, was brought alongside three times, on 14 July, 20 August and 6 October, receiving 50 lashes each time as part of a sentence of 500.<sup>98</sup> However stiff the summary penalties may have been, it can be assumed that both the captains and the crew realised that a swift resolution to any wrongdoing was preferable to this sort of formal justice by court martial.<sup>99</sup> No wonder that we find the entry in Captain Thomas

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<sup>94</sup> Colley, *Captives*, p. 333.

<sup>95</sup> Peers, 'Sepoys, Soldiers and the Lash', pp. 235, 239.

<sup>96</sup> William Spavens, *The Narrative of William Spavens, A Chatham Pensioner* (London: Chatham, 1998), p. 66; [Logs].

<sup>97</sup> *Culloden*, ADM 52/2202.

<sup>98</sup> *Blanche*, ADM 52/2752.

<sup>99</sup> Roger, *Wooden Walls*, p. 219.

Rich's log from the *Culloden*, dated 15 October 1787: 'Punished Robert Hilling Seaman with 18 lashes for Desertion he submitting himself to the clemency of Sir Tho<sup>s</sup> Rich rather than be tried by a Courtmartiall'.<sup>100</sup> William Robinson may have been making a valid point about where, in the judicial system, sentence should be passed, but it is by no means clear that his shipmates would have agreed with him.

### **Alternative Punishments**

In the sample of logs covered by this study, 99 per cent of the recorded punishments were floggings but, in these logs, as in the navy as a whole, there were alternative forms of punishment. In the past, a variety of painful or humiliating sentences had been carried out, such as 'the capstein' or ducking, and 'Many instances of arbitrary and illegal punishment', but these had died out in the navy by the time of the French wars.<sup>101</sup> Similarly, keelhauling, or keel-raking, a rare punishment involving ducking a man from the yard-arm and pulling him right under the ship, which had survived until after the Civil Wars and even, in the Dutch navy, until 1823, was never ordered by court martial, and had no part in the punishment regimes with which we are concerned.<sup>102</sup> But a selection of more or less gruesome alternatives were available as summary punishments, the worst of which was known as 'running the gauntlet'.

It has been said that flogging was the worst form of punishment, and that the gauntlet was 'for minor offences' involving theft, but the gauntlet must surely have been much worse than is implied by this.<sup>103</sup> It involved the victim, shirtless, being forced to march slowly, at bayonet or cutlass point, between lines of his shipmates, who all struck him with a knittle, nittle or nettle, being a length of knotted cord, and possibly, although

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<sup>100</sup> *Culloden*, ADM 51/221.

<sup>101</sup> See Charles Napier Robinson, *The British Tar in Fact and Fiction: The Poetry, Pathos, and Humour of the Sailor's Life* (London: Harper and Brothers, 1909), pp. 90-1; and H.W. Wilson, 'Discipline in the Old Navy', *Macmillan's Magazine*, Vol. LXXVIII, May to October, 1898, p. 100, for reported punishments.

<sup>102</sup> *Ibid.*; John B. Hattendorf, 'The Boundless Deep ...': *The European Conquest of the Oceans, 1450 to 1840* (Providence: John Carter Brown, 2003), p. xviii; Pope, *Life in Nelson's Navy*, p. 213.

<sup>103</sup> Marcus, *Heart of Oak*, p. 118; Pope, *Life in Nelson's Navy*, p. 214.

this is not mentioned in the logs, after first having received a flogging.<sup>104</sup> Involving the crew in the punishment reflected the fact that the crime affected them directly, rather than being simply an offence against authority. In our sample there were 38 sentences involving running the gauntlet, and all of them were for theft except three. One of them was for fraud, and the others for sodomy and what was described as ‘for a Sodomitical Attempt’.<sup>105</sup> On three occasions, once on the *Edgar*, and twice on the *Phaeton*, the victim walked three times round the deck suffering this beating.<sup>106</sup> As a punishment, this could be fatal, and it was banned in 1806 after some deaths resulted.<sup>107</sup>

Apart from punishments based on flagellation there were few practical alternatives. Robinson described gagging as a punishment for answering back, a form of torture in which an iron bolt was put across a man’s open mouth and secured by tying behind his head, but it is not a form of punishment that appears in the logs used in this study.<sup>108</sup> There is, however, other evidence for it, and for the fact that it was used as a punishment for other offences as well, because it continued until at least 1867 when a George Addison, of the *Favourite*, was gagged for drunkenness and violence, and died within two hours.<sup>109</sup> Another form of beating, although one that aimed more at humiliation than physical pain, was chastisement by the ship’s boys with wet swabs, something that does appear in our sample.<sup>110</sup> On the sloop *Alacrity*, in 1808, we read: ‘Punished Alex’r Clark (seaman) by the Boys with wet swabs for getting intoxicated with Small Beer’.<sup>111</sup> But contemporary, and even post-war, opinion tended to be that other forms of punishment, of the sort that might have been appropriate on shore, would not work at sea. Extra work, according to one, was impossible, as everyone was already

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<sup>104</sup> Descriptions of this process can be found in Adkins, *Jack Tar*, pp. 215-6; Eder, *Crime and Punishment*, pp. 66-7; Marcus, *Heart of Oak*, p. 118; and Pope, *Life in Nelson’s Navy*, p. 214.

<sup>105</sup> *Blanche*, ADM 51/112, 19.10.1791, 51/95, 19.10.1789; *Ardent*, ADM 52/2702, 2.5.1799 .

<sup>106</sup> *Edgar*, ADM 52/2965, 28.7.1795; *Phaeton*, ADM 52/2452, 27.1.1787.

<sup>107</sup> Steve Pope, *Hornblower’s Navy: Life at Sea in the Age of Nelson* (London: Orion, 1998), p. 77.

<sup>108</sup> Robinson, *Jack Nastyface*, pp. 148-9.

<sup>109</sup> Rasor, *Reform in the Royal Navy*, p. 57.

<sup>110</sup> James, *Warrior Race*, p. 305.

<sup>111</sup> *Alacrity*, ADM 51/1829, 17.2.1808.

kept as busy as they could be; on most ships the men were already working ‘watch and watch’ (one watch on and one off), so that there was usually no practical scope for extra time on duty. There was little space to confine offenders. There was no leave to cancel.<sup>112</sup> ‘At sea, the ship itself is a prison’, was the opinion of another, in a sentiment that echoed Dr Johnson, and the ship needed to have all hands working and not confined.<sup>113</sup> Indeed, it was argued that without the cat any punishment would simply cause extra work to be given to the other men, as a man might prefer to be in irons so as to avoid the hard work going on above deck; and stopping his grog would only mean that his shipmates would make it up.<sup>114</sup> As a result, confinement was normally only resorted to in the case of officers, although there are a few examples of seamen being locked up while awaiting punishment, or for particularly heinous crimes.<sup>115</sup> On the *Edgar*, in 1783, Jos<sup>h</sup> Jenkins was ‘Confined in Irons’, something rarely mentioned in the logs, and flogged the next day for desertion and contempt to his officer; and there are two examples in the *Blake*’s Black List.<sup>116</sup>

Despite these limitations, each of these penalties, and some others, were tried at some time or other. Cuthbert Collingwood ‘was not a believer in flogging’, and usually put offenders on short rations, watered grog or unpleasant duties.<sup>117</sup> The captain’s orders on board the *Conquistador*, in 1811, specified that the punishment for missing muster was to work watch and watch, which suggests that this ship must have used a three-watch system, and was combined with ‘walking the deck’ while on duty.<sup>118</sup> Watering the grog may only have been apt and enforceable when, as reported by Robert Wilson, it

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<sup>112</sup> Anselm John Griffiths, *Impressment fully considered with a view to its gradual abolition* (Cheltenham: J.W. Norie, 1826), p. 35.

<sup>113</sup> Anon, *A Plea in Favor of Maintaining Flogging in the Navy* (n.p., 1840s?), Navy Department Library ([www.history.navy.mil/library/online/flogging.htm](http://www.history.navy.mil/library/online/flogging.htm)); James Boswell, *The Life of Johnson* (Harmondsworth: Penguin, 1980), p.86.

<sup>114</sup> Frederick Chamier, quoted in C. Northcote Parkinson, *Portsmouth Point: The Navy in Fiction 1793-1815* (Liverpool: LUP, 2005), p. 62.

<sup>115</sup> Eder, *Crime and Punishment*, p. 68.

<sup>116</sup> *Edgar*, ADM 52/2276, 27.9.1783; Brian Lavery, *Shipboard Life and Organisation 1731-1815* (Aldershot: Ashgate, 1998), pp. 411, 413.

<sup>117</sup> Hibbert, *Nelson*, p. 358.

<sup>118</sup> Lavery, *Shipboard Life*, p. 234.



was applied to the whole crew, in the case described by him for too much drunkenness.<sup>119</sup> It only appears twice in the logs in our sample, in both cases given to individuals as a punishment for drunkenness.<sup>120</sup> Tampering with the rations or messing arrangements in any form would have been disturbing to the men, and moving a man to a mess designated as a ‘thieves’ mess’, or ‘dirty mess’, was considered by one captain as ‘having more effect on his conduct than corporal punishment’.<sup>121</sup> There is a record from much later than the French Wars, in ‘about 1847’, that mentions a number of minor punishments, including stopped or watered grog, working with both watches and limiting the lunch hour to fifteen minutes.<sup>122</sup> But it seems that few captains were in favour of such comparatively enlightened approaches, and that the men themselves generally preferred the catharsis of a formal flogging to the ignominy of extra duties, or what was known as the ‘black-list’.<sup>123</sup> What was more likely to be criticised was the informal discipline.

### **‘Starting’**

Although each of the punishments listed above may be described as ‘summary’, in that they were inflicted without benefit of a full trial or court-martial, they were, in the main, formal, in that judgement was given by the captain and a record was, or should have been, kept in the logs. ‘Starting’, however, was entirely informal, and was not recorded in the logs at all, despite the fact that men were being struck with various weapons, and that there is evidence that serious injury could result. This invisibility means that there are many questions to be asked about ‘starting’, not least being whether and how much it should be considered as adding to the harshness of life on board.

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<sup>119</sup> Wilson, ‘Journal’, p. 173.

<sup>120</sup> *Edgar*, ADM 51/302, 2.9.1790; *Thunder*, ADM 51/1851, 29.5.1808.

<sup>121</sup> Janet Macdonald, *Feeding Nelson’s Navy: The True Story of Food at Sea in the Georgian Era* (London: Chatham, 2006), p. 109.

<sup>122</sup> W.E. May, ‘Punishment in the Royal Navy’, *Mariners’ Mirror*, 67 (1981), p. 348.

<sup>123</sup> Francis Liardet, *Professional Recollections on Points of Seamanship, Discipline, &c* (Portsea: William Woodward, 1849), p. 277.

One of the first problems is to establish exactly what ‘starting’ was, and what its purpose was. William Robinson clearly describes it as a punishment:

This may be carried to a great extent of torture, as every boatswain’s mate carries a rope’s-end in his pocket; it is part of their equipment; and when ordered to start the men by any of the officers, they must not be found wanting of that appendage. The man is ordered to pull off his jacket, and sometimes his waistcoat, if he has one on at the time; the boatswain’s mate then commences beating him, and continues to do so until he is ordered to stop, or unless his arm is tired, and then another boatswain’s mate is called to go on with the ceremony. Some of those men’s backs have often been so bad from the effects of the *starting system*, that they have not been able to bear their jackets on for several days: and as this punishment is inflicted without tying the men up, he will naturally endeavour to ward off or escape as many of the blows as possible, and in doing so he frequently gets a serious cut to the face or head. This punishment is so common, that no minute is made of it even in the log book; and but few men in war time can escape the above mode of punishment, particularly in those ships whose captains give that power to his inferior officers.<sup>124</sup>

This description, detailed as it is, differs from many others in both the object of the attack and the method employed, and shows that ‘starting’ took different forms. There may be several interpretations of the expression ‘to start’, but the most apt, as given in Admiral Smyth’s *Sailor’s Word-Book*, originally published soon after his death, in 1867: ‘applied to liquids, is to empty; but if to any weight, as the anchor, &c., implies to move’.<sup>125</sup> Despite Robinson’s description of ‘starting’ as a punishment, then, this definition, and many other references to it, refer to getting men to move to their work and do not suggest that it would have been done with any preparation, such as getting the man to remove any clothing. Robert Hay described the boatswain as threatening

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<sup>124</sup> Robinson, *Jack Nastyface*, pp. 147-8.

<sup>125</sup> W.H. Smyth, *The Sailor’s Word-Book* (London: Conway Maritime, 2005), p. 651.

slowness with his ‘switcher’, or rattan.<sup>126</sup> The boatswain’s mates came ‘cutting to the right and left with their switches while all hands like frightened sheep were flying before them’.<sup>127</sup> This was not a reaction to bad behaviour, but an encouragement to the waistlers and afterguard, the unskilled parts of the crew, to greater or faster effort. Charles Pemberton, who was at sea between 1806 and 1812, complained that ‘nothing but an iron hand and iron heart were capable of teaching such discipline’, so that everyone was started as they went up the hatchway ladder when they had been piped on deck.<sup>128</sup> William Richardson described how, as the men pulled on the fall (the loose end of a rope), ‘boatswain’s mates were placed on each side, who kept thrashing away with their rattans on our backs, making no difference between those that pulled hard and those that did not’.<sup>129</sup>

Mostly, starters were rattans or ropes’ ends, but sometimes they were more specialised instruments, such as the ‘Three Sisters’, three canes bound together, as described by Robert Wilson; or, perhaps, the cane, ‘the end of which was waxed and “tip’d with simple twine thread”’, that Masefield had heard of; or even a yard-long stick, wrapped in twine, with a musket ball at the tip, said to have been used aboard the *Cyane* as late as 1822.<sup>130</sup> Contemporaries described their use as a constant presence, part of the general background noise of the ship.<sup>131</sup> ‘Nothing was to be done without knocking down and thrashing in every duty that was to be done’, and ‘the generality of boatswains’ constantly use canes’.<sup>132</sup> Historians have concluded that ‘starting’ was ‘an everyday

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<sup>126</sup> Hay, *Landsman Hay*, p. 35.

<sup>127</sup> *Ibid.*, p. 45.

<sup>128</sup> Charles Reece Pemberton, *The Autobiography of Pel Verjuice* (London: Scholartis Press, 1929), pp. 140, 142.

<sup>129</sup> Quoted in Dudley Pope, *Life in Nelson’s Navy* (London: Chatham, 2004), p. 102.

<sup>130</sup> Wilson, ‘Journal’, p. 144; John Masefield, *Sea Life in Nelson’s Time* (London: Methuen, 1905), p. 98; Lawrence James, *Warrior Race: A History of the British at War from Roman Times to the Present* (London: Abacus, 2002), p. 305.

<sup>131</sup> Hay, *Landsman Hay*, p. 44.

<sup>132</sup> John C. Dann, (ed.), *The Nagle Journal: A Diary of the Life of Jacob Nagle, Sailor, from the Year 1775 to 1841* (New York: Weidenfeld, 1988), p. 58; Robert Wilson, ‘Journal’, in H.G. Thursfield, (ed.), *Five Naval Journals 1789-1817* (London: NRS, 1951), p. 144.

occurrence'.<sup>133</sup> It was certainly referred to in a matter-of-fact way by the officers responsible for it. James Gardner started an anecdote with the words: 'I was once starting the jolly-boat boys for being slack in getting into the boat'.<sup>134</sup> And the fictional Captain Brilliant, who appeared in 1805 in the semi-autobiographical *The Post Captain*, says 'Boatswain's mate! start the main-top-men aft here'.<sup>135</sup>

But, however common it may have been, its effects could be devastating. Charles Pemberton described how he was hit twice on the back as he came through the hatch and collapsed, remaining groggy for an hour afterwards.<sup>136</sup> 'Starting' was banned in 1809, in part because of the court martial of Captain Corbett of the *Nereide*. Testimony was given that Corbett had had men repeatedly beaten with a rope's end or a stick for perceived failures in doing their duty, and sometimes so badly that the man being punished could not stand.<sup>137</sup> Corbett was already flogging more men than average, and these informal beatings, while offering us confirmation of Robinson's description of 'starting', just added to the harshness of the regime on his ship. Some captains had already realised the detrimental effects of the practice and banned or limited it. Frederick Hoffman found that the men he pressed aboard the *Hannibal* in Jamaica in 1794, 'a few days after being on board, finding the boatswain's mates did not carry canes, entered', although it must be said that, by then, they really had no choice.<sup>138</sup> Captain Richard Keats, in command of the *Superb* in 1803, ordered that the boatswain and his mates 'conformable to the old custom of the service are to carry rattans but they are to be used with discretion'.<sup>139</sup> And when Captain Campbell joined the *Unité*, with an established crew, in 1806, 'he ordered no sticks etc., to be used by the Boatswain and his mates' and the result, according to

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<sup>133</sup> Marcus, *Heart of Oak*, p. 118.

<sup>134</sup> James Gardner, *Recollections of James Anthony Gardner Commander R.N. (1775-1814)* Edited by Sir R. Vesey Hamilton, G.C.B. Admiral and John Knox Laughton, M.A., D.Litt. (London: NRS, 1906), p. 122.

<sup>135</sup> John Davis, *The Post Captain* (Sulhamstead: Tops'l Books, 1984), p. 63.

<sup>136</sup> Pemberton, *Pel Verjuice*, p. 142.

<sup>137</sup> See Lavery, *Shipboard Life*, pp. 401-3.

<sup>138</sup> Hoffman, *A Sailor of King George*, p. 60.

<sup>139</sup> Quoted in Pope, *Life in Nelson's Navy*, p. 85.

Robert Wilson, was that ‘the crew did their duty more cheerful’.<sup>140</sup> The young William Dillon, on the *Glenmore*, fell foul of such a rule when he struck the Captain of the Forecastle and, receiving no support from the captain or other officers, decided to leave the ship.<sup>141</sup> Melville tells us that the use of a colt or ‘rattlin-staff’ was common on American ships until the 1850s, in theory far beyond their use on British ships.<sup>142</sup> But it is not clear that it completely died out as quickly as it was supposed to have done in the Royal Navy. When Captain Cumby took over the *Hyperion* in March 1811 he issued an order that starting ‘is most peremptorily forbidden’, which suggests that it was probably still common.<sup>143</sup> It lasted through 1822, at least on the *Cyane*, mentioned above, and, according to Eugene Rasor, was still common in the 1870s.<sup>144</sup>

## Conclusion

It is an inescapable fact that flogging was an important feature of the lives of men in the sailing navy. As demonstrated in the previous chapter, anything up to one man in ten may have been subjected to the lash in any year, and later chapters will include conclusions as to how random or controlled the application of this punishment was. Estimates of its physical and psychological effects vary, but there can be no doubt that it left a mark and was, certainly to modern eyes, a painful and barbaric practice. It was, however, almost universally seen, by both the authorities and the men, as a necessary evil. It was an indispensable tool in the efficient running of a warship, and in the period under consideration here there were considered to be no viable alternatives to its general use. It was certainly not the only method of imposing discipline on the men: the practice of ‘starting’ the men to make them work and, to some extent, as a punishment, was also prevalent but, since this was never recorded in the logs, and seldom even in memoirs, it is impossible to measure its extent. We do, however, have a detailed record of the formal

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<sup>140</sup> Wilson, ‘Journal’, p. 145.

<sup>141</sup> Dillon, *Narrative*, Vol. 1, p. 340.

<sup>142</sup> Melville, *White Jacket*, pp. 145-6.

<sup>143</sup> William Pryce Cumby, ‘Orders and Regulations for the Government and Discipline of His Majesty’s Ship *Hyperion*’, in Thursfield, *Five Naval Journals*, p. 333.

<sup>144</sup> Rasor, *Reform in the Royal Navy*, p. 57.

regimes aboard our sample ships, which will allow us to go a long way towards assessing William Robinson's description of 'wanton and torturing punishments'.

## Chapter 5: Drink

### Introduction

Whether or not it *was* consistently the main cause of disciplinary problems in the Georgian Navy, alcohol was often *seen* by contemporaries as the main problem. Lord Keith, in a letter to the Admiralty in September 1812, stated that ‘almost every crime except theft originates in drunkenness’.<sup>1</sup> He went on to acknowledge that that was not the time for reform of the system of allowances, but considered that when peace came all naval officers would support a reduction in the use of spirits in the service. He may have been a ‘rather dour, cautious and unimaginative Scotsman’, but he was in command of the Channel Fleet, and his ideas were sufficiently in sympathy with those of the rest of the navy that a dozen years later the allowance was halved and, a generation after that, halved again.<sup>2</sup> This perception, of the pernicious effects of drink, lasted to the end of the century and beyond: decades after the cat had been replaced by imprisonment as the extreme form of summary punishment, troubles in the Royal Navy were still being said to ‘always arise from drink and leave-breaking’.<sup>3</sup> More surprisingly, perhaps, it reached back through the previous century. Admiral Vernon observed, in 1740, that a half pint of rum issued in one instalment resulted in men being ‘hurried into all sorts of crimes as well as being visibly debilitated’, and divided the allowance into two, diluted at a ratio of four to one with water.<sup>4</sup>

A number of questions arise from this. In a total institution such as a ship, why was it impossible to control drunkenness? Across all of the theatres and, to a great extent across the times, in which these ships served during this period, there is a noticeable

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<sup>1</sup> Admiral Viscount Keith, *The Keith Papers* (ed. Christopher Lloyd), Vol. III, 1803-1815 (London: NRS, 1955), pp. 320-1.

<sup>2</sup> Christopher Hibbert, *Nelson: A Personal History* (London: Viking, 1994), p. 202.

<sup>3</sup> Rev. G. Goodenough, R.N., *The Handy Man Afloat and Ashore* (London: T. Fisher Unwin, 1901), pp. 169-70.

<sup>4</sup> Quoted in Andrew Barr, *Drink* (London: Bantam Press, 1995), p. 254.

inconsistency between what was being made available to the men. We tend to think that the standard issue was rum but, depending on what was available, beer, wine and arrack all appeared in the official issue and, as we shall see, these cannot all have matched in strength. Since alcohol was seen, even by Keith, as something so vital to the morale of the men, how was it possible that they would not complain about the difference between a ration of small beer in home waters and two gills of near-proof spirits abroad? And, more puzzling still, as the problem was so universal and long-running, why had the Admiralty not done something about it in previous centuries: was there a deliberate policy of using alcohol as some sort of control mechanism?

In this chapter we will examine who was getting drunk, on what and how. We shall look at the different types of drink available to the men, their history, their availability and their strengths; and the effects of each of them on the health of the crews. It is a fundamental objective of this study that we try to find out how far the men below decks were aware of, and responsible for, their own behaviour and transgressions, and John Masefield, for one, railed against the practice of encouraging them to drink and then punishing them for the inevitable result: he thought it ‘curiously hard that men so eager to drink should have been so carefully encouraged to drink, and so brutally punished for drinking the drink allowed to them’.<sup>5</sup>

## **The Availability and Consumption of Alcohol**

### *Hidden Agenda?*

Was there a hidden agenda behind the issue of alcohol in large quantities? Certainly there are those who think so. ‘The large quantities of strong drink were intended to keep the men contented’, according to Brian Lavery.<sup>6</sup> To Aryeh Nussbacher, all sailors were deliberately kept in a state of ‘mildly alcoholic euphoria’.<sup>7</sup> And Michael Lewis concluded in 1960 that the authorities were ‘actually sanctioning over-drinking as a

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<sup>5</sup> Quoted in G.E. Manwaring and Bonamy Dobrée, *The Floating Republic* (London: Frank Cass & Co., 1966), p. 45.

<sup>6</sup> Brian Lavery, *Nelson’s Navy: The Ships, Men and Organisation 1793-1815* (London: Conway Maritime Press, 2000), p. 205.

<sup>7</sup> Aryeh Nussbacher, ‘HMS Victory’, in *Battlestations*, History Channel, Broadcast 15.3.08.



means of doping the men into enduring the conditions'.<sup>8</sup> This is not a new idea, and nor is it unique in its application to the Royal Navy. On land, accusations were later to be made against the authorities by the leaders of the Chartist movement of a conspiracy to reduce the price of beer and gin in order to encourage the working classes to get drunk, in which condition they would be less able to think and less likely to combine.<sup>9</sup> This type of accusation is extremely speculative, as there normally is no firm evidence to back it up. There is, however, a record that in 1786 the Viceroy of Mexico suggested that if the Apaches to the north could be brought to a dependency on alcohol it would make them more amenable to control, as had been the case with the Aztecs after the Spanish had introduced the concept of distillation, thus enabling their indigenous agave-based drink, pulque, to be distilled into mescal.<sup>10</sup> This only demonstrates that the idea has been suggested in the past. It does not necessarily connect it with the Georgian navy.

There certainly was a tolerance of drunkenness in the navy, and even some encouragement of it in the cause of maintaining morale. The literature is full of examples of this, particularly on special occasions. On the *Sybil* in 1780, Captain Pasley gave a double allowance to everybody, plus a few gallons of grog on top, towards the celebrations of crossing the line, along with 'my liberty to get drunk if done without noise and quarrelling'.<sup>11</sup> Captain Cook was tolerant of the men drinking at Christmas, variously accepting the need to get under short sail in case of bad weather setting in while they were celebrating at sea, and sending them ashore to recover in the fresh air after two days' carousing at anchor.<sup>12</sup> On the *Endeavour* on Christmas Day in 1768 Joseph Banks recorded that 'there was scarce a sober man in the ship'.<sup>13</sup> Cook also gave his men an extra tot of brandy in the mornings in Antarctic waters, and used withdrawal

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<sup>8</sup> Michael Lewis, *A Social History of the Navy 1793-1815* (London: Allen & Unwin, 1960), p. 398.

<sup>9</sup> Barr, *Drink*, p. 10.

<sup>10</sup> Tom Standage, *A History of the World in Six Glasses* (London: Atlantic Books, 2007), p. 129.

<sup>11</sup> Rodney M.S. Pasley, (ed.), *Private Sea Journals 1778-1782, kept by Sir Thomas Pasley, Bart., when in command of H.M. Ships Glasgow (20), Sybil (28) and Jupiter (50)* (London: J.M. Dent and Sons, 1931), p. 74.

<sup>12</sup> Alan Gurney, *Below the Convergence: Voyages Towards Antarctica, 1699-1839* (London: Pimlico, 1998), pp. 116, 133.

<sup>13</sup> Quoted in Peter Earle, *Sailors: English Merchant Seamen 1650-1775* (London: Methuen, 1998), p. 96.

of grog as a punishment if the men were found to be dirty.<sup>14</sup> This was not an isolated incident: Graham Moore, as a lieutenant, was worried about the effect of Admiral Hughes giving the men extra grog for doing a private job for him; but later, as captain of the *Melampus*, he willingly gave his men ‘an allowance of grog besides their beer as a proof of my satisfaction at their good conduct’ when they replaced a sprung topmast in three hours and 25 minutes.<sup>15</sup> The explorer George Vancouver gave his men ‘such an additional allowance of grog as was fully sufficient to answer every purpose of festivity on the occasion’ when they prepared to go home after four-and-a-half years away.<sup>16</sup> And from the other side of the Atlantic, Herman Melville tells us that that US ships in port gave out a double ration on 4 July, and reports that everyone was drunk.<sup>17</sup> It does seem more likely that the issue of spirits was seen more along the lines of reward and compensation for their service than as a method of control; but there is no doubting the strength of the men’s feeling that the allowance was theirs by right. In the semi-autobiographical story of *Rattlin the Reefer*, originally published in 1836, Edward Howard says that ‘from time immemorial’ Jack thought he had the right to be drunk at Christmas, and sailors would ‘think it hard, very hard, to have their cups scored next morning on their backs’.<sup>18</sup>

Colin White suggested that the reductions in the allowance in 1825 and 1850 were only made possible by the fact that by then the ‘old jail-birds’ had disappeared from the navy and had been replaced by ‘responsible, professional men’ once the wars were over.<sup>19</sup> The halving of the allowance in 1825 was preceded by an experiment on the *Thetis*, in which half the daily grog was replaced by tea and cocoa and an addition of

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<sup>14</sup> Gurney, *Below the Convergence.*, pp. 116, 120.

<sup>15</sup> Tom Wareham, *Frigate Commander* (Barnsley: Pen and Sword Maritime, 2004), pp. 26, 187.

<sup>16</sup> Bern Anderson, *The Life and Voyages of Captain George Vancouver: Surveyor of the Sea* (Seattle: University of Washington Press, 1960), p. 195.

<sup>17</sup> Herman Melville, *White-Jacket, or The World in a Man-of-War*, (A.R. Humphreys, ed.) (Oxford: OUP, 1966), p. 94.

<sup>18</sup> Edward Howard, *Rattlin the Reefer*, (Arthur Howse, ed.) (Oxford: OUP, 1978), p. 269.

<sup>19</sup> Colin White, *The End of the Sailing Navy* (Havant: Kenneth Mason, 1981), p. 77.

two shillings per month to each man's pay.<sup>20</sup> This resulted in members of the crew being beaten up on shore by others who held them responsible for the anticipated general reduction in the ration. Back in 1794, the crew of the *Defiance* (74), lying in Leith Roads, took the extraordinary course of mutinying in protest against the issue of five-water-grog at a time, and in a climate when, as reported by John Nicol, the normal dilution was three to one.<sup>21</sup> Even though the later reductions and eventual abolition of the rum ration seem to have gone through with very little protest, it is obvious that the men's attachment to it would have been seen as a strong argument for its retention, especially under the strain and manpower shortages caused by the wars. Marryat even suggests that seamen, although nine in ten of them swore that having served in the Navy they would never do so again, were driven back into the service by 'the ever devilish god of grog'.<sup>22</sup> It may well be that the provision of alcohol was a powerful force in attracting and retaining crews, but surely there is no need to look for any further conspiracy.

#### *Who and when*

It should not be assumed that the only sort of man prone to misuse of alcohol was an ignorant denizen of the lower deck. Admiralty regulations stipulated that captains should not allow their ships' companies to buy liquor, but Captain Riou's standing orders for the *Amazon* allowed it on board 'for those messes who know how to make proper use of it' which, one would imagine, could generate envy and friction with those messes that could not get permission.<sup>23</sup> There was, anyway, resentment that the rules did not apply to quarterdeck officers, as well as at the difficulty of even defining drunkenness.<sup>24</sup> Sir Thomas Pasley noted that he himself was taken to task when punishing one Samuel Hall for drunkenness for having recently been in a similar state. Hall received an extra dozen

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<sup>20</sup> John Winton, *Hurrah for the Life of a Sailor: Life on the Lower Deck of the Victorian Navy* (London: Michael Joseph, 1977), p. 24.

<sup>21</sup> John Nicol, *The Life and Adventures of John Nicol, Mariner*, (Tim Flannery, ed.) (Edinburgh: Cannongate, 2000), p. 164.

<sup>22</sup> Melville, *White Jacket*, p. 410.

<sup>23</sup> Brian Lavery, (ed.), *Shipboard Life and Organisation 1731-1815* (Aldershot: Ashgate for the NRS vol. 138, 1998), pp. 12, 152.

<sup>24</sup> Howard, *Rattlin the Reefer*, p. 270.

lashes for his impertinence, but Pasley resolved never to be seen so again.<sup>25</sup> And Melville paints a picture in *White Jacket* of Captain Claret punishing members of his crew for being drunk whilst being plainly flushed with Madeira himself.<sup>26</sup> The marines played an important part in the discipline aboard ship, but they have been seen as particularly prone to drinking: despite a very real loyalty to their officers ‘they always contributed their share – more than their share’ to the punishment records; a conclusion with which our own findings agree.<sup>27</sup> In fact, everyone seems to have been drinking to excess in this period. Alcohol was also seen as a part of the ethos of the barrack-room but, at the same time, it has been said that it ‘was as central to the lives of soldiers as to large sections of the labouring poor of Britain’, so it was hardly surprising that the sailor followed suit.<sup>28</sup>

### *How*

Just by his overwhelming predominance in numbers in the service, and his distinctiveness ashore, it is no wonder that the picture of the drunken Jack Tar is the usual one. On the face of it, it would be reasonable to assume that the amounts of drink available to him, at least while on board, could be restricted and, to a great extent, this was true. Indeed it had to be true, or the navy could not have operated at all. This is illustrated by the surprising entry in his journal by Captain Pasley that, although he was otherwise constantly plagued on the *Sybil* by ‘a set of Damned Irish Villains’, there was no drunkenness or disorder on St Patrick’s Day, which he attributed to the fact that ‘they could not get liquor, and are too fond of it to save their daily allowance for a favourite day’.<sup>29</sup> But Jack was resourceful and opportunistic despite all the threats of punishment, and opportunity knocked constantly.

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<sup>25</sup> Pasley, *Private Sea Journals*, p. 12.

<sup>26</sup> Melville, *White Jacket*, p. 180.

<sup>27</sup> Michael Lewis, *The Navy in Transition 1814-1864: A Social History* (London: Hodder & Stoughton, 1965), p. 167.

<sup>28</sup> Peter Stanley, *White Mutiny: British Military Culture in India, 1825-1875* (London: C. Hurst & Co., 1998), p. 40.

<sup>29</sup> Pasley, *Private Sea Journals*, p. 73.

There must have been countless ways of acquiring extra drink, and we can only guess at a few of the ruses and abuses employed. In the first place, there were extra allowances, such as Cook's cold weather brandy, mentioned above. This was not uncommon: George Vancouver granted extra grog to the boat crews on his survey trips along the North American coast between 1792 and 1795.<sup>30</sup> Vancouver also 'served freely' the spruce beer that he hastened to have brewed whenever possible as an antiscorbutic.<sup>31</sup> If the amount of alcohol dealt out as standard ration was as powerful as has been suggested, then it would, very often, be difficult to avoid being drunk when legitimately receiving more.

Shore leave also provided ample opportunity for drinking, and it is clear that, in spite of a lot of leeway being given to men lucky enough to receive any, it was always likely to be abused and punishments would have to be given. 'These indulgences are almost invariably abused for purposes of riot, drunkenness and debauchery,' said Samuel Leech; 'rarely does it happen, but that these shore sprees end in bringing "poor Jack" into difficulty of some sort'.<sup>32</sup> Just the mention in his journal of men going ashore and the expectation of the resultant drunkenness got Captain Moore bemoaning the need for corporal punishment.<sup>33</sup> There had always been some tolerance of rambling and straggling, as we shall see, but when any abuse occurred, retribution could be harsh. When Patrick Wilson straggled while on leave from the *Monmouth* he was given two hours to get back. But he drew a knife on the officers sent to find him and was court-martialled and hanged.<sup>34</sup> And it is easy to understand that the temptation for a boat crew from the *Prince George*, on duty but ashore and with nothing much to do, to go for a 'land cruise', must have been very great.<sup>35</sup> Even the men left on board when their

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<sup>30</sup> Anderson, *Life and Voyages*, p. 215.

<sup>31</sup> *Ibid.*, pp. 81, 96.

<sup>32</sup> Samuel Leech, *A Voice from the Main Deck: Being a Record of the Thirty Years Adventures of Samuel Leech* (London: Chatham, 1999), p. 62.

<sup>33</sup> Wareham, *Frigate Commander*, p. 82.

<sup>34</sup> Tim Clayton, *Tars: The Men who made Britain Rule the Waves* (London: Hodder & Stoughton, 2007), p. 156.

<sup>35</sup> William Dillon, *A narrative of my professional adventures, 1790-1839: Vol. 1*, ed. Michael A. Lewis (NRS vol. 93, 1953), p. 199.

messmates were given leave may often have benefited, as they continued to draw the allowance of their absent comrades, although this loophole was closed by some captains, such as Riou on the *Amazon*, who stopped the issue to Liberty men.<sup>36</sup>

Even on board there were many opportunities to drink beyond the normal allowance, whether officially tolerated or not. When in port, ships would be besieged by boats offering women, trinkets and alcohol; and the officers were unwilling, and possibly often unable, to stop any of them coming on board. It was said that it was a 'point of honour' amongst the women coming on board to provide their men, whether their legitimate husbands or not, with some smuggled drink.<sup>37</sup> The navy's habit of paying the men immediately before sailing but keeping them on board lest they take their wages and run, virtually guaranteed this: by eleven o'clock the night before sailing Moore thought there were not twenty sober men on board the *Melampus*, and they were still too drunk when they sailed the next day to work the ship properly. This drunkenness could go on for days after sailing.<sup>38</sup> As we have seen, the right to bring liquor on board could be allowed to responsible people and it would inevitably become available to others: during the Battle of the Nile, John Nicol was provided with wine by the gunner's wife, and although this was in the peculiar circumstances of battle, when he and the gunner were stationed in the heat and closeness of the powder magazine and in need of some relief, it demonstrates that drink could sometimes be got.<sup>39</sup> The *Regulations and Instructions* forbade the selling or suttl[ing] [supplying] of alcohol, and particularly the selling of a man's allowance, but there were always ways round this.<sup>40</sup> The 1806 version stopped the grog allowance for boys, which suggests that it had often found its way to the older men; and, whether or not it was an important part of the ship's economy, it certainly seems to have acted as a form of currency, at least to the extent that

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<sup>36</sup> Lavery, *Shipboard Life*, p. 152.

<sup>37</sup> J.R. Hutchinson, *The Press-Gang Afloat and Ashore* (London: Eveleigh Nash, 1913), p. 258.

<sup>38</sup> Wareham, *Frigate Commander*, pp. 130, 132.

<sup>39</sup> Nicol, *Life and Adventures*, p. 175.

<sup>40</sup> Lavery, *Shipboard Life*, pp. 53, 99.

midshipmen were prone to employ servants or ‘hammock men’ whom they paid in grog.<sup>41</sup>

Finally, there was outright smuggling which, according to Melville, was a preoccupation not only of the men attempting to carry it out, but also of the officers guarding against it: hardly surprising when a bottle of smuggled liquor could sell for as much as three months’ pay.<sup>42</sup> While the ship was keeping a close eye on any approaching boats, and was ready to drop shot into them if they were suspected of attempting to smuggle anything on board, the men could be hiding bottles in the boats’ water kegs or even having skins full of liquor moored to the anchor buoy, to be recovered under the cover of night.<sup>43</sup>

### *Beer*

Despite some confusion amongst writers on the Georgian navy over exactly what the alcohol ration comprised, as we shall see below, the basic allowance was a gallon of beer, and had been since at least 1615.<sup>44</sup> To the modern Briton it is reasonably clear what is meant by the word ‘beer’: usually bitter or lager with a strength between 3.5 and 5 per cent alcohol by volume, although sometimes, exceptionally, slightly less or up to about 11 or 12 per cent. But it is a product with a long history.<sup>45</sup> By the time of the French wars, drink was an important part of life to the labourer: as well as being part of the bonding process within groups, it was also seen as important to the working man’s diet.<sup>46</sup> Four to eight pints could provide between 1,000 and 2,000 calories a day to the working man. The Beer Act of 1830 recognised the beneficial effects by removing the tax on beer and removing restrictions on who could brew it; and even as late as the

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<sup>41</sup> *Ibid.*, p. 113; Anderson, *Life and Voyages*, p. 10.

<sup>42</sup> Melville, *White Jacket*, p. 193.

<sup>43</sup> *Ibid.*, pp. 186, 188.

<sup>44</sup> See, for example, John Burnett, *Liquid Pleasures: A Social History of Drinks in Modern Britain* (London: Routledge, 1999), p. 114.

<sup>45</sup> Standage, *A History of the World in Six Glasses*, pp. 37-8.

<sup>46</sup> Barr, *Drink*, p. 174.

1930s the health benefits were given as one of the main reasons for drinking it.<sup>47</sup> A pint of beer can also provide over 5 per cent of the recommended levels of vitamins B9, B6 and B2, although not A, C or D.<sup>48</sup> This means that it is of very little use against scurvy, although captains such as Sir Thomas Pasley saw it as a part of an antiscorbutic regime (although he noted that it did not seem to work).<sup>49</sup> John Clephane, physician to His Majesty's fleet during the Seven Years' War, sent ships to North America supplied with either beer or spirits and concluded that beer left very few men sick compared with other alcohol.<sup>50</sup>

The navy issued a gallon per day to its seamen, or 365 gallons a year, compared with the average consumption in the first decade of the nineteenth century of 33.4 gallons, although this apparent difference of over a thousand per cent was mitigated by the fact that the latter figure covered men, women and children on land, as against a population of mainly healthy young men afloat.<sup>51</sup> Officially, the ration was always exclusively beer: when it ran out then, at least in home waters, more beer was to be acquired to replace it.<sup>52</sup> Due to its importance, the navy started to brew its own beer at Portsmouth. Initially it seems to have been prone to go off, but by the second half of the eighteenth century better technology, in the form of a new vat, ensured that this problem was solved.<sup>53</sup> It is possible, although probably rare, that some ships would have produced their own beer on board: in 1772, James Cook took 'Mr Pelham's "Inspissate Juce [sic] of beer"', probably malt extract, and, once he had passed Madeira, brewed his own, but in the literature this is an isolated example.<sup>54</sup>

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<sup>47</sup> *Ibid.*, p. 248.

<sup>48</sup> C. Walker, [of Brewing Research International], 'Last Word', *New Scientist*, Vol. 183, 2461, p. 73.

<sup>49</sup> Pasley, *Private Sea Journals*, p. 211.

<sup>50</sup> Walker, 'Last Word', p. 73.

<sup>51</sup> Nicholas Blake and Richard Lawrence, *The Illustrated Companion to Nelson's Navy* (London: Chatham, 2005), p. 104.

<sup>52</sup> Lewis, *The Navy in Transition*, p. 169.

<sup>53</sup> Clayton, *Tars*, p. 136.

<sup>54</sup> Gurney, *Beyond the Convergence*, p. 111; Anderson, *Life and Voyages*, p. 11.



One incarnation of beer that seems to have been common, at least amongst ships visiting North America, was spruce beer. This was made by boiling spruce branches and adding molasses, water and yeast or wort, and racking the result into casks to ferment, and seems to have been very popular.<sup>55</sup> Whether this was because of the taste, or because it provided some extra intoxicant, is not clear, although the fact that it was still being brewed in the US at the end of the nineteenth century suggests that it was valued for itself; and in the 1770s John Nicol describes himself as having been ‘wholly employed on shore, brewing spruce for the fleet’ whilst serving on the 20-gun *Proteus* at St John’s.<sup>56</sup> Certainly it was considered by some of the medical profession as a valuable antiscorbutic: the naval surgeon James Lind observed that Russians and Swedes had been treating scurvy with beer made from pine needles and shoots; and Peter Henry, surgeon aboard the *Daedalus* in 1802, treated scorbutics with lime juice, porter and spruce beer on the way to Bombay.<sup>57</sup> It is probable that Cook had come across fresh spruce beer in Canada, and he not only started a brew whenever possible, but also carried ‘essence of spruce’ in his supplies for when the fresh trees were not available.<sup>58</sup>

It is not at all clear quite what the usual beer as issued on the ration was really like, since eight pints of anything like a strong beer would have been easily enough to have made most of the crew noticeably drunk. In this case, we would tend to agree with the sense of resentment felt by some of the crews: they needed the liquid but the water was often barely drinkable, but taking their allowance of beer could expose them to punishment. Historians have usually described it, however, variously as ‘a watery, tepid and often sour liquid turned out wholesale from the Navy’s own breweries’ and as ‘a decoction of malt, hops and water with few of the qualities of well-brewed beer so that not many seamen ever drank their full entitlement’, but we do not have any provenance

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<sup>55</sup> Anderson, *Life and Voyages*, p. 11.

<sup>56</sup> Gurney, *Beyond the Convergence*, p. 44; Nicol, *Life and Adventures*, p. 39.

<sup>57</sup> Gurney, *Beyond the Convergence*, p. 44; Peter Henry, ‘Journal of Peter Henry’ in Lavery, *Shipboard Life*, p. 528.

<sup>58</sup> Gurney, *Beyond the Convergence*, p. 44.

for these descriptions.<sup>59</sup> It certainly seems that it was what is described as ‘small beer’ or ‘swipes’, confirmed by John Collum, surgeon on the *Terpsichore* writing in 1802, and this is usually interpreted as having a strength of between 2 and 3 per cent alcohol.<sup>60</sup> This is not very strong: it is half the strength of most beer on sale today and, bearing in mind that before the introduction of the Imperial gallon in 1824 there were only 16 fluid ounces to a pint, represents no more than six or seven ‘units’ per day, a total unlikely to challenge the sobriety of any but the weakest head.<sup>61</sup> It has been said that it was only provided because it could usually last better in barrels than the water but, if this was so it suggests a wasteful attitude to provisions to have created something so weak and perishable and consequently so unfit for purpose.<sup>62</sup> There is certainly evidence that the beer was likely to go off after not too long, particularly in summer, as in 1804 Captain Wainwright, of the *Royal William*, even at Spithead, ordered the issue of wine in lieu during the summertime.<sup>63</sup>

It also seems strange that the beer provided to the crews should be so different from that consumed on shore. In the year ended 5 July 1812, for example, over 1.3 million barrels of porter were brewed in London against 105,000 barrels of ale.<sup>64</sup> Porter had become popular from the 1720s onwards, and was a mixture of strong, dark beer and sweet, hopped table beer.<sup>65</sup> Despite the suggestion that London porter was ‘unquestionably’ weaker during the wars we can be fairly confident of the findings of the analytical chemist Frederick Accum, in 1820, that the average strength of porter as produced by the breweries was 5.25 per cent, although this had been reduced by dilution

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<sup>59</sup> Lewis, *The Navy in Transition*, p. 267; Conrad Dixon, ‘Pound and Pint: Diet in the Merchant Service, 1750-1980’, in Sarah Palmer and Glyndwr Williams, (eds.), *Charted and Uncharted Waters: Proceedings of a Conference on the Study of British Maritime History* (London: NMM/QMC, 1981), p. 164.

<sup>60</sup> John Collum, ‘Journal of John Collum’ in Lavery, *Shipboard Life*, p. 530; Nicholas Blake and Richard Lawrence, *The Illustrated Companion to Nelson’s Navy* (London: Chatham, 2005), p. 104; Barr, *Drink*, p. 250.

<sup>61</sup> A.J. Pack, *Nelson’s Blood: The Story of Naval Rum* (Havant: Kenneth Mason, 1982), p. 69.

<sup>62</sup> Dudley Pope, *The Devil Himself: The Mutiny of 1800* (London: Alison Press, 1987), p. 36.

<sup>63</sup> Quoted in Lavery, *Shipboard Life*, p. 387.

<sup>64</sup> A. Chaston Chapman, *Brewing* (Cambridge: CUP, 1912), p. 6.

<sup>65</sup> Burnett, *Liquid Pleasures*, p. 117.

to about 4.5 per cent by the time it was served in the public houses.<sup>66</sup> An original gravity of 1055, which would normally represent an alcohol content of over 5 per cent, was considered as comprising ‘standard’ barrels for the rest of the century, until beer strength was reduced during the 1914-18 war.<sup>67</sup> On land, it was normal for farm workers to receive a gallon of beer a day, especially during the harvest season when the workload was particularly heavy, and it is not unrealistic to suppose that this was of normal strength, since it was recorded in the memoirs of an Elizabeth Grant that, in around 1800, Scottish servants could expect an allowance of a bottle of whisky per day.<sup>68</sup> To many, then, alcohol, of some potency, was a part of everyday existence: is it likely that seamen would willingly accept, without complaint, a weak and unpleasant substitute?

At least one writer on the navy has concluded that different strengths of beer were supplied in different circumstances: that the normal allowance, in home waters, was of poor quality and went sour within weeks, but that stronger beer was provided for overseas voyages, and even then corrupt suppliers often added water to it.<sup>69</sup> Captain Graham Moore provides us with evidence that even the small beer served on board was popular with the crew, and that stronger stuff must have been available, at least for some of the time. While cruising off the Channel Islands in 1785 he received a deputation from his crew asking that they be allowed to send two days’ allowance to the other ships in the squadron, since they had been without any for some time. In return he was happy to receive back ‘a present of two Butts of strong beer in lieu of the two puncheons of small beer that the *Syren’s* [sic] had given them’, not only stronger beer but also a return of 216 gallons to 144.<sup>70</sup> This argues both that even the small beer was a welcome part of the naval diet, and that beer may have been available in varying strengths. We also know that porter was sometimes available on warships, as surgeon Peter Henry, mentioned above, used it in his antiscorbutic regime; and John Nicol reported that the *Lady Juliana*,

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<sup>66</sup> Bee Wilson, *Swindled: From Poisoned Sweets to Counterfeit Coffee – The Dark History of the Food Cheats* (London: John Murray, 2008), p. 36; Burnett, *Liquid Pleasures*, p. 122.

<sup>67</sup> *Ibid.*, p. 126.

<sup>68</sup> *Ibid.*, p. 116.

<sup>69</sup> Pack, *Nelson’s Blood*, p. 14.

<sup>70</sup> Wareham, *Frigate Commander*, p. 107; Lavery, *Shipboard Life*, p. 544.

transporting women to Australia, carried hogsheads of bottled porter, which he found that the convicts had broached and plundered.<sup>71</sup> These examples may not, however, be representative of what was available to the men. The surgeon might have had his own supply as part of his medical supplies; and the porter on the *Lady Juliana* may have been intended for the convict settlement at Sydney, rather than as an allowance to the ship.

It may be that the men did not usually register that the beer they were given could vary in strength so much, since taste in beer is not always a reliable indicator of alcoholic content: this is a subject to which we shall return in a later section. Certainly, even at 2 or 3 per cent, small beer was enough to affect some people for the worse: one seventeenth-century writer preferred coffee for breakfast since even small beer was ‘Foggy Ale’ that ‘besieged our brains’.<sup>72</sup> We also have evidence that some men could get drunk on small beer on board ship, although they were likely to have been held in contempt for doing so. During the mutiny at the Nore in 1797, when the mutineers maintained strict control over the behaviour of the crews on board the striking ships, a man was flogged on the *Sandwich* ‘for getting beastly drunk with small beer’; and, in our sample, as mentioned in the previous chapter, the log of the brig *Alacrity* in 1808 has the entry ‘Punished Alex’r Clark (seaman) by the Boys with wet swabs for getting intoxicated with Small Beer’, which must have been a great humiliation.<sup>73</sup>

### *Wine*

When beer was not available, the first substitute was wine. When Samuel Pepys drew up the victualling contract for the navy in 1678 he included an allowance of a gallon of beer a day, or a quart of wine if sailing south of Lisbon.<sup>74</sup> By the eighteenth century, beer was to be issued unless, when this ran out, the ship was no longer in home waters, when ‘what was known as “beverage” was to take its place at the rate of one pint per day’, beverage being whatever unfortified wine was available on whatever coast the ship was

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<sup>71</sup> Nicol, *Life and Adventures*, p. 122.

<sup>72</sup> Standage, *A History of the World*, p. 135.

<sup>73</sup> Manwaring and Dobrée, *The Floating Republic*, p. 130; *Alacrity*, ADM 51/1829.

<sup>74</sup> Burnett, *Liquid Pleasures*, p. 1.

serving.<sup>75</sup> As so much of the British fleet's time was spent in blockading the French and Spanish coasts, it is not surprising that Lord St Vincent's orders concerning the allowance should have referred specifically to wine, including a strict injunction against any man getting another's allowance, in which case both men would be subject to punishment.<sup>76</sup> And given that most European service away from the home station was near to Spain, it is not surprising that the better known wines in common use were Spanish. James Gardner wrote about a coarse red wine known as blackstrap, a term that usually applied to Spanish produce but which may possibly have had any origin.<sup>77</sup> This was what the officers were drinking and may not have been very popular with the men: they were usually issued with white Spanish wines called rosolio and mistela, the latter inevitably taking the nickname 'Miss Taylor'.<sup>78</sup> It is possible that the issue of wine made an important contribution to the health and efficiency of the British fleet in the European theatre. We now understand that wine contains antibacterial agents that can counteract some of the ill-effects of impure water.<sup>79</sup> Pasley, as already mentioned, thought that a mixture of beer and wine in the allowance had an antiscorbutic effect although, as we have seen, this did not work in practice.

What may, perhaps, be more interesting to us in the present study, is the diminution in the amount of issued alcohol that the substitution of wine for beer may have represented. It is rare for any wine to ferment to much more than 14 per cent alcohol by volume, and we rarely see white wine at over 11 or 12 per cent. A substitution of a pint of white wine, however diluted, for eight pints of beer, even small beer at 2 or 3 per cent, would mean that the men were receiving at most three-quarters of the alcohol that they would normally be used to, and possibly as little as half. Again we have to ask whether an experienced seaman would not have reacted to this effective halving of his allowance without any sort of protest. We must also ask why Captain

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<sup>75</sup> Lewis, *The Navy in Transition*, p. 267.

<sup>76</sup> Lavery, *Shipboard Life*, p. 221.

<sup>77</sup> James Anthony Gardner, *Recollections*, Sir R. Vesey Hamilton and John Knox Laughton, (eds.) (London: NRS, 1906), p. 20.

<sup>78</sup> Pack, *Nelson's Blood*, p. 50.

<sup>79</sup> Standage, *Six Glasses*, pp. 59, 80.

Wainwright of the *Royal William*, in the order mentioned above, substituting wine for beer at Spithead, felt it necessary to say that if a man were not able to drink his wine allowance without becoming drunk, 'he is to take up only part thereof, and the purser shall be directed to make him compensation in money for the remainder'.<sup>80</sup> Even Pasley's allowance of a pint of wine *and* a pint of beer still does not bring the total alcohol up to the level of the normal beer allowance on the home station. This leads us into discussion of the possibility that there were differing rates of drunkenness, and particularly, as far as our study is concerned, of rates of punishment for drunkenness, in the different theatres in which the navy served. Our results show lower punishment rates on the Home station than on all the other stations, as we shall see. Marcus Eder's study agrees, showing a considerably lower total of punishments for drunkenness in home waters compared with elsewhere, at 3.3 per cent as against 20 per cent on the other stations.<sup>81</sup> Whatever the explanation for this, logic suggests that it cannot have been caused by the relative strength of the issue, as the wine allowance was even weaker. And the question of equivalence between the allowances in the different theatres is further complicated by the issue of rum and arrack.

### *Rum*

Rum was introduced into the navy after the capture of Jamaica from Spain in 1655 as a substitute for beer or wine.<sup>82</sup> According to the Admiralty's *Regulations and Instructions* of 1731 the equivalents of eight pints of beer were a pint of wine or half-a-pint of brandy, rum or arrack.<sup>83</sup> By the time of the French wars there was a consistent supply of rum, through a contract awarded in 1784 to James Man of London.<sup>84</sup> Rum grew into its role as the allowance of choice in the navy. There was no official rum ration in the service before 1844, and beer was the basic unit of the allowance until 1831, but the comparative ease of embarking, stowing and supplying a half-pint of spirit for each man

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<sup>80</sup> Quoted in Lavery, *Shipboard Life*, p. 387.

<sup>81</sup> Marcus Eder, *Crime and Punishment in the Royal Navy of the Seven Years' War, 1755-1763* (Aldershot: Ashgate, 2004), p. 120.

<sup>82</sup> Barr, *Drink*, p. 253.

<sup>83</sup> Lavery, *Shipboard Life*, pp. 17-18.

<sup>84</sup> Pack, *Nelson's Blood*, p. 70.

rather than eight pints of beer a day, and the longer time spent at sea as the century progressed, encouraged the increasing use of rum, and eventually it was seen as a right.<sup>85</sup> It insinuated itself into the life and mythology of the navy: Admiral Vernon inspiring the name ‘grog’ for the diluted allowance; the semi-literate sailor approaching HMS *Gorgon* from the starboard quarter, reading the name backwards and refusing to join a ship called ‘No Grog’; and men from the *Thetis* being beaten up ashore because their ship was involved in a trial to replace part of the ration with tea, coffee and extra pay.<sup>86</sup> From the time of Vernon the rum was issued to the men (although not necessarily to the officers) diluted with water. Some historians say it was diluted at a ratio of 50:50, or two to one, or even, in one case, that the ‘daily half pint of rum...was to be diluted with a quarter pint of water’, which would have been pointless and is clearly a misunderstanding.<sup>87</sup> A four to one mixture would have accorded to Vernon’s original order, but most likely it was normally issued at three to one, according to contemporaries such as John Nicol, William Dillon and Jack Nastyface; and, like the beer and wine it replaced, it could be drunk or saved, but not sold or given away.<sup>88</sup> It had health and morale benefits: if lemon or lime were added this could alleviate the problem of scurvy, and it could therefore have been seen as a more healthy option than beer.<sup>89</sup> It became so important that its withdrawal could be used as a punishment: on the *Edgar* in 1790 the log noted ‘stoppd the grog of Edwd Kelly seaman for one month pr order of Captn Molloy for being drunk’, although this is the only example in our final matched sample.<sup>90</sup> Whether it was rarely used because it was considered to be ineffective, or whether it was so unpopular that it was seldom pressed into service, we cannot say. It has been suggested that ‘the Royal Navy contrived tacitly to forget its own regulations’, allowing the basic allowance to become rum, with the beer ration *still* available to any

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<sup>85</sup> N.A.M. Rodger, *The Command of the Ocean: A Naval History of Britain 1649-1815* (London: Allen Lane, 2004), pp. 495-6.

<sup>86</sup> Peter Kemp, *The British Sailor: A Social History of the Lower Deck* (London: J.M. Dent and Sons, 1970), p. 194.

<sup>87</sup> Lewis, *The Navy in Transition*, p. 268; Lavery, *Nelson’s Navy*, p. 205; Gurney, *Beyond the Convergence*, p. 49.

<sup>88</sup> Lewis, *The Navy in Transition*, p. 268.

<sup>89</sup> Standage, *Six Glasses*, p. 110.

<sup>90</sup> *Edgar*, ADM 51/302, 2.9.1790.

man who wanted it.<sup>91</sup> There has been some confusion on this point in the literature, and this will be dealt with a little later, because it adds to the uncertainty over exactly how much alcohol was being issued.

The rum issue was of a different order of alcoholic allowance from small beer or wine. Even before the switch to Imperial measures, half a pint of rum under the prevailing Winchester measure meant eight ounces of spirit, but spirit at much higher proof than we would normally expect to see today. The strength of spirits is usually assessed by either of two measures: by the percentage of alcohol in the mixtures; or by its proof. The first and most logical measure, the percentage alcohol, is familiar to us today and is marked on all bottles we buy in Britain, but was impossible to achieve accurately before the introduction of the Sikes Hydrometer in 1816, and its subsequent universal adoption under the Hydrometer Act of 1818.<sup>92</sup> Before this, the established way of measuring strength was by testing, or proving, a mixture of the spirit, water and gunpowder, usually by applying the heat of the sun to it through a lens.<sup>93</sup> The lowest strength at which the mixture would ignite was considered to be 100 degrees proof. This was a rough and ready procedure, which did not lend itself to accuracy and was not without risk to the person carrying out the procedure, often the purser on the ship, but it helps to give us an approximate guide to what was being issued to the men on board His Majesty's ships.

Modern measurement puts proof alcohol, based on a Customs and Excise Act of 1952, at 57.1 per cent by volume.<sup>94</sup> James Man may have obtained his supplies at anything up to 40 per cent over proof, but he was contracted to supply the rum to the ships at four-and-a-half under proof, or 95.5 degrees, at which strength it continued to be provided right up until the abolition of the ration in 1970.<sup>95</sup> This would put the strength

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<sup>91</sup> Lewis, *The Navy in Transition*, p. 267.

<sup>92</sup> Pack, *Nelson's Blood*, p. 16.

<sup>93</sup> *Ibid.*

<sup>94</sup> John Butler, 'The Edinburgh Malt Whisky Tour', [www.dcs.ed.ac.uk](http://www.dcs.ed.ac.uk), viewed 03.12.2008.

<sup>95</sup> Pack, *Nelson's Blood*, pp. 70, 127.



of the rum supplied at about 54.5 per cent alcohol. If we compare this with modern pub measures, whisky is usually retailed at 40 per cent, which is 70 degrees proof.<sup>96</sup> Eight ounces of rum at 54.5 per cent would be the equivalent of nearly eleven fluid ounces of modern whisky, or over twelve normal pub measures. Many other spirits are now retailed at 37.5 per cent alcohol: in that case our half-pint of rum represents nearly twelve ounces, or nearly thirteen pub measures. These estimates agree with one made in 1965 by Admiral Sir Frank Twiss, who was later responsible for abolishing the rum ration, that the then issue of two-and-a-half ounces of rum was the equivalent of three to four pub gins.<sup>97</sup>

Some of the literature suggests that there has been, and still is, some confusion over quite how much alcohol the allowance represented. An Act of 1818 established that proof spirits should contain 49.28 per cent pure alcohol.<sup>98</sup> If this is at all representative of the actual strength of spirit available at the time, then it would mean that the crews were being supplied with rum at only just over 47 per cent, which is the equivalent of reducing the amount of alcohol served by 14 per cent, or nearly two measures. This is not at all unlikely, since the American definition of 100 degrees proof is 50 per cent alcohol. It is quite possible that our definition has changed. Other writers have calculated that the ration was much stronger than it was, even suggesting that it equalled two bottles of rum at modern strengths, but we can dismiss this as an exaggeration.<sup>99</sup> It is beyond belief that men could function on those quantities.

The reality seems to be that, if spirits were issued, every man in the navy was given the equivalent of about twelve or thirteen units of alcohol every day.<sup>100</sup> This is a manageable amount if spread over time but, if taken in one go, represents nearly half a

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<sup>96</sup> John Butler, 'The Edinburgh Malt Whisky Tour'.

<sup>97</sup> Pack, *Nelson's Blood*, p. 116.

<sup>98</sup> Burnett, *Liquid Pleasures*, p. 171.

<sup>99</sup> James Henderson, *Frigates, Sloops and Brigs* (Barnsley: Pen & Sword, 2005), p. 22.

<sup>100</sup> One unit of alcohol in these examples, in order to provide a convenient comparison between widely differing drinks, is the equivalent of ten grams of pure alcohol: see the Alcohol Advisory Council of New Zealand, [www.alcohol.gov.nz](http://www.alcohol.gov.nz), consulted 10.12.2008.

modern bottle at one swallow, which is bound to have an effect on mood. Admiral Vernon recognised this and introduced the addition of water, and the splitting of the allowance into two, and succeeded in reducing drunkenness and sickness. The navy confirmed the dilution of the issue in the *Regulations and Instructions* from 1756, commenting on the ‘very pernicious consequence’ of serving it ‘in drams’ rather than mixed, although there was no rule about how much water was to be used; and it was usually issued with or after the midday dinner, and with or after the four o’clock tea.<sup>101</sup> Even so, officers such as Lord Keith noticed a great difference in the men between the morning and the afternoon after they had had their allowance, and St Vincent banned punishment after evening grog for the same reason.<sup>102</sup> Nelson, approving St Vincent’s swift action in hanging mutineers on a Sunday on board the *St George* in July 1797, commented ‘We know not what might have been hatched by a Sunday’s grog, *now* your discipline is safe’.<sup>103</sup> And, as we know, over the 35 years following the wars, the authorities thought it prudent to halve the allowance twice. The first cut was followed, according to one contemporary account from the lower deck, by a halving in punishments.<sup>104</sup> It seems clear that the allowance was enough to change the behaviour of the men, and that the ability, although it was illegal, to save some of it until later or get ‘sippers’ and ‘gulpers’ from messmates, even without managing to acquire smuggled supplies, must have made it very easy to get drunk.

One other aspect of the rum ration was the effect on the health of the men. On the one hand, the surgeon Leonard Gillespie of *HMS Racehorse* noted that the issue of rum instead of beer ‘had very bad effects on my venereal patients’ and caused ‘many physical and moral evils’ amongst the men.<sup>105</sup> He thought there was a difference between the effects of alcohol in the Channel service compared with the East and West Indies, caused by the replacement of beer by rum, which may be reflected in our study.

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<sup>101</sup> Lavery, *Shipboard Life*, p. 48; Pack, *Nelson’s Blood*, p. 29

<sup>102</sup> Keith, *The Keith Papers*, p. 321; Pack, *Nelson’s Blood*, p. 57.

<sup>103</sup> G.J. Marcus, *A Naval History of England*, Vol. 2, *The Age of Nelson* (London: George Allen & Unwin, 1971), p. 99.

<sup>104</sup> Bechervaise, reported in Pack, *Nelson’s Blood*, p. 75.

<sup>105</sup> Quoted in Lavery, *Shipboard Life*, pp. 487, 490, 502.

And in Indian ports, seamen had always considered that heavy drinking protected them against the unhealthy conditions, although it almost certainly made things worse.<sup>106</sup> John Nicol considered that his nightcap of ‘rum and spruce’ (although it is not clear from this whether he means spruce beer, which he was continually brewing, or just the essence of the plant) was a specific against mosquitoes, but we might also question the science behind that belief.<sup>107</sup> But by the start of the wars in 1793 it could be said that the dilution of rum was usually in the proportion of one to three with water, with the addition of half an ounce of sugar and half an ounce of lemon juice.<sup>108</sup> In 1795 the Admiralty Board issued orders that ‘rob’ (syrup) of lemon should be supplied to ‘all blockading fleets’ to be added to the daily issue of grog as an anti-scorbutic.<sup>109</sup> Arguably, the addition of lemon or lime to the daily allowance of rum made it even healthier than beer.<sup>110</sup>

### *Arrack*

There is another sort of alcohol that the navy was provided with about which there is much less information, and that is the drink known as arrack. The dictionary defines it as ‘any spirituous liquor of native manufacture; especially, that distilled from the fermented sap of the coco-palm, or from rice and sugar, fermented with the coco-nut juice’.<sup>111</sup> It has been described as ‘a very crude liquor’ that the soldiers drank neat in the Far East, but that the upper classes put into punch, and it seems to have been a central part of the soldiers’ lives in the Indian Army of the nineteenth century.<sup>112</sup> We know that from as early as 1731 it was specified as one of the alternatives to the beer ration, along with rum, brandy and wine.<sup>113</sup> We also know that it was considered to be strong, but that

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<sup>106</sup> Marcus Rediker, *Between the Devil and the Deep Blue Sea* (Cambridge: CUP, 1993), p. 40.

<sup>107</sup> Nicol, *Life and Adventures*, p. 41.

<sup>108</sup> Blake and Lawrence, *Illustrated Companion to Nelson’s Navy*, p. 105.

<sup>109</sup> Peter Padfield, *Maritime Power and the Struggle for Freedom 1788-1851* (London: John Murray, 2004), p. 210.

<sup>110</sup> Standage, *Six Glasses*, p. 110.

<sup>111</sup> *OED*, Second Edition, Vol. I (Oxford: OUP, 1989), p. 644; Barr, *Drink*, p. 48; Pack, *Nelson’s Blood*, p. 50.

<sup>112</sup> *Ibid.*; Peter Stanley, *White Mutiny: British Military Culture in India, 1825-1875* (London: C. Hurst & Co., 1998), p. 40.

<sup>113</sup> Pack, *Nelson’s Blood*, p. 19.

there is no evidence that it was particularly popular and must assume that it would have been issued at a similar strength to other spirits.<sup>114</sup> We do know, however, that it was sometimes issued to the Royal Navy, because Thomas Pasley, escorting some East India Company ships from the Cape in the *Sybil*, bought arrack from them because spirits were running short.<sup>115</sup> This type of ration is important to our study because it was likely to have been only available to ships serving in the Far East and, if there was a difference between punishment rates there and in other theatres, it may have been a factor. That difference does not, however, appear in our sample.

### *Unexplained*

There is more that is not clear about the issue of alcohol to the Georgian navy, and which makes it even more difficult to establish just how much the crews were being given and, therefore, just how much they were complicit in, rather than simply victims of, their frequent drunkenness and subsequent punishment. One problem is ascertaining to what extent spirits or wine were given as substitutes for beer and to what extent they were given in their own right or in addition to the beer ration. Several writers have been sure that the men were entitled to both. The *Regulations and Instructions*, mentioned above, clearly stated that wine or spirits were *substitutes* for the beer ration but, according to Michael Lewis, ‘sometime – and I have never been able to discover exactly when – the Royal Navy contrived tacitly to forget its own regulations’ and there had developed ‘a definite ration of spirits’.<sup>116</sup> This, he claims, had developed from a privilege into a right, an entitlement of two gills a day to each man ‘*plus* (if he wanted it) his gallon of beer’.<sup>117</sup> Some other writers have agreed with this and even concluded that the men could, since the drinking water was so foul, drink as much beer as they liked.<sup>118</sup> Certainly, by the time of Lord Keith’s letter to the Admiralty on the subject in 1812, mentioned above, the spirit allowance seems to have been taken for granted, although

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<sup>114</sup> *Ibid.*, p. 50.

<sup>115</sup> Pasley, *Private Sea Journals*, p. 100.

<sup>116</sup> Lewis, *The Navy in Transition*, p. 268.

<sup>117</sup> *Ibid.*

<sup>118</sup> Barr, *Drink*, p. 253; David Cordingly, *Billy Ruffian: The Bellerophon and the Downfall of Napoleon* (London: Bloomsbury, 2004), p. 216; Henderson, *Frigates, Sloops and Brigs*, p. 22.

the beer ration was not officially abolished until 1831, and there was no official spirit allowance until 1844.<sup>119</sup> And Professor Rodger has pointed out that two pints of grog does not provide enough liquid for a working day which, he concludes, would mean that the men were ‘drinking water at other times – a silent social revolution’.<sup>120</sup> Indeed, away from home ports it is unlikely that beer would have been available at all, and so they must have drunk water, however unpalatable it had become. Little is mentioned about water in the logs, apart from daily details of how much there is and what was received, but in 1806, on board the *Nereide* in the West Indies, a seaman called Joseph Dodd was flogged for ‘stealing water from the sheep’, which we must interpret as an act of some desperation.<sup>121</sup> Neither is there any indication in memoirs or correspondence that the men received both spirits and beer: rather the contrary. On the *Jupiter*, in the West Indies, in 1781, Captain Pasley was clear that his men ‘have daily one Pint of Wine, one Pint of Beer, and as much of the Essence of Malt made into Wort as they choose to drink’, which suggests an answer to how they were able to make the water drinkable but explicitly shows that their access to beer was not unlimited.<sup>122</sup> On the *Melampus* in 1799, Captain Moore gave his crew ‘an allowance of grog besides their beer as a proof of my satisfaction at their good conduct’, after they had replaced a sprung topmast in only three hours and 25 minutes, which is strong evidence that they normally received only one or the other.<sup>123</sup> Again, on the *Royal William* at Spithead in 1804, Captain Wainwright’s orders, to which we have referred before, covering the substitution of wine for beer during the summer months, suggest that, even then, one form of alcohol was still being substituted for another rather than their being issued side by side. And, as mentioned above, Nelson, in the Mediterranean, in 1804 ordered that his crews should receive half of their allowance as wine and the other half as grog, a clear indication that even by so late in the wars, rum had not become the universal standard issue, and that the various allowances were still treated as substitutes for one another.

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<sup>119</sup> Rodger, *The Command of the Ocean*, pp. 495-6.

<sup>120</sup> *Ibid.*, p. 496.

<sup>121</sup> *Nereide*, ADM 51/1941, 17.12.1806.

<sup>122</sup> Pasley, *Sea Journals*, p. 211.

<sup>123</sup> Wareham, *Frigate Commander*, p. 187.

### *Foreign Navies*

Britain's main competitors at sea during the eighteenth century were the navies of France and the Netherlands, each of which supplied their crews with an allowance of alcohol, and each reflecting the varieties of drink available to their nationals on land.<sup>124</sup> The Dutch provided almost exclusively beer before the eighteenth century, when small amounts of jenever appeared in the ration. This only amounted to 50 grams per man, and may have been restricted to only the older seamen; and its use mainly seems to reflect a concern for the men's health. The basic ration for the French navy was, as might have been expected, wine, issued at a daily ration of three-quarters of a litre, but it still caused similar problems to those posed by beer in the Royal Navy. The wine was usually claret, but also usually young and supplied in casks, and so it was liable to go sour after a short time. As a result, and in order to save space, in the event that a ship was making a long voyage it would, when the wine ran out, issue eau-de-vie instead at the rate of three-sixteenths of a litre a day, or a quarter of the wine allowance. Alternatively, on short voyages in northern parts, beer or cider might be supplied instead, at double the wine allowance, or a litre and a half. This makes for some interesting comparisons with the British allowance. The wine allowance is more than was given to the British tars, by one third, whereas the spirit allowance is less by a similar percentage. And the beer or cider ration was set at just one third of that prevailing on British ships. This suggests that the actual amount of alcohol issued to the French each day may have been fairly consistent: it is not unlikely that French beer or cider were half as strong as wine, nor that eau-de-vie was four times as strong. If so, then the French seaman was receiving between seven and eight units of alcohol per day, regardless of what he was served, and in some contrast to the apparently haphazard system applied to the British.

### **Conclusion**

While the French allowance seems to have been fairly consistent, the British system leaves us with something of a puzzle. Even at the official rate of substitution, an

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<sup>124</sup> Pack, *Nelson's Blood*, pp. 194-5, which is the source for all the information on French and Dutch navies used in this section.

allowance of a gallon of small beer represents only about nine units of alcohol as against some thirteen provided by a half pint of rum. And a pint of wine might have been only a paltry six units or less. Even if the beer was weak, the evidence suggests that its effects may have been noticeable, and even that a man could become drunk on it; although the treatment of poor Alexander Clark shows that that must have been rare for anyone to have been so noticeably drunk that he was likely to have been punished for it. This applies even more obviously to the issue of wine, and points firmly to the conclusion that, on the home or Mediterranean stations, if a man was drunk, it was by his own efforts, and that he was guilty of disobeying orders and obtaining and drinking extra alcohol.

If the issue were just rum, or perhaps arrack, as was likely in the West Indies or east of the Cape of Good Hope, then the situation may have been different. Thirteen units of alcohol taken over the course of an afternoon could easily have made a man merry, and the evidence from St Vincent's attitude to punishments after the evening issue of grog confirms that it often did. In this case, it would be possible to argue that the men were being encouraged to become intoxicated and that the subsequent punishment that they may have received was therefore unfair.

If, as has been argued by writers such as Michael Lewis, Andrew Barr, James Henderson and David Cordingly, the men typically received the full allowance of rum *and* up to eight pints of, or even unlimited, beer, then drunkenness must have been almost inevitable. Given the options of slaking their thirst with fetid water or with beer, most are likely to have chosen the latter, with the result that they were being allowed up to 22 units of alcohol per day, the equivalent of a bottle of gin at today's size and strength, and very nearly a guarantee that most of them could be incapable by the end of the day. It really makes no sense that a service dependent on the skill of its employees to operate a complex piece of machinery such as a ship would do this. Even if it was seen as a method of control, as Michael Lewis and Aryeh Nussbacher suggest, it must have been obvious that it was counterproductive, as so much, or in the opinion of Lord Keith, all, of the trouble on board was caused by drink.

There is another puzzle raised by the discrepancies between the different allowances, which is why the men put up with them. It seems that we cannot be sure when rum became the standard issue, nor whether both beer and rum may have been issued together, but there must have been times when the allowance changed between, or even within, voyages, and the difference should have been noticed by the men. It may be possible to fool people into thinking that they are drinking more or less alcohol than they are and, in an age when measurement of alcoholic strength was imprecise, ignorant and impressionable men may not have realised that different allowances delivered different amounts of ethanol. But it seems unlikely that this anomaly could go unrecognised for centuries, and impossible that men would not notice that when the beer ran out on a long voyage, the resultant change to rum immediately produced a bigger 'buzz'; or, if beer and rum really were issued side by side, that when the beer ran out they were now getting significantly less alcohol every day than when they first set off.



## **Chapter 6: Crimes**

### **Introduction**

We have examined in some detail the subject of drink with the objective of seeing if the Georgian navy's relationship with alcohol could shed some light on whether its punishment regime in general was reasonable, or was random or excessive. It could be argued that, if the crews of warships were being plied with quantities of alcohol sufficient to make them drunk, then it was unreasonable to punish them when they became so; but that, if they were acquiring and drinking alcohol behind the backs of the authorities, and in defiance of standing orders on the subject, then the large numbers of punishments dealt out indicated a widespread resistance to authority which the navy was justified in treating seriously. Our ability, however, to draw conclusions from the figures is hampered by our inability always to measure how much drink the men were being given and the apparent inconsistencies between the allowances across time and distance.

Similar problems arise when we assess the other offences for which the men were being punished. It is realistic to assume that seamen would have had no problems in understanding that some kinds of behaviour, such as theft, desertion, violence or sodomy, were against the rules, so that we may be fairly confident that punishments for these offences were a reasonable response to unacceptable behaviour. But when it comes to categories of offence that may have been subjectively assessed, such as insolence, or unwitting, such as minor transgressions against standing regulations, we can begin to question whether there may not have been some substance to Jack Nastyface's suggestion that the men often did not know what they were being punished for. Our figures do, indeed, leave plenty of room for doubt.

### **Categories of offence**

This study identified 87 different punishments as specified in the log books, even though the language of punishment is usually fairly consistent from ship to ship. This is an unmanageable number in attempting to analyse patterns of offending, so that to get any

helpful figures we have to make an attempt at putting them into categories. Writers tend to see four categories of offence covered by the *Articles of War*: offences against the King and the Government, of which several were capital crimes, some mandatory; offences against individuals, of which only murder carried mandatory capital punishment; offences against morality and religion, which were likely to have been taken more seriously at the time than they generally would be today; and naval infractions, including minor questions of obedience and neglect, but also those situations more likely to affect officers, such as cowardice or failing to engage the enemy with sufficient enthusiasm.<sup>1</sup> These categories are too broad for our purposes and so we have attempted to divide the offences into more manageable groups, which has resulted in the creation of ten groups of related offences. These groups cover Drink; Disobedience and Neglect; Mutiny; Insolence and Contempt; Theft and Fraud; Desertion; Violence against Authority; Other Violent Crime; Uncleanliness; and Immoral Behaviour. A small number of individual offences, ten in all, defy classification and constitute a category of their own. In compiling these categories it will be seen that there may still be a disparate set of offences under one label: Drink, for example, includes not only drunkenness, but also buying, selling, lending, smuggling and stealing wine or rum; and neglect of duty sits alongside a variety of misdemeanours including missing muster, gambling, disobedience and sleeping on duty.

## **Drink**

We have already discussed the provision and effects of alcohol, and we are aware of its importance on board ship and, indeed, of some contemporary beliefs that it was responsible for most of the misbehaviour encountered on board. It comes as no surprise, then, to find that it is a class of crime that appears regularly in the log books and is commonly assumed to have been ‘the single most common reason for flogging’.<sup>2</sup> What is, perhaps, surprising is that it is only cited as a cause of punishment in about 30 per

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<sup>1</sup> For example, Brian Vale, *A Frigate of King George: Life and Duty on a British Man-of-War 1807-1829* (London: I.B. Tauris, 2001), p. 35; John D. Byrn, *Crime and Punishment in the Royal Navy: Discipline on the Leeward Islands station 1784-1812* (Aldershot: Scolar Press, 1989), pp. 12-13.

<sup>2</sup> Brian Lavery, *Nelson's Navy: The Ships, Men and Organisation 1793-1815* (London: Conway Maritime Press, 2000), p. 209.

cent of our final sample and, what is more, is not even the most common reason. There is little difference between the captains' and masters' versions of the logs on this subject: according to the captains this category appears as a charge in 30.4 per cent of punishments, and according to the masters in 29.5 per cent. Almost all of this 30 per cent is for straightforward drunkenness or for being drunk at quarters, with only two percentage points comprising associated offences such as those to do with acquiring or trading in alcohol. We are faced with something of a difficulty here. We have a clear contemporary opinion, from Lord Keith, that drink was behind most of the misbehaviour on board, but the log books tell us that it was implicated in fewer than one third of the cases studied here. It is not at all impossible that Lord Keith was indulging in some measure of hyperbole, and exaggerating the ill-effects of alcohol, since he was plainly in favour of temperance. On the other hand, it is very likely that drink may have been behind many of the other offences committed by the men, particularly of negligence or insolence, but not cited in the charges. So, we have no way of knowing where on the scale between the 30 per cent shown in the logs and the 100 per cent suggested by Keith the actual total might lie. Investigation into the causes of punishment is always going to be hampered by this uncertainty. In the first place, it would have been useful if this study had confirmed Lord Keith's opinion, as this would have gone some way towards answering the questions raised about the alcohol allowance, concerning exactly how powerful and, particularly, how consistently powerful, it was. It might also have given credence to the idea that the men were knowingly kept in a state of permanent, mild intoxication. And, if so, it might have helped us towards an understanding of the truth or otherwise of Jack Nastyface's views on the responsibility of the men for their own punishment.

### **Disobedience and Negligence**

Our second category of offence involves cases of disobedience and neglect of duty. Rarely is it specified in the logs exactly what the offences in this category entailed, but they all represented some failure to carry out shipboard duty. 'Missing muster', 'gaming' or 'gambling', 'absence from duty' or 'deserting his post' (sometimes described as 'skulking'), and 'sleeping on his post' are clear enough, but most of these

offences are lumped in the logs under the headings of ‘neglect’ and ‘neglect of duty’, or ‘disobedience’ and ‘disobedience of orders’.

Occasionally in memoirs and journals we may get an insight into what was behind a charge of ‘neglect of duty’, such as when Robert Clark, captain of marines on the *Swiftsure* in 1815 recorded that a man received two dozen lashes ‘for neglect of duty in letting a marlinspike fall from aloft for want of a lanyard’, but rarely are there any clues in the log books.<sup>3</sup> In our sample, Thomas Hopkins of the *Blanche* received a dozen lashes explicitly for ‘neglect in loosing [losing] his Slop Cloathing’, but usually we are left to make the association between the category of crime and the description ourselves.<sup>4</sup> The cooper on the *Blanche* in the previous year, 1795, Edward Mackell, was punished with 12 lashes ‘for not taking care of his necessaries’, presumably a neglect of the tools of his trade.<sup>5</sup> Two boatswain’s mates on the *Culloden* in 1793, Michael Connor and Robert Collingwood, were given a dozen lashes each for what was described as ‘neglect of duty’, which in this case may have had something to do with their part in the flogging round the fleet of one John Leney on the same day.<sup>6</sup> This connection is speculative, however, although it is rare to see such officers in the punishment lists, and they would almost certainly have been central to the infliction of the punishment on that day. Interestingly, though, another incident in our sample covers a similar sort of situation. At the end of the list of those punished on the *Nereide* on 17 November 1806 was ‘Jn<sup>o</sup> Slate Boatswain’s mate with 4 lashes for not doing his duty’.<sup>7</sup> Since his duty at the time would probably have been to apply the cat to Robert Viner and/or some of the other half dozen men flogged by Captain Corbett that day, it seems very likely that he had been considered not to have ‘laid on’ well enough. Joseph Curtain received two dozen on the same ship in 1794, ‘for letting run ye beer’, which must surely be classed

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<sup>3</sup> Quoted in Brian Lavery, (ed.), *Shipboard Life and Organisation 1731-1815* (Aldershot: Ashgate, 1998), pp. 465-6.

<sup>4</sup> *Blanche*, ADM 51/1140, 18.8.1796.

<sup>5</sup> *Blanche*, ADM 52/2765, 21.11.1795.

<sup>6</sup> *Culloden*, ADM 51/202, 16.10.1793.

<sup>7</sup> *Nereide*, ADM 51/1941.

as neglect.<sup>8</sup> Similarly, Joseph Darlington of the *Culloden* received a dozen for ‘not Stowing the Staysail smartly’.<sup>9</sup> Both of these incidents have been coded as ‘neglect’, although they were not specifically recorded as such in the logs.

The term ‘disobedience’ conjures up a picture of men refusing to carry out an order. There were reports of events of this sort, and with what may be considered remarkably light punishments as an outcome. James Trevenen recorded that, one evening, ‘the people refusing to work, and behaving in a disobedient and mutinous manner, were obliged to draw the marines up on the quarter deck with their arms to quiet the disturbance.’ ‘Punished six men with a dozen each for mutinous behaviour and disobedience of orders’.<sup>10</sup> In contrast, William Richly’s disobedience of orders on the *Ganges* in 1808 comprised ‘not spreading his bed according to order’, for which he also received a dozen.<sup>11</sup> Usually, however, the details of the offence are only recorded if they are somehow out of the ordinary, as when, on 5 August 1789, eight men and a boy from the *Culloden* each received either two or three dozen lashes for ‘jumping overboard on an alarm of fire’.<sup>12</sup>

Along with a John McArdell, given a dozen ‘for losing his hammock’ on the *Blanche* in 1796, this gives a total of only 17 names in over 1,900 events in this category where the logs elaborate on the details of the offence.<sup>13</sup> This is certainly a cause for regret, particularly as this category of charge appears in 38.8 per cent of all the punishment events in our sample. If we could establish what proportion of these events were of the type recorded by Trevenen, where the transgression was knowingly carried out, as opposed to those such as the case of William Richly, which may have been an oversight or even a minor example of slovenliness, it could help answer the question of

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<sup>8</sup> *Nereide*, ADM 51/202, 24.1.1794.

<sup>9</sup> *Culloden*, ADM 52/3738, 21.1.1808.

<sup>10</sup> Christopher Lloyd and R. C. Anderson (eds.), *A Memoir of James Trevenen*, (London: NRS vol. 101, 1959), p. 43.

<sup>11</sup> *Ganges*, ADM 51/1721, 14.4.1808.

<sup>12</sup> *Culloden*, ADM 51/1607.

<sup>13</sup> *Blanche*, ADM 51/1140, 28.5.1796.

whether the men mainly knew why they were being punished. Byrn's Leeward Island sample also gives a combination of disobedience and neglect of duty as the main group of transgressions, between them comprising 33.8 per cent of summarily punished crime.<sup>14</sup> He refers to disobedience as 'recalcitrance', and seems to explain away the relatively low punishments given for it (77 per cent of floggings for disobedience were of twelve lashes or less compared with 60 per cent overall) as being the result of extenuating circumstances, such as being prevented from carrying the orders out.<sup>15</sup> Eder also assumes that the offence of disobedience reflected a challenge to authority, and groups it with mutiny.<sup>16</sup>

There is, however, another explanation, which is that the complexity of life on board a warship, and the demands made on the men, made it very easy to overlook a regulation and incur a charge of disobedience, which is why, in this study, it is combined with neglect. For one thing, at the start of a commission the captain could issue a raft of standing orders that men like William Richly might inadvertently overlook. As Robert Wilson observed, 'generally speaking, most officers have plans of their own which the crews over which they command do follow; and it's a common saying, "different ships, different rules"'.<sup>17</sup> We can see from Captain Riou's 'Instructions and Standing Orders for the General Government and Discipline of His Majesty's Ship Amazon', and Prince William Henry's instructions for the *Pegasus*, that these could go into close detail, particularly on the subjects of cleanliness and tidiness, and could easily trip up a new or unwary hand.<sup>18</sup> For another, a man had to know his place in at least seven different lists: he had set places to store and sling his hammock; he belonged to a particular mess; he belonged to a division, under a junior officer responsible for his turnout and welfare; and

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<sup>14</sup> Byrn, *Crime and Punishment*, p. 123.

<sup>15</sup> *Ibid.*, pp. 175-6.

<sup>16</sup> Marcus Eder, *Crime and Punishment in the Royal Navy of the Seven Years' War, 1755-1763* (Aldershot: Ashgate, 2004), p. 69.

<sup>17</sup> Wilson, 'Journal', p. 243.

<sup>18</sup> Brian Lavery (ed.), *Shipboard Life and Organisation 1731-1815* (Aldershot: Ashgate for the NRS vol. 138, 1998), pp. 94-164.

he may have had different responsibilities on watch, on the station bills and at quarters.<sup>19</sup> Depending on what was going on aboard ship, and given the complexities of adjusting rigging and sails over the range of evolutions the ship may have undergone, it is possible that he may have had up to 25 or 30 roles to play at different times.<sup>20</sup> Furthermore, the seaman had to stay awake on watch, despite never being given more than four hours of sleep at a stretch. During the day this was probably not much of a problem, as his time was filled with the routine of the ship and tasks such as ‘making up junk’ (recycling old rope), calculated to keep him busy. But in the long watches of the night it must have been hard not to doze off and risk a charge of neglect of duty, because it is clear from the fact that ‘walking the deck’ on watch was used as a punishment that most of the time the men would have been relaxed and very vulnerable to sleep.<sup>21</sup>

## **Mutiny**

Mutiny resonates strongly with many of our ideas about the old navy. The most notorious story of mutiny concerns the *Bounty*, in 1789, but those of the *Hermione* in 1797 and the *Danae* in 1800 are also well-known, as are the mass protests at Spithead and the Nore. Sometimes these uprisings were settled with sensitivity and compassion, as with the protests in 1797 on the *Barfleur* and *Minerva* against, respectively, being transferred to other ships and unpopular punishments for swearing, and in these cases there was no retribution.<sup>22</sup> In others, examples were made. A protest against five-water grog on board the *Defiance* at Leith Roads in 1795 resulted in five men being hanged; and the same outcome resulted from a mutiny on board the *Culloden* in 1794 in protest against her unseaworthiness after she had grounded the previous month.<sup>23</sup> This last case comes within the scope of the logs examined in this study, which tell us that five men were hanged, one acquitted, and four received ‘mercy’; but these punishments do not

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<sup>19</sup> *Ibid.*, p. 246.

<sup>20</sup> Lavery, *Nelson's Navy*, p. 194.

<sup>21</sup> Lavery, *Shipboard Life*, p. 208.

<sup>22</sup> N.A.M. Rodger, *The Command of the Ocean: A Naval History of Britain 1649-1815* (London: Allen Lane, 2004), pp. 444-5.

<sup>23</sup> John Nicol, *The Life and Adventures of John Nicol, Mariner*, Tim Flannery (ed.) (Edinburgh: Cannongate, 2000), p. 164; Rodger, *The Command of the Ocean*, pp. 444-5.

appear in the results of our enquiries because they were the outcome of a court martial and not summary.<sup>24</sup>

Indeed, it may be considered surprising that there could be any summary punishments at all in our sample based on charges of mutiny, since it was such a serious crime: Article 19 specified the death sentence. Yet the sample contains five cases, and they were not dealt with particularly harshly. Byrn noted that in his study of the Leeward Islands station men accused of mutiny received more than the average number of lashes, but in our cases the sentences were between 12 and 24, in line with punishment overall.<sup>25</sup> We have therefore included the charge of mutiny in a group along with mutinous expressions and mutinous behaviour or conduct, and with hearing mutinous expressions and not reporting them, all of which, although strictly court martial offences under the *Articles of War*, could be punished more leniently than by death. We also have three cases of cutting the rigging which, on the face of it, represent extreme examples of protest, but attracted mainly light punishments, bringing the total for all events in this category to 104.

Overall, despite the occasional case of mutinous behaviour by the whole crew as recorded by Trevenen and mentioned above, we can agree with Eder that a charge of mutiny, or of one of the variants included in this group, rarely involved more than one man, and so was not normally a question of conspiracy.<sup>26</sup> It was much more likely to represent a case of insolence or contempt being shown towards an officer: indeed it seems that when Captain Graham Moore of the frigate *Syren* punished men for drunkenness the charges would also include mutinous behaviour or rioting.<sup>27</sup> George Mackaness points out that the charge of ‘insolence and contempt to the master’ recorded against Matthew Quintal in Captain William Bligh’s original log of the voyage of the *Bounty* became ‘insolence and mutinous behaviour’ in Bligh’s *Voyage to the South Sea*,

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<sup>24</sup> *Culloden*, ADM 51/1130, 21.12.1794.

<sup>25</sup> Byrn, *Crime and Punishment*, p. 171.

<sup>26</sup> Eder, *Crime and Punishment*, p. 69.

<sup>27</sup> Tom Wareham, *Frigate Commander* (Barnsley: Pen & Sword Maritime, 2004), p. 51.



published in 1792.<sup>28</sup> Admittedly, there may have been some element of revisionism in this change, given the pressures on Bligh to counter the accusations of cruelty levelled against him, and establish the mutinous nature of his crew, but it still demonstrates the potential for one charge to segue into another.

### **Insolence and Contempt**

Precisely 900 of the punishment events in our sample belong in the category covering insolence and contempt. In each of these cases the charge has been one of disrespect or abuse to a superior officer or sentry at his post, but falling short of violence. This amounts to over 18 per cent of our sample, or possibly more if some or all of the cases of mutiny should be included. Either way it was clearly a common problem. Many of these offences may have been clear cut, such as ‘abuse to his superior officer’, or ‘reproachful speeches’; and ‘threatening a sentry at his post’ seems to have been seen as particularly heinous. Lord St Vincent considered that ‘the person and character of a sentinel’ was sacred, to the extent that killing a man who insulted him would have been a justifiable action by a sentry.<sup>29</sup> In the same spirit, perhaps, one of the heaviest punishments in our sample was 108 lashes - 60 on the back and 48 ‘on the breech’ - given to a seaman called William Constable on the *Phaeton* in 1812 ‘for abusing and striking a Centinal on his post’.<sup>30</sup> Many more of the offences may have been related to drink: Byrn reported that almost 17 per cent of those punished for insubordination in his sample were also cited for drunkenness.<sup>31</sup> In our sample the figure is rather lower: 78 of the 900 events included drink-related charges as well, or under 9 per cent, although, again, we cannot be sure that everything was fully reported. There are no instances in our sample where the circumstances surrounding the insolence or contempt are spelt out, and it is impossible to rule out the chance that many of the charges were based on no more than a look or a muttered comment. Graham Moore reports a man accused of insolence to a midshipman at the capstan who had merely added the words ‘you

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<sup>28</sup> George Mackaness, *The Life of Vice-Admiral William Bligh R.N, F.R.S.* (Sydney: Angus and Robertson, 1951), p. 54.

<sup>29</sup> Lavery, *Shipboard Life*, p. 220.

<sup>30</sup> *Phaeton*, ADM 51/2643, 16.6.1812.

<sup>31</sup> Byrn, *Crime and Punishment*, p. 173.

buggers' to the midshipman's order to 'heave round men'.<sup>32</sup> Here, then, may be an example of where, according to William Robinson, the men were being flogged 'for the most trifling offence or neglect', and 'without being conscious that they have violated any law'.<sup>33</sup>

### **Theft and Fraud**

Over 500 of the punishments in our sample include charges of theft, fraud or dishonesty, just over ten per cent of the total. It has been suggested that petty theft was endemic amongst seamen and that, particularly in the merchant service, embezzlement of a portion of the goods carried on board was seen by the men as fair game, as a way of adding to their wages, leading to 'strict regulation and punishment' from masters and shipowners, and especially the East India Company.<sup>34</sup> Given the crowded conditions on board a warship, where everything was the property of either the Crown or one of the crew, we would expect it to be taken extremely seriously in the Royal Navy.

Surprisingly, however, the reaction of the authorities to theft seems to have been mixed. All but three of the 38 sentences of running the gauntlet in our sample are for theft. The others were for fraud, which may have amounted to the same thing, and for sodomy. As we have seen, the gauntlet was a particularly harsh punishment, as well as being a piece of theatre in which the crew was intimately involved, reflecting the fact that the crime had been directed at them.<sup>35</sup> For only two of the instances of gauntlet, apart from the 'Gauntlope for a sodomitical attempt', do we have any details. In 1798, on the *Ardent*, 'run'd the Gauntlett, Wm Mason and James Nelson Seamen for theft committed on board of the Dutch Prizes', which was effectively robbing their shipmates.<sup>36</sup>

Strangely, though, punishments are very inconsistent for this category of offence. As usual, a lack of detail leaves us wondering why. Theft from another crewman did not

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<sup>32</sup> Wareham, *Frigate Commander*, pp. 56-8.

<sup>33</sup> William Robinson, *Jack Nastyface: Memoirs of an English Seaman* (Annapolis: Naval Institute Press, 1973), pp. 34, 150.

<sup>34</sup> Marcus Rediker, *Between the Devil and the Deep Blue Sea* (Cambridge: CUP, 1993), p. 129.

<sup>35</sup> See Chapter 4, p. 102.

<sup>36</sup> *Ardent*, ADM 51/1232, 25.5.1798.

necessarily incur the gauntlet, but did still attract a heavy penalty: James Downey, on the *Ganges* in 1807, suffered ‘24 lashes for appropriating to himself an other man’s Property’, but even then must have been glad that he had not been exposed to the knittles of some 500 of his shipmates in running the gauntlet.<sup>37</sup> Other thefts that were obviously antisocial attracted harsher floggings. John Marriott, John Downs and James Kelly received 36 each ‘for Drinking the Sick Mens Wine’ on the *Edgar* in 1800; as did James Warner of the *Culloden* ‘for stealing the Prisoners clothes’, all cases of exploiting the vulnerable.<sup>38</sup> The marine John Roberts of the *Culloden* suffered 48 ‘for theft when centinal’, a clear breach of trust; and it is hard to comprehend what brought Joseph Dodd to the lengths of ‘stealing water from the sheep’, for which he received 35 lashes.<sup>39</sup> This last one was on board the frigate *Nereide* and, although the notoriously harsh Captain Corbett was in charge, they were little more than a month out from England, just off Madeira. With 67 tons of water left, and consumption at two thirds of a ton per day, there was enough for at least three more months at sea.<sup>40</sup>

Similarly, theft from what may have been officers’ stores was dealt with in robust fashion. James Basson, on the *Culloden* in 1797, received 48 lashes ‘for Attempting to steal Beef from under the Half Deck’.<sup>41</sup> Since the half-deck is below the quarter-deck, this would seem to have been in officer territory. By contrast, in the few cases for which we have any details, theft of His Majesty’s property seems to have been comparatively lightly punished. In 1792 three men from the *Edgar* were given just a dozen lashes each for ‘Stealing canvas while on board the Brunswick’; and in 1785 James Connor received only twelve ‘for stealing Boatswains’ Stores’ on the *Queen*.<sup>42</sup>

In one case, that of John Stock, on the *Blanche* in 1790, the captain recorded the offence as theft, but the master described it in his journal as selling his clothes, and in

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<sup>37</sup> *Ganges*, ADM 51/1627, 28.4.1807.

<sup>38</sup> *Edgar*, ADM 52/2964, 18.2.1800; *Culloden*, ADM 51/1241, 31.7.1798.

<sup>39</sup> *Culloden*, ADM 51/1132, 9.7.1796; *Nereide*, ADM 51/1941, 17.12.1806.

<sup>40</sup> *Nereide*, ADM 51/1941, 17.12.1806.

<sup>41</sup> *Culloden*, ADM 52/2901, 25.12.1797.

<sup>42</sup> *Edgar*, ADM 51/298, 3.10.1792; *Queen*, ADM 51/750, 14.8.1785.

the log as attempting to sell his clothes.<sup>43</sup> *Blanche* was anchored in Antigua and Stock was probably trying to raise some cash for a run ashore. Technically, the clothes were his own, since even slops handed out by the purser would have been charged against his pay, but in practice this was a problem that had to be contained since it could compromise the effectiveness of the crew. Over ten per cent of the offences in this category involved selling clothes or bedding or, in the case of Thomas Hopetown, a marine on the *Culloden*, what was described as ‘selling his necessaries’.<sup>44</sup> Rarely was the punishment more than twelve lashes, although John Robinson of the *Hyperion* received 48 for ‘selling a shirt’ in September 1808, having already been punished the previous month for a similar offence.<sup>45</sup> On the same grounds, John Wise of the ‘C[arpenter’s] Crew’ of the *Culloden* was given 24 ‘for selling his tools’.<sup>46</sup>

Overall, given the numbers of men involved in these warships, and the length of time covered, this may be seen as a relatively modest tally of mainly petty thefts and conversions and, with one or two exceptions, a measured response by the authorities.

### **Desertion**

Because this study has concentrated exclusively on summary punishments recorded in the log books, we can make no attempt at an analysis of rates of desertion amongst our crews. Desertion is unlike any of the other crimes dealt with here, as it is almost inconceivable that it could have been perpetrated without being detected, since the absence of any deserter must have been noticed, if not by his immediate superiors, then at muster. It also differs from other crimes in that, having been detected, it could only be punished if and when the culprit was recovered. It would therefore be impossible to work out rates of desertion from the log books alone. There is also a problem with what

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<sup>43</sup> *Blanche*, ADM 51/95, 13.7.1790; ADM 52/2792, 13.7.1790.

<sup>44</sup> *Culloden*, ADM 51.221, 21.10.1789.

<sup>45</sup> *Hyperion*, ADM 51/1964, 17.9.1808, 17.8.1808.

<sup>46</sup> *Culloden*, ADM 51/1527, 6.10.1804.

was being described as desertion, and there has been some discussion in the literature over where the boundaries were between desertion, straggling and rambling.<sup>47</sup>

In the present sample there are 97 events which are described as ‘desertion’, of which in only eleven cases were any details provided. In only a third of these events, 32 cases, was the punishment more than 24 lashes, a grouping which includes all eleven of the detailed cases. Similarly, there are 54 events which are described as attempts to desert, of which only nine attracted penalties of 36 lashes or more. When the *Alacrity* was at Malta in 1809, Captain Nesbit Palmer recorded on 14 September: ‘Absented themselves without leave, Ja<sup>s</sup> Leicester Fra<sup>s</sup> Prentice Ja<sup>s</sup> Smith (2) Ja<sup>s</sup> Jenkins and Ja<sup>s</sup> Walkinshaw (seamen)’.<sup>48</sup> Two days later he wrote ‘Recd from [the *Trident*] 4 of the beforementioned men 2 of which (Ja<sup>s</sup> Walkinshaw & Ja<sup>s</sup> Leicester) were taken by Lieut. Barland, in a store belonging to Mr Woodhouse, who had concealed them for the purpose of navigating a ship called the Malta to Liverpool’.<sup>49</sup> These were clearly deliberate desertions, with at least two of the men planning to make a lucrative voyage back to England, and all four received 48 each over the next four days. In November 1806, Captain Corbett of the *Nereide*, anchored in Spithead, ‘found Rob<sup>t</sup> Viner seaman had Deserted in the night and Brought back by a transport’.<sup>50</sup> This was the night before they sailed and Corbett evidently considered that it was a deliberate attempt to escape so, on the following day, at sea, Viner was given 36 lashes, followed by another two dozen five days later. Again, in 1803, on the frigate *Phaeton*, Captain George Cockburne’s crew obviously found it very tempting to jump ship in North America, while the vessel was at Staten Island from 10 November until the New Year. First, Benjamin Richards deserted on 13 November.<sup>51</sup> The following day, in what could be interpreted as a well-orchestrated escape, ‘W<sup>m</sup> Williams fell overboard lower’d the Cutter down to save the man when W<sup>m</sup> March W<sup>m</sup> Taylor W<sup>m</sup> Smith Jeremiah Kelly Hen<sup>y</sup> Holmes Rich<sup>d</sup> Philips

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<sup>47</sup> See, for example, N.A.M. Rodger, *The Wooden World: An Anatomy of the Georgian Navy* (London: Fontana, 1988), pp. 188-203.

<sup>48</sup> *Alacrity*, ADM 51/2126, 14.9.1809.

<sup>49</sup> *Ibid*, 16.9.1809.

<sup>50</sup> *Nereide*, ADM 51/1941, 11.11.1806.

<sup>51</sup> *Phaeton*, ADM 51/1509.

& Hen<sup>y</sup> Pacsentine (seamen) deserted with the cutter & W<sup>m</sup> Williams'. Two days after this three more seamen 'Deserted from Leave' and one more, the cooper Robert Watson, absconded from the watering party. A month later, on 13 December, there was more drama: 'deserted from the ship with the Cutter [again] from alongside John Burton James Mullins George Ruddock John Robson & John Wilson (seamen) hoisted the Barge out & manned her with officers fired small arms and one 9 Pounder at the boat. At 4 the Barge returned with the cutter without having been able to take any of them'. Of the November abscondees we hear nothing more, but the last group were not so lucky. On 30 December the captain noted: 'Brought on Board by the officers from New York John Barton Jas Mullins John Pearson & John Williams (seamen) who deserted with the cutter on the 13 Inst.' There is probably some confusion here between names, as the deserter on 13 December was John Wilson, not John Williams, and so we then see Robson, Wilson and Mullin(s) each receiving 72 lashes on 7 May 'for Desertion at New York'. Again, there seems to have been a deliberate intention to desert. Jn<sup>o</sup> Bryan 'left the Ship in the Night' as recorded by John Dickin, the acting master on the *Thunder*, on 10 June 1811, but was back for punishment, 36 lashes, on 14 June.<sup>52</sup> The *Thunder* was a small bomb vessel and Bryan, along with a Patric Farren who had been flogged twice in May for theft, was transferred to the *St Albans* the following month, presumably because the two of them between them had a disproportionately bad effect on morale amongst such a small crew. Finally, from amongst the events in our sample, on 31 January 1808, off Lisbon, the *Ganges* received back on board a seaman called John McDurmot who had earlier deserted after being sent aboard a Danish ship at Copenhagen.<sup>53</sup> On 18 February he was given 35 lashes as 'part punishment for desertion and associated thefts', followed by another 18 on 14 March and another 24 exactly a month later, a total of 77.

It seems clear that these examples were seen by the authorities as deliberate acts and punished accordingly: harshly, but short of the much harsher penalties that would have been the likely outcomes of courts martial. But two-thirds of the desertions in our sample were punished much more leniently, and this casts some doubt on what sort of

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<sup>52</sup> *Thunder*, ADM 52/4636.

<sup>53</sup> *Ganges*, ADM 51/1721.

offences they actually were. In only one case is the answer clear, in an entry for 15 September, 1787, in the captain's log of the *Culloden*, moored in the Hamoaze. It reads 'Punished Robert Hilling Seaman with 18 lashes for Desertion he submitting himself to the clemency of Sir Thos Rich rather than be tried by a Courtmartiall', suggesting that the seriousness of the crime was well established but that the captain was lenient.<sup>54</sup> It is unlikely that the same conditions attach to all the other events described as 'desertion', and we must conclude that these would more properly fall under the definitions of straggling or rambling.

N.A.M Rodger discussed the question of desertion, rambling and straggling in *The Wooden World*, originally published in 1986.<sup>55</sup> Technically, desertion was in contravention of the *Articles of War* numbers 15 and 16, and a man could be marked 'run' on the ship's books if he had missed muster for three consecutive weeks.<sup>56</sup> Even then there may have been mitigating arguments. Men were sometimes left behind when ships sailed, or took an opportunity to visit family, or just to take a run ashore. Even if they had intended to desert, perhaps while drunk, they may have changed their minds and returned later. In many of these cases they may have been treated as having been rambling or straggling. There was no official definition of these offences, but correspondence on the subject suggests that straggling involved being absent from duty over some time, but without an intent to desert, and that rambling may have been just a brief, opportunistic absence.<sup>57</sup> Even then, it seems that rambling could involve an absence of several days, and the distinction may have been more to do with how far away from the ship the run ashore took the man, with 'rambling' being close by and 'straggling' further away.<sup>58</sup> In our sample there are only seven examples of straggling as such, none with any details added, and with punishments ranging from 12 to 36 lashes. There are, however, some 440 occasions where men were punished for absence or being

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<sup>54</sup> *Culloden*, ADM 51/221.

<sup>55</sup> Rodger, *The Wooden World*, Chapter V, Section E, *passim*.

<sup>56</sup> *Ibid.*, pp. 188-9.

<sup>57</sup> *Ibid.*, pp. 190-2.

<sup>58</sup> *Ibid.*, p. 191; Tim Clayton, *Tars: The Men who made Britain Rule the Waves* (London: Hodder & Stoughton, 2007), p. 169.

on shore without leave, for overstaying, for leaving boats while on duty or for otherwise leaving the ship. These, like the majority of desertions in the sample, were usually punished comparatively lightly.

Historians seem to struggle with the concept of desertion, variously seeing it as a major problem that reflected the poor conditions in the navy or as mainly a problem of opportunism and rambling. Byrn detected a tendency for deserters to be young, and for 53 per cent of those in his sample to have left within six months of joining any ship; but, confusingly, he found that 73 per cent of them were experienced and valuable men, rated able or ordinary seamen rather than landsmen.<sup>59</sup> Neither he nor Vale saw any connection between desertion and punishment rates on the ships in their respective studies, and there was no correlation between deserters and pressed men, nor any change over time, continuing even after the wars were over.<sup>60</sup> By contrast, Lavery saw a clear connection between 31 men being punished aboard the *Alfred* in 1810 and 26 men, or six per cent of the crew, deserting over a four day period. He quotes Robert Wilson's comment when four men deserted in Turkey, that 'the men must have had great aversion to any ship' to have done that, suggesting a clear connection between conditions and running.<sup>61</sup> Lavery also tells us that there were more than 12,000 desertions in a thirteen-month period between May 1804 and June 1805, but that in 1805 'Probably six or seven thousand had deserted in that year', which suggests either inconsistencies in rates or difficulties in their measurement.<sup>62</sup> Either way, given a maximum establishment of about 140,000 men for the navy as a whole, these figures would give desertion rates of between four and eight per cent, not wildly dissimilar from the seven per cent noticed 50 years earlier by Rodger.<sup>63</sup>

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<sup>59</sup> Byrn, *Crime and Punishment*, pp. 155, 158.

<sup>60</sup> *Ibid.*, p. 157; Vale, *A Frigate of King George*, P. 34.

<sup>61</sup> Lavery, *Nelson's Navy*, pp. 143, 218.

<sup>62</sup> *Ibid.*, p. 144; Lavery, *Shipboard Life*, p. 628.

<sup>63</sup> Rodger, *The Wooden World*, p. 203.



On the subject of punishment for desertion, Rodger is sure that the Georgian navy was generally lenient, and that it ‘would have been better advised to have advertised its real leniency towards desertion rather than its theoretical severity’.<sup>64</sup> We can certainly see examples of where the authorities were, apparently, tolerant of misbehaviour: on the bomb *Thunder* on 30 October 1810, in the same log in which we found James Bryan flogged and discharged for desertion, ‘left the Pinnace when Watering – Rob<sup>t</sup> Martindale and W<sup>m</sup> Gill (seamen)’.<sup>65</sup> Both were recovered two days later, but there is no sign that any action was taken against them. On the other hand, George Vancouver gave his harshest recorded punishment for desertion: two doses of six dozen each, considered by his surgeon, Archibald Menzies as both harsh and ineffective.<sup>66</sup>

The most likely explanation for most desertion seems to be opportunism, rather than a reaction to conditions. If the experience of Captain George Moore is typical then the navy could expect to lose some men when they were given shore leave or when in port for some time, and when cruising close to where the crews came from. In a two-month refit of the *Syren* in Portsmouth he lost ten men; and he attributed his high desertion rate on the *Melampus* to cruising off Ireland with so many Irishmen on board.<sup>67</sup> Similarly, in some places it may have been more tempting to run than in others. We have seen how a merchant at Malta was keen to poach men from the navy to man a merchant ship, and the same conditions applied in the West Indies, from where it was easy to work a trip home.<sup>68</sup> Alternatively, dissatisfaction with conditions aboard a new ship may have tempted men to leave, which would tie in with the high numbers of experienced men who ran in Byrn’s sample. But the picture is not always clear. Captain Hervey blamed ‘the Mixture of which a new Ship’s Company is mostly composed of’ for the loss of some ten per cent of the crew of the *Dragon* in 1760 to desertion, but he

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<sup>64</sup> *Ibid.*, p. 175.

<sup>65</sup> *Thunder*, ADM 52/4636.

<sup>66</sup> Anderson, *Life and Voyages*, p. 125.

<sup>67</sup> Wareham, *Frigate Commander*, pp. 95, 157.

<sup>68</sup> Clayton, *Tars*, p. 228.

had a reputation for harshness which may have influenced the new men.<sup>69</sup> Whatever the reasons behind desertion, straggling and rambling, they do not seem to have been particularly harshly treated, particularly in our sample. The rules must have been clear to everybody, and some few cases that were clear cut were dealt with robustly. But mostly, within the context of contemporary rules and punishments, the treatment handed out by the authorities seems to have been reasonable.

### **Violence**

We have two classes of violence in our sample: against authority, in the person of a superior, usually a petty officer; and against another man or civilians. The latter category should hardly surprise us, given that hundreds of men were confined together for long periods, and sometimes released on shore with the concomitant alcohol and sense of release and celebration. But the former is a cause for comment.

Marcus Eder found that fighting was treated with ‘a degree of tolerance’ and punished lightly, and that fewer than two per cent of the summary punishments in his study referred to fighting, with only another four per cent relating to quarrelling and cursing.<sup>70</sup> By contrast, Byrn counted 500 floggings for fighting on the Leeward Islands station, or nearly one sixth of the total.<sup>71</sup> In the present sample violence against crew or civilians was cited in 360 floggings which, at some 7.3 per cent of all summary punishments, falls somewhere in between these two. Four of these offences involved the use of a knife which suggests, since every seaman would have carried one, that few of the fights were really serious. Typically, in only a few of the cases is there any detailed description of the offence, and the overwhelming majority are simply described as fighting, quarrelling or quarrelsome behaviour. It seems unlikely that any man would be unaware of what he was being punished for.

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<sup>69</sup> *Ibid.*, p. 183.

<sup>70</sup> Eder, *Crime and Punishment*, p. 70.

<sup>71</sup> Byrn, *Crime and Punishment*, pp. 75, 143.

What is much more surprising is that there were 85 cases of striking, assaulting, offering to strike, 'collaring' or quarrelling with superior officers. In the few cases where details of these offences are given, these are usually concerned with striking or interfering with the boatswain or the ship's corporal. Since the corporal, under the master-at-arms, was responsible for policing such matters as bringing liquor on board, it is not surprising that he may have been the focus of occasional friction. The tariffs for this category range from five lashes to 36, but the men involved must have considered themselves extremely lucky to have escaped with a mere flogging. Article 22 of the *Articles of War* specifies death for anyone convicted at a court martial for striking a superior, or for threatening a superior with any weapon, 'on any Pretence whatsoever'.<sup>72</sup> Of 53 men court martialled for striking officers between 1756 and 1800, 27 were sentenced to death and only one acquitted.<sup>73</sup> Even to quarrel with a superior could bring death or a serious flogging. Naturally, no captain wanted to lose a crewman to a court martial if an appearance at the gangway would maintain discipline, nor to go to the trouble of a court martial if it could be avoided. In ten of the cases in our sample drunkenness was also cited in the charge, and this may have been a factor in some of the others. This apparent contravention of the *Articles* by captains on the spot would seem to have been a sensitive reaction to the problem.

### **Uncleanliness**

Some 150 of the punishments inflicted on the men in our sample were concerned with uncleanliness or uncleanness, a charge which has caused some confusion in the past. As we shall see, homosexuality rarely appears in the punishment records of the Georgian navy, but it has been said that it was 'rife and openly accepted' in some ships; and the idea has been mooted that it was punished under a variety of euphemistic charges, including 'uncleanness'.<sup>74</sup> It may be that there is some foundation to this, in that courts

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<sup>72</sup> The *Articles of War* are reproduced in Eder, *Crime and Punishment*, pp. 158-73, and Byrn, *Crime and Punishment*, pp. 203-10.

<sup>73</sup> Arthur N. Gilbert, 'Buggery and the British Navy, 1700-1861', *Journal of Social History*, 10, 1 (Fall, 1976), p. 80.

<sup>74</sup> John Winton, *Hurrah for the Life of a Sailor: Life on the Lower Deck of the Victorian Navy* (London: Michael Joseph, 1977), p. 185; Greg Denning, *Mr Bligh's Bad Language: Passion, Power and Theatre on the Bounty* (Cambridge: CUP, 1992), p. 117.

martial were able to adopt a 'lesser offence' provision when sentencing. Thus, in a case in 1809, a man was found 'guilty of uncleanness and scandalous action in taking indecent liberties' with a boy.<sup>75</sup> Eder found several cases of courts martial for homosexuality or bestiality in which 'the charge was not sodomy but "uncleanliness"'.<sup>76</sup> But Byrn concluded from his study that uncleanness 'was used in the journals to describe acts of filthiness'; other writers tend to agree, and the results of this analysis bear this out.<sup>77</sup>

A reasonable conclusion is that summary charges of uncleanness were probably applied to men 'relieving themselves in any dark corner', a habit that would have been unpopular on both merchant and warships alike, particularly since there was a perceived connection at this time between foul air and disease.<sup>78</sup> The punishments for this category in our sample are comparatively light, mostly between five and 24 lashes, which lends credence to the assumption that a crime as heinous as sodomy is not in question. There are seven punishments of 36, for which no details are available, and only three punishments of 48. One of these last was for 'shiting on a man in the head'.<sup>79</sup> Another was '48 lashes on the Breech for filthiness and Theft'.<sup>80</sup> The third was unexplained.<sup>81</sup> 'Uncleanliness between decks' earned James Woodley twelve lashes, as did 'neglecting to keep himself clean' for George Bailey.<sup>82</sup> Personal cleanliness was certainly a feature in at least some ships. One man wrote that there was 'no punishment more dreaded and disgraceful to which we were daily liable' than extra 'scouring brass, iron and filthy

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<sup>75</sup> Gilbert, 'Buggery and the British Navy', p. 80.

<sup>76</sup> Eder, *Crime and Punishment*, p. 114.

<sup>77</sup> Byrn, *Crime and Punishment*, p. 151. This is not, however, the end of the debate. It has recently been suggested that 'the term "uncleanliness" was used directly to refer to same sex activity'. See Thomas A. Malcomson, 'Creating Order and "Disorder" in the British Navy: The North American and West Indies Station 1812-1815', (PhD Thesis, York University, Toronto, 2007), p. 322.

<sup>78</sup> Rodger, *Wooden World*, pp. 105-6, 228; Peter Earle, *Sailors: English Merchant Seamen 1650-1775* (London: Methuen, 1998), p. 76.

<sup>79</sup> *Culloden*, ADM 52/2876, 21.7.1796.

<sup>80</sup> *Phaeton*, ADM 51/2639, 11.10.1811.

<sup>81</sup> *Culloden*, ADM 51/1866, 20.2.1809.

<sup>82</sup> *Blanche*, ADM 51/1140, 18.3.1796; 10.10.1795.

work' if their dress was reported soiled or unclean'.<sup>83</sup> Men were occasionally punished for relieving themselves where they should not. Provision was made by means of piss- dales, places 'set apart on either side of a ship of war, for the people to piss in, to prevent the decks being wetted in other places', so that there may have been no excuse for Thomas Wilkinson, who received 12 lashes 'for pissing between decks' on the *Queen* in 1793.<sup>84</sup> But it must have been harder for the men aloft, and our sample has an instance of a man in this situation being punished, 'for pissing from the main top upon deck'.<sup>85</sup> The rules regarding cleanliness must have been clear. The Admiralty's *Regulations and Instructions* of 1756 emphasised the importance of cleanliness, as did John Davie's *Observations and Instructions* of 1804.<sup>86</sup> Evidence from captains' standing orders make the same point: those of Captain Riou of the *Amazon* go into detail about the unacceptability of 'Carpenters chips, sawdust, the ends of yarns, oakum, the refuse after meals, bones, stale victuals, dirty platters, spilling of water, beer, spitting and pissing upon deck'.<sup>87</sup> The effectiveness of these orders, and their administration through the system of divisions, in which officers were given responsibility for seeing to the 'discipline, cleanliness and good order of their men', is demonstrated by the comparatively small number of offences from this category in our sample.<sup>88</sup> Doubtless, though, many men were caught out in minor infractions of this sort, and even a few lashes may have seemed a harsh response.

### **Immoral Behaviour**

As far as can be ascertained, immoral behaviour in our sample includes just two types of offence: swearing and sexual aberration. This category of offence can be categorised as offences against God or religion.<sup>89</sup> The first of the *Articles of War* specified, without

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<sup>83</sup> Nicholas Blake, *Steering to Glory: A Day in the Life of a Ship of the Line* (London: Chatham, 2005), p. 153.

<sup>84</sup> John Mundy, 'Heads and Tails: The Necessary Seating', *Maritime Monographs and Reports*, 36 (1978), p. 125; *Queen*, ADM 51/753, 14.3.1793.

<sup>85</sup> *Queen*, ADM 51/753, 19.8.1793.

<sup>86</sup> Lavery, *Shipboard Life*, pp. 45-6.

<sup>87</sup> *Ibid.*, p. 164.

<sup>88</sup> *Ibid.*, p. 185.

<sup>89</sup> Eder, *Crime and Punishment*, p.49

giving any particular orders as to sanctions in case of a breach, that divine worship should take place on all vessels and that the Lord's Day should be observed. The second included a ban on swearing. Despite this, bad language does not appear to have been a major preoccupation with the authorities, and our sample contains only twelve cases of what was described variously as 'blasphemy', 'profane expressions', 'bad language' or 'swearing'. Byrn found that punishments for these offences were rare and comparatively light, and we must agree: few of the twelve were of more than a dozen lashes, and then usually because they were combined with contempt or neglect.<sup>90</sup> The *Admiralty Regulations* of 1731 provided for swearing to be punished by a 'wooden collar or some other badge of distinction', which would probably not show up in our records even if it were still in use by the French wars.<sup>91</sup> According to William Dillon, a weighted collar was used by Captain James 'Preaching Jemmy' Gambier, on the *Defence*, to punish swearing, but this was abandoned after a seaman collapsed under its weight.<sup>92</sup> Only the word 'bugger' seems to have been particularly proscribed, being specifically banned in several versions of captains' standing orders still in existence.<sup>93</sup> This singling out of this one expression may be related to the other offence in this category, sodomy.

In the 5,000 matched events in the database there are only six punishments for crimes clearly defined as sodomy or attempted sodomy. On the *Phaeton*, two days after Christmas, 1785, the master recorded: 'Confined D. Watson ships cook and George [sic] Wright (seaman) on suspicion of their having committed the crime of Sodomy on each other'.<sup>94</sup> Unfortunately, we do not find out what happened to them subsequently: were they later punished, or were they quietly put ashore as Graham Moore witnessed and later emulated?<sup>95</sup> Similarly, a man and a boy were confined in irons on the *Hyperion* in 1808 for breaching Article 29, with no indication of what further measures were taken.<sup>96</sup>

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<sup>90</sup> Byrn, *Crime and Punishment*, p. 148.

<sup>91</sup> Lavery, *Shipboard Life*, p. 15.

<sup>92</sup> Dillon, *Narrative*, Volume I, pp. 97, 101, 104.

<sup>93</sup> Lavery, *Shipboard Life*, pp. 72, 94.

<sup>94</sup> *Phaeton*, ADM 52/1914

<sup>95</sup> Wareham, *Frigate Commander*, pp. 14, 68.

<sup>96</sup> *Hyperion*, ADM 52/3767, 22.9.1808.

Two other cases were on the *Blanche*, ‘for a Sodomitical Attempt’ in 1789, and on the *Ardent* a decade later, both of which were punished with running the gauntlet.<sup>97</sup>

According to the master of the *Blanche*, John Lynch went not once, but three times round the deck, although this is not mentioned in the captain’s version. This suggests that sodomy really was unpopular with the men. It was treated in these particular cases rather like theft: not as a crime against authority but as one against themselves.

This may not be the whole story, however, even if we are correct in assuming that uncleanliness was not a euphemism for this activity. There are also three occurrences of the crime of ‘indecent’, two of which, at least, seem to indicate homosexual activity. On the *Culloden*, in 1808, at Madras, William Boxley received 36 lashes for indecency, which Stephen Taylor may be right in saying, in relation to this particular incident, ‘usually meant sodomy or bestiality’; although it was at least Boxley’s second offence and, as such, does not seem to have been very heavily punished.<sup>98</sup> On slightly firmer ground, on the *Blanche* in 1796, Pedro Scombre received two dozen ‘for taking indecent familiarities with a marine’; and on the *Queen* three years later James Reynolds surprisingly got just a dozen for what the master described as ‘indecent behaviour to a boy’.<sup>99</sup> The captain called this, rather more primly, ‘improper behaviour’.<sup>100</sup> If this latter term was a common euphemism for indecency, then that would bring us another three events. But of those three, two occurred on the *Edgar* in 1800 and, although described by the captain as ‘improper behaviour’, were recorded by the master as one case of quarrelling and another of insolence to a superior officer.<sup>101</sup> In the other, on the *Ganges*, in 1804, John Duckett received a dozen lashes for improper conduct.<sup>102</sup> This was recorded by the master but not by the captain and, unusually, this seems to have been his second punishment in two days. The previous offence was

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<sup>97</sup> *Blanche*, ADM 51/95, 19.10.1789; *Ardent*, ADM 52/2702, 2.5.1799.

<sup>98</sup> *Culloden*, ADM 51/1866, 16.11.1808; Stephen Taylor, *Storm and Conquest: The Battle for the Indian Ocean, 1809* (London: Faber & Faber, 2007), p. 48.

<sup>99</sup> *Blanche*, ADM 52/2765, 7.10.1796; *Queen*, ADM 52/3334, 15.3.1795.

<sup>100</sup> *Queen*, ADM 51/1147, 15.3.1795.

<sup>101</sup> *Edgar*, ADM 51/1328, 52/2964, 10.6.1800.

<sup>102</sup> *Ganges*, ADM 52/3617, 12.1.1804.

neglect of duty, which suggests that it may have been an episode of insolence or disrespect arising from the previous punishment rather than anything immoral, and we have treated these three events accordingly.

On the *Phaeton*, in 1812, two men were convicted of ‘Beastiality’, for which ‘Edward Harle (marine) [received] 72 lashes on the back and 48 on the Breech & William Taplin (s) 66 on the Back and 48 on the Breech’.<sup>103</sup> These are the highest totals of any in our logs, and the fact that part of each of the punishments was ‘on the Breech’ suggests an unusually large element of humiliation, although what the crime actually was we cannot be sure.<sup>104</sup> The only other crime that may belong in this category is one of ‘scandalous behaviour’, which may be included on the grounds that ‘scandalous action’ was used, as we saw above, as a euphemism for ‘a crime contrary to the 29 Article of War’, and because the individual involved received the high tariff of 60 lashes.<sup>105</sup> There may, however, be another explanation, in that this man, Richard Hingley of the *Queen*, was punished four times in five days, with 48, 12 and 12 for theft, followed by the 60 for ‘scandalous behaviour’; and the scandal may just have had to do with his recidivism.<sup>106</sup>

From our sample, then, sodomy seems to be a rare event, with fewer than a dozen occurrences in the logs of nearly 5,000 offences, and it was handled differently and more harshly than other crimes. Gilbert argued that it was underreported, that it was ‘certain that the rank and file in some army units and on shipboard, knowing that conviction might mean death for the offenders, never reported known cases’.<sup>107</sup> He quotes an unnamed naval officer from 1910 as saying that ‘sodomy is a regular thing on ships that go on long cruises. In the warships, I would say that the sailor preferred it [to

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<sup>103</sup> *Phaeton*, ADM 51/2643, 12.2.1812.

<sup>104</sup> In 1812 the crew of the *Centaur* petitioned against ‘exposing the private parts of a man’s body to public view and flogging on the posterior instead of the back’, in Lavery, *Shipboard Life*, p. 436. The exact reference appears to be missing from Lavery’s bibliography.

<sup>105</sup> Gilbert, ‘Buggery and the British Navy’, p. 80.

<sup>106</sup> *Queen*, ADM 51/1484, 26-30.6.1804.

<sup>107</sup> Gilbert, ‘Buggery and the British Navy’, p. 72.



prostitution]’.<sup>108</sup> B.R. Burg, in *Boys at Sea*, also seems to consider that it was widespread and blatant, but bases this on an assumption that it was usually dealt with under the euphemism ‘uncleanness’, which has been discussed above, or underreported.<sup>109</sup> On the other hand, Lavery considers that it would rarely have come to light; and some reports of courts martial suggest that the men were surprised to come across examples, and quick to alert the authorities when they did.<sup>110</sup> Due to the seriousness with which it was viewed, and the regularity with which the penalties for indulging in it were impressed on the crews by the regular readings of the *Articles of War*, it cannot have appeared under the category of offences for which Jack Nastyface thought that men were regularly and unjustly punished. On the basis of the few cases of summary punishment inflicted for it, we should agree that it was ‘an insignificant issue’.<sup>111</sup>

## Conclusion

Mankind lives according to complex sets of rules, and the Georgian seaman was no exception to this. Most of these rules would have been easily understood by everyone, because they were common to life on both land and sea: they covered offences against God; offences against the King and the country; and offences against other members of society. Yet over 3,000 men in our sample were punished for offences including those connected with drink, mutiny, theft, desertion, violence and immorality. Drinking and drunkenness loomed large in the life of the seaman and it may have been that, to some extent, the authorities were complicit in this, seeing it as important to the morale of the people. But the rules were clear, and the men knew that if they overstepped the limits they themselves were at fault. Mutiny was punishable by death, as they would have been aware from the repeated reading of the *Articles of War* on Sundays and before

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<sup>108</sup> *Ibid.*, p. 73.

<sup>109</sup> B.R. Burg, *Boys at Sea: Sodomy, Indecency, and Courts Martial in Nelson’s Navy* (Basingstoke: Palgrave Macmillan, 2007). Burg uses court martial cases, which are beyond our brief, and relies for his conclusions mainly on one scandal, that of the *Africaine*, which was unique in the extent, openness and duration of the offending.

<sup>110</sup> Lavery, *Nelson’s Navy*, p. 210; Lavery, *Shipboard Life*, pp. 383-6; David Cordingly, *Billy Ruffian: The Bellerophon and the Downfall of Napoleon* (London: Bloomsbury, 2004), pp. 113-6.

<sup>111</sup> N.A.M. Rodger, *Wooden World*, p. 81.

punishments; and the leniency with which offences described as mutinous were dealt with shows that the authorities took a measured response to isolated cases of protest. The same is true of desertion: the offence was clearly defined and could be heavily punished, but it was usually treated with a measure of tolerance. Theft, violence and immorality were rewarded with punishments that varied from mild to extreme, and one is drawn to the conclusion that the circumstances behind the offence were usually taken into consideration. These, too, are all categories of crime of which the men would have been aware, and no-one would have been surprised when the culprits were punished.

Other rules were specific to the running of the ships. These could have been detailed and complicated, and open to misunderstanding and easy to overlook, especially for newcomers to the navy or to a ship. These rules covered negligence and disobedience, insolence and uncleanness, and the indictments levelled against nearly 3,000 men included infractions of this kind. The duties involved in being part of the crew of a man-of-war could be varied and often arduous and, for the sake of discipline and the good running of the ship, it was essential that the importance of this category of rules was driven home. Any lapse of memory or concentration could result in a transgression. There is, therefore, a strong case to be made that William Robinson's claim that seamen were being punished for crimes they did not realise they had committed was based in fact.

## **Chapter 7: Patterns of Punishment: The Men**

### **Introduction**

The most difficult factors to measure in a study such as this are the men involved. Particularly crucial to any discussion of how severe punishment regimes were aboard His Majesty's ships during the French wars is to establish the harshness or otherwise of the captains responsible for them, both on an individual basis and in general. John Masefield was clear that there were enough cruel captains to make some ships 'floating hells'; and a view from the 1950s was still that although it was a dangerous myth 'that contemporary Royal Naval officers were ruthless sadists, ... there is seldom smoke without fire'.<sup>1</sup> We must try to establish what could constitute 'cruelty', and to put it into context. Similarly, we would like to know what sorts of men were being punished. It might be that particular sections of the crew were particularly prone to disobedience or particularly likely to be victimised. William Robinson, for example, highlighted topmen as the victims of unfair punishment, but there were several other identifiable groupings of men on board. These may have been classified by their functions on the ship, such as marines, seamen or landsmen, or by their background, as in Irishmen, other foreigners or criminals. If there were any patterns, they would argue against the idea of random cruelty.

### **Captains**

Our investigation is limited by the amount of data we have available to analyse: we could not expect to arrive at any sort of definitive assessment of what proportion of naval captains could be classified as cruel, both because of the impossibility of defining this as a characteristic, and because of the limits imposed by the sample we have selected. We can, however, identify those of our sample who deviated from the norm, and put such deviations into some sort of context. We can agree that some men we shall look at, captains such as Corbett, Hamilton and Lake, fall into the category of 'cruel',

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<sup>1</sup> John Masefield, *Sea Life in Nelson's Time* (London: Methuen, 1905), p. 59; Michael Lewis, *The History of the British Navy* (Baltimore: Penguin, 1962), p. 182.

since they were judged as such by their contemporaries and treated accordingly. But others, such as the explorers George Vancouver and, most famously, William Bligh, may have been as much the victims of defamatory campaigns against them by disaffected crew members and their families as they were culpable. Others again, notably Robert Stopford and Horatio Nelson, went through periods during which they could be described as ‘flogging captains’: Stopford on the *Aquilon* in the early 1790s and Nelson on the *Boreas* a decade earlier; but both were later to become very popular with their respective crews and Nelson, particularly, built a reputation as a friend to his men. Perhaps these were occasions when the crews themselves were at fault; but perhaps they rather showed the inexperience of the captains, who learned from these experiences and were able later to moderate their discipline. It is plain that there was much more to people’s attitude to their captains than the rates of punishment they received: amongst those known to dispense discipline with a light hand, Cuthbert Collingwood and James Gambier were respectively universally admired and generally disliked; and at least two of the best-known mutinies, those on the *Bounty* and the *Hermione*, which we shall refer to later, were due more to problems of consistency and ‘language’ than to the actual rates of punishment.

### **Liberals**

If we look first at some of the captains known for the comparative gentleness of their discipline, it becomes clear that cruelty, or even harsh discipline, was by no means universal. Many writers have dwelt on the detail that Collingwood, while claiming to have some of the best discipline in the fleet, maintained it with very little flogging.<sup>2</sup> Robert Hay, serving under the popular, and by then Admiral, Collingwood on the *Culloden*, noted that not only flogging, but also the use of rattans and ‘starting’ in general, were banned while the admiral was aboard.<sup>3</sup> In case it might be assumed that the admiral had mellowed with advancing age and rank, it should be noted that twenty years before this, in the 1780s, Jeffery Raigersfield had served as a midshipman under

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<sup>2</sup> For example, Masefield, *Sea Life*, p. 159; G.J. Marcus, *Heart of Oak: A Survey of British Sea Power in the Georgian Era* (London: OUP, 1975), p. 121.

<sup>3</sup> Robert Hay, *Landsman Hay: The Memoirs of Robert Hay* (M.D. Hay, ed.) (London: Rupert Hart Davis, 1953), p. 66.

Collingwood while the latter was captain of the 44 gun *Mediator*, and said that in the ‘upwards of three years and a half that I was in the ship, I do not remember more than four or five men being punished at the gangway; and then so slightly that it scarcely deserves the name’.<sup>4</sup> Thomas, Lord Cochrane, too, has been described as enforcing ‘steady but kindly discipline’, but it is easy to understand that the men would instinctively obey a man of such adventure and charisma, and one who held out such good prospects of rewards accruing to his crew from his exploits.<sup>5</sup> But for less buccaneering captains the effects of a milder discipline could vary from good to bad. Robert Wilson tells us that when Captain Campbell joined the *Unité* in 1806 he banned the use of sticks by the petty officers and ‘the ship’s company were kept in their good state of discipline with less severity, for the crew did their duty more cheerful’.<sup>6</sup> This may, of course, have been partly due to the contrast between the new captain’s regime and the old: in Captain Ogle’s time, according to Wilson, the First Lieutenant had too much influence over the captain, and ‘everything was conducted on board with the greatest regulation imaginable, but a little too much severity was used’.<sup>7</sup>

It is apparent, then, that some men can carry off a mild discipline: James Gardner describes his captain, Sir John Collins, as ‘an easy man’, who was inclined to let off even mutineers.<sup>8</sup> Admittedly, the mutiny, in this instance, was over the quality of some meat and they may, therefore, have had some justification; but mutiny was mutiny, and never a matter to be taken lightly. Still, Collins was popular with the people, and was mourned by them when he died; but whether he became popular because he applied his discipline with a light hand, or whether the crew behaved themselves because he was popular, is hard to say.<sup>9</sup> A clue to the answer to this question may come from Graham

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<sup>4</sup> Quoted in Dudley Pope, *Life in Nelson’s Navy* (London: Chatham, 2004), p. 71.

<sup>5</sup> James Henderson, *Frigates, Sloops and Brigs* (Barnsley: Pen and Sword Military Classics, 2005), p. 242.

<sup>6</sup> Robert Wilson, ‘Robert Wilson’s Journal’, in H.G. Thursfield, (ed.), *Five Naval Journals 1789-1817* (London: NRS, 1951), p. 145.

<sup>7</sup> *Ibid.*, p. 144.

<sup>8</sup> James Anthony Gardner, *Recollections of James Anthony Gardner Commander R.N. (1775-1814)*, (R. Vesey Hamilton and John Knox Laughtien, eds.) (London: NRS, 1906), p. 139.

<sup>9</sup> *Ibid.*, p. 144.

Moore, a commissioned officer serving on the *Adamant* under the recently appointed Captain Knox in 1788. At first, Moore was pleased at the lack of flogging; but it soon appears that Knox was being far too lenient, and over the next four months the rate was seen to increase.<sup>10</sup> Moore concluded that it was best to be strict for the first month of a commission, but we are left with no clear conclusion as to how effective a mild discipline would generally have been: it is possible that it depended entirely on the character of the individual captain, which would suggest that a considerable number of ships' captains – those without a natural gift for leadership – were obliged to adopt severe regimes to make up for it.

### **Martinetts**

By contrast, and quite understandably and deservedly, a martinet was universally hated, but finding traces of them is not necessarily very easy. We hear it stated that stories of cruelty 'are true enough: how they flogged the last man down from the tops ...: how, when a seaman died under a savage flogging, they ordered the rest of it to be inflicted upon the corpse'.<sup>11</sup> One problem facing us here is the divide between anecdote and myth. The former case (of flogging the last topman down) may be traced to Captain Pigot of the *Hermione*, and there is some evidence that it was not unique: a letter to the First Lord of the Admiralty from a Lieutenant James Burney records that he had seen an instance where all the maintopmen were flogged for being slower to get their topgallant yards up than a rival ship.<sup>12</sup> But the latter is, at least in this source, unattributed and therefore unsubstantiated. Another is the problem of measuring this cruelty: our log books might give us some evidence, and we may come across records of officers court-martialled for cruelty, but often the complaints against captains rest on the use of informal punishment, such as rattans or ropes' ends, which do not appear in the logs, or, in one case, marooning. One of the cruellest acts on record was that of the Hon. Warwick Lake, captain of the 18-gun brig *Recruit* in 1807, who marooned the eighteen-year-old Robert Jeffery on the island of Sombrero, near Anguilla, with no water other

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<sup>10</sup> Tom Wareham, *Frigate Commander* (Barnsley: Pen and Sword Maritime, 2004), p.23.

<sup>11</sup> Michael Lewis, *The History of the British Navy*, p. 182.

<sup>12</sup> Christopher Lloyd, *The British Seaman 1200-1860: A Social Survey* (London: Paladin, 1970), p. 221.

than rainwater collecting amongst the rocks, and no food but prickly pears, which Jeffery was anyway unaware were edible.<sup>13</sup> Lake was court-martialled and dismissed from the service; Jeffery, miraculously, was rescued: but there is no evidence that this event was in any way typical of Lake's normal behaviour, or ever repeated in the navy in the period we are considering here.<sup>14</sup> On the other hand, the crew of the frigate *Surprise* was said to have been terrified of their captain, Edward Hamilton, of whom one of his midshipmen later wrote that every day 'did I conceive new terrors of this man. A more uncompromising disciplinarian did not exist'.<sup>15</sup> Hamilton was known for seizing men up in the rigging, and was eventually court-martialled and dismissed for cruelty to a seaman.<sup>16</sup> But Hamilton, like several other officers who were court-martialled for similar reasons, seems to have been a very effective captain, who was knighted for cutting out the *Hermione* (Pigot's ship, taken and handed over to the Spanish by its mutinous crew in September 1797) with minimal casualties and in the face of formidable odds.<sup>17</sup> 'It is difficult to avoid the suspicion', according to a view from the beginning of the twentieth century, 'that this was in great measure due to utter want of training in the art of command ... [that] led to severity which easily might and too often did degenerate into brutality'.<sup>18</sup> Alternatively, a more recent assessment is that Hamilton's behaviour may have started to deteriorate after he received a head wound during the *Hermione* operation which 'may have unbalanced him'.<sup>19</sup> If cruel behaviour in this instance was caused by illness then it may not be at all representative of the navy as a whole, or even of Hamilton under normal circumstances.

One of the most notorious cases of a captain court-martialled for cruelty, remembered particularly, perhaps, because it led to the banning of 'starting', was that of

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<sup>13</sup> Dudley Pope, *Life in Nelson's Navy* (London: Chatham, 2004), pp. 216-7.

<sup>14</sup> *Ibid.*, p. 218.

<sup>15</sup> George Jackson, quoted in *Ibid.*, p. 223.

<sup>16</sup> *Ibid.*, pp. 63-4, 223.

<sup>17</sup> 'Introduction', in James Anthony Gardner, *Recollections*, p. xi.

<sup>18</sup> *Ibid.*

<sup>19</sup> Pope, *Life*, p. 223.

Captain Robert Corbett.<sup>20</sup> Corbett was captain of the frigate *Nereide* until 1809, when he was transferred to the *Africaine*. The latter was being sent to the Ile de France station and as Corbett had recently returned from the Cape of Good Hope and had had experience of that theatre, the Admiralty sent him on board to replace Captain Raggett.<sup>21</sup> At this point the crew rebelled. ‘On the arrival of Captain Corbett on board the *Africaine*, the ship’s company manifested an alarming degree of discontent at the change of commanders, and proceeded to the extremity of declaring that they would not go to sea with Captain Corbett.’<sup>22</sup> Although none of the crew had ever had experience of Corbett they knew of his reputation, and the Admiralty was forced to send Rear Admiral Sir Edward Buller to coerce them back to work with threats. They sailed from Plymouth, arriving off the Ile de France on 11 September. Two days later they engaged two French frigates and lost, and Captain Corbett was killed. ‘There are many who will insist’, as it was put in 1837, ‘that Captain Corbett’s death-wound was inflicted by one of his own people’.<sup>23</sup> This seems unlikely, since his wounds were caused by a round shot and a splinter, but it has been suggested that the crew was so poorly trained and so demoralised by his regime that they did not put up much of a fight.<sup>24</sup>

Corbett’s reputation may simply have stemmed from his court martial, or it may have been common knowledge anyway throughout the navy.<sup>25</sup> The crew of the *Africaine* certainly made their views on the subject clear at the time; and a generation later a chronicler of the navy, William James, regretted ‘that the more our enquiries have been extended on that point, the more they have convinced us, that Captain Corbett was an

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<sup>20</sup> Anon, ‘Crime and Punishment’, [www.nelsonsnavy.co.uk/broadside.html](http://www.nelsonsnavy.co.uk/broadside.html), viewed 19.12.2005.

<sup>21</sup> William James, *The Naval History of Great Britain from the Declaration of War by France in 1793 to the Accession of George IV*, Vol. V, (London: Richard Bentley, 1837), p. 298.

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*, p. 307.

<sup>24</sup> *Ibid.*, p. 303. For further discussion of Captain Corbett’s methods and their effects on morale see Stephen Taylor, *Storm and Conquest: The Battle for the Indian Ocean, 1809* (London: Faber and Faber, 2007).

<sup>25</sup> For details, see Brian Lavery, *Shipboard Life and Organisation 1731-1815* (Aldershot: Ashgate, 1998), p. 373.



excessively severe officer'.<sup>26</sup> We have the logs from two years of Corbett's captaincy of the *Nereide*, and we can see what this cruelty comprised, at least in terms of formal summary punishment. Corbett, as can be seen from the results in Chapter 8, flogged more than anyone in our sample.

The case of Captain Corbett may be a rare example of both a reputation for cruelty and the reaction of people to it, but it is by no means unique. Joseph Nagle tells us that when Captain Henry Hotham was transferred from the *Dido* into the *Blanche* at the beginning of 1797 the crew reacted much as did that of the *Africaine* a few years later. 'Captain Hotham bearing the name of such a tartar by his own ships crew, that our ship mutinised and entirely refused him.'<sup>27</sup> The crew turned the ship's guns on their officers, and it took the intervention of Commodore Horatio Nelson to calm the situation down. Since we also have logs of Hotham's captaincy of the *Blanche*, there is an interesting comparison with those of Corbett but, sadly, this may not give us as much insight as at first would appear. Nelson's method of ending the mutiny was to appeal to the crew's professional pride and to offer his support should Hotham treat them badly, by which time their new captain 'shed tears'.<sup>28</sup> Presumably Hotham moderated his behaviour accordingly, but we cannot, from our sample, make a comparison between his time on the *Blanche* and his time on the *Dido*, which is where his poor reputation was made.

### **Curates' Eggs**

So far in this section we have considered several captains, including Collingwood, Cochrane and Collins, who were all able to conduct more or less benign punishment regimes which were effective. We have also seen instances of captains such as Hamilton and Corbett and, to some extent, Hotham, who attracted reputations as martinets, or even as tartars. But there is another group, some of whom we think of as particularly popular

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<sup>26</sup> James, *Naval History*, p. 306.

<sup>27</sup> John C. Dann, (ed.), *The Nagle Journal: A Diary of the Life of Joseph Nagle, Sailor, From the Year 1775 to 1841* (New York: Weidenfield, 1988), p. 209.

<sup>28</sup> *Ibid.*

men, who, nevertheless, were seen as particularly harsh at some time in their careers. Notable among these were Horatio Nelson and Robert Stopford.

Nelson has often been characterised in the secondary literature as ‘leading largely by love’.<sup>29</sup> His humanity is a commonplace trotted out with the same facility as that of the cruelty of the period in general, and both are amply demonstrated in this comment from Colin White: ‘What marks Horatio Nelson out, and obviously still fascinates biographers, is the fact that, in an age known for its cruelty, and in a profession dedicated to warfare, he stands out as a humane and caring figure. Of few other great war leaders has it been said, as was said of Nelson by one of his captains, that he was a man to love.’<sup>30</sup> This is not to suggest that there is anything wrong with this view of the man, as it can be seen to echo contemporary opinion: ‘all who came in contact with him, midshipman, mate, lieutenant or captain, ambassador or admiral, native or foreigner, all loved him, for no one in his presence lost his self-respect’.<sup>31</sup> When he paid off the 28-gun *Albemarle* at Portsmouth after the American Revolutionary War after two years in command he wrote that, while many of the returning crews were eager to be paid off, the whole of his ship’s company, his ‘good fellows’, had offered to sail with him again.<sup>32</sup> This suggests a happy ship and a successful cruise but, of course, it was now peacetime; jobs for seamen were likely to be scarce, at least in the immediate aftermath, and any reasonable berth may have been welcome.

On his next ship, the *Boreas*, things were very different. This was another 28-gun ship, although this time a frigate rather than the *Albemarle*’s converted captured French merchantman, and he was sailing again to the Caribbean. He was appointed in March 1784 and continued in the ship until it was paid off at the end of 1787, the last six months of this time having been spent in Portsmouth and at the Nore, much of it acting

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<sup>29</sup> ‘Editorial’, in William Dillon, *A Narrative of my professional adventures (1790-1839) by Sir Henry Dillon, K.C.H., Vice Admiral of the Red*, (M.A. Lewis, ed.), Vol. I (London: NRS, 1953), p. xxxii.

<sup>30</sup> Colin White (ed.), *The Nelson Companion* (London: Bramley Books, 1997), p. 196.

<sup>31</sup> Benjamin Robert Haydon, quoted in *Ibid.*, p. 34.

<sup>32</sup> Terry Coleman, *Nelson: The Man and the Legend* (London: Bloomsbury, 2005), p. 51.

as a receiving ship for the press gangs.<sup>33</sup> Over the first 38 months of the commission Nelson flogged 86 men, nearly 26 per cent of all the men who served on the ship over the period, or over 60 per cent of his complement of 142.<sup>34</sup> This is nearly 20 per cent per year, and the rate rose as the commission went on. In the last 18 months of the commission the total number of punishments was 54, or 46 per cent of the crew; an annual rate of over 30 per cent.<sup>35</sup> The crew did not volunteer to serve with him again. It is tempting to assume that because the *Boreas* spent so much time anchored in home ports the crew became frustrated and pushed at the boundaries of what behaviour their commander would accept, which might help explain why punishment rates were worse at the end of the voyage than at the beginning; but rates were high all through the commission. Alternatively, it may have been that the crew itself was particularly rebellious and hard to control. This was certainly the problem our second example, Robert Stopford, complained of.

Captain the Honourable Robert Stopford was given the command of the frigate *Aquilon*, 32, in April 1791 and was still in command two years later at the Glorious First of June. There is nothing to suggest that the *Aquilon* was anything other than ‘an efficient ship and was never found wanting in her duty’; Stopford does not seem to have had a reputation as a disciplinarian; and his own logs show ‘only a moderate amount of punishment’.<sup>36</sup> There seems to have been a period, however, when disaffection was rife, to the extent that the ship was paid off in order to change the crew. The young Francis Beaufort, later to achieve fame as Hydrographer to the Navy and inventor of the Beaufort Scale, shipped aboard the *Aquilon* as a midshipman in June 1791. He painted a picture in his own journal of a deeply troubled atmosphere on board, and wrote to his brother that he was ‘unhappy aboard this ship’.<sup>37</sup> The first and second lieutenants fell out

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<sup>33</sup> *Ibid.*, pp. 85-9.

<sup>34</sup> John D. Byrn, Jr., *Crime and Punishment in the Royal Navy: Discipline on the Leeward Islands Station 1784-1812* (Aldershot: Scolar, 1989), p. 226.

<sup>35</sup> Coleman, *Nelson*, p. 90.

<sup>36</sup> Nicholas Courtney, *Gale Force 10: The Life and Legacy of Admiral Beaufort 1774-1857* (London: Review, 2003), pp. 40-1.

<sup>37</sup> Quoted in *Ibid.*, p. 39.

with their captain and soon transferred to other ships, the latter because ‘he was tired of the disagreeable and ungentlemanlike behaviour of our captain (and not to him alone)’; and Beaufort himself complained of his arrogance and ‘imperious manner’.<sup>38</sup> Beaufort’s own journal records ‘almost daily punishments’ for a range of offences including drunkenness, neglect of duty, insolence and uncleanliness: all of the sort that we are familiar with from our own sample.<sup>39</sup> As early as September that year the ship was paid off: ‘we have a very miserable ship’s company’, he wrote, and it seems that any of the crew that had been pressed, or were otherwise unhappy, were able to leave, to be replaced with ‘none but men of 5 feet 10 inches and complete seamen’.<sup>40</sup> Oddly, and perhaps tellingly, this seems to have been the end of the problem. After a few months Beaufort seems to have been content with the ship and the captain, and was enjoying life on board a busy frigate in the Mediterranean, to the extent that he later followed Stopford from the *Aquilon* into the *Phaeton*.

In the *Phaeton* Stopford seems to have been a good captain and to have run a good ship; and in the mutiny at Spithead in 1797 ‘the crew of the *Phaeton* did not manifest the least symptoms of disaffection’.<sup>41</sup> This in itself is a significant detail, as during the mutinies several of the crews asked for particular captains and officers to be replaced: if they did not do so in this case, when the opportunity presented itself, and against a background of rebellion, it suggests that Stopford now had a contented crew.

The question remains: why was Stopford’s early time on the *Aquilon* so bad? There are some clues. In the first place, Stopford banned smoking on board his ship.<sup>42</sup> We cannot, at this distance, make any sort of judgement as to how important this may have been aboard a warship at this period. We know that tobacco was regularly available on board ships, and we have anecdotal evidence that sailors smoked: ‘Archibald

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<sup>38</sup> Quoted in *Ibid.*

<sup>39</sup> *Ibid.*; and see Chapter 6.

<sup>40</sup> Quoted in *Ibid.*, p. 40.

<sup>41</sup> William O’Byrne, quoted in *Ibid.*, p. 78.

<sup>42</sup> Courtney, *Gale Force 10*, p. 40.

Menzies, our stroke-oar..., who was taking his cutty, or short pipe, comfortably near the gate', but we do not necessarily know how common it was to be able to smoke on board.<sup>43</sup> The reference for this smoking ban as a contributor to the problem comes from Nicholas Courtney, who suggests that it was particularly a problem for the purser 'whose tobacco sales formed part of his income'.<sup>44</sup> As the purser may have been a member of the Wardroom, this may have contributed to the dissatisfaction of the officers on board. But seamen would have been used to at least some restrictions on where and when they were able to smoke, because of the dangers of fire aboard ship which must, surely, have been the reason for the habit of chewing tobacco; so that a ban on smoking did not rule out tobacco sales at all. The purser's resentment is not a given, and so we cannot attribute Stopford's unpopularity to this with any confidence at all.

Secondly, at the time of his problematical period as captain Stopford was only 22 years old, having received his appointment as post captain with his appointment to that ship. This was not particularly an unusual age for a captain, and he had already been at sea for some ten years; but his career may have been accelerated by the fact that his father was a Lord of the Bedchamber, and it may be that inexperience with dealing with his subordinates, and some resentment at the age of their captain on their part, may have played some part in the problems between his officers and himself, and have filtered down to the crew.<sup>45</sup> It would be convenient if we could draw some sort of parallel between our examples of captains who went through this sort of crisis by comparing their ages but Nelson, at the time of his appointment to the *Boreas* was already 26, and had been a post captain since being given the command of the *Hinchinbrook* at the age of 20.<sup>46</sup>

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<sup>43</sup> An Old Agamemnon, 'They Would as Soon Have Faced the Devil Himself as Nelson 1796', in *Every Man Will Do His Duty*, Dean King with John B. Hattendorf (eds.) (New York: Henry Holt, 1997), p. 57.

<sup>44</sup> Courtney, *Gale Force 10*, p. 40.

<sup>45</sup> *Ibid.*

<sup>46</sup> David Ross, *Nelson: Britain's Greatest Naval Commander* (New Lanark: Geddes and Grosset, 2005), p. 23.

A footnote to this contextual discussion concerns Francis Beaufort, whom we have so far seen only as a commentator on the career of Robert Stopford. Beaufort was finally given a ship in June 1805 after many years of begging for a command. He felt insulted, at first, that it was only a store ship, the *Woolwich*, and not the sort of ship that he felt his experience by then merited.<sup>47</sup> He accepted the commission, however, and seems to have run a happy ship on a voyage to India and back, treating his men well on the principal that ‘it is better to lose a dozen miles in a day’s work than a dozen men in a long run’.<sup>48</sup> But when he returned to England nearly two years later three events affected him badly: the failure of the Admiralty to confirm an acting promotion to captain; the news that the *Woolwich* was to be converted to a hospital ship; and the death of the woman he loved, Charlotte Edgeworth.<sup>49</sup> His command, on the subsequent voyage to South America, then went through a period of comparatively heavy punishments.<sup>50</sup> It should be no surprise to us that the mood of a captain could greatly affect the sort of discipline he imposed, but this example provides yet another caution to the researcher that a study of the log books of any ship only gives the bare outline of what went on. Significantly, the crew seems to have shrugged off this aberrant behaviour and, when the *Woolwich* paid off in April 1809, gave him a tearful send off.<sup>51</sup>

### **Maligned**

The next group to consider are those who acquired reputations as cruel captains that were probably undeserved and were, at least partially, the results of deliberate attempts to blacken their names: George Vancouver and William Bligh. There are some tenuous parallels between the two men: they had sailed together under Captain James Cook in the 1770s, Bligh as master of the *Resolution* and Vancouver as a midshipman; and their best-known voyages, Bligh’s to take breadfruit to the Caribbean on the *Bounty* in 1787, and Vancouver’s to survey the north-east of the Pacific Ocean in the *Discovery* in 1791,

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<sup>47</sup> Courtney, *Gale Force 10*, p. 106.

<sup>48</sup> *Ibid.*, p. 136.

<sup>49</sup> *Ibid.*

<sup>50</sup> *Ibid.*, p. 137.

<sup>51</sup> *Ibid.*, p. 139.

took them via Tahiti. But the two men were very different and the outcomes of their voyages, as is well-known, contrasted wildly. Vancouver restricted dealings between his crew and the Tahitians; Bligh, on his first visit, did not.

George Vancouver has a reputation ‘as a harsh and even cruel disciplinarian’ which, it has been argued, ‘does not harmonise with his actual life’.<sup>52</sup> Certainly, he ran a tight ship, and he was known to have a quick temper; but this may have been as a result of a hyperthyroid condition identified only in the nineteenth century, Graves’ disease.<sup>53</sup> He cracked down very harshly on theft and desertion on board the *Discovery*, with up to twelve dozen lashes for each: there was one example of each of these extreme sentences, administered in four doses of three dozen at a time; and another episode in which a seaman received 72 for theft, in two doses.<sup>54</sup> For drunkenness he awarded up to five dozen, particularly in cases where neglect of duty or contempt were also involved; and a carpenter’s mate suffered 72, also in two separate doses, for striking an officer.<sup>55</sup> Whilst these may seem harsh, they were administered with some level of humanity, in that the whole of the punishment was not inflicted in one potentially fatal dose; and those concerning desertion and striking an officer would almost certainly, at a court martial, have attracted the death sentence.

Vancouver had a record of punishment which has been described as ‘not unlike those of [his] former commanders’, with an average on the *Discovery* in the four years 1792-5 of just under 24 floggings per year; and there seem to have been no suggestions of mutiny.<sup>56</sup> The figures from the sample used in this study suggest that this was a high rate of punishment, considerably more than either the sloop *Alacrity* or the bomb

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<sup>52</sup> Bern Anderson, *The Life and Voyages of Captain George Vancouver, Surveyor of the Sea* (Seattle: University of Washington Press, 1960), p. v.

<sup>53</sup> *Ibid.*, pp. 54, 67.

<sup>54</sup> *Ibid.*, pp. 125, 222.

<sup>55</sup> *Ibid.*, p. 222.

<sup>56</sup> *Ibid.*

*Thunder*, of comparable size.<sup>57</sup> Apropos of our question about how much age and experience are factors in the amount of punishment imposed by any one captain, however, it is also of note that Vancouver's rates fell over time, with 35 and 33 events in 1792 and 1793, against only 12 and 15 in the following two years.<sup>58</sup>

Vancouver's surgeon and botanist, Archibald Menzies, considered that his reaction to desertion was not only harsh, but ineffective, since it did not put an end to desertion.<sup>59</sup> But the main source of the reports of his tyranny and brutality stemmed from Thomas Pitt, later Lord Camelford, who had been a midshipman with Vancouver at the start of the voyage but had been sent home in disgrace.

The case of William Bligh is much better known, more complicated and, consequently, more controversial. His cruelty in general, and that towards the crew of the *Bounty*, in particular, has often been taken as a given, and it is not hard to find examples of this assumption, including the following, originally from 1972: 'He made the little ship of 215 tons an absolute hell for his crew, who, as is very well known, mutinied and turned him off in the ship's launch', and 'much later, when Bligh was Governor of New South Wales, he was deposed and imprisoned by the unanimous decision of the *military* officers on the station, because of his sadistic brutality'.<sup>60</sup> Bligh had, after all, an all-volunteer crew, the only two pressed men having deserted before they left, which could be seen as a strong indicator that any dissatisfaction was due entirely to the behaviour of the captain.<sup>61</sup> On the other hand, it is possible, especially nowadays, but in contemporary writing as well, to find plenty of apologists for Bligh. For one thing, he had an uneasy relationship with a number of his officers: the Boatswain's mate, James Morrison, was 'exceptionally – dangerously – well-educated';

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<sup>57</sup> See Table 8.4, in Chapter 8, which shows that on *Alacrity* and *Thunder* an average of one man in 6.8 and 5.1 respectively were punished per year. Vancouver seems to have punished almost one man in four.

<sup>58</sup> *Ibid.*

<sup>59</sup> *Ibid.*, p. 125.

<sup>60</sup> Henderson, *Frigates, Sloops and Brigs*, pp. 219-20.

<sup>61</sup> Caroline Alexander, *The Bounty: The True Story of the Mutiny on the Bounty* (London: Harper Perennial, 2004), p. 54.



he had some early problems with the carpenter whom, for practical reasons, he did not feel able to punish; and he fell out with both Fletcher Christian (or, more probably *vice-versa*) and the master, Fryer.<sup>62</sup>

### **Experience**

It would be useful to be able to find some common pattern into which these differing examples of behaviour would fit, but it is hard to find any attribute that connects liberals with liberals or martinets with martinets. But one factor comes through them all as a possible link between the captain and his punishment regime, and that is his experience of command. Two examples, particularly, help to steer our investigation in this direction: the marked difference between the harsh discipline of Robert Stopford at the start of his command of the *Aquilon*, and his later regimes, particularly aboard the *Phaeton*; and the reduction of punishment over time shown by Vancouver on the *Discovery*. It makes sense that a man would learn to govern a ship with more confidence as he gained experience, and that he might do so with less punishment as time went on.

Figure 1 shows the result of matching the punishment rates given in a selection of captains' logs against the experience of the captains responsible for them. The number of logs used in this exercise is limited to the captains' series for the two frigates, *Phaeton* and *Blanche*.<sup>63</sup> Only frigates were looked at, because of the risk that differences in the punishment rates caused by size of ship (See Chapter 8) may otherwise have influenced the result. In this graph, the y-axis represents the number of days per punishment in each log. The x-axis shows the number of days between the captain's commission as a lieutenant and the starting date of the log.<sup>64</sup> The range of experience

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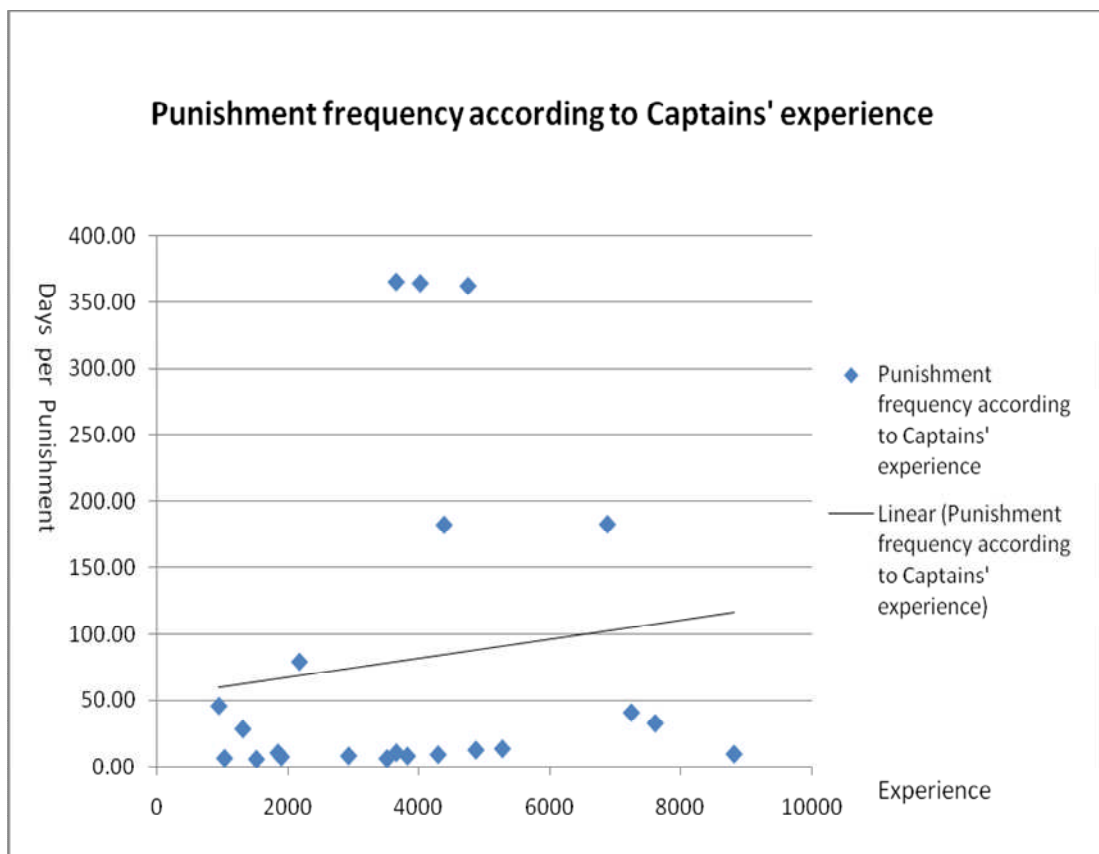
<sup>62</sup> *Ibid.*, pp. 55, 97, 100, 137.

<sup>63</sup> Only the captains' logs could be used because the masters' versions frequently do not cover the same time periods. This may impact on accuracy, but gives a consistent series of data. *Phaeton* and *Blanche* were chosen because for each of them we have used logs covering most of our period, and the other frigates had poor matches between the captains' and masters' logs.

<sup>64</sup> For a discussion of the usefulness of the date of his commission as a lieutenant as a basis for assessing a man's career, and as a proxy for his age, see N.A.M. Rodger, 'Commissioned officers' careers in the Royal Navy, 1690-1815', *Journal for Maritime Research*, June 2001. The Admiralty did not keep consistent records of officers' ages, and the date of promotion to captain might not reflect a man's experience of command in a sloop or unrated vessel.

varies from under three years to over twenty and a clear trend can be added, showing that punishment rates halved as the captains became older. This would tend to confirm the hypothesis that captains mellowed with age. It is not, however, a very tight pattern. Very few of the observations are actually on, or even near, the trend, and it could be argued that the pattern is really random, and that the trend is illusory. There is room for more study of this phenomenon, as only a bigger sample will resolve this question.

**Figure 1: Punishment frequency according to the experience of the captain**



**Source: TNA, Captains' Logs, Series ADM 51**

### Who Was Being Punished?

It is possible to divide the men on board a warship into separate groups along a number of lines. There were men who were put into watches, as opposed to the so-called 'idlers', such as carpenters, coopers, cooks or sailmakers; there were quarterdeck personnel as opposed to those whose place was below decks; or there were seamen and marines. Amongst the men designated as seamen there were also divisions, between forecastlemen, topmen, after-guard and waisters, and to the men themselves the 'most important index of status' amongst them was professional skill.<sup>65</sup> The oldest and most experienced of the skilled men would be the forecastlemen, working the bowsprit, anchors and fore-yards.<sup>66</sup> They probably numbered up to eighteen men on a fifth-rate frigate and up to 45 on a third-rate man-of-war.<sup>67</sup> Working high up on the topmasts and above, the topmen were likely to be the fittest and most agile of the crew, and Robert Wilson, on joining the *Unité*, was placed in the main top, and felt that he was very lucky that he knew his job well enough to satisfy the demands placed on him.<sup>68</sup> There should have been at least fifty topmen on a fifth-rate frigate, some twenty per cent of a full complement, and more than twice that number on a third-rate.<sup>69</sup> Next came the after-guard, who operated the braces, spanker, mainsail and lower staysails, and would have numbered 36 and 60 on a frigate and a third-rate respectively.<sup>70</sup> The first two groups were jealous of their positions and their skills and looked down on the third group: Melville has the foretopman Billy Budd telling a forecastleman, 'I found an afterguardsman in our part of the ship here, and I bid him be off where he belongs'.<sup>71</sup> The forecastleman thought he should have been beaten. Finally there were the waisters, much the biggest group, who hauled on the fore and main sheets and did the cleaning

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<sup>65</sup> N.A.M. Rodger, 'Officers and Men', in John B. Hattendorf (ed.), *Maritime History*, Vol. 2: *The Eighteenth Century and the Classic Age of Sail* (Malabar: Krieger, 1997), p. 137.

<sup>66</sup> Dudley Pope, *England Expects* (London: Weidenfeld and Nicholson, 1959), p. 72.

<sup>67</sup> Michael Lewis, *A Social History of the Navy 1793-1815* (London: Allen & Unwin, 1960), p. 272.

<sup>68</sup> H.G. Thursfield, (ed.), *Five Naval Journals 1789-1817* (London: NRS, 1951), p. 130.

<sup>69</sup> Lewis, *A Social History of the Navy*, p. 272.

<sup>70</sup> Pope, *England Expects*, p. 72.

<sup>71</sup> Herman Melville, *Billy Budd, Sailor, and Other Stories* (Harmondsworth, Penguin, 1979), p. 360.

and other heavy jobs on board.<sup>72</sup> John Masefield dismissed them as being ‘without art or judgement’: they were the unskilled, the landsmen and, possibly, the marines.<sup>73</sup> Given these distinctions, it is reasonable to assume, as it has been said, that it was mainly the waisters who were beaten to make them work, and not the skilled seamen.<sup>74</sup>

### **Topmen**

Surprisingly, however, one group of seamen on board Royal Navy ships who were often said to have had unfair treatment and undeserved punishment were the topmen. There is an oft-repeated assertion that topmen were frequently punished for being slow by captains who were not just concerned with the efficiency of the operation of their ships, but were also keen to be seen as running particularly smart ships, and that they were flogged simply for being the last man down from aloft. Specific details of this sort of situation, or recorded examples of this happening are elusive, however. The one example of this that we do have is that of Captain Pigot of the *Hermione*, a particularly frequent flogger, whose crew mutinied soon after the event. In September 1797 the men killed most of the officers and sailed the frigate into the Spanish-held port of La Guaira, near Caracas.<sup>75</sup> Earlier that month Pigot had become angry at the slowness of the men taking in a reef on the mizzen topsail, and threatened to flog the last man down. Since they had every reason to believe that he would do it, and that this meant that at least one of the eight or ten men working on the sail was going to be punished, there was a rush to get down, during which three men fell to their deaths. The captain is reported to have ordered that the ‘lubbers’ be thrown overboard, thereby adding insult to injury by impugning their skill as seamen.<sup>76</sup> According to a midshipman who survived the mutiny, this event ‘greatly increased the previous dislike of the Captain, and no doubt hasten’d, if not entirely decided, the mutiny’.<sup>77</sup>

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<sup>72</sup> Pope, *England Expects*, p. 72.

<sup>73</sup> Masefield, *Sea Life in Nelson’s Time*, p. 129.

<sup>74</sup> Rodger, ‘Officers and Men’, p. 138.

<sup>75</sup> Dudley Pope, *The Black Ship* (London: Weidenfeld and Nicholson, 1963), p. 198.

<sup>76</sup> *Ibid.*, pp. 141-2.

<sup>77</sup> *Ibid.*, pp. 142-3.

It is very likely that the details of this case, including the cruelty, callousness and disrespect shown by Captain Pigot towards his men, made such an impression on his contemporaries that it became the basis for a myth. William Robinson, in the guise of Jack Nastyface, told us that the ‘fore, main and mizzen-top-men are selected from the crew as the most sprightly and attentive to their duty’ but were the most frequently punished.<sup>78</sup> He went on to insinuate, by associating it with other losses of men by death or desertion, that significant numbers of topmen fell to their deaths as a result of ‘dread when aloft lest they should be found fault with for not being quick enough’.<sup>79</sup> This was a theme taken up by John Masefield in the following century: the work of the topmen ‘was the hardest work of the ship, and demanded the smartest men, yet no men were bullied more than those to whom the duty fell’.<sup>80</sup> He pointed out the irony that these were the best men, but because they were carrying the honour of the ship, they suffered the most. We do have a report, from Robert Wilson, of topmen being punished, for being ‘tardy in their duty’, with ‘double duty’ for six weeks: although the nature of the duty is not specified, there is no suggestion that it was as harsh as flogging.<sup>81</sup> This demonstrates, however, that the speed and efficiency in handling the sails was important to the navy, and it shows us that topmen could be given an incentive to carry out their duties smartly. In fact, it makes some sort of sense that they, working high above the decks, might receive more formal punishment than other members of the crew, such as the waistlers, who could more easily be encouraged just by ‘starting’, which would not appear in the punishment records.<sup>82</sup> But it makes no sense at all that a captain would risk injuring or alienating his best men for the sake of show, as this would obviously be counter-productive to the good running of the ship in the long term.<sup>83</sup>

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<sup>78</sup> William Robinson, *Jack Nastyface: Memoirs of an English Seaman* (Annapolis: Naval Institute Press, 1973), p. 150.

<sup>79</sup> *Ibid.*

<sup>80</sup> John Masefield, *Sea Life*, p. 127.

<sup>81</sup> Thursfield, *Five Naval Journals*, p. 135.

<sup>82</sup> Though see Dudley Pope, *The Black Ship*, p. 142: after the deaths of the three men Pigot noticed that the maintopmen had stopped working and were staring down at him, and sent the boatswain’s mates up the mainmast to start them.

<sup>83</sup> But see Sam Willis, ‘The High Life: Topmen in the Eighteenth-Century Navy’, *MM*, 90, 2 (2004), pp. 152-66, which argues that the risk to topmen has been very much exaggerated since the rigging was

Still, the message is repeated, although without any supporting details, in fiction as well as memoir. In *Frank Mildmay*, Captain Marryat contrives that the eponymous hero is told by a seaman that flogging the last man down from the yard is unfair, since the most active man is the man furthest out on the yard, and then has furthest to come.<sup>84</sup> This does not give us any real evidence, but it suggests, at least, that he was aware of this story. On the same theme, in *White Jacket* Herman Melville tells us that topmen only fall in navy ships, and rarely in merchant ships which, he says, is due to ‘glory-seeking officers’, presumably trying to prove the smartness of their ships.<sup>85</sup> These are examples of good story telling, but give us no real clue as to how true, and if true how prevalent, the episodes were. The same is true of memoirs on this subject. Commenting on the mutinies of 1797 James Burney, a retired post captain, claimed that ‘I served in a ship where every one of the maintopmen were stripped and flogged at the gangway for no other reason than that another ship in company got her topgallant yards up first, and not from any wilful negligence on the part of our men’, but without giving details of the ship, or telling us whether or not this was an isolated incident.<sup>86</sup> Similarly, an anonymous reviewer in the *Naval Chronicle* in 1813 talked of ‘this custom, though now growing into disuse’ of flogging everyone in a particular gang if they were seen to be slow or slack.<sup>87</sup> He went on to claim that ‘not many years have passed since I saw all the men stationed on the main-topsail-yard flogged for their dilatoriness’.

Without any details of these incidents we cannot make any estimates of how common this practice was. We also have no hint of under what heading such a charge of slackness would be described in the logs, and there are no incidents at all described as such among our 5,000 events. Indeed, there are no mentions of topmen as such in all the

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designed to be safe, that very few men died from falling out of the tops, and that new topmen could be trained relatively quickly.

<sup>84</sup> Frederick Marryat, *Frank Mildmay or The Naval Officer* (Boston: Colonial Press, 1896), p. 92.

<sup>85</sup> Herman Melville, *White Jacket, or The World in a Man-of War*, (A.R. Humphreys, ed.) (Oxford: OUP, 1966), p. 206.

<sup>86</sup> H.D. Sproule, ‘James Burney’s Opinions on the Naval Mutinies of 1797’, *MM*, 46 (1960), p. 62.

<sup>87</sup> Nicholas Tracy, (ed.), *The Naval Chronicle: The Contemporary Record of the Royal Navy at War*, Vol. III, 1804-6 (London: Chatham, 1999), p. 352.

records we have used, although this is not really a surprise. Only 130 individuals of our sample are recorded with a mention of their function on board, and these are almost all either idlers or minor officers, usually boatswains' mates. Only nine events contain references to the man's position on the ship, comprising five forecastle-men, three waisters and a member of the afterguard, so the lack of any reference to topmen is not statistically significant. What is significant, however, is the lack of deaths of topmen in our logs at all. Counting deaths was not part of this project, except for the specific case study involving recording the deaths from fever on the *Queen*, in 1796-7. Nevertheless, deaths tend to stand out in the logs because, like punishment events, they have a man's name attached, and the cause of death is almost invariably given. There were, of course, a number of accidents during the thousands of man-years covered by our sample, but only one mention of a man falling out of the tops. On the *Hyperion*, in 1809, a seaman, Robert Star, 'fell from the main top overboard' and 'was washed into the main Chain & received but little hurt'.<sup>88</sup> The ship was sailing between Port Mahon and Cadiz, and Star was extremely lucky to have survived with so little injury, but there is no elaboration of the cause of the accident and no suggestion that the man had been under any extreme pressure. Similarly, the explanation given by Captain Graham Moore, when describing how a man fell off the mizen topsail yard and survived by bouncing off some netting, was that: 'He was half drunk, and had been punished three days before for that fault'.<sup>89</sup> There is no indication that Captain Moore was in any way a violent or vain man, and there is, therefore, no reason to doubt that he was telling the truth about the cause of this incident. Unless more examples come to light we might have to conclude that the story of punishing topmen was simply a myth that reflected the *Hermione* case.

### **Irishmen**

During the French wars the English had an unsettled relationship with the Irish, and this was particularly evident in the Royal Navy. At the same time, there were large numbers of Irishmen employed in the navy. There were at least three causes of distrust and awkwardness when it came to considering the Irish: the Catholic question, involving

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<sup>88</sup> *Hyperion*, ADM 52/4509, 3.4.1809.

<sup>89</sup> Wareham, *Frigate Commander*, p. 191.

restrictions on what posts Roman Catholics could hold; the danger of internal revolt in, or a French invasion via, the country; and attitudes towards the Irish themselves, all of which could have had a bearing on who was being punished on board. If a disproportionately large number of Irishmen were being punished this would make a big contribution to the question of how harsh the punishment regime was overall, since those of the crew who were *not* Irish would have been correspondingly absent from the records. Of course, the question that would still be left unanswered would be whether any imbalance was due to an unfair attitude by the authorities towards the Irish, or because of some cultural propensity for Irishmen to misbehave. We might postulate, perhaps following Captain Pasley's comment on their fondness for alcohol, mentioned below, or from Captain Gardner's comment that there was a problem with drunken Irishmen regularly staying on shore beyond their time, that Irishmen were more likely to be involved in offences concerning alcohol than other men.<sup>90</sup> Besides the fact that these comments themselves might have stemmed from cultural bias, this does not appear to be true: in our sample, drink is cited as a cause in 29.17 per cent of the events for which men were punished for the crews as a whole, and in 31.59 per cent of events concerning men we have identified as Irish, which is an insignificant difference. In this study we have attempted to identify any Irish amongst our sample but, working simply from the logbooks, we have only been able to do this by an evaluation of the men's names, judging whether or not they appeared to be Irish. This has given us an Irish population in our sample of 15.9 per cent of the punishment events, but as it is a rather rough-and-ready method, and in order to establish whether it has any value as a statistic, we really need to find out what proportion of crews would normally have come from Ireland.

Restrictions on Catholicism at the time included a ban on the public practice of their worship and, although there were various changes to the laws during the last quarter of the eighteenth century, referred to as Relief Bills, which returned to Catholics the rights to purchase property, teach, practice law and even vote, full Catholic

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<sup>90</sup> Marcus, *Heart of Oak*, p. 82.



emancipation did not come until 1829.<sup>91</sup> Amongst the better-known sources of the restrictions were the Test Acts of 1673 and 1678 resulting from the ‘anti-Popish fever to which England succumbed in the summer of 1673’.<sup>92</sup> The second of these acts had the effect of excluding Catholics from Parliament and did not directly affect the navy, but the first provided that *all* office-holders had to take Anglican communion and make a declaration against transubstantiation, effectively barring Catholics from holding commissions.<sup>93</sup> When Frederick Hoffman, a midshipman, was transferred to the *Queen* in 1799, his six years, which qualified him to apply, were almost up and his captain encouraged him to take his examination for lieutenant, which he duly passed.<sup>94</sup> ‘On the following day’ he said, ‘I took the oath of allegiance, abused the Pope - poor, innocent man - and all his doctrines and received my commission for a twenty-four gun ship which I joined the day after.’<sup>95</sup> Despite Catholic emancipation, to some extent (the recent ‘Troubles’ in Northern Ireland and the controversial restriction on the Royal succession), the restrictions and the suspicion and resentment linger on still.<sup>96</sup>

The second problem with the Irish, as far as England was concerned, was the possibility of an internal revolt, or of some conspiracy with the French. ‘Ireland was, as always, the swinging back door to Britain’: this is a modern analysis but was surely a cause for contemporary concern.<sup>97</sup> The year before the mutinies at Spithead and the Nore in 1797 the French general Louis-Lazare Hoche, with the Irish republican Theobald Wolfe Tone, 43 ships and 15,000 troops, had attempted to land at Bantry

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<sup>91</sup> H.A.L. Fisher, *A History of Europe*, Vol. II, *From the Beginning of the Eighteenth Century to 1935* (London: Fontana, 1984), p. 787; Juliet Gardiner and Neil Wenborn, (eds.), *The History Today Companion to British History* (London: Collins & Brown, 1995), pp. 138-9.

<sup>92</sup> Geoffrey Holmes, *The Making of a Great Power: Late Stuart and early Georgian Britain 1660-1722* (Harlow: Longman, 1993), pp. 8, 10, 122.

<sup>93</sup> *Ibid.*, p. 114; Marcus, *Heart of Oak*, p. 204; Linda Colley, *Britons: Forging the Nation 1707-1837* (Newhaven: Yale University Press, 1992), p. 326.

<sup>94</sup> Frederick Hoffman, *A Sailor of King George: The Journals of Captain Frederick Hoffman, R.N. 1793-1814* (A. Beckford Bevan and H.B. Wolryche-Whitmore, eds.) (London: John Murray, 1901), pp. 114-5, 124.

<sup>95</sup> *Ibid.*, pp. 124-5.

<sup>96</sup> Colley, *Britons*, p. 324.

<sup>97</sup> Simon Schama, *A History of Britain: The Fate of Empire 1776-2000* (London: BBC Worldwide, 2002), p. 92.

Bay.<sup>98</sup> He was prevented from doing so by foul weather but, had he succeeded, he would have had ‘an immediate numerical superiority over the defending British garrison of at least six to one’ and his force would have more than matched the total of regular troops stationed on the island.<sup>99</sup> Tone, while in France, had represented to the French that two-thirds of British seamen were, in fact, Irish, so that a separation of Ireland from England would cripple the Royal Navy, although this estimate, as we shall see, was almost certainly a gross exaggeration.<sup>100</sup> But some contemporary politicians lent support to this view: in 1793, at the start of the French Wars, Henry Grattan suggested that 50,000 of the 80,000 seamen involved in the ‘last war’, that of American Independence, were Irish, and that in some men-of-war, almost the whole complement were; and Sir John Hippisley claimed, in 1810, to have a list of 46 ships of the line that had, at times, belonged to the Portsmouth division which showed that the majority of the crews were Catholics.<sup>101</sup> There was certainly a huge revival of Irish national feeling at the end of the eighteenth century: Wolfe Tone founded the Society of United Irishmen in 1791 with its headquarters in Belfast, and in Northern Ireland men were ‘almost openly’ arming and drilling, so that it was clear to the French that a landing could provoke insurrection, and usefully separate Ireland from mainland Britain.<sup>102</sup> There was also Despard’s plot to assassinate the king, which attracted mostly Irish followers, and which would have come as something of a warning.<sup>103</sup> It is no surprise, then, that the mutinies of 1797 may have been seen as evidence of Irish unrest: a man identified as a possible leader at Spithead was a 26 year-old quartermaster’s mate on the *Royal George* with the apparently Irish title of Valentine Joyce, although Joyce was, in fact, a respected seaman, rated Quarter Master’s Mate, and born in Jersey.<sup>104</sup> Also, although there is no clear indication that

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<sup>98</sup> *Ibid.*

<sup>99</sup> *Ibid.*

<sup>100</sup> William Edward Hartpole Lecky, *A History of Ireland in the Eighteenth Century*, Vol. III (London: Longmans, Green, 1892), p. 515.

<sup>101</sup> *Ibid.*

<sup>102</sup> G.J. Marcus, *A Naval History of England*, Vol. 2, *The Age of Nelson* (London: George Allen & Unwin, 1971), p. 43.

<sup>103</sup> Christopher Hibbert, *Nelson: A Personal History* (London: Viking, 1994), p. 316.

<sup>104</sup> G.E. Manwaring and Bonamy Dobrée, *The Floating Republic* (London: Frank Cass, 1966), pp. 35, 262.

many Irishmen were involved, contemporaries would have been aware that some names, such as that of William Anderson of the *Duke*, ‘do not betray their Irish origin’.<sup>105</sup> Indeed, the idea persisted into at least the twentieth century that ‘it was certain that rebellious Irishmen, and others of their kidney, were making every effort to foment discontent, and that the object of many of these trouble-makers in the latter part of 1797 and in 1798 was no less than the handing over of ships to the enemy, with the murder of all officers and men who attempted opposition’.<sup>106</sup> After the mutinies Lord St Vincent was convinced that the United Irish were aiming to cause trouble, and reacted by banning marines from conversing in Irish, and by court-martialling several Irish sailors for mutiny.<sup>107</sup> But of all the 450 men who were singled out as trouble-makers after the mutinies, the proportion of Irishmen was only about 20 per cent which, as we shall see, matches the proportion of Irishmen in the navy overall and, therefore, does not suggest an Irish predominance in the mutinies.<sup>108</sup> All of this, though, was clearly enough to worry Graham Moore, captain of the *Bonetta* at the time. At Waterford, in Ireland, he found that there were plenty of volunteers who, he assumed, wanted to escape the local poverty and starvation. He was, however, suspicious of their ‘grievances and resentment’ and, not wanting to ‘infect’ his crew, took only a few of them.<sup>109</sup> This suspicion continued, with Moore worried about the Irishmen aboard his next ship, the *Melampus*, especially when he heard about trouble at Wexford in the middle of 1798.<sup>110</sup>

Apart from the questions of Catholicism and of Irish rebelliousness, there was the Englishman’s view of the Irishman as a person. This was generally unfavourable, as we can see from numerous comments, although it is hard, particularly at this distance, to guess to what extent this poor opinion was driven more by general prejudice against

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<sup>105</sup> *Ibid.*

<sup>106</sup> C.G.P.J. [Pitcairn-Jones], ‘Lord St Vincent’s Discipline’, *The Mariner’s Mirror*, 39, 4 (Nov. 1953), p. 307.

<sup>107</sup> R.B. McDowell, *Ireland in the Age of Imperialism and Revolution 1760-1801* (Oxford: Clarendon Press, 1979), p. 495.

<sup>108</sup> *Ibid.*

<sup>109</sup> Wareham, *Frigate Commander*, p. 63.

<sup>110</sup> *Ibid.*, p. 153.

outsiders or by specific experience of them. To Captain Pasley, of the *Glasgow*, before the wars, the Irish aboard were ‘a set of Damned Irish Villains’ who kept stealing the chickens.<sup>111</sup> He declared that he took ‘no small pains to banish and turn them out of my ship, at all possible opportunities’, and considered that the only reason that there was no trouble or drunkenness on St Patrick’s Day on his ship was because ‘they could not get Liquor, and are too fond of it to save their daily allowance for a favourite day’.<sup>112</sup> Even the seaman John Nicol, usually a mild and forgiving commentator, described the Irish fishermen he encountered at Newfoundland as ‘the wildest characters man can conceive. Gambling and every vice was familiar to them. Their quarrelling and fighting never ceased, and even murders were sometimes perpetrated upon each other’, which he noted, even then, may have been sectarian in nature.<sup>113</sup> The fictional midshipman, Ralph Rattlin, enjoys the company of the locals ashore in Cork Bay but betrays his prejudice in his surprise that he ‘saw no indications of that pugnacity so inseparable with Irish hilarity’.<sup>114</sup> As we have seen, the proportion of Irishmen punished for drunkenness echoed that for the whole of the crews in this study so, apart from Captain Pasley’s view that Irishmen were incapable of saving their allowance, we can find no evidence that they were any more prone to this vice than the other men on board.

Their loyalty was always in question, so much so that it ‘was an Anglophone commonplace in the eighteenth century’ that Irishmen were prone to desert, according to Linda Colley.<sup>115</sup> This seems to have been more a cultural trait than just an anti-British tendency, as they also deserted from George Washington’s Continental army ‘in disproportionate numbers’ during the Revolutionary War.<sup>116</sup> Admiral Lord Collingwood was scathing about them: ‘Twenty Irishmen on a ship give more trouble than five

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<sup>111</sup> Rodney M.S. Pasley (ed.), *Private Sea Journals 1778-1782, kept by Sir Thomas Pasley, Bart., when in command of H.M. Ships Glasgow (20), Sybil (28) and Jupiter (50)* (London: J.M. Dent and Sons, 1931), pp. 56, 69.

<sup>112</sup> *Ibid.*, p. 73.

<sup>113</sup> John Nicol, *The Life and Adventures of John Nicol, Mariner* (Tim Flannery, ed.) (Edinburgh: Canongate, 2000), pp. 40-1.

<sup>114</sup> Edward Howard, *Rattlin the Reefer*, (Arthur Howse, ed.) (Oxford: OUP, 1978), p. 170.

<sup>115</sup> Linda Colley, *Captives: Britain, Empire and the World, 1600-1850* (London: Pimlico, 2003), p. 323.

<sup>116</sup> *Ibid.*, p. 419 (Note 36).

hundred English. They seldom ever become seamen and I believe only are good in battle, because it is so like that mischief they delight in'.<sup>117</sup> Embedded amongst the prejudice evident in this criticism is, at least, a grudging acknowledgement that they contributed to the fighting qualities of the navy and, indeed, not everything said of the Irish was derogatory. Graham Moore recorded that 'We have a lot of Irish on board, I am very well pleased to have some from that soil as I think they bring a degree of gaiety and fun with them which enlivens and keeps up the spirits of the Johns'.<sup>118</sup> But even this faint praise is largely contradicted later, when he gives his opinion that 'the Irish, although brave and impetuous are much inferior in fortitude to the English and Scotch. They sink under adversity and are deficient in passive courage and firmness'.<sup>119</sup>

Despite this antipathy, and the perceived unreliability of the race, the British armed forces were consumers of large numbers of Irishmen. It seems that over 40 per cent of the British Empire's armies were made up of Irishmen by the 1830s, and that the figure for all white soldiers in India, even before the Famine, was over 50 per cent.<sup>120</sup> This may, of course, just have reflected the huge increase in the number of Irish residing in England, up from 40,000 in the 1780s to some 580,000 in 1831, an influx which represented such a good source of cheap labour before Catholic Emancipation that petitions were raised in 1829 against the Act from worried major towns such as Manchester, Liverpool and Glasgow, and even from Wales.<sup>121</sup>

Estimates of how many of the men on board ships were Irish vary enormously, from the two-thirds of Wolfe Tone down to under ten per cent. Manwaring and Dobrée, for example, observed with surprising confidence that 'From 1793 to 1 November 1796 the total of Irishmen enlisted ... was 16,515' out of a total of 120,000 seamen and marines employed in the navy in 1797, or one-eighth of its strength, but they considered

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<sup>117</sup> Edward Hughes, (ed.), *The Private Correspondence of Admiral Lord Collingwood* (London: NRS, 1957), p. 114.

<sup>118</sup> Wareham, *Frigate Commander*, p. 114.

<sup>119</sup> *Ibid.*, p. 201.

<sup>120</sup> Colley, *Captives*, p. 310.

<sup>121</sup> Colley, *Britons*, p. 329.

that ‘wastage of war’ and desertions meant that ‘One-twelfth would be nearer the mark’.<sup>122</sup> We should note here that the estimate of 120,000 recruits in total seems to be a good estimate, agreeing with David Starkey’s estimate for that year of 120,046, but it is hard to see how they would have come up with the 16,000 for Irish recruitment and, in any case, that would bring the proportion closer to one-seventh than the one-eighth that they calculated.<sup>123</sup> A figure of the Irish as accounting for 20 per cent of the fleet is provided by J.S. Bromley, but even this looks suspiciously approximate and is, anyway, an estimate for 1780, which was in the previous war.<sup>124</sup> Again, according to another source, the Trafalgar muster books say that about one-quarter of the lower deck was Irish, but with no details of how close to 25 per cent this is.<sup>125</sup>

One more course is available to us, which is to pick through some of the contemporary estimates of who was actually aboard individual ships. This method also, however, has its own drawbacks, since our sample, like all samples, cannot be relied upon to be absolutely representative of the navy as a whole. We are also relying on the ability of the recorders to accurately assess the origins of the men, particularly as these lists were not officially required, but this is a problem common to all attempts to measure this variable. There was no administrative reason to record this information so that, where data were gathered, they were unofficial. So, in 1808, Captain Byam Martin of the *Implacable* wrote to his brother that he had ‘just been amusing myself in ascertaining the diversity of human beings which compose the crew of a British ship of war’, and counted 130 Irishmen out of 557 men on board in total, or just over 23 per cent.<sup>126</sup> A similar percentage was recorded on the *Caledonia*, Captain Pellew, in 1810, where there were 170 Irishmen amongst a total of 743 men in total, just a fraction under

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<sup>122</sup> Manwaring and Dobrée, *The Floating Republic*, p. 101.

<sup>123</sup> David J. Starkey, ‘Quantifying British Seafarers, 1789-1828’, in Richard Gorski, (ed.), *Maritime Labour: Contributions to the history of work at sea, 1500-2000* (Amsterdam: Aksant, 2007), p. 102.

<sup>124</sup> J.S. Bromley, ‘The British Navy and its Seamen after 1688: Notes for an Unwritten History’, in Sarah Palmer and Glyndwr Williams, (eds.), *Charted and Uncharted Waters: Proceedings of a Conference on the Study of British Maritime History* (London: NMM, 1981), p. 151.

<sup>125</sup> McDonald, *Ireland*, p. 493.

<sup>126</sup> Quoted in Ludovic Kennedy, *Nelson and his Captains* (London: Fontana, 1976), p. 11.

23 per cent.<sup>127</sup> But of the Irishmen on board, only 16 were marines, out of a total number of 158, giving us two totals: some 26 per cent of the seamen were Irish, but only ten per cent of the marines. Captain Edward Rotheram took over the *Bellerophon* after Trafalgar and made an unusually detailed survey of his crew, recording their appearance, including heights, ages, backgrounds, distinguishing marks and even tattoos. He recorded that 24 per cent of his crew was Irish, although he recorded only the seamen on board, leaving out marines and officers.<sup>128</sup> On the ill-fated frigate *Danae*, on which the mutiny occurred in 1800, the last muster recorded 116 men borne, against an official full complement of 155.<sup>129</sup> Details are given for 108 of these and, of the 108, 24 came from Ireland, or just over 22 per cent. The ratio was a little higher on the topsail schooner *Pickle*, in 1805, which had 29 per cent, but the entire crew was only 32 men, so it is not, perhaps, very statistically significant.<sup>130</sup> These are all, however, apart from the *Pickle*, a little low compared with the results of a survey of ships commissioning at Plymouth in 1804-5. This came up with a total of 29 per cent of Irishmen in a sample of 4,474 men, although Plymouth, because of its western position, was the most likely port for Irish sailors.<sup>131</sup> It must be noted, however, that none of these estimates differ by very much.

It seems probable, then, that the percentage of Irishmen aboard British warships in the first few years of the nineteenth century was in the range 22-29 per cent, compared with the proportion of identified Irishmen being punished in our sample of just under sixteen per cent. It is, of course, possible that the numbers of Irish recruited increased considerably during the wars, along with the increasing numbers on shore. Some evidence points to an increase in the percentage of men employed in the navy who were born in Ireland from 20 per cent in the 1770s to the 29 per cent calculated for

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<sup>127</sup> Brian Lavery, (ed.), *Shipboard Life and Organisation 1731-1815* (Aldershot: Ashgate, 1998), p. 451.

<sup>128</sup> David Cordingly, *Billy Ruffian: The Bellerophon and the Downfall of Napoleon* (London: Bloomsbury, 2004), p. 209-10.

<sup>129</sup> Dudley Pope, *The Devil Himself: The Mutiny of 1800* (London: Alison Press, 1987), pp. 67-8.

<sup>130</sup> Pope, *England Expects*, p. 20.

<sup>131</sup> N.A.M. Rodger, *The Command of the Ocean: A Naval History of Britain 1649-1815* (London: Allen Lane, 2004), p. 498.

1805.<sup>132</sup> This might be consistent with Bromley's estimate of a proportion of 20 per cent in 1780 but, even then, the figure in our sample still appears too low. We must accept that we have been unable to establish the origins of all the William Andersons and their ilk, and that there is room for more detailed work to be done on clearing this detail up.

## Marines

An important element in the crews of all but the smallest Royal Navy ships was the detachment of marines. There had always been soldiers at sea, and from the second half of the seventeenth century specialist regiments had been provided for service at sea.<sup>133</sup> In 1755 these forces were reformed, made permanent and put under the command of the Admiralty, and they originally comprised 5,700 men in three divisions based at Portsmouth, Plymouth and Chatham.<sup>134</sup> There was no regimental structure, independent companies being divided between the three (and later four) sites which became their home bases, and from which they were detached for service aboard ships.<sup>135</sup> At the beginning of the French wars there was a shortage of marines in the same way as there was a shortage of seamen, and army regiments were sent aboard as replacements.<sup>136</sup> Elements of at least ten regiments served with the navy; they were gradually replaced by marines as the latter became available, but lingered on until at least the battle of St Vincent, when we know that a soldier of the 69th Regiment broke the window to enable Nelson to board the *San Nicolas*.<sup>137</sup> In 1798 100,000 seamen and 20,000 marines were voted for the navy.<sup>138</sup> To estimate how many marines were on board our ships, then taking the navy as a whole, by the end of the first of the two French Wars the marines

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<sup>132</sup> N.A.M. Rodger, 'Shipboard Life in the Georgian Navy, 1750-1800: The Decline of the Old Order?', in Lewis R. Fischer, Harald Hamre, Poul Holm and Jaap R. Bruijn, (eds.), *The North Sea: Twelve Essays on Social History of Maritime Labour* (Stavanger: Stavanger Maritime Museum/ The Association of North Sea Societies, 1992), p. 30.

<sup>133</sup> Tim Clayton, *Tars: The Men who made Britain Rule the Waves* (London: Hodder & Stoughton, 2007), p.19.

<sup>134</sup> Rodger, *Command of the Ocean*, p. 406.

<sup>135</sup> Randolph Cock and N.A.M Rodger, (eds.), *A Guide to the Naval Records in the National Archives of the UK* (London: University of London, 2008), p. 171.

<sup>136</sup> J.L. Moulton, *The Royal Marines* (Southsea: Royal Marines Museum, 1981), p. 23.

<sup>137</sup> *Ibid*; Lavery, *Nelson's Navy*, p. 147. Moulton lists ten, whilst Lavery is not specific about 'at least' twelve.

<sup>138</sup> David Mathew, *The Naval Heritage* (London: Collins, 1945), p. 143.



should have comprised about one-fifth of the navy's strength: the Navy Vote in 1801 was for 135,000 men including 22,696 marines, the latter figure later rising to 30,000.<sup>139</sup>

The marines were considered to be volunteers, and therefore less likely to desert.<sup>140</sup> They were also 'sworn men', although since they were not necessarily given much training before they went to sea 'it would be unrealistic to imagine that their loyalty was never in doubt'.<sup>141</sup> We cannot tell much about their competence at this distance, although Captain Pasley of the *Sybill*, in 1776, recorded that his marines were useless with small arms.<sup>142</sup> They certainly had a reputation as being simpler, or perhaps more gullible, than the normal run of seamen: a common expression seems to have been, when there was doubt as to the veracity of any statement, that 'you could whisper that to the marines, for the sailors would not believe you'.<sup>143</sup> And it has been suggested that the marines were 'more tolerant' in accepting paupers, vagabonds and petty criminals that local magistrates would offer up to the press, but which the navy would usually reject as seamen.<sup>144</sup> In spite of this, they came to be seen as loyal. 'As the years went by they came to be regarded by the authorities as the king-pins of naval discipline and established their reputation for unswerving loyalty and complete trustworthiness in the troubled decade of the 1790s'.<sup>145</sup> Although they were probably involved in the mutiny at Spithead none were identified amongst its leaders, and Admiral Duncan, at least, thanked them for their role in keeping the mutineers from taking control of his flagship, the *Venerable*, at Yarmouth.<sup>146</sup> After the mutinies, Lord St Vincent ordered that the marines be berthed separately and, it seems, 'did everything to make the discipline of the

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<sup>139</sup> Moulton, *Royal Marines*, p. 27.

<sup>140</sup> Lavery, *Nelson's Navy*, p. 146.

<sup>141</sup> Moulton, *Royal Marines*, p. 25.

<sup>142</sup> Pasley, *Private Sea Journals*, p. 56.

<sup>143</sup> For example, in Hoffman, *A Sailor of King George*, p. 89; and Charles N. Robinson, *The British Tar in Fact and Fiction: The Poetry, Pathos, and Humour of the Sailor's Life* (London: Harper, 1909), p. 301.

<sup>144</sup> N.A.M. Rodger, *The Wooden World: An Anatomy of the Georgian Navy* (London: Fontana, 1988), p. 170.

<sup>145</sup> Marcus, *Heart of Oak*, p. 115.

<sup>146</sup> Moulton, *Royal Marines*, p. 25.

fleet hinge on them'.<sup>147</sup> This assessment contains an element of hyperbole, but he certainly aimed to make the marines more effective by ordering that they be free from other duties and properly paraded and posted as sentries, and that they should be berthed between the commissioned and quarterdeck officers and the other ranks.<sup>148</sup> From one angle, placing the marines as a bulwark against mutiny looks like a clever use of the underlying resentment that the marines probably had at having always been treated as inferior by seamen, but it is as well that it was never subject to a severe test since, as has been pointed out, they knew that they depended absolutely on the seamen for their safety and were therefore likely to be ineffective in stopping mutinies.<sup>149</sup> It may also be true, as Professor Rodger has suggested, that this policy may have had the effect of undermining the authority of the petty officers on board, by dividing the officers from, and setting them against, their natural supporters who would have been the seamen, a division that may have been made more obvious when, in 1802, they were given the appellation of 'Royal'.<sup>150</sup>

There is some ambivalence about what, exactly, the marines did on board. We know that they acted as sentries, that they paraded at punishments, and that they fought as infantrymen on board and ashore. It may be thought that this would set them apart from the rest of the crew, and that 'Not being subject to the same duties or the same dress as sailors' may have made the role more attractive and acted as an aid to recruitment, but many writers insist that they were, at least at times, involved in much more than this.<sup>151</sup> From long before our period soldiers seem to have been used to fill in when seamen were not available: the employment of soldiers from 1653 was 'an expedient to make up for shortage of seamen' and was therefore, understandably, 'highly unpopular with the seamen themselves'.<sup>152</sup> In the early part of the eighteenth century they were conspicuous in the capture of Gibraltar but 'their everyday

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<sup>147</sup> Mathew, *The Naval Heritage*, p. 138.

<sup>148</sup> Moulton, *Royal Marines*, p. 26.

<sup>149</sup> Lavery, *Shipboard Life*, p. 634.

<sup>150</sup> Rodger, *Command of the Ocean*, pp. 452-3.

<sup>151</sup> Bromley, 'The British Navy and its Seamen', p. 153.

<sup>152</sup> Rodger, *Command of the Ocean*, p. 59.

contribution to the Navy was essentially as a source of unskilled manpower for working the ships'.<sup>153</sup> Historians have found plenty of evidence that they were doing much of the unskilled labour on board, perhaps with the afterguard.<sup>154</sup> 'Their work', apart from their soldiering duties, 'was mainly to pull and haul as part of the unskilled workforce of the ship'.<sup>155</sup> As such they would have been working alongside the landsmen, and beaten to work, lumped in with the unskilled, and kept and treated differently from the experienced seamen who knew their jobs in the tops.<sup>156</sup> We also have testimony, from Lieutenant Rotely, on the *Victory* at Trafalgar, that marines were manning the great guns, because he was sent to bring some of them on deck as reinforcements.<sup>157</sup> He goes on: 'In the excitement of the action the marines had thrown off their red jackets and appeared in their check shirts and blue trousers; there was no distinguishing marine from seaman'.<sup>158</sup> The need for them to have practised at the guns suggests that they must have spent at least part of their time out of uniform. In addition, although there was no compulsion for them to become involved in the real seamanship on board, which meant going aloft as opposed to the manual pulling and hauling, they were allowed to if they wanted to and, indeed, they were encouraged to, since the navy always wanted more skilled men.<sup>159</sup>

If it should be thought that this manual labour was only a feature of their life before the changes brought about by St Vincent, before the mutinies and the 'Royal' prefix, and the order that they should not be put to other duties, then it should be noted that at the time of the commissioning of the frigate *Trincomalee* in 1829, some thirty years later, the Royal Marine detachment were amongst the first men on board and, we are told, 'usually ended up doing all the hard work associated with getting up the masts

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<sup>153</sup> *Ibid.*, 211.

<sup>154</sup> Roy and Leslie Adkins, *Jack Tar: Life in Nelson's Navy* (London: Little Brown, 2008), p. 206.

<sup>155</sup> Rodger, *Command of the Ocean*, p. 406.

<sup>156</sup> Rodger, 'Officers and Men', p. 138.

<sup>157</sup> Moulton, *The Royal Marines*, p. 30.

<sup>158</sup> *Ibid.*, p. 31.

<sup>159</sup> Lavery, *Shipboard Life*, p. 207; Rodger, *Command of the Ocean*, p. 406.

and rigging'.<sup>160</sup> Many writers have assumed that the marines, in their everyday attire, looked much like all the other seamen since, in the words of Rodger, they were 'for practical purposes indistinguishable from them, since they wore no uniform at sea'.<sup>161</sup> It has even been suggested that some of the marines' uniforms were locked in the marines' storeroom, to be used only for formal occasions such as going ashore or for welcoming senior officers.<sup>162</sup> Lavery has found evidence that the marines were issued with 'slops', the standard issue clothing sold by the purser to seamen and charged against their wages, 'for working clothes' when not on duty.<sup>163</sup> This is interesting, and quite germane to our study, because of the noticeable presence of marines in our sample of summary punishments on board vessels in Nelson's navy. It may have made a difference to whether or not a marine would be singled out for punishment if he stood out from the crowd. But, while it is possible that they looked much like the rest when off duty at sea, St Vincent gave orders in June 1798 that they should be 'kept constantly at drill while the ship was stationary' and not to have ordinary duties, so that they were likely to be noticeably different from the others.<sup>164</sup> This may be supported by more recent work, unfortunately not yet published, which may suggest that the marines were always in uniform and therefore always distinguishable from seamen.<sup>165</sup>

Almost exactly 30 per cent of the men in our sample who are actually identified in the logs as either seamen or marines were marines. This is a very high total, considering that we have already shown that marines were unlikely to make up more than about a fifth of the men on board. Even though we acknowledge that there may be problems with identifying marines in the logs, with the writers perhaps grouping men together on a page in such a way that the function on board of the man being punished was only registered if it differed from the man above him on the list, there are a lot of

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<sup>160</sup> Andrew Lambert, *Trincomalee: The Last of Nelson's Frigates* (Rochester: Chatham, 2002), p. 46.

<sup>161</sup> Rodger, *Wooden World*, p. 215.

<sup>162</sup> Clayton, *Tars*, p. 19.

<sup>163</sup> Lavery, *Nelson's Navy*, p. 150.

<sup>164</sup> Lavery, *Shipboard Life*, p. 205.

<sup>165</sup> Britt Zerbe is working on a PhD at Exeter at the moment and, in a personal communication, has insisted that the marines were always distinguished from the seamen by their dress.

marines in the punishment lists. Some of our logs gave the strong impression that the status of the man was only given if it was other than a seaman which, perhaps, lends some credibility to our figures.<sup>166</sup> As a total of all the men punished, however, the identified marines made up just over seventeen per cent. This is close to the presumed total of marines on board, but there are then a further 1,329 men, or 27 per cent of the total, who are not identified as either marines or seaman. There is a strong possibility that a proportion of these were marines, and so it seems likely that they featured in the punishment lists proportionately more than their numbers on board, at somewhere between 20 and 30 per cent of the events. It also suggests that they were easily distinguishable from the other men: if it had been otherwise, the 'marine' tag may have been frequently left off the record and we might have expected to see them underrepresented. As it is, we must consider whether this disproportionate appearance in the record is realistic, given their perceived position as volunteers and guardians of discipline on board, as well as whether what they were being punished for differed from the averages.

It does seem as though marines were capable of misbehaving at least as much as the other men on board. Alan Jamieson noted on board his sample of ships from the American War that 'marines offended more often than their percentage of the crew should have warranted', and suggested that it may have been that because of their role in supporting authority on board, 'they were held to stricter rules and were more likely to be punished than seamen'.<sup>167</sup> If they really were easily distinguishable from the other men then this enhanced discipline might, perhaps, have contributed to the frequency of their presence in the punishment lists, but it seems likely that they really were misbehaving, especially when it came to drink. On the *Bellerophon*, chasing the French fleet towards Egypt in 1798, it is reported that the marines were continually causing trouble, two of them and a seaman being punished on the day they sighted Alexandria in

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<sup>166</sup> Examples of this lack of clarity include *Culloden*, ADM 52/2901 and 52/2239, and *Ganges*, ADM 52/2318.

<sup>167</sup> A.G. Jamieson, 'Tyranny of the Lash? Punishment in the Royal Navy during the American War 1776-1783', *The Northern Mariner*, IX, 1 (January 1999), p.64.

the run-up to the Battle of the Nile.<sup>168</sup> Graham Moore punished a marine on the *Melampus* for drunkenness and insolence to his officer and thought that the man was drunk and ‘unrepentant’ even during the punishment.<sup>169</sup> According to the log of the frigate *Shannon*, we are told that over a period of 163 days, ‘all but one of the offences were committed by marines rather than seamen - a common occurrence in other logs’.<sup>170</sup> Even William Robinson records the hanging of two marines in 1811 for throwing an officer overboard, although this was, of course, the result of a court-martial rather than a summary sentence and, even then, he thought it unfair.<sup>171</sup> And even after the wars it seems that marines were noted for their drinking, and that ‘for all their loyalty to their officers (which was very real) ... they always contributed their share - more than their share - to the total tally of floggings’.<sup>172</sup>

Whilst we must agree that they more than held their own in the punishment lists as a whole, this emphasis on alcohol does not show up in our present findings. The total of all the punishments in our sample related to drink amounted to about 30 per cent for the whole ship. If we look at the 847 men identified as marines, then we find that 223 of their offences concerned drink, or a relatively modest 26 per cent. Our marines, it seems, stood their punishment for crimes other than drinking just as much as the seamen.

### **Foreigners**

It is possible to identify other groups of people on board His Majesty’s ships who might have been singled out for different treatment, although evidence for or against their having suffered more or less than their shipmates is sketchy at best, and our particular sample gives very little insight. The logs give no details of the colour of the men being

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<sup>168</sup> Cordingly, *Billy Ruffian*, p. 138.

<sup>169</sup> Wareham, *Frigate Commander*, p. 133.

<sup>170</sup> Tom Wareham, *The Star Captains: Frigate Command in the Napoleonic Wars* (London: Chatham, 2001), p. 223.

<sup>171</sup> Robinson, *Jack Nastyface*, p. 33.

<sup>172</sup> Michael Lewis, *The Navy in Transition 1814-1864: A Social History* (London: Hodder & Stoughton, 1965), p. 167.

punished, for example, although it is common in pictures of life on board to see the occasional black face amongst the men, and Captain Rotheram, of the *Bellerophon*, in about 1806, describes fifteen of his men as, variously, 'Negro', originating from Grenada, Jamaica, Barbados or Salem; 'Mustee', from Santa Cruz; 'Sambo', from Maryland and South Carolina; and 'Gentoo', from Bengal.<sup>173</sup> There is no suggestion that these men would have been treated any differently from any others in the British navy, although the potential was there, and colour seems to have been a factor aboard some contemporary ships. It seems, for example, that on merchant vessels out of Salem in the early nineteenth century black seamen accounted for fourteen per cent of the totals carried but for 35 per cent of recorded punishments from logs and district court records.<sup>174</sup>

Similarly, a number of the men carried were different because they were foreigners, although this is also not recorded in the logs and so could only be guessed from the names. Various estimates have been made as to the proportion of foreigners on board, from about ten percent to at least fourteen per cent.<sup>175</sup> Sixteen of the 108 men on the *Danae* whose details were listed were foreign, or fifteen per cent, including six Americans.<sup>176</sup> In fact, quite a number of the foreigners in the navy were American, and the difficulties that led to this situation and the resulting tensions between England and the United States has been well chronicled elsewhere.<sup>177</sup> One estimate is that 2,059 men were impressed from American ships during the wars, and another 351 from on land in the West Indies, of whom fewer than 200 were British subjects and would therefore be legitimate targets for the press.<sup>178</sup> Captain Byam Martin counted 28 Americans and 55 other foreigners amongst his crew on the *Implacable*, also about fifteen per cent,

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<sup>173</sup> National Maritime Museum, Greenwich, LBK/38. Edward Rotheram, *The Letters of Captain Rotheram, 1799-1830*.

<sup>174</sup> Daniel Vickers with Vince Walsh, *Young Men and the Sea: Yankee Seafarers in the Age of Sail* (New Haven: Yale University Press, 2005), p. 240.

<sup>175</sup> Manwaring and Dobrée, *Floating Republic*, p. 17; Bromley, 'The British Navy', p. 155.

<sup>176</sup> Pope, *The Devil Himself*, p. 68.

<sup>177</sup> For example, in Rodger, *Command of the Ocean*, pp. 565-72.

<sup>178</sup> Charles P. Kindleberger, *Mariners and Markets* (Hemel Hempstead, Harvester Wheatsheaf, 1992), p. 17.

although a count of the foreigners on board the British fleet of 33 ships present at Trafalgar puts the total at 1,482 born outside Britain and Ireland, out of a total of just under 21,500, or under six per cent.<sup>179</sup> In our sample from the logs of the time there are some apparent foreigners, but no obvious patterns emerge. As pointed out earlier, the researcher could get the impression that there were large numbers of Irishmen in the lists of those being punished, but the eventual proportion of apparently Irish names was quite low. In the case of foreign-sounding names there are very few and, from the logs alone, no real indication can be obtained that they were really from outside Britain: George Lefoubierre and John Boudin could be French but were partly anglicised; Anthony de Castro and Michael Dacosta could be Latins; John Heile could be an anglicised German name; and Ludovik Christman could be Scandinavian; but no definite conclusions can be made. One man called Luigi Lizari was punished at least eight times on the bomb *Thunder* for a range of drink-related offences but, since the authorities tried a range of remedies, either flogging or having his grog stopped or halved, and the punishments continued under two captains in our sample, this would seem to have been a response to a real failure to conform rather than any victimisation of a foreigner.<sup>180</sup>

### **Criminals**

It has been said that the navy in wartime was manned largely from the criminal fraternity and, if this were true, it would suggest that a lot of the punishment was a response to the presence on board of men prone to antisocial behaviour. Our commentator from Edwardian England, John Masefield, considered that, of the men manning the fleet, ‘the greater number came unwillingly, by the imprest or quota, or from my Lord Mayor’.<sup>181</sup> The pressed men would, naturally, be mainly seamen, but the Quota and the mayors’ men would, by implication, have been the undesirables from the counties or from the jails. Many respectable historians have followed this line, concluding that the navy had

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<sup>179</sup> Kennedy, *Nelson and His Captains*, p. 11; Rodger, *Command of the Ocean*, p. 498.

<sup>180</sup> *Thunder*, ADM 51/1712, 52/3801, 13.4.1807; 51/1851, 20.4.1808, 5.5.1808, 21.6.1808, 27.7.1808, 17.9.1808. Unfortunately, ADM 51/1851 is not matched by a master’s log, so that Luigi Lizari only appears once in our 5,000 events, but he is distinguished as providing the only examples of grog being stopped recorded in our sample.

<sup>181</sup> Masefield, *Sea Life*, p. 122.



to take almost anyone, and often citing the Quota Acts as the cause. As a result of the Quota Acts, we are told, ‘the county authorities, in consultation with the justices of the peace, were soon reducing the sentences of men already in jail providing they would “volunteer” for the Quota, and transgressors about to be sentenced were given the option: go to sea or go to jail’, which suggests that there was a flood of criminals into the navy from 1795.<sup>182</sup> The two Quota Acts of 1795 became a ‘sort of minor gaol-delivery’, but made even worse, since someone sent to the navy could pay someone else to be a substitute, so that the navy would actually receive a recruit of an even lower quality.<sup>183</sup> It certainly seems that this view of the navy was held by some contemporary writers. William Dillon thought that Pitt’s Quota Acts of March and April 1795 succeeded in getting enough men but, otherwise, ‘the result was disastrous’, resulting in ‘a local gaol clearance’.<sup>184</sup> We are told that ‘In a man-of war’, according to Commodore Edward Thompson, ‘you have the collected filth of jails: there is not a vice committed on shore that is not practised here’.<sup>185</sup> One instance was recorded ‘in the public journals of the period’ that a ‘James Thompson, who, having been *capitally* convicted at the Old Bailey for felony and piracy, was respited on condition that he served in the Navy so long as his services were there required’.<sup>186</sup> Later, in the Victorian period, it was said that ‘Criminals whose offences were not very great ... were at this time constantly permitted to escape trial, by enlisting in it ... men from every walk of life, who, through want of capacity or want of character, had found other careers closed to them, poured steadily into it’.<sup>187</sup> It was also thought that ‘so many vagabonds - frequently the sweepings of our gaols - were thus introduced into our Navy, that various writers of the period were of the opinion that the scheme was in a great measure the cause of the mutiny at the Nore, which subsequently brought so much disgrace upon the British fleet’.<sup>188</sup>

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<sup>182</sup> Pope, *Life in Nelson’s Navy*, p. 104.

<sup>183</sup> Lewis, *A Social History*, p. 118.

<sup>184</sup> Dillon, *Narrative*, I, p. 174.

<sup>185</sup> Recorded in Kennedy, *Nelson and his Captains*, p. 12.

<sup>186</sup> W.S. Lindsay, *Manning the Royal Navy & Merchant Marine; also Belligerent and Neutral Rights in the Event of War* (London: Pewtress & Co., 1877), p. 23.

<sup>187</sup> Lecky, *A History of Ireland*, Vol. IV, p. 173.

<sup>188</sup> Lindsay, *Manning the Royal Navy*, p. 23.

More recently this view of the navy as having been manned by the sweepings of the jails has been challenged, partly by the suggestion that, if there were criminals being sent to the navy, they were only minor criminals. We have Professor Rodger's assertion that the only criminals accepted for service at sea during the Seven Years' War were smugglers, who were seen as good seamen, or debtors, who would be seen as no threat to life on board.<sup>189</sup> It is, he says, an 'aspect of the English naval myth' that the navy helped to purge society of its undesirables: the Quota Acts 'explicitly excluded' criminals and vagrants, and there is 'no evidence at all of the criminals or educated troublemakers often alleged to have been recruited by these acts'.<sup>190</sup> Even some contemporary opinion supported this view, with Admiral Byam Martin writing that the impression that the navy was 'a place for the worthless of every class', including criminals, was wrong.<sup>191</sup> After an attempt by the authorities in 1770 to have a number of felons pardoned if they would join the navy the Admiralty asked 'for this experiment not to be repeated, turned down offers from the jailkeeper at Gloucester, and reprimanded a captain for accepting such a deal at Yarmouth'.<sup>192</sup> It is pointed out that many of the men taken into the navy may have 'spent a night or two behind lock and key', but only for minor offences.<sup>193</sup> James Thompson's case, mentioned above, may, of course, have been the exception to the rule, since his experience of piracy may have shown his suitability for service at sea rather than his potential liability on board. It seems that it was not unusual for individual men to be freed from gaol as the result of petitions by their officers, or even by themselves, an example being six seamen arrested for riot in Ipswich in 1793; and the Home Office seems to have been quite happy to endorse this sort of enlistment.<sup>194</sup> As a comparison, since the Quota Acts also dealt with recruiting for land

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<sup>189</sup> Rodger, *Wooden World*, p. 170-1.

<sup>190</sup> Rodger, *Command of the Ocean*, pp. 397, 443.

<sup>191</sup> Admiral Sir Thomas Byam Martin, G.C.B., 'Impressment of seamen, etc., Taken from the Private Memoranda of a Naval Officer', in J.S. Bromley, (ed.), *The Manning of the Royal Navy: Selected Public Pamphlets 1693-1873* (London: NRS, 1974), p. 185.

<sup>192</sup> J.S. Bromley, 'The British Navy and its Seamen after 1688', p. 153.

<sup>193</sup> *Ibid.*

<sup>194</sup> Clive Emsley, 'The Recruitment of Petty Offenders during the French Wars 1793-1815', *MM*, 66 (1980), p. 199.

forces, it seems that most soldiers also, despite their high levels of ‘disorder and protest’, were not criminal types, but were ‘broadly representative of their age and class cohorts within the home population’.<sup>195</sup>

This debate is not over, however. Marcus Eder strongly disagrees, saying that ‘Opinions that the navy accepted no social outcasts or even criminals are ... unfounded.’<sup>196</sup> He lists a number of people who were pardoned on condition of their joining the navy, marines or army during the Seven Years’ War, which demonstrates that at least some men escaped punishment by joining the armed forces, but the totals he gives amount to only a few dozen and, again, some of them were pirates, who may be considered as useful recruits.<sup>197</sup> He also cites a contemporary source as stating that ‘a great many idle men and lads are taken into the Sea and Land Service during a War, so we find the gangs of robbers soon broken’, an impression not supported by the numbers, since the net effect on prosecutions at the Old Bailey from this drain on criminals is, although measurable, again only moderate.<sup>198</sup> He refers to Clive Emsley’s analysis of petty offenders in the navy, from a study of eight borough and 36 county sessions during the war, which demonstrated that offenders had, in fact, been sent to sea.<sup>199</sup> But Emsley concluded that ‘The small number of convicted petty offenders sent into the armed forces during the wars hardly suggests that such recruitment could have had any effect on crime figures’.<sup>200</sup>

It must also be considered that even convicted thieves would think twice about offending under threat from the sanctions available on board ship. Some 417 of the punishments in our sample cite ‘theft’ as one of the charges against the man and, although we do not know the details of many of the crimes, the penalties suggest that it

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<sup>195</sup> Colley, *Captives*, p. 334.

<sup>196</sup> Marcus Eder, *Crime and Punishment in the Royal Navy of the Seven Years’ War, 1755-1763* (Aldershot: Ashgate, 2004), p. 151.

<sup>197</sup> *Ibid.*, p. 39.

<sup>198</sup> *Ibid.*, p. 40.

<sup>199</sup> Emsley, ‘The Recruitment of Petty Offenders’, p. 200.

<sup>200</sup> *Ibid.*, p. 206.

was taken very seriously. All but three of the instances of men having to run the gauntlet involved theft and, of the other three, two were for sodomy and one for fraud.<sup>201</sup> The number of lashes given in the floggings seem severe, with two, three and four dozen regularly appearing in the logs for this offence, one of five dozen, and one of 65 lashes for a repeat offender, Thomas Cooper, on the *Edgar* in 1801.<sup>202</sup> There are many other instances of dishonesty in our figures, mainly involving the men selling their clothes or equipment, or ‘embezzlement’ but, even when the latter was ‘for embezzling Boatswain stores’, the punishment was fairly light, at 24 lashes.<sup>203</sup> With few other examples of what embezzlement comprised we can draw no strong conclusions from this, but it leaves the suggestion that theft on board was something of such grave concern to the authorities that it outstripped their concern for ship’s stores or for the men converting their equipment and potentially compromising their efficiency. The strength of their reaction confirms the idea that they would resist, for the good of the morale of the service, manning their ships with criminals.

### **Repeat Offenders**

One group among the men in the ships in our sample who had the potential to be important to this study, but who were in most respects indistinguishable from the mass of their shipmates, were the recidivists, those men who were repeatedly punished. It was stated at the time that most of the punishments issued in the navy were collected by only a very few men.<sup>204</sup> If this were really true, then it would argue strongly against William Robinson’s claim that so many of the men were being punished without being aware of what they had done wrong.

In this sample, 1,103 of the 4930 punishment events, or 22.4 per cent, involved a recidivist. This involved 467 men, most of whom were punished twice which, given that about one man in ten in the sample was punished each year, is hardly surprising. Only

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<sup>201</sup> See Chapter 4, p. 103.

<sup>202</sup> *Edgar*, ADM 51/1415, 23.10.1801.

<sup>203</sup> *Nereide*, ADM 51/1941, 25.4.1807.

<sup>204</sup> Sir Charles Penrose, in Richard Blake, *Evangelicals in the Royal Navy 1775-1815: Blue Lights and Psalm-Singers* (Woodbridge: Boydell, 2008), p. 170.

111 men were punished more than twice, and in almost all of these cases most of the punishments concerned drunkenness. Richard Tullock was punished twice on the *Culloden* for drunkenness, once for neglect of duty and a fourth time for being absent from the boat on shore duty.<sup>205</sup> Thomas Nicholson of the *Nereide* was beaten five times for drunkenness, drunkenness on duty or neglect of duty.<sup>206</sup> Stephen Sartin, a marine on the *Blanche*, appeared six times: four times for being drunk, once for disobeying orders and once for 'Breach of Trust'.<sup>207</sup> Sartin also served on the *Queen*, where he was again flogged once for disobeying orders and for gambling.<sup>208</sup> This pattern, of repeated drunkenness mixed with an occasional absence or neglect accounts for almost all of the recidivism. The remainder also tend to be repetitions of the same offences. The name John Robinson appears six times on the logs of the *Hyperion*: once for theft, twice for selling his clothes, and once each for uncleanness, fighting and neglect of duty, although with such a relatively common name we cannot be sure that it was the same man each time.<sup>209</sup> We are on safer ground, however, with Edward Walsh, of the *Nereide*, who was punished three times for dirtiness, and once for being drunk.<sup>210</sup>

It seems clear that most of the misbehaviour was not caused by a small group of men, but that there *were* a few incorrigible drunks or sloppy sailors and marines who would appear repeatedly in the records. This pattern, in which most of the men punished appeared at the gratings once, or at most twice, combined with the evidence that we have already seen that the most common offences were to do with negligence and disobedience, gives some force to Robinson's claim that a lot of punishments were for inadvertent transgressions.<sup>211</sup>

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<sup>205</sup> *Culloden*, ADM 51/221, 52/2230, 52/2239.

<sup>206</sup> *Nereide*, ADM 51/1941.

<sup>207</sup> *Blanche*, ADM 51/95, 51/112.

<sup>208</sup> *Queen*, ADM 51/1147.

<sup>209</sup> *Hyperion*, ADM 51/1964, 51/2452.

<sup>210</sup> *Nereide*, ADM 51/1941.

<sup>211</sup> See Chapter 6, p. 140.

## **Conclusion**

Overall, then, our study has, if anything, argued against some of the myths about who was punishing and who was being punished on board the navy's ships during the wars. Regimes varied from captain to captain, as well as by captain across time, and reputations did not necessarily match reality. There is some evidence that the age and experience of the captains may have had an influence on how much punishment they needed to give out, with the rates falling as they mellowed with age, but more data need to be gathered to settle this point. We cannot either confirm or deny the stories that topmen, some of the most skilled of the crew, whose quality and speed of work was seen to reflect that of the ship in the eyes of other captains, were being singled out for cruel treatment. We can, however, infer from the absence of any positive evidence that this was unlikely to have been prevalent. Our findings support the suggestions from other writers that marines, whilst representing discipline and order on board, paradoxically received more than their share of the summary punishments dealt out, although it is possible that, rather than their committing a greater proportion of the offences, their position meant that they were more likely to be punished if caught. We do not, however, find that they were more prone to drunkenness than the rest of the crew, but that they were guilty of the same range of offences. Nor were the Irishmen, as identified in our sample, any more prone to committing alcohol-related offences than any other men, so that there is no sign of their having been discriminated against. And William Robinson's claim that 'nineteen out of twenty men that are punished, suffer without being conscious that they have violated any law' may be an exaggeration, but in it there may well be an element of truth.<sup>212</sup>

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<sup>212</sup> Robinson, *Jack Nastyface*, p. 150.

## Chapter 8: Patterns: Time and Place

Among the types of information that we have about the punishment events in our sample are details of when and where they occurred. Timing could potentially have had an important effect on the amount of punishment inflicted on the men, either because the way they behaved was affected by differences between seasons, over time or by their attitudes to weekends, or because of the authorities' attitudes towards when punishment should take place. Similarly, the rates of punishment are likely to have been affected by where the ships were at the time, either in terms of what station they were on or whether at sea or in port. If we can identify any patterns in these aspects of our sample it could give us more insight into how rationally or randomly summary punishment was being administered during this period.

### Change over Time

Many writers see changes over time in the discipline as practiced in the Georgian navy, and it has even been suggested that it is possible to trace a steady increase in harshness all the way from the 1650s, when the tone was what has been described as a 'brisk paternalism', with rates increasing from the Restoration onwards.<sup>1</sup> Some would link a rise in brutality in the modern era to the rise of capitalism, but this would apply more to the merchant service than to the military and, as has been pointed out, brutality at sea was not a modern invention but can be demonstrated to have existed as early as the ninth and tenth centuries.<sup>2</sup> But sometimes what they have observed is speculative and contradictory. Naturally, changes in the way the navy was run were likely to have had an effect on punishments, and in the navy of the eighteenth century such changes were certainly taking place and corresponding effects have been noted. The huge expansion in numbers of men during the French wars has also been seen as affecting the regimes on board, as have specific events in those wars, such as the mutinies of 1797 and the

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<sup>1</sup> Peter Earle, *Sailors: Merchant Seamen 1650-1775* (London: Methuen, 1998), p. 146.

<sup>2</sup> Marcus Rediker, *Between the Devil and the Deep Blue Sea: Merchant Seamen, Pirates, and the Anglo-American Maritime World, 1700-1750* (Cambridge: CUP, 1993), passim; Charles P. Kindleberger, *Mariners and Markets* (Hemel Hempstead, Harvester Wheatsheaf, 1992), p. 47.

watershed of the Battle of Trafalgar. Change continued after the wars as the country reverted to a generally peaceful condition, but it was not until well into the second half of the nineteenth century that a perceived post-war harshness began to die out, as the navy became increasingly technically-based and needed a better quality of men.<sup>3</sup>

It is a commonplace that discipline became more severe as the eighteenth century progressed. From the perspective of the late nineteenth century it had become 'even more savage' by 1740 than it had been in the seventeenth.<sup>4</sup> This Victorian witness goes on to say that 'The early half of the eighteenth century was a particularly brutal time ... [T]here had come into England some of the callous barbarism produced in Germany by the Thirty Years' War, and the sea life had been hardened along with the rest'.<sup>5</sup> G.J. Marcus considered that early in the century it could be harsh under some individual commanders but that overall it was generally exaggerated, and gives two examples of punishment rates from 1759.<sup>6</sup> The *Juno* frigate had only about eight floggings of twelve lashes each during this year and although the *Hercules* had more, that could have been explained by the quality of the crew rather than the severity of the captain. Marcus concluded that there was 'certainly' an increase in severity over the course of the century, but he seems to have based this not upon any consideration of the regimes as a whole but on an increase in the sentences handed out by courts martial. During the reign of Queen Anne they were normally around 50 lashes, but by that of George III they had escalated and were usually of 2-300.<sup>7</sup> These figures do not, of course, reflect the day-to-day discipline and the summary punishment that Jack Nastyface later complained about, and so we cannot come to any conclusions about conditions generally on the basis of them. John Byrn also considered that there was more emphasis on discipline by the end

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<sup>3</sup> Eugene Rasor, *Reform in the Royal Navy: A Social History of the Lower Deck 1850-1880* (Hamden: Archon Books, 1976), p.19.

<sup>4</sup> David Hannay, *Life of Tobias George Smollet* (London: Walter Scott, 1887), p. 30.

<sup>5</sup> *Ibid.*

<sup>6</sup> G.J. Marcus, *Heart of Oak: A Survey of British Sea Power in the Georgian Era* (London: OUP, 1975), p. 117.

<sup>7</sup> *Ibid.*



of the century as a result of the navy becoming more centralised.<sup>8</sup> Professor Rodger has touched on this subject several times. He considered that discipline had become harsher during the eighteenth century and that there were ‘probably’ more floggings by captains, and he put this down to three causes: to a rise in class consciousness over the period; to the increasing tendency for the Admiralty to exercise control over recruitment and manning; and to the dilution of seamen during the wars, pointing out that by 1805 two-thirds of the crews were landsmen.<sup>9</sup> As class consciousness developed, he reasoned, there was a general breaking down of the patrician system, and fear inspired by the French Revolution and the mutinies led to suspicion and more severe punishments, both judicial and summary.<sup>10</sup> In the middle of the century individual captains had had considerable freedom in manning their ships, often expecting that their crews would follow them from ship to ship, but as the allocation of crews became more and more controlled by the Admiralty so the officers became more remote from their people, resulting in harsher punishment regimes.<sup>11</sup> When, exactly, this transformation occurred is not clear. The Admiralty reforms started as early as 1727, and the *Regulations and Instructions* which were aimed at establishing better financial and administrative control were issued in 1731.<sup>12</sup> It has been said, however, that there is no evidence that the navy of the American Revolutionary War was any more strict than that of the middle of the century, yet that by the 1790s the ‘relatively ordered world of the Seven Years’ War’ had given way to a navy with something of a morale problem.<sup>13</sup>

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<sup>8</sup> John D. Byrn, *Crime and Punishment in the Royal Navy: discipline on the Leeward Islands station 1784-1812* (Aldershot: Scolar Press, 1989), p. 185.

<sup>9</sup> N.A.M. Rodger, *The Wooden World: An Anatomy of the Georgian Navy* (London: Fontana, 1988), p. 12; N.A.M. Rodger, ‘Officers and Men’ in John B. Hattendorf, (ed.), *Maritime History, Volume 2: The Eighteenth Century and the Classic Age of Sail* (Malabar: Krieger, 1997), p. 139; N.A.M. Rodger, ‘Shipboard Life in the Georgian Navy, 1750-1800: The Decline of the Old Order?’ in Lewis R. Fischer, Harald Hamre, Poul Holm and Jaap R. Bruijn, (eds.), *The North Sea: Twelve Essays on Social History of Maritime Labour* (Stavanger: Stavanger Maritime Museum, 1992), p. 33.

<sup>10</sup> Rodger, ‘Shipboard Life’, pp. 32-3.

<sup>11</sup> Rodger, ‘Officers and Men’, pp. 139-40.

<sup>12</sup> H.W. Dickinson, *Educating the Royal Navy; Eighteenth- and nineteenth-century education for officers* (London: Routledge, 2007), p. 13.

<sup>13</sup> Jamieson, ‘Tyranny of the Lash? Punishment in the Royal Navy during the American War, 1776-1783’, *The Northern Mariner*, IX, No. 1 (January 1999), p. 64; Brian Lavery, *Shipboard Life and Organisation 1731-1815* (Aldershot: Ashgate, 1998), p. xiv.

The question of class has already been mentioned, and the subject surfaces quite often, but there is no absolute consensus on what, exactly, was the result of any change in the backgrounds of the officers over time. A greater proportion of naval officers were coming from the middle classes, rather than being from the aristocracy, during the course of the century. In one view, the aristocrats and tarpaulins were being replaced by better, more thoughtful, men.<sup>14</sup> Another viewpoint is that, since the men tended to regard their officers as to some extent parental, and discipline and physical pain were a part of raising children, especially boys, they preferred to be governed by aristocrats who were more used to giving orders.<sup>15</sup> Oddly, in that it counters this trend away from aristocratic officers, in one view it seems that the navy may have attracted more and more aristocratic recruits as the French Wars went on, from which we might conclude that a lighter, more sure-footed discipline would have been needed.<sup>16</sup> In another, dating from the very end of the nineteenth century, there were signs of ‘deterioration’ in the navy during the wars, although no reason for this is put forward, with the officers becoming more tyrannical and the men more sullen, and giving the writer a possible reason for the poor performance and losses in the American war of 1812.<sup>17</sup> Half a century later we are presented with a completely different picture of how the navy had changed during the war, with a ‘humanising note’ having been introduced by the need for officers and men to spend so much time together on blockade.<sup>18</sup>

So it is not clear whether discipline became harsher or more lenient over the period of the wars, just as there is no real consensus about the effects of major events during their course. It is a common opinion that the mutinies at Spithead and the Nore in 1797 changed the nature of punishment, but it is evidently not clear in what ways. They resulted in making it, in one opinion, less violent and unjust and more purposeful; and in

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<sup>14</sup> Ludovik Kennedy, *Nelson and His Captains* (London: Fontana, 1976), p. 15

<sup>15</sup> Margarete Lincoln, *Representing the Royal Navy: British Sea Power, 1750-1815* (Aldershot: Ashgate, 2002), pp. 26, 32.

<sup>16</sup> Tom Wareham, *The Star Captains: Frigate Command in the Napoleonic Wars* (Rochester: Chatham, 2001), p. 209.

<sup>17</sup> H.W. Wilson, ‘Discipline in the Old Navy’, *Macmillan’s Magazine*, Vol. LXXVII, May to October, 1898, p. 100.

<sup>18</sup> David Mathew, *The Naval Heritage* (London: Collins, 1945), p. 158.

another inspiring ‘a new care’ for the men.<sup>19</sup> In another view, however, ‘attitudes hardened’ after the mutinies.<sup>20</sup> Similarly, there is an assumption that discipline became ‘more benign’ after Trafalgar as everyone involved shared a confidence resulting from their achievements.<sup>21</sup> In our logs there is little evidence of any change. There is a slight suggestion that the average number of lashes per flogging increased, but it is hardly significant.

It is interesting, also, to discover that discipline did not seem to become any less harsh after the French wars were over. One assessment is that it became harsher because if a captain showed any weakness, or his ship any indiscipline, then in the reduced post-war navy he risked being back ‘on the beach’ on half pay.<sup>22</sup> Looking back to 1852, to his time on the *Albion*, Admiral Sloane-Stanley recalled that ‘there was hardly a week in which some crew members did not undergo three or four dozen lashes’, although by the late 1860s it had almost completely died out.<sup>23</sup> This does call into question the Admiral’s veracity since the Admiralty had already, in 1830, made the giving of more than two dozen without sanction from a court martial illegal as a response to increasingly harsh discipline.<sup>24</sup> But there is other eye-witness evidence for the suggestion that the captains did not find themselves bound by this rule. William Kennedy only joined up on 10 December 1851, over twenty years after the limit was imposed, and reported that he had seen ‘half a launch’s crew receive forty-eight lashes for drunkenness, and the gunroom steward who supplied them with grog was served the same way’.<sup>25</sup> The reason that it had died out by the late 1860s was a series of Discipline Acts between 1860 and 1866 which were specifically designed to eradicate corporal punishments.<sup>26</sup>

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<sup>19</sup> Lincoln, *Representing the Royal Navy*, p. 26; Mathew, *The Naval Heritage*, p. 158.

<sup>20</sup> Roger Knight, *The Pursuit of Victory: The Life and Achievement of Horatio Nelson* (London: Allen Lane, 2007), p. 103.

<sup>21</sup> Lavery, *Shipboard Life*, p. xiv.

<sup>22</sup> Peter Kemp, *The British Sailor: A Social History of the Lower Deck* (London: J.M. Dent, 1970), p. 189.

<sup>23</sup> S.E. Ellacott, *The Seaman: Book 2* (London: Abelard-Schuman, 1970), pp. 89, 123.

<sup>24</sup> Kemp, *British Sailor*, p. 191.

<sup>25</sup> Vice Admiral Sir William Kennedy, K.C.B., *Hurrah for the Life of a Sailor! Fifty Years in the Royal Navy* (Edinburgh and London: William Blackwood and Sons, 1900), p. 13

<sup>26</sup> Dickinson, *Educating the Navy*, p. 13.

## Season

There is little in the literature to suggest that the season of the year would have been an important factor in the behaviour of the men, or in the authorities' reactions to it, apart from in the West Indies, where the seasons certainly have been thought to be an important factor. During the winter the islands were comparatively safe, but from April onwards the rains began, 'the sickly season started', and the following month the hurricane season began.<sup>27</sup> The sickly season started because the rain brought with it the mosquito, as well as the accompanying malaria parasite and the even more deadly yellow fever virus, although it would be another century before it was clearly understood that the one was the vector for the other two.<sup>28</sup> And the sickly season was long: as we have already seen, in 1796 the *Queen* was still losing men on an almost daily basis to fever as late as October.<sup>29</sup> Over the winter this rate dropped to only one or two deaths a month and, the following year, no-one seems to have died on the ship at all during December and most of January.<sup>30</sup> By late July, however, 'all major operations in the West Indies' were halted by the hurricane season, and ships were forced to take shelter in the islands, or to sail up the North American coast to Nova Scotia or Newfoundland.<sup>31</sup> A combination of the inactivity and disease aboard the ships that stayed in the area could have put a huge strain on the men and it would, perhaps, have been understandable if tempers had frayed and behaviour had deteriorated. Examples from the records that suggest that behaviour in the West Indies was affected by the seasons generally are, however, ambivalent. As a young captain, Nelson spent some time in the second half of 1784 tied up in English Harbour in Antigua waiting for the hurricane season to pass. In this three-year commission he flogged over a quarter of the men who served on board, representing nearly half of the complement of the *Boreas*, and most of these

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<sup>27</sup> Tim Clayton, *Tars: The Men who made Britain Rule the Waves* (London: Hodder & Stoughton, 2007), p. 209.

<sup>28</sup> Mark Honigsbaum, *The Fever Trail: In Search of the Cure for Malaria* (London: Macmillan, 2002), pp. 51, 216.

<sup>29</sup> *Queen*, ADM 51/1178.

<sup>30</sup> *Ibid*; *Queen*, ADM 51/1233.

<sup>31</sup> Andrew Lambert, *Admirals: The Naval Commanders who Made Britain Great* (London: Faber and Faber, 2008), p. 164.

punishments were in the hurricane months of August and September, which could be seen, and has been suggested, as demonstrating that the season was a factor in this uncharacteristically, for him, harsh regime.<sup>32</sup> Alternatively, it could be questioned whether this surge in punishment should be ascribed to the misbehaviour of the men, or to the disposition of the captain. He was still a young man in his twenties, and ‘it seems that his tolerance was additionally eroded by frequent illness, professional frustration and the stresses of continual battle with authority’, and that ‘he hated Antigua and Barbados’.<sup>33</sup>

Interestingly, the results from our sample do not bear out any suggestion that there was a bias towards more punishments during the summer months in the West Indies. Nine of our ships spent some time in the western sector during the period covered by our logs: four frigates, four third-rates and the second-rate *Queen*. An early query of the data, by season, gave us the almost perverse result that there were actually *fewer* punishments during the summer than at any other time of the year. Of the 1,083 (of 5,000) summary punishments in our sample that were given on board ships in the western sector, only 204 were administered during the summer, or 18.8 per cent, as against 26.2 per cent during the autumn, 29.3 per cent in the spring and 25.7 per cent during the winter. Naturally, in light of the assumptions about the seasonal effects on behaviour in the region, the researcher would be suspicious of these figures. The periods that these ships spent on the station would vary, and it may be that they would avoid it during these times, especially as we have already noted that there was an increased danger in staying in the area during the summer months. In that case there would be a bias in our sample in favour of the presence of ships in the area during the non-hurricane period, and we could not expect the whole year to be accurately represented.

A more detailed analysis of when the ships were present in the area, however, shows a consistency which is a compliment to the navy’s persistence in keeping the station under supervision throughout the period from the end of the American

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<sup>32</sup> John Sugden, *Nelson: A Dream of Glory* (London: Jonathan Cape, 2004), p. 356.

<sup>33</sup> *Ibid.*, p. 357.

Revolutionary War to the end of the French wars, reflecting their importance, particularly since the loss of the North American colonies. From the logs we have used we have, remarkably, information from our nine ships which consistently covers every month of the year in the region. For each month of the year during our period, between fourteen and nineteen separate logs are available, totalling 198 months of ship time. Not every year of our period is covered, unfortunately, but do we have evidence for all but four of the years between 1789 and 1808. The frigates in our sample spent more time in the area than ships of the line, and so there is a bias towards them of 123 ship-months as opposed to 75 months for second and third rates. This may skew the figures a little, since the frigates would almost certainly have spent proportionally more of their time cruising abroad than the heavier ships and, consequently, it could be argued that their crews would have been more occupied, less exposed to fever and less prone to discontent. We cannot make allowance for whether each ship was consistently active or not; nor can assumptions be made about the effects on discipline of activity or the lack of it. What we *can* say is that for every month of the year, for most of the years between 1789 and 1808, we have records for consistent numbers of ships, and not only for the total number of ships, but also for each of the three classes. So, we have between nine and eleven logbooks that cover frigates for each of the twelve months of the year; we have between three and five logbooks for third-rates for each of the twelve months; and we have either two or three logs from the *Queen* for every month spent in the area. The same counts for the other theatres in which our sample of ships served: there is no bias towards any season.

This gives the results of our query on seasonality a considerable amount of validity, and we can have confidence in them. The results of an analysis of punishment rates in the four stations we have used are shown in Table 8.1 (below). This takes the totals of punishment events on each station and notes the percentage that occurred in each season. As can be seen, in our sample as a whole there is, in fact, a slight increase in punishment during the summer and autumn, but the patterns on the individual stations differ widely. On the Eastern and Mediterranean stations there were, indeed, more events during the summer and autumn. In the Far East the hurricane season is from

November to March, when punishments were at their lowest in our sample, although this is based only on two ships.<sup>34</sup> But for the Home station the worst season was the winter, and for the ships based in the West it was the spring, with the summer on western stations showing the smallest proportion of all.

**Table 8.1: Percentage of punishments occurring in each season, by station and in total.**

|                     | <i>Spring</i> | <i>Summer</i> | <i>Autumn</i> | <i>Winter</i> |
|---------------------|---------------|---------------|---------------|---------------|
| East                | 23.5          | 30.0          | 28.1          | 18.5          |
| Home                | 20.6          | 26.6          | 24.3          | 28.4          |
| Mediterranean       | 21.6          | 31.0          | 27.3          | 20.0          |
| West                | 29.3          | 18.8          | 26.2          | 25.7          |
| <b>Total Sample</b> | 23            | 26.2          | 25.7          | 25            |

**Source: TNA, Captains' and Masters' Logs, Series ADM 51 and 52**

It is hard to account for this. The explanation that ships may have retreated to Canada does not work for two reasons. In the first place, only one of our ships, the frigate *Phaeton*, made a voyage to Canada, and it lasted ten months, which is too short a time to have any effect on the figures, and too long to be explained as a seasonal retreat from the weather. Two others, the *Nereide* frigate and the *Ardent* (64), visited South America for nineteen months and fourteen months respectively, but these, too, are insignificant amongst the 198 months' worth of data, and not seasonal. In any case, there is no reason to think that punishment in these areas would be so low in the summer months as to have such a huge effect.

It would seem that there is no apparent seasonal effect in punishment. There are variations between seasons in different locations but these seem very random. Not only

<sup>34</sup> Stephen Taylor, *Storm and Conquest: The Battle for the Indian Ocean, 1809* (London: Faber and Faber, 2007), p. 47.

is the one effect that we expected to see, an increase in the numbers of offences during the hurricane season in the West Indies, absent but, if anything, the effect seems to be the exact opposite. Taking all the areas together, the results would seem to suggest that punishments were evenly spread across the year.

### **Day of the Week**

While we are considering the timing of punishments, we should also consider whether the day of the week could have been an influence. After all, we have already heard of the comment from one foreign officer that it was understood that most of the English crews would be drunk on a Saturday night. It makes some sense, then, that the resulting punishments should show up over the following week, giving us a peak of punishment sometime during the first few days, perhaps Monday, Tuesday or even Wednesday. A finding of this sort would be useful to our project, in that it would add to the case against the accusation that punishments were random, because many of them were part of a measured response to weekend misbehaviour. Another pattern that we might expect to see, related to the days of the week, is fewer events taking place on Sundays. Sunday was seen as special, a day of religious observance in some ships, or when men were allowed to visit other ships while at anchor in others, and ‘no work going on on that day’, so that a wise captain might try to avoid tainting it with something as unpleasant as a flogging.<sup>35</sup> In one contemporary view it was always a good idea to ‘mark’ Sundays, leaving unnecessary tasks to Monday, as ‘it calms and soothes the minds of the ship’s company’.<sup>36</sup> It is likely that many people also saw any punishment on the Sabbath as a profanation. It is often mentioned in the literature that when Lord St Vincent ordered four men found guilty of conspiracy on board the *St George* to be hanged on a Sunday in July 1797, just after the mutinies, Vice-Admiral Charles Thompson, who was his second

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<sup>35</sup> W.H Dillon, *A narrative of my professional adventures (1790-1839) by Sir William Henry Dillon, K.C.H., Vice-Admiral of the Red*, (M.A. Lewis, ed.), Vol. I (London: NRS, 1953), p. 101.

<sup>36</sup> Francis Liardet, *Professional Recollections on Points of Seamanship, Discipline, &c* (Portsea: William Woodward, 1849), p. 234.



in command, was sent home for objecting.<sup>37</sup> Nelson famously supported St Vincent, stating that ‘Had it been Christmas Day instead of Sunday, I would have executed them’.<sup>38</sup> Yet another pattern, therefore, could be a hardening of attitudes towards punishment by the authorities after 1797.

In Table 8.2 all the punishment events in our study are counted according to the day of the week on which they occurred. We have also separated them into events up to and including July 1797, when St Vincent’s hangings took place, and events which happened afterwards. What becomes clear from these figures is that there is a very strong Sunday effect. Overall, only 271 of the events in our sample took place on a Sunday, or about 5.5 per cent of the total, which is not much more than a third of the average per day. Some of this, about half of the Sunday shortfall, is compensated for by the higher figures for Monday and Tuesday, which account for 34 per cent of events overall.

**Table 8.2: Punishments by Days of the Week**

| <i>Day</i>   | <i>To July 1797</i> | <i>After July 1797</i> | <b>Total</b> |
|--------------|---------------------|------------------------|--------------|
| Monday       | 296                 | 577                    | 873          |
| Tuesday      | 258                 | 540                    | 798          |
| Wednesday    | 259                 | 501                    | 760          |
| Thursday     | 264                 | 453                    | 717          |
| Friday       | 258                 | 509                    | 767          |
| Saturday     | 274                 | 469                    | 743          |
| Sunday       | 124                 | 147                    | 271          |
| <b>Total</b> | 1,733               | 3,196                  | 4,929        |

**Source: TNA, Captains’ and Masters’ Logs, Series ADM 51 and 52**

<sup>37</sup> For example, G.J. Marcus, *A Naval History of England*, Vol. 2, *The Age of Nelson* (London: George Allen & Unwin, 1971), p. 99; Terry Coleman, *Nelson: The Man and the Legend* (London: Bloomsbury, 2005), p. 133.

<sup>38</sup> Terry Coleman, *Nelson*, p. 133.

Occasionally, reading through the logs, one gets the impression that a captain was saving up punishments for Saturdays, perhaps as a deterrent before the weekend, but this turned out to be just a brief blip in the figures. This happened, for example, with the log for the *Hyperion* for 1808-9, and it turned out that 32 of the 64 punishments in this log occurred on a Saturday.<sup>39</sup> But only one other log comes close to this concentration of floggings on Saturdays, on the *Ganges* in 1785-7 (23 out of 63), and it is equally possible to find the same sort of bias for other days: 50 out of 80 punishments were given out on Tuesdays on the *Ardent* in 1806-7; Wednesdays saw 28 out of 62 floggings on the *Edgar* in 1799-1800; 30 of the 82 events on board the *Culloden* in 1803-4 happened on Thursdays; and a man was over twice as likely to be flogged on a Monday, Wednesday or Saturday (with an average of 66 for each) than on any other day (average 31 each) over a period of two years on the *Nereide*, from 1806-8.<sup>40</sup> It is also notable that fewer events happened overall on Thursdays; an effect that did not appear until after 1797, but there does not seem to be any explanation for this at all. Even the attitude to Sundays varied from ship to ship and from captain to captain: in nearly twelve years of logs from the bomb *Thunder* no-one was ever punished on the Sabbath, whereas over one four-year period on the *Edgar*, from 1798-1802, Sunday punishment was, albeit by only a small margin, actually the norm.<sup>41</sup>

From this we can conclude that Sunday clearly *was* a day on which most captains tended to avoid flogging their men. We can also see that there was an increase in punishments at the start of the week, although not by enough to compensate for the low levels of Sunday. The fact that the increases on Monday and Tuesday do not match the decrease on Sunday is especially notable because these higher totals would have to include any extra sentences in response to the weekend's debauch. It becomes possible to see a pattern of measured response to offending in these figures: a measure of restraint on the Sabbath, which the men also regarded as their rest day, followed by a measure of deterrence as the ship got back into the routine of the week.

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<sup>39</sup> *Hyperion*, ADM 51/1964.

<sup>40</sup> *Ganges*, ADM 51/382; *Ardent*, ADM 51/1629; *Edgar*, ADM 51/1328; *Culloden*, ADM 51/1462; *Nereide*, ADM 51/1941.

<sup>41</sup> *Thunder*, passim; *Edgar*, ADM 52/2964.

As to the effect of St Vincent's hangings, it is clear from these figures that there was no hardening of the authorities' attitudes to Sunday punishments, and even that the opposite effect can be seen. Against the 5.5 per cent of punishments occurring on a Sunday overall during the period covered by our study, up to July 1797 the figure was 7.2 per cent, but this dropped dramatically to only 4.6 per cent for the rest of the wars. If this development in our sample, of reducing the numbers of Sunday punishments, had any significance, then it may have had a religious origin, reflecting the growing influence of the evangelists or Blue Lights on the navy.<sup>42</sup> Alternatively, it may have been more of a social response by captains after St Vincent's action highlighted the strength of feeling against the practice.

### **Cooling-off**

Although it is easy to assume that most punishments given on a Monday related to offences committed on the previous Saturday, there was no standard period of time between crime and punishment. Historians often assume that punishment took place on the day following the offence: Dudley Pope even refers to the '*tradition of carrying out the flogging the following day*'.<sup>43</sup> Since punishment usually took place just before dinner, at the end of the forenoon watch, it certainly would have made sense to have carried most punishments over to the next day, especially because in so many cases it would have been desirable that the offender sober up first. It also gave the captain time to consider both the crime and the punishment, and approach both with a cool head. Betsy Fremantle, newly married to Captain Thomas Fremantle, gave us an example of this when she wrote in her diary in 1797 that 'last night the ships company all got drunk and behaved horribly ill. Much flogging this morning which made Fremantle ill and broke my heart'.<sup>44</sup> In our sample we can find the occasional example of this, as when Captain Corbett of the *Nereide* recorded, in 1806, 'found Rob<sup>t</sup> Viner seaman had

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<sup>42</sup> This subject, the recognition of the navy as a floating parish, and particularly the spread of evangelism and voluntary meetings on board, are covered in Richard Blake, *Evangelicals in the Royal Navy 1775-1815: Blue Lights and Psalm-Singers* (Woodbridge: Boydell, 2008).

<sup>43</sup> Dudley Pope, *Life in Nelson's Navy* (London: Chatham, 2004), p. 221. Author's Italics.

<sup>44</sup> Anne Fremantle (ed.), *The Wynne Diaries 1789-1820* (Oxford: OUP, 1982), p. 266.

Deserted in the night and Brought back by a transport'.<sup>45</sup> Viner received three dozen the next day, and a further two dozen five days later. But there were often gaps between the offences and the consequent punishments. It is not possible, in most cases, to tell what these gaps are just from the log books, since the date of the offence is rarely given. One example, though, which demonstrates that there was no absolute standard, is that of five men who deserted from the *Alacrity* at Malta, of which fuller details are given below. We can see that, of the four men recaptured, two were punished after two days and the others two days later still.<sup>46</sup>

There are also a few examples of men apparently being punished on the same day as they were arrested for their offences. On 23 November, 1808, two men, John Brown and John Laurent, were brought back to the *Alacrity* after being absent without leave, and John Brown was punished the same day, specifically for being absent from the boat on shore duty.<sup>47</sup> There is no sign of what happened to Laurent. In this case the immediacy of the punishment is spelt out in the logs, but there are other occasions when it may have been implied. In 1793, on board the *Culloden*, two boatswain's mates received twelve lashes each 'for not doing their duty ready<sup>e</sup>', according to the captain's version.<sup>48</sup> It was not unknown for boatswains' mates to be punished, and in our sample we know that at least 27 were flogged, but on that same day another entry recorded preparations for a flogging round the fleet: 'Rigg'd y<sup>e</sup> Launch for punishment Sent on Board y<sup>e</sup> Adm<sup>l</sup> for y<sup>e</sup> Prisoner Jn<sup>o</sup> Leney'. Since it was the duty of the boatswains' mates to carry out the flogging, it seems very likely that their failure to do their duty involved Leney's punishment. Sure enough, looking at the master's log for the same day we find that Connor and Collingwood were beaten 'for not flogging the Prisoner Properly'.<sup>49</sup> This may also have been the case on the *Nereide*, in 1806, when the last entry on a list of eight men punished for various offences (which included Robert Viner's second

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<sup>45</sup> *Nereide*, ADM 51/1941, 11, 12, 17.11.1806.

<sup>46</sup> *Alacrity*, ADM 51/2126, 16-20.9.1809.

<sup>47</sup> *Alacrity*, ADM 52/4406, 23.11.1808.

<sup>48</sup> *Culloden*, ADM 51/202, 16.10.1793.

<sup>49</sup> *Culloden*, ADM 52/2867, 16.10.1793.

appearance after his desertion), was ‘Jn<sup>o</sup> Slate Boatswain’s mate with 4 lashes for not doing his duty’.<sup>50</sup> This time the master’s version does not help us but, since one of the other men received the unusual tariff of seven lashes, one could speculate that Slate may have fluffed the flogging and had to repeat one stroke.

There is, in addition, plenty of contemporary evidence that many punishments followed very soon on the heels of the offence, which would give substance to the complaint that it was arbitrary and ill-considered, and carried out in the heat of the moment. ‘Complaints’, wrote Francis Liardet in his advice on *Points of Seamanship*, ‘that nothing short of corporeal punishment would possibly satisfy the complainant, if investigated at the time, by being deferred until the morning, assume quite a different character, from time being allowed for reflection’, suggesting that he had experienced this problem.<sup>51</sup> The question of a cooling-off period occupied many contemporary commentators, including writers of fiction. Herman Melville suggested, in one of his asides in *White Jacket*, that offenders should be taken to the brig and flogged the next day; and the same principal was advocated by a contributor to the *Naval Chronicle*, under the pseudonym ‘AFY’, who suggested that the participants should sleep on it before summary punishment was given.<sup>52</sup> Captain Marryat made the claim that his novel, *The King’s Own*, influenced the Admiralty in ordering a time lapse between offence and punishment, allowing tempers to cool.<sup>53</sup> The *mise en scène* at the start of the novel includes the story of an Edward Peters who was too hastily flogged for a theft that, it later transpired, he did not commit. In the meantime, he had deserted and, when he was later recaptured, had been court-martialled and flogged round the fleet. Described by Marryat as ‘a man of talent and education ... Peters from that moment was a desperate man’.<sup>54</sup> Later, in the story proper, the admirable Captain M---- rejects his first

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<sup>50</sup> *Nereide*, ADM 51/1941, 17.11.1806.

<sup>51</sup> Francis Liardet, *Points of Seamanship*, p. 283.

<sup>52</sup> Herman Melville, *White Jacket, or The World in a Man-of-War* (A.R. Humphreys, ed.) (Oxford: OUP, 1966), p. 321; Nicholas Tracy, (ed.), *The Naval Chronicle: The Contemporary Record of the Royal Navy at War*, Vol. III, 1804-1806 (London: Chatham, 1999), p. 349.

<sup>53</sup> Captain Marryat, *Mr Midshipman Easy* (London: J.M. Dent, 1929), p. 212.

<sup>54</sup> Captain Marryat, *The King’s Own* (London: George Routledge and Sons, nd.), pp. 3-6.

lieutenant's call for immediate punishment for a man who has been very offensive, explaining that he had a rule 'never to punish until twenty-four hours after the offence has been committed', by which time he may have found a reason to mitigate it, and goes on to wish, 'for the benefit of the service, that the Admiralty would give a standing order to that effect'.<sup>55</sup> Whether or not this was as influential as Marryat claimed, it clearly demonstrates his awareness of, and concern for, this as a problem.

Hard evidence of what sort of delay may have been common between crime and punishment is difficult to get. It rarely appears in the logs and, as we have seen, Black Lists such as that from the *Blake* were not required to be submitted to the Admiralty and are therefore hard to trace. The evidence from the *Blake* during 1811-2 shows that this delay could vary enormously.<sup>56</sup> On average, Captain Codrington left offenders at large in the ship for about ten days before they were flogged. There were, however, delays of up to three months, or even more, which are unexplained, and three separate occasions on which the punishment was given on the same day as the offence. In addition, out of 187 men on the list, 47 were described as 'forgiven' rather than punished. It may be that this delay was part of the 'theatre' of punishment, in that several offenders were 'saved up', to be punished together. It is also quite possible that the threat of a possible flogging was used as part of the punishment, or even as the punishment itself. While this does not by itself prove that there was a considered and measured response to misbehaviour on the *Blake*, it does argue quite strongly against an indiscriminate and unconsidered one, and in favour of the use of a cooling-off period before punishment was carried out.

## **Station**

As we saw earlier, for this project we collected some data that could help us identify whether the rates of punishment aboard any of our vessels varied according to the location of the ship. There are two main questions here. One is whether it made a difference if the ship was at sea or not; and the other concerns the station it was on.

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<sup>55</sup> *Ibid.*, p. 118.

<sup>56</sup> Black List, HMS *Blake*, 1811-12, reproduced in Lavery, *Shipboard Life*, pp. 409-416.

For the first of these questions we have already arrived at a limited answer in the discussion of the methodology, and it is unnecessary, here, to repeat all the arguments. In short, we have been able to establish whether each punishment event in our sample took place at sea or when the ship was stationary somewhere, either at anchor or alongside a dock or hulk. But we have not been able to establish what proportion of the ship's time was spent in either of these conditions. We cannot therefore confirm or disprove the statement from Francis Liardet, made in 1849, that punishments halved when a ship went to sea, but we can counter that of Captain Marryat, that seamen were rarely punished in harbour, since more than half of our events, 52 per cent, took place while the ships were demonstrably tied up.<sup>57</sup> So, the bomb *Thunder* spent four days at anchor in the Gulf of Palma in 1804, sailing on 7 August, on which day five men and a boy were punished at sea, mostly for offences involving alcohol, which must have been committed while the ship was in port.<sup>58</sup> Three years later, however, the same captain, William Moore, did not wait to put to sea before punishing four men for drunkenness and riotous behaviour after five days anchored in Gibraltar.<sup>59</sup> Similarly, we can find examples on other ships of where offences were clearly committed on shore, but were punished at sea. On the *Phaeton* in 1785 five men were flogged the day after leaving Gibraltar for disobedience and being absent from the boat on shore duty; and in 1796, on the *Edgar*, six men, including two marines, received a dozen each for disobedience of orders the day after sailing from the Hamoaze.<sup>60</sup> Conversely, in 1809 four men were punished in the three days *before* the *Alacrity* brig sailed from Malta, although this was probably a deliberate attempt to set an example to the other men and, perhaps, to the whole fleet, to discourage desertion.<sup>61</sup> On 14 September, Captain Nesbit Palmer had recorded: 'Absented themselves without leave, Ja<sup>s</sup> Leicester Fra<sup>s</sup> Prentice Ja<sup>s</sup> Smith (2) Ja<sup>s</sup> Jenkins and Ja<sup>s</sup> Walkinshaw (seamen)'. Two days later, 'Rec<sup>d</sup> from D<sup>o</sup> [*Trident*] 4 of

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<sup>57</sup> Francis Liardet, *Points of Seamanship*, p. 281; quoted in G.J. Marcus, *Heart of Oak*, p. 113.

<sup>58</sup> *Thunder*, ADM 52/3801, 7.8.1804.

<sup>59</sup> *Ibid.*, 24.4.1807.

<sup>60</sup> *Phaeton*, ADM 51/692.2, 3.11.1785; *Edgar*, ADM 51/1174, 9.12.1796;

<sup>61</sup> *Alacrity*, ADM 51/2126, 18.9.1809.

the beforementioned men 2 of which (Ja<sup>s</sup> Walkinshaw & Ja<sup>s</sup> Leicester) were taken by Lieu<sup>t</sup> Barland, in a store belonging to Mr Woodhouse, who had concealed them for the purpose of navigating a ship called the Malta to Liverpool'. The four men received five dozen each 'for Deserting an officer and a party of hands at the dock yard'.<sup>62</sup> Still, there seems to have been no bar to punishing men while anchored for other reasons than desertion: six men were punished for drunkenness and neglect of duty aboard the *Queen* in 1805 on the day before she sailed from Gibraltar; and two years later four men were flogged on the *Culloden* three days before she sailed from Madras Roads, again just for drunkenness.<sup>63</sup> Melville tells us that before a punishment any strangers were put ashore and any boats around the ship were waved away.<sup>64</sup> This would not necessarily have hidden the event from public view if the ship was close alongside, or in an enclosed area such as the harbour at Gibraltar (if, indeed, the ships were actually *in* the harbour), but in many cases the anchorage may have been well away from shore. Punishment therefore seems, understandably, to have been a private affair, but it was certainly not avoided completely while the ship was in port.

For the second question we should be on much firmer ground. We have already seen some evidence in the literature that there was more punishment in the West Indies than elsewhere and, if this turns out to be the norm, it should show up in our sample.<sup>65</sup> Opinions vary. In one view, the 'uniformity of attitudes towards crime and discipline' which we would expect to see in the navy, and the probability that its internal structure would have tended to be the same wherever it was stationed, would have militated towards equality of treatment across all theatres.<sup>66</sup> Ranged against this is the view that, since there were identifiable differences between punishment rates between different regions of Britain itself, 'how much more likely must it be that such differences existed

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<sup>62</sup> *Alacrity*, ADM 52/4406, 18.9.1809.

<sup>63</sup> *Queen*, ADM 52/3676, 1.8.1805; *Culloden*, ADM 52/3738, 16.10.1807.

<sup>64</sup> Herman Melville, *White Jacket*, p. 253.

<sup>65</sup> For example, in Clayton, *Tars*, p. 229.

<sup>66</sup> Markus Eder, *Crime and Punishment in the Royal Navy of the Seven Years' War, 1755-1763* (Aldershot: Ashgate, 2004), p. 12; Byrn, *Crime and Punishment*, p. 8.



[in] individual theatres'.<sup>67</sup> Marcus Eder found that there were a number of variations between rates of summary punishment for specific types of crime on different stations. Desertion comprised a greater proportion of offences punished in home waters than on any other station, which he attributes to the greater ability to capture deserters closer to home.<sup>68</sup> There was also a greater propensity for men to desert nearer their homes, as we have already seen in Graham Moore's experience off Ireland.<sup>69</sup> Disobedience was a much higher proportion of crimes on the Home and Caribbean stations, which he thinks may have been due to the frequent monotony of harbour service at home, and dissatisfaction engendered by the dangers of serving in the West Indies.<sup>70</sup> Neglect of duty accounted for higher proportions of events on the Home and North American stations, for which he offers no explanation.<sup>71</sup> Drunkenness, however, was scarcely punished at all on the Home station, representing only 3.3 per cent of the events, as against about a fifth of the punishments on all the other stations.<sup>72</sup> He does not venture an explanation of this either, but it ties in with our earlier discussion of the effects of the various issues of alcohol. Perhaps, given the opportunities to smuggle spirits on board, it may be that drinking really was tolerated in home ports and that when Marryat said that men were rarely punished in harbour he was referring specifically to English harbours. Alternatively, as we have seen, in home waters the men may only have been supplied with small beer, in which case they might really have found it difficult to get drunk. On the one hand, the fact that Eder's Mediterranean sector matches most of the others, with 21.3 per cent of all punishments being for drunkenness, when the men were being issued with just a half-pint of wine a day, suggests that the former may be true, and that drunkenness really was not tolerated at sea. On the other, the relatively high alcoholic content of the rum ration should, in that case, have led to much higher punishments elsewhere which, according to Eder's figures, it did not. Whilst these figures allow us to

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<sup>67</sup> Eder, *Crime and Punishment*, p. 117.

<sup>68</sup> *Ibid.*, p. 118.

<sup>69</sup> Tom Wareham, *Frigate Commander* (Barnsley: Pen & Sword Maritime, 2004), p. 157.

<sup>70</sup> Eder, *Crime and Punishment*, p. 119.

<sup>71</sup> *Ibid.*, pp. 119-20.

<sup>72</sup> *Ibid.*, pp. 120, 176.

make some comparisons of types of offence between different areas, they do not let us compare overall rates of punishment between them.

Our events are classified according to only four areas, so that the western sector includes North and South America but, in the event, very little time was spent by our ships in this sector away from the West Indies. There are some possible reasons why there could have been more offending in the West Indies even though, as we have just shown, we are inclined to discount the influence of the hurricane season. Among these are the issuing of rum rather than beer or wine: not only have we raised the point already that the rum issue represented a significant intake of alcohol for a man, and probably much more than each of the others; but we also have the evidence of the complaint by surgeon Leonard Gillespie about the effects of ‘spirituous liquors’.<sup>73</sup> A possible alternative, and contemporary, explanation is provided by Frederick Hoffman, whom we have already encountered, who noted that, with fever in the West Indies the crew of the 74-gun *Hannibal* was short by 16 men, plus 50 sick, and that the high turnover of men affected discipline.<sup>74</sup> If punishment rates were higher in the West Indies, it seems it could simply have been because fever was endemic there.

Table 8.3 (below) shows the results from our sample of the effect of the station on which the ship was serving on the rates of summary punishment. The time spent on each station was calculated in man/years and is expressed as a percentage of the total number of years represented in this study. The punishments are shown as the percentage of all the punishments found in the logs studied, a total of 4,929 events, that took place while the ship was on the station. And the last column gives the number of man/years spent there for each event. As can be seen from this, the men spent nearly two-thirds of their time in Home waters, but fewer than half of all punishments took place there, representing only one event for every fourteen years service. Foreign service brought with it over twice the likelihood of punishment and the worst station of all, although not

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<sup>73</sup> Lavery, *Shipboard Life*, p. 502.

<sup>74</sup> Frederick Hoffman, *A Sailor of King George: The Journals of Captain Frederick Hoffman, R.N. 1793-1814* (A. Beckford Bevan and H.B. Wolryche-Whitmore, eds.) (London: John Murray, 1901), pp. 54, 68.

by a very great margin, was across the Atlantic which, in this sample, means mainly the West Indies.

**Table 8.3: Punishments by Station**

| <i>Station</i> | <i>Time on Station (%)</i> | <i>Punishments (%)</i> | <i>Years per Punishment</i> |
|----------------|----------------------------|------------------------|-----------------------------|
| Home           | 64.87                      | 46.89                  | 14.20                       |
| Mediterranean  | 14.89                      | 20.51                  | 7.47                        |
| West           | 12.46                      | 21.97                  | 5.94                        |
| East           | 7.78                       | 10.63                  | 7.66                        |
| <b>Total</b>   | 100.00                     | 100.00                 |                             |

**N = 51,599 Man/Years; 4,929 Punishments**

**Source: TNA, Captains' and Masters' Logs, Series ADM 51 and 52**

Several points arise from these figures. Firstly, there is no obvious correlation between how far away from home the men were and their likelihood of being punished, since the rates for the Mediterranean and the Far East are a close match. Simply being on foreign service is what appears to make the difference. Secondly, when John Byrn asked whether his results from the Leeward Islands were likely to be representative of the navy as a whole, the answer is, unfortunately, no. Thirdly, some combination of factors that we have already discussed effected this discrepancy between rates at home and abroad. Either bad behaviour must really have been tolerated much more in home ports, or the authorities were reluctant for punishment to be given within sight of England; was this what Marryat meant? Alternatively, does the fact that a ship in Home waters was so often within reach of small beer demonstrate that the beer really was weak, and that rum was rarely issued? Finally, this is a very stark difference. The fact that it never features in descriptions of, and complaints about, life at sea may just be a demonstration of how subjective and unreliable these memoirs are. William Robinson spent most of his time near to home. Within a few days of the start of his service the *Revenge* sailed to join the Channel Fleet, and spent the next six years in the company of other 'Channel groppers',

mainly blockading Brest.<sup>75</sup> It would seem that, not only was he never flogged himself, but that he was exposed to the most lenient of the navy's theatres.

### **New Ship**

Another of the influences that time may have had on punishment rates in the Georgian navy is how long the men had had to get used to the rules of the ship. There was probably a great deal of consistency between the standing orders of different ships, since junior officers would have made copies of several sets of their superiors' orders by the time they were given command of a ship themselves.<sup>76</sup> We know, however, that there could be variations, since some of them have survived, so that even an experienced seaman could not be sure of his position at the start of a commission.<sup>77</sup> We have already discussed the position of landsmen, people coming into the navy having had no background in the merchant service, and consequently having none of the necessary skills. According to Nick Slope they were unlikely to be punished in the first year or so of their service.<sup>78</sup> If this is so, then it may have reflected the probability that they were regularly beaten to make them work, that they were cowed into obedience, and that most minor infractions may have been dealt with by the ropes' ends of the boatswains' mates and gone unrecorded. But newcomers to the ship may not all be newcomers to the navy: it was not uncommon to turn over entire crews from one ship to another at the end of a commission, and in a ship with a high turnover, such as Hoffman's *Hannibal*, numbers of new men may have been joining all the time.

It is clear from many sources that getting a crew to settle in together was subject to many problems. John Byrn found that 47 per cent of the men punished in his sample were first flogged within six months of boarding their new ships, and that nearly three-

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<sup>75</sup> C.G. Pitcairn Jones, 'The Identity of "Jack Nastyface"', *MM*, 39, 2 (May 1953), p. 137; Robinson, *Jack Nastyface*, p. 102.

<sup>76</sup> Roy and Lesley Adkins, *Jack Tar: Life in Nelson's Navy* (London: Little Brown, 2008), p. 196.

<sup>77</sup> Several are copied in Lavery, *Shipboard Life*.

<sup>78</sup> Nick Slope, *Manning, Training and Development in Nelson's Navy: A Social History of Three Amazon Class Frigates Utilising Database Technology (1795-1811)*. This is said to be an unpublished PhD thesis from Thames Valley University, dated August 2005, but only a draft has been seen, and the final version has proved elusive.

quarters of those punished within six months of the arrival of a new captain on board their existing ships had no previous record of punishment.<sup>79</sup> Joseph Nagle suffered harsh discipline on board both the *Lucia* and the *Royal Oak*, and was clear about what was causing it on each of the vessels. The problems on the *Lucia* were young officers and a scratch crew.<sup>80</sup> The regime was cruel: 'Nothing was to be done without knocking down and thrashing in every duty that was to be done'.<sup>81</sup> On the *Royal Oak*, on the other hand, the problem was a high turnover of men.<sup>82</sup> Nagle admits that he was sometimes punished, but says that it was only ever at the start of tour, as he soon settled in.<sup>83</sup> We have discussed the number of lists that a seaman may find himself on, covering such groupings as his watch, his division and his mess; and the various positions to which he would be allocated for evolutions such as general quarters, boarding and weighing anchor.<sup>84</sup> It may be that an experienced seaman would have been expected to have known his place on these lists in quick time, and was more likely to be formally punished if he failed to do so. It cannot have been easy to change the habits of years, but William Henry Dillon complained that you always had to retrain a new crew from their previous habits.<sup>85</sup> It was a common refrain. Graham Moore learned early in his career that a new captain had to be strict for the first month and it would have been easy for a man, even an experienced one, to make an error and fall foul of this early strictness.<sup>86</sup> Luckily, according to Robert Wilson, a seaman who was respected and well-established on board would not normally be punished, as an officer would intercede on his behalf.<sup>87</sup> Moore also shows us that even experienced men were not necessarily any good, because he complained that he had received a draft of 100 men from the *Victory* in January 1806

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<sup>79</sup> Byrn, *Crime and Punishment*, p. 94.

<sup>80</sup> John C. Dann, (ed.), *The Nagle Journal: A Diary of the Life of Jacob Nagle, Sailor, From the Year 1775 to 1841* (New York: Weidenfeld, 1988), p. 42.

<sup>81</sup> *Ibid.*, p. 58.

<sup>82</sup> *Ibid.*, p. 42.

<sup>83</sup> *Ibid.*, p. 46.

<sup>84</sup> Pope, *England Expects*, p. 74.

<sup>85</sup> Adkins, *Jack Tar*, p. 196.

<sup>86</sup> Wareham, *Frigate Commander*, p. 23.

<sup>87</sup> Adkins, *Jack Tar*, p. 214.

and was disappointed that these ‘companions of Nelson’ were of such a poor quality.<sup>88</sup> Most commentators are in agreement that the crews eventually settled in. Frederick Hoffman wrote that ‘seamen, when they get accustomed to a man-of-war, have no dislike to her discipline, provided they are properly encouraged when deserving, and the cat is only used when it is absolutely necessary, which was the case on our ship’.<sup>89</sup> This could, however, take some time, up to a year or eighteen months, which suggests that there was room for a lot of tension before it happened.<sup>90</sup> In the meantime we cannot know what other factors were affecting relationships on board. As far as the merchant marine is concerned, subject to a very different discipline, ‘Frustration theory states that deprivation leads to aggressive behaviour; the number of fights on the trawlers increases after 60 days at sea, but is three times greater ... from day 90 to day 120’.<sup>91</sup> It would be interesting if this effect could be seen on board a sailing warship.

### **Size of Ship**

A factor that could have had a significant effect on the rates of punishment aboard any ship may have been its size. Opinions on this effect have varied between writers, although it is not easy to find much in the way of evidence for these opinions. In a debate on flogging in the navy in 1825 it was stated by Joseph Hume that punishment rates were dependent on the ‘caprice’ of the captain, but that they seemed to have been higher in smaller ships.<sup>92</sup> By contrast, Marcus Eder states not only that ‘the frequency of summary punishment increased with the size of the ship’, but also that there tended to be less summary punishment on smaller ships than on larger ones ‘absolutely as well as in percentage of ship’s complement’.<sup>93</sup> The same effect has been attributed to the merchant service of the time, although it is unclear whether we should expect this to apply to

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<sup>88</sup> Wareham, *Frigate Commander*, p. 261.

<sup>89</sup> Hoffman, *A Sailor of King George*, p. 223.

<sup>90</sup> Rodger, ‘Shipboard Life’, p. 31.

<sup>91</sup> Charles P. Kindleberger, *Mariners and Markets*, p. 61.

<sup>92</sup> ‘Debate in the House of Commons on Flogging in the Royal Navy, 9 June 1825’, in A. Aspinall and E. Anthony Smith, (eds.), *English Historical Documents, 1783-1832*, Volume XI (London: Eyre & Spottiswoode, 1969), p. 882. Hume did not, however, offer any evidence for this.

<sup>93</sup> Eder, *Crime and Punishment*, p. 66.

warships, and there is no agreement on what caused it. One interpretation is that the bigger the crew the more chance there was of trouble amongst them.<sup>94</sup> Another is the observation that there was more conflict between the master of a merchant vessel and his crew in larger vessels.<sup>95</sup> It is easy to imagine that behaviour might have been harder to control amongst large crews in the crowded conditions of a man-of-war than in the more intimate surroundings of a smaller ship. If this were true, then it could help explain why there was a perceived increase in harshness from the second half of the eighteenth century: the number of ships in the navy with complements of over 400 men increased from 60 in 1730 to 177 in 1803, and the number with crews of over 600 increased from seven to 132 over the same period.<sup>96</sup> In other studies of this kind, however, there seems to have been no clear pattern. John Byrn found there to be ‘no strong measure of association between the size of a vessel and the quota of its crew punished’, citing as an example equal proportions of men being punished aboard the *Bellona*, a third-rate, as on the sloop *Barbados*; and Alan Jamieson found a similar rate of punishment on his second-rate *Queen* as on the sloop *Wolf*, with both, oddly, being less than half of the rate on the *Daphne*, a frigate.<sup>97</sup>

Our own sample contains a selection of warships ranging from the 98-gun *Queen*, with a complement of 750 men, to the bomb, *Thunder*, with a crew of just 67, and the results of comparing rates of punishment between them can be seen in Table 8.4 (below). The ships have been arranged by rate and, within this, by complement. We have calculated the number of days for which we have matching captains’ and masters’ logs, and listed the number of summary punishments that we found in each period. From this we have calculated an index by dividing the official complement by the number of punishments per year. This tells us, for example, that there was, on average, one punishment event per year on board the *Queen* for every 20.2 men on board, assuming that the ship had been fully manned. By contrast, on the *Thunder* there was a punishment

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<sup>94</sup> Earle, *Sailors*, p. 8.

<sup>95</sup> Eric W. Sager, *Seafaring Labour: The Merchant Marine of Atlantic Canada, 1820-1914* (Kingston, Ont.: McGill-Queen's University Press, 1989), p. 166.

<sup>96</sup> Lavery, *Shipboard Life*, p. 62.

<sup>97</sup> Byrn, *Crime and Punishment*, pp. 109-10; Jamieson, ‘Tyranny of the Lash’, p. 64.

**Table 8.4: Punishment Rates per Ship**

| <i>Class of Ship</i> | <i>Name of Ship</i> | <i>Complement*</i> | <i>Ship Days</i> | <i>Punishments</i> | <i>Index</i> | <i>% Risk</i> |
|----------------------|---------------------|--------------------|------------------|--------------------|--------------|---------------|
| 98-gun               | Queen               | 750                | 4,328            | 440                | 20.2         | 4.9           |
| 74-gun               | Culloden            | 575                | 9,898            | 998                | 15.6         | 6.4           |
|                      | Ganges              | 575                | 4,799            | 514                | 14.7         | 9.2           |
|                      | Edgar               | 550                | 6,543            | 910                | 10.8         | 6.8           |
| 64-gun               | Ardent              | 500                | 3,582            | 410                | 12.0         | 8.4           |
| Frigate              | Phaeton             | 270                | 7,219            | 472                | 11.3         | 8.8           |
|                      | Nereide             | 254                | 1,413            | 412                | 2.4          | 41.9          |
|                      | Hyperion            | 254                | 846              | 99                 | 5.9          | 16.8          |
|                      | Blanche             | 235**              | 4,263            | 483                | 5.7          | 17.6          |
| Brig                 | Alacrity            | 121                | 1,255            | 61                 | 6.8          | 14.7          |
| Bomb                 | Thunder             | 67                 | 3,583            | 130                | 5.1          | 19.8          |

**Source: TNA, Captains' and Masters' Logs, Series ADM 51 and 52**

\* The source for all of the complements used in these tables is David Lyon, *The Sailing Navy List: All the Ships of the Royal Navy - Built, Purchased and Captured - 1688-1860* (London: Conway Maritime, 1993).

\*\* The complement for *Blanche* represents an average across the two ships of the same name.

for every 5.1 men supposed to be on board. What is more, the index decreases steadily with the size of the ship for eight out of the eleven vessels. Only the frigate *Phaeton* and, to a lesser extent the brig *Alacrity*, on both of which punishment seems to have been comparatively light, and the *Nereide*, under the notorious Captain Corbett, fail to conform with this trend. The inverse of this index is the percentage risk to any one man



of being punished in any one year and, as is clear from the table, this rises from under five per cent on the second-rate *Queen* to nearly twenty per cent on the bomb. Within the constraints of our sample size, the implication is clear: there was a definite decrease in the amount of punishment per man as the size of the ship increased.

What is more, on all but four of our sample ships, it turns out that there was one punishment event for every seven to ten days, regardless of size. The exceptions are the *Phaeton*, whose low rate of punishment meant that there was one event for every 15.3 days, or almost half what might otherwise have been expected; the *Nereide*, whose high rate generated an event every 3.4 days, or almost double expectations; and *Alacrity* and *Thunder*, the smallest of the ships which, if they had inflicted punishments at the rate of one per week or so, would have been regularly flogging as much as, or even more than, half their crews every year. These, therefore, had rates of one event for every 20.6 and 27.6 days respectively.

It is hard to escape the feeling that there was some sort of consensus about what levels of punishment were acceptable, and that captains were inflicting it more with an eye to the spectacle than to strict justice; more as example than as retribution. This is not to say, however, that punishments took place at set intervals, or that there was any consistency between vessels or between captains: on the contrary, the totals that we have come up with hide huge ranges of figures. Captain McKinley took command of the *Ganges* in Port Royal in July 1802 and, while engaged in convoy duty between there and Halifax, held punishments on 28 occasions over the following 51 weeks, flogging a total of 40 men, and rarely more than one or two at a time.<sup>98</sup> At the end of this period Thomas Freemantle took over command, and over the course of the following 54 weeks, cruising in home waters, also held punishments on 28 occasions, but flogged 106 men, over two-and-a-half times as many.<sup>99</sup> Ironically, Freemantle's comparatively harsh regime was overseen by a man who was a good friend of Nelson, and whose wife had previously described him as having been made ill by the necessity of flogging some of his crew for

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<sup>98</sup> *Ganges*, ADM 52/3042.

<sup>99</sup> *Ganges*, ADM 51/1471.

drunkenness.<sup>100</sup> This particular log book stood out because of the spaces between punishment days and the number of men punished on each occasion. It may have been a deliberate policy: if every week the gratings were rigged on more than one occasion the men may have become hardened, but if, once a fortnight, four or five men were flogged together, there was always a good chance that a mess mate or someone they worked with would be on the list, and the impact would be much greater. There are other examples in our logs of punishments on battleships taking place about once a fortnight, as on the *Culloden* in 1787-8. The gratings were rigged on 25 occasions and a total of only 40 men were flogged, almost as though there was a standard or acceptable number of punishment days in any year.<sup>101</sup> Yet a few years later on the *Ganges*, still based close to home, Captain Peter Hacket awarded 21 floggings on just 12 occasions over the 53 weeks from April 1806, but 45 floggings on 21 occasions over the year from May 1807.<sup>102</sup> If there were some sort of consensus, it was not, apparently, at any planned or conscious level but was, perhaps, at a deeper level of understanding. Punishment must have been a pragmatic response to problems of discipline, and every occasion was influenced by a host of different circumstances and personalities, but there is still a sense that, behind all of these influences, a pattern based on instinct or consensus shows through.

Having found some persuasive evidence that there was a link between the size of the warship and its punishment regime we must take steps to test that result, and there are a number of anecdotal reports of punishment rates as well as figures for individual ships available to us for comparison. Amongst contemporary descriptions of the regimes aboard ship is the report from an anonymous diarist aboard the *Gibraltar*, of 80 guns, in 1811. 'Remaining so long as I have done on board the *Gibraltar*, I could not but observe how very seldom the men were punished and that they never were disgraced at the gangway but for some wilful fault... Generally speaking, not one twentieth of 600 or

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<sup>100</sup> Fremantle, *The Wynne Diaries*, p. 266.

<sup>101</sup> *Culloden*, ADM 52/2230.

<sup>102</sup> *Ganges*, ADM 51/1627; ADM 51/1721.

700 men ever allow themselves to be thus disgraced.’<sup>103</sup> On the *Lapwing*, Aaron Thomas recorded that they had an average of two floggings every three weeks, which is close to our own observation of one every seven to ten days.<sup>104</sup> On the other hand, Francis Beaufort was recording ‘almost daily floggings’ aboard the frigate *Aquilon* in 1791, although this sounds like hyperbole from a man who was unhappy in his situation; and it would seem to have been an aberration in the behaviour of Captain Stopford, who was not previously, or subsequently, known as a flogging captain.<sup>105</sup> According to one observer, on the *Fylla*, a corvette with a crew of only 140, floggings were so common that ‘there was never a day which was not marked by three or four of these executions’, although this scale of punishment understandably drew a sceptical response from the Victorian writer who repeated it.<sup>106</sup> Alternatively, the latter reports that on Collingwood’s ship in 1793 ‘for an example of a mild captain, twelve men were flogged to the amount of eight dozen lashes in five months’.<sup>107</sup> More recently historians have ventured to estimate that by the later eighteenth century, specifically by the 1770s, there would have been an average of twenty punishments in a frigate of 480 men or forty in a ship of the line of 800 men; or that a ‘typical average was some fifteen floggings per ship in nine months’, enough to be ‘a significant part of naval life, but hardly a daily occurrence’.<sup>108</sup> But Byrn maintains that there tended to be three to four events per month per ship in the navy as a whole, and nearly two events per month even on the smallest ships, which seems rather a lot.<sup>109</sup>

If we look at specific figures for specific ships, we find that there is a tendency for writers to point up the occasions where floggings were noticeably absent, or

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<sup>103</sup> Quoted in Lavery, *Shipboard Life*, p. 463; and repeated in Adkins, *Jack Tar*, p. 212.

<sup>104</sup> Adkins, *Jack Tar*, p. 211.

<sup>105</sup> Nicholas Courtney, *Gale Force 10: The Life and Legacy of Admiral Beaufort 1774-1857* (London: Review, 2003), p. 40.

<sup>106</sup> H.W. Wilson, ‘Discipline in the Old Navy’, *Macmillan’s Magazine*, LXXVIII, May to October, 1898, p. 97.

<sup>107</sup> *Ibid.*, p. 98.

<sup>108</sup> Kemp, *British Sailor*, p. 153; Robert Harvey, *The War of Wars: The Epic Struggle between Britain and France 1789-1815* (London: Constable, 2007), pp. 200-1.

<sup>109</sup> Byrn, *Crime and Punishment*, pp. 211-20.

particularly severe, but in such a way as to suggest that this was out of the ordinary. It is important that we try to validate our own findings by comparing them to as many other observations as possible, but we have to be aware, in doing so, that many of the examples that have survived may have done so *because* they were unrepresentative. Thus it has been pointed out that on the 20-gun *Danae*, whose crew mutinied in 1800 and surrendered the ship to the French at Le Conquet, according to the captain's log there were no floggings at all during almost the first three months of the commission.<sup>110</sup> Despite this, the severity of the punishments was given by the men to the French as the cause of the mutiny. Similarly, Captain Bligh, of the infamous Mutiny on the *Bounty*, only flogged two men, Matthew Quintal and John Williams, on that ship on the voyage out to Tahiti.<sup>111</sup> Frederick Hoffman, commander of the 14-gun sloop *Apelles* between 1810 and 1812, reported that 'during the time I commanded her [eighteen months] ... the cat did not see daylight once in three months', but this is a self-serving paean to the quality of his own captaincy.<sup>112</sup> Very low rates have been reported from time to time on larger ships as well, such as the total of four floggings aboard the 64-gun *Monmouth* over a two year period in the 1750s, and the three over a similar period on the 60-gun *Windsor*.<sup>113</sup> On the other hand, William Dillon, as second lieutenant of the *Crescent* at Jamaica in 1800, noted that 19 of his crew were punished in just nine weeks, which he saw as evidence of their being a poor set of men.<sup>114</sup> The pragmatic approach trumped the consensus.

A number of writers have researched punishment for individual ships during the period covered by this study, and we would hope to be on firmer ground if we use these figures to compare with ours in order to try to validate them. The results, gleaned from a

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<sup>110</sup> Dudley Pope, *The Devil Himself: The Mutiny of 1800* (London: Alison Press, 1987), p. 57.

<sup>111</sup> George Mackaness, *The Life of Vice-Admiral Bligh R.N., F.R.S.* (Sydney: Angus and Robertson, 1951), p. 109.

<sup>112</sup> Frederick Hoffman, *A Sailor of King George: The Journals of Captain Frederick Hoffman, R.N. 1793-1814* (London: John Murray, 1901), p. 280.

<sup>113</sup> Tim Clayton, *Tars: The Men who made Britain Rule the Waves* (London: Hodder & Stoughton, 2007), p. 82; N.A.M. Rodger, *The Wooden World: An Anatomy of the Georgian Navy* (London: Fontana, 1988), p. 212.

<sup>114</sup> Dillon, *Narrative*, I, p. 376.

variety of sources, are tabulated below, sorted into rates of ship, and with an index, representing the complement divided by the number of punishments per year, which allows for comparison.

**Table 8.5: Punishment Indices for Comparison: First and Second Rates**

| <i>Class of Ship</i> | <i>Name of Ship</i>           | <i>Complement</i> | <i>Ship Days</i> | <i>Punishments</i> | <i>Index</i> |
|----------------------|-------------------------------|-------------------|------------------|--------------------|--------------|
| 110-gun              | Ville de Paris <sup>115</sup> | 850               | 365              | 67                 | 12.69        |
| 100-gun              | Victory <sup>116</sup>        | 850               | 365*             | 225                | 3.78         |
|                      | Victory <sup>117</sup>        | 850               | 518*             | 401                | 3.01         |
|                      | Victory <sup>118</sup>        | 850               | 212              | 105                | 4.70         |
| 98-gun               | Ocean <sup>119</sup>          | 738               | 365              | 55                 | 13.41        |

\* Approximations.

The results are mixed, as can be seen in Table 8.5 (above). The results we have for first and second rates suggest that our result for the *Queen* shows her to have been a comparatively easy-going vessel. We found there to have been an average of one punishment per year for every twenty of the ship's complement. The results for the *Ville de Paris* and the *Ocean* are rather higher than this, at about one punishment for every thirteen men, and for the *Victory* is an astonishing one for four. It really does seem that, in the run-up to Trafalgar, the *Victory* was subject to an unusually harsh discipline. Perhaps there was something in the comment from Captain Graham Moore, who was so disappointed in the quality of a hundred 'companions of Nelson' that he received as a

<sup>115</sup> Pitcairn-Jones, 'Lord St Vincent's Discipline', *MM*, 39, 4 (Nov 1953), p. 306.

<sup>116</sup> Brockliss, *Nelson's Surgeon*, p. 100.

<sup>117</sup> Pitcairn-Jones, 'Lord St Vincent's Discipline', p. 306.

<sup>118</sup> Warner, *The British Navy: A Concise History* (London: Purnell, 1975), p. 104. There is some overlap (seven months) in the figures from C.G.P.J. and Brockliss, but none with Warner.

<sup>119</sup> Pitcairn-Jones, 'Lord St Vincent's Discipline', p. 306.

draft from the *Victory*: either they had been a particularly lawless crew or, perhaps, had had their spirits ruined by their bad treatment.<sup>120</sup> Then again, although it would be hard at this distance to measure, there may have been something about the atmosphere aboard the British fleet generally in the run-up to Trafalgar that helped to cause unusually high rates of punishment: the *Royal Sovereign* recorded 25 floggings in the 27 days leading up to the battle.<sup>121</sup>

When we examined the third rates in our sample we found the indices to be in a fairly narrow band, ranging from one annual punishment for every 10.8 men on the *Edgar* to one in 15.6 on the *Culloden*. As a comparison we have information for short periods from nine third rates, again collected from various sources, and including seven 74s and two 64s, shown in Table 8.6 (below). Of these, only three had punishment rates that conformed closely to our findings, *Theseus*, *Excellent* and *St Albans*. One ship, the *Agamemnon* had a lenient one event per 24.55 men, since only twenty men were flogged during the year considered; but the rest had some very high rates indeed. The worst was the *Elephant* in which, again over a year, one man in every three of the official complement was punished. This was under Captain Francis Austen, who commanded the vessel from 1812 to 1813, but who also appears in the list as captain of the *St Albans* from 1807 to 1810 in which, during the year for which data was captured, he flogged only thirty men, or just under one in 17. He blamed his poor record on the former ship on large drafts of men from the *Formidable* and *Tigre*, which led to resentment, and brought with it endemic drunkenness and a resulting 180 punishments over the year.<sup>122</sup> The high rate on the *Lion*, too, can be in some measure explained in that its captain, ‘Billy Blue’, seems to have been noted for his severity.<sup>123</sup> But even if we remove these special cases, we are left with three battleships in which punishment was much harsher than on the 74s in our sample. It is not clear why the *Blake*, the *Conqueror* or, to a lesser extent, the *Revenge* should have had such relatively high rates at one in 5.9, one in 5.31

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<sup>120</sup> Wareham, *Frigate Commander*, p. 261.

<sup>121</sup> Ludovic Kennedy, *Nelson and his Captains* (London?: Fontana, 1976), p. 14.

<sup>122</sup> Blake, *Evangelicals*, p. 188.

<sup>123</sup> Pitcairn-Jones, ‘Lord St Vincent’s Discipline’, p. 306.

and one in 7.59 respectively, but if nearly one in eight of the complement of the *Revenge* were being flogged in the average year it is possible to see where William Robinson might have developed the bitterness that he later expressed in *Nautical Economy*.

**Table 8.6: Punishment Indices for Comparison: Third Rates**

| <i>Class of Ship</i> | <i>Name of Ship</i>      | <i>Complement</i> | <i>Ship Days</i> | <i>Punishments</i> | <i>Index</i> |
|----------------------|--------------------------|-------------------|------------------|--------------------|--------------|
| 74-gun               | Theseus <sup>124</sup>   | 650               | 365              | 43                 | 15.12        |
|                      | Blake <sup>125</sup>     | 640               | 454*             | 135                | 5.90         |
|                      | Conqueror <sup>126</sup> | 590               | 1,680            | 511                | 5.31         |
|                      | Excellent <sup>127</sup> | 590               | 365              | 39                 | 15.13        |
|                      | Revenge <sup>128</sup>   | 590               | 2,182            | 465                | 7.59         |
|                      | Elephant <sup>129</sup>  | 550               | 365              | 180                | 3.06         |
|                      | St Albans <sup>130</sup> | 500               | 365              | 30                 | 16.67        |
| 64-gun               | Lion <sup>131</sup>      | 500               | 548              | 214                | 3.51         |
|                      | Agamemnon <sup>132</sup> | 491               | 365              | 20                 | 24.55        |

<sup>124</sup> Pitcairn-Jones, 'Lord St Vincent's Discipline', p. 306.

<sup>125</sup> Lavery, *Shipboard Life*, pp. 409-416. In Lavery, *Nelson's Navy*, p. 218, he puts the *Blake* floggings as 135 in a year, but the Black List clearly shows that they were spread between at least 29.10.1811 and 25.1.1813, so we have assumed fifteen months.

<sup>126</sup> Blake, *Evangelicals*, p. 260.

<sup>127</sup> Pitcairn-Jones, 'Lord St Vincent's Discipline', p. 306.

<sup>128</sup> Henry Baynham, 'William Robinson, alias Jack Nastyface', *MM*, 87 (2001), p. 79.

<sup>129</sup> Blake, *Evangelicals*, p. 188.

<sup>130</sup> *Ibid.*, p. 187.

<sup>131</sup> Pitcairn-Jones, 'Lord St Vincent's Discipline', p. 306.

<sup>132</sup> *Ibid.*.

For frigates we should expect, based on our own sample, indices suggesting annual punishment rates of between one for every six men and one for every eleven. Two of the comparisons available, *Mediator* and *Syren*, had very moderate levels of only one in 15.24 and 14.23 respectively, shown in Table 8.7. The former was commanded by Cuthbert Collingwood who doubted the effectiveness of flogging and ‘consciously trained himself to rely on it less and less until in the end he could manage his ships without flogging at all’, which may explain why punishment was mild on that ship relative to our sample.<sup>133</sup> We have no corresponding explanation for the *Syren*.

**Table 8.7: Punishment Indices for Comparison: Frigates**

| <i>Class of Ship</i> | <i>Name of Ship</i>     | <i>Complement</i> | <i>Ship Days</i> | <i>Punishments</i> | <i>Index</i> |
|----------------------|-------------------------|-------------------|------------------|--------------------|--------------|
| Frigate              | Shannon <sup>134</sup>  | 254               | 365              | 11                 | 23.09        |
|                      | Mediator <sup>135</sup> | 254               | 1,095            | 50                 | 15.24        |
|                      | Syren <sup>136</sup>    | 220               | 661              | 28                 | 14.23        |
|                      | Boreas <sup>137</sup>   | 190               | 609              | 77                 | 4.12         |

Ironically, the *Shannon*, the frigate with the mildest regime of only eleven floggings over the year from February 1797, had been the subject of a petition to the Admiralty the previous year to remove their ‘tyrant of a captain’ whose treatment was ‘more than the spirit and hearts of true Englishmen can bear, for we are born free but now we are

<sup>133</sup> Rodger, *Command of the Ocean*, p. 493.

<sup>134</sup> James, *Warrior Race*, p. 303.

<sup>135</sup> Pitcairn-Jones, ‘Lord St Vincent’s Discipline’, p. 306. C.G.P.J. tentatively suggests that the complement was 290, but Lyon, *The Sailing Navy List*, p. 270, has it as 254.

<sup>136</sup> Wareham, *Frigate Commander*, p. 107.

<sup>137</sup> Pitcairn-Jones, ‘Lord St Vincent’s Discipline’, p. 306. However, in Coleman, *Nelson*, p. 90, these figures are given as 66 events in eighteen months. This would give a similar index.



slaves'.<sup>138</sup> We have already discussed the question of Nelson's performance on board the *Boreas* in the West Indies. Overall, apart from on the *Boreas*, these brief insights into other frigates suggest that, of our own sample, the *Phaeton*, with one punishment for every 11.3 men, may have been more representative of frigates generally than *Hyperion* or *Blanche*, both of which had indices of under six.

We have information from two unrated ships, the sloop *Discovery*, which was used by George Vancouver in his voyage to survey North America between 1792 and 1795, and the fire ship, later reclassified as a sloop, *Prometheus*, during the bombardment of Copenhagen in 1807, shown in Table 8.8 (below). On the *Discovery*, Vancouver flogged between twelve and 35 men per year, giving an average of nearly one annual punishment for every four men, not far from what we would expect for a ship of that size. Surgeon Charles Chambers only left us with punishment figures for a few months of his service on the *Prometheus* but, if they went on at anything like the rate he recorded, with 18 events in five months, then it would have been almost a statistical certainty that any individual would have been beaten in any period of a little over a year.

**Table 8.8: Punishment Indices for Comparison: Sloops**

| <i>Class of Ship</i> | <i>Name of Ship</i>       | <i>Complement</i> | <i>Ship Days</i> | <i>Punishments</i> | <i>Index</i> |
|----------------------|---------------------------|-------------------|------------------|--------------------|--------------|
| Ship Sloop           | Discovery <sup>139</sup>  | 100*              | 1,460*           | 95                 | 4.21         |
| Fire Ship            | Prometheus <sup>140</sup> | 55                | 153*             | 18                 | 1.28         |

\* Approximations

Finally, there are some comparisons to be made with ships which, while of the sailing navy, were from previous or later periods than the one with which we are

<sup>138</sup> Quoted in Lawrence James, *Warrior Race: A History of the British at War from Roman Times to the Present* (London: Abacus, 2002), p. 303.

<sup>139</sup> Anderson, *Vancouver*, p. 222.

<sup>140</sup> Chambers, 'The Bombardment of Copenhagen, 1807 - Journal of Surgeon Charles Chambers of H.M. Fireship Prometheus' in W.G. Perrin (ed.), *The Naval Miscellany* (London: NRS, 1928), passim.

concerned, shown in Table 8.9 (below). For ships of the line there are a number of comparisons with punishment rates from the middle of the eighteenth century. From the table, the *Dragon* can be seen to have had a low rate of one annual punishment per 31.73 men between 1760 and 1762, although even this is not as lenient as the contemporary rates for the *Monmouth* and *Windsor* mentioned above; and the *Queen* seems to have had similar rates during the American War of Independence and during the French Wars of our study, with a punishment for every 23.64, as against 20.2. The frigates *Doris* and *Daphne*, from a decade before and a decade after the French Wars, have similar rates to our *Phaeton* although, as we have seen, rates on board frigates seem to have varied quite a lot.

**Table 8.9: Punishment Indices for Comparison: Non-Contemporary**

| <i>Class of Ship</i> | <i>Name of Ship</i>        | <i>Years</i> | <i>Complement</i> | <i>Ship Days</i> | <i>Punishments</i> | <i>Index</i> |
|----------------------|----------------------------|--------------|-------------------|------------------|--------------------|--------------|
| 98-gun               | Queen <sup>141</sup>       | 1776-83      | 750               | 2,312*           | 201                | 23.64        |
| 74-gun               | Dragon <sup>142</sup>      | 1760-2       | 550               | 1,095*           | 52                 | 31.73        |
| Frigate              | Doris <sup>143</sup>       | 1821         | 260               | 1,277*           | 100                | 9.10         |
|                      | Trincomalee <sup>144</sup> | 1847-50      | 210               | 1,004            | 23                 | 25.11        |
|                      | Daphne <sup>145</sup>      | 1776-83      | 160               | 2,677*           | 99                 | 11.85        |
| Sloop                | Wolf <sup>146</sup>        | 1776-83      | 50                | 1,947*           | 18                 | 14.82        |

\* Approximations.

<sup>141</sup> Jamieson, 'Tyranny of the Lash?', p. 61.

<sup>142</sup> Tim Clayton, *Tars*, p. 229.

<sup>143</sup> Brian Vale, *A Frigate of King George: Life and Duty on a British Man-of-War 1807-1829* (London: I.B. Tauris, 2001),

<sup>144</sup> Andrew Lambert, *Trincomalee: The Last of Nelson's Frigates* (Rochester: Chatham, 2002), p. 72.

<sup>145</sup> Jamieson, 'Tyranny of the Lash?', p. 58.

<sup>146</sup> Jamieson, 'Tyranny of the Lash?', p. 55. Jamieson, however, describes the *Wolf* as having a complement of 72 men, which would bring the index down even further to one punishment per 21.3 men.

Discipline looks, from the table, to have eased by the time of the *Trincomalee's* 1847-50 commission, but although there were fewer floggings there were just as many punishments: men were as likely to be disgraced or imprisoned as beaten by the middle of the nineteenth century, options rarely mentioned in the logs of the earlier periods. The sloop *Wolf* had a more lenient regime during the earlier war than any of the other small ships we have seen, and for no obvious reason.

### **Conclusion**

This analysis of the effects of time and place on summary punishment, while not answering all of the questions put to it, produces some clear and useful results. We cannot find any patterns concerning change over time or by season, but it is clear that Sunday was treated very much as a special day, with any punishments often held over until the start of the working week. Normally there would have been a cooling-off period between the commission of an offence and the resulting punishment, but this was not always so. And, despite some historians' assumption that the Royal Navy's discipline was the same throughout all the theatres in which it operated, there is clear evidence of a divide between the patterns at home and overseas.

Our sample, which is based on just over 130 years of ship time, also suggests a clear increase in the rate of punishment with the size of ship. Taking as our measure the complement of the ship divided by the number of punishment events per year, our second rate scored 20.2, the average for third rates was 13.28, that for frigates was 6.33, and for the small ships it was 5.95. Contemporary ships found for comparison do not provide such a clear picture, although only thirty years of ship time are covered. Punishment rates on first and second rates were harsher than on the *Queen*, at an annual punishment for every 9.97 men, but that for frigates was much milder, at one in 14.17. Third rates showed a rate of one in 10.76, not far from our total and rates were worst of all on the two sloops, which on average were even harsher than ours, showing that punishments averaged one for every 2.75 men.

Our conclusions on the effect of the size of the ship are, although very clear, only partially confirmed. Because of the greater time period covered in this study, however, our results are rather more robust than the rather selective comparisons available. When they are added to the findings from the comparison between the Home and foreign stations, they show some definite patterns in punishment rates. At the very least, they show that we must be wary of making assumptions about life in the Georgian navy. If they are really representative of the system prevailing at the time, then they suggest a much more ordered system of control than the random cruelty reported by commentators such as Jack Nastyface.

## **Chapter 9: Conclusion**

### **Objective**

The research, analysis and findings of this thesis are set within the period bounded by the end of the American Revolutionary War and the final defeat of Napoleon in 1815. Serious challenges were being faced by Britain during this period. Defeated in its attempt to preserve its North American colonies, with the consequent damage to national confidence, it then found itself increasingly isolated from the continent of Europe and relied heavily on its ability to keep its trade routes open. Threats to its security came not only from these external sources but also from changes within. Dissatisfaction with the government, the risk of infection from the spread of disaffection and republicanism from abroad, and the movements for reform within the country all added to the problems it faced. It relied heavily on the navy to protect its trade and its boundaries and, eventually, to support the land campaign that finally resulted in the expulsion of the French army from the Peninsular and their ultimate defeat. This reliance meant that it needed the cooperation of tens of thousands of working men to run its ships, which called for a balancing act of considerable dexterity. The unprecedented demands that the wars imposed on manning levels gave rise to a level of resistance to compulsory service and conditions that led to a number of mutinies, notably those at Spithead and the Nore in 1797. Britain was extraordinarily lucky that its naval personnel, having flexed their collective muscles, returned so willingly to the more pressing task of defeating the French. Whilst, on the one hand, this suggests that it may have got the balance right overall, the amount of protest and desertion, and the reaction to them, leave room for the accusation that the levels of compulsion and punishment were inhumanly harsh.

## *Literature*

Literature from the period can sometimes be seen as supporting this accusation although, since little of the memoir evidence came from the lower deck, most of this is filtered through a contemporary attitude towards crime and punishment that, by today's standards, often seems barbaric. The result is that there was very little open criticism of the regimes aboard ships at the time, and it has been pointed out that the demands of the original mutineers at Spithead included no general condemnation of punishment, even though individual officers were to be removed. It was in the post-war period and against the background of reform that the debate on abolition of flogging really surfaced, and it was in this atmosphere that, in 1836, William Robinson gave us his condemnation of the service in which he had spent some six years as 'Jack Nastyface'. He railed against the cruelty and capriciousness of the punishment inflicted on board and concluded that there was 'indeed, no profession that can vie with it'.<sup>1</sup> It is his criticism of 'those stains of wanton and torturing punishments' that provides both the text from which the title of this thesis is taken and the direction in which its research has led.<sup>2</sup>

It is possible that Robinson's polemic would have remained as a quaint and obscure footnote in the history of Nelson's navy had it not been taken up as the main source for conditions below deck in a history of that navy by John Masefield. In the year of the centenary of the Battle of Trafalgar, Masefield appealed to his own contemporaries to recognise the debt they owed these ancestors for the prosperity and security they currently enjoyed. Masefield accepted Robinson at face value and concluded that these men had been the unwilling victims of intolerable food, conditions and punishment. At a time when men looked back wistfully to a time of simplicity and heroism that had disappeared before the rush of modern life, this chimed with Edwardian ideals of duty and perseverance against adversity. It also set the tone for future generations to wonder at the phenomenon: this strange, almost alien race of men

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<sup>1</sup> William Robinson, *Jack Nastyface: Memoirs of an English Seaman* (Annapolis: Naval Institute Press, 1973), p. 135.

<sup>2</sup> *Ibid.*

who, forced to undergo a culture of ‘rum, sodomy and the lash’, nonetheless took on the might of Europe and, under the inspired leadership of Nelson, St Vincent, Howe and Duncan, swept the seas.

This view of the Georgian navy’s harsh treatment of its crews remained hardly challenged until the last decades of the twentieth century. The most telling observation from the challengers was that the reluctance of men to serve in the navy could be explained as much by the chronic shortage of maritime labour and the consequent need to press men into it, as by the conditions that they subsequently had to undergo.<sup>3</sup> In comparison with conditions on land, in the merchant service (although wages were a factor in this, only slightly addressed in the wake of the mutinies) or in privateering, life in the Royal Navy had many advantages. One lingering factor that had still to be addressed was that of the severity of punishment. Studies of justice in the navy as it was administered during the eighteenth century and into the nineteenth concluded that it steered a middle path between fairness and the need to keep order; and that it was comparable in its application to its equivalent on shore, although indictment rates and ritual deterrence were enhanced.<sup>4</sup>

### *Question*

Technically, then, the navy can be seen to have been administering a system of justice which, at least to contemporary eyes, fell within broadly acceptable limits. But it does not address the perception of the regime as represented by Robinson’s description of ‘wanton and torturing punishments’. Robinson’s objection was not to punishment as such, but to the lack of legal process that led to it. Summary punishment was at the

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<sup>3</sup> Notably in N.A.M. Rodger, *The Wooden World: An Anatomy of the Georgian Navy* (London: Fontana, 1988).

<sup>4</sup> John D. Byrn, Jr., *Crime and Punishment in the Royal Navy: Discipline on the Leeward Islands Station 1784-1812* (Aldershot: Scolar Press, 1989); Marcus Eder, *Crime and Punishment in the Royal Navy of the Seven Years’ War* (Aldershot: Ashgate, 2004).

whim of the captains, who could impose ‘almost any mode of punishment they may think proper’, and most of the victims were not even aware that they had done wrong.<sup>5</sup>

In order to assess punishment in light of this description, summary punishment, and not the more formal process of the court martial, needs to be examined, in order to answer the twin questions of how torturing and how wanton it was. The answer to the former may always be elusive, as it will always be difficult to estimate the exact effects of punishment on its victims, especially at this distance from events. But in answering the latter, the existence of patterns in the imposition of punishment will argue against its wanton or random nature.

## **Method**

### *Sources*

We are fortunate that the Admiralty, in its role as coordinator and clearing house for information, orders and records for the navy, retained enormous quantities of data about the details of life on board its ships. Of particular value in the evaluation of the navy’s punishment regime are the logbooks kept by the officers of those ships which contain the details of those ships, down to a daily and even an hourly level. The details include where the ships were and what they were doing and, crucially for this study, who was punished, what for and how. There are records covering many more aspects of the running of the navy that could be consulted but, in order that a sufficient depth of analysis could be obtained, the sources used in this study were limited to the captains’ and masters’ logs.

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<sup>5</sup> Robinson, *Jack Nastyface*, pp. 139, 150.



### *Sample*

A sample of the ships serving in the navy from the end of the American Revolutionary War to the end of the French Wars was selected for this study, designed to reflect the make-up of the fleet over this 30-year period. The sample includes mainly third rate battleships of 74 guns and frigates, reflecting the predominance of these in the fleet, as well as a larger ship-of-the-line of 90 guns, and two smaller, unrated vessels; and the rationale behind the selection of the sample is detailed in Chapter 3. Over 300 years of hand-written records from the officers aboard these ships were consulted, yielding a record of the summary punishment inflicted during over 50,000 man/years of service.

### *Method*

The strengths of this project include the methodology developed to capture the data. In the first place, comparisons with the results from other projects that have used the same records suggest that the data extracted from each individual record have been fairly comprehensive. In addition, the use of two and sometimes three sources of information to construct the database means that 130 years of ship time has been captured as accurately as possible. The use and comparison of parallel records is not, of course, a new idea, even in the particular field of assessing naval punishment, but the potential for disagreement between different officers' versions of events, and the extent of those disagreements, has not previously been demonstrated. On average, as many as a quarter of all punishment events have been found to have been missing from each single version of what was considered to be a definitive legal record. Those writers who have relied on only one version have risked seriously underestimating the extent of summary punishment aboard the ships they have studied. This method has also been important in overcoming the problems of legibility and damage in the logs; and extensive reconciliation of the different versions was undertaken using the functions of the database.

## Results

Analysis of what caused the men to offend, and the types of offences that they were committing raises some questions about how culpable they were. Many of their transgressions were concerned with alcohol, and the ready availability of this in a variety of forms has been suggested as having been partly a deliberate policy by the authorities to help keep them compliant. This is unlikely and, although the allowance was variable and often potentially enough to encourage excess, the effects of alcohol and the rules against drunkenness were certainly known to the men. The men who were punished under these rules knew what their offence was, placing them outside Robinson's claim that they did not know what they were being punished for. In addition, almost all of the recidivism apparent in the records used here involved drunkenness, but the suggestion that most of the crimes committed on board were the responsibility of a small section of the crews was wrong, as only a small number of men were punished more than once or twice. A number of other crimes committed by seamen were clearly defined and well-known and corresponded with the law of the land, such as theft, violence and immorality. It would be unrealistic to claim that these were routinely committed in ignorance. But, the largest category of infractions concerned rules to do with the daily running of the ships, covering negligence and disobedience, insubordination and cleanliness. It is possible to imagine men becoming lost in these often complex rules, giving some substance to Robinson's charge.

In assessing the effect of the different personalities and classes of men on board and their effects on discipline, very few patterns emerge. The captain was the man who had the most direct and visible effect on how a ship was run, and there is evidence, although not very conclusive, that the number of punishments were in inverse proportion to his experience. Indeed, it seems logical that he would mellow with age, and learn to manage his crew with less use of the cat. Amongst the denizens of the lower deck, the marines were represented in the punishment records more than their numbers on board

would lead one to expect, although this may represent a reaction by the authorities to their position in the disciplinary structure rather than a greater propensity to offend. Concerning other groups who, it has been suggested, may have been picked on, such as topmen or the Irish, there is no evidence in the records of any different treatment.

The most positive patterns to have been highlighted by this research were in the analysis of where and when punishments took place. Some of the most common assertions, that there were changes in punishment rates over time, or at different times of the year, receive no support from these data. There are, indeed, some seasonal variations from place to place, although not what we might have expected to see; and the overall figures show rates to have been consistent throughout the year. Looking in closer at the daily events in the sample, it is clear that Sundays were seen as special, and as days when few punishments took place. This was only partially balanced by heavier concentrations on Mondays and Tuesdays. The rates of Sunday punishment were even lower in the second half of the period than in the first, and we are left to speculate on whether this was happenstance, an effect of Lord St Vincent bringing the practice to the navy's attention, or an effect of the 'Blue Lights'.

One important finding is the effect on punishment of the station on which the ship was serving. John Byrn made the case that the regime on the Leeward Islands station would have been similar to those elsewhere, but these figures suggest that this is not true.<sup>6</sup> Overseas service attracted twice the amount of summary punishment as service at home, and there is even a slight suggestion that the West Indies was the worst of all. The figures do not, though, supply any evidence that rates varied proportionally with the distance from home.

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<sup>6</sup> Byrn, *Crime and Punishment*, p. 8.

Another is that rates of punishment varied with the size of the ship or crew. A man's chance of being flogged in any one year ranged from under five per cent on the largest ship in the sample to nearly twenty per cent on the smallest. On most ships there was a punishment for every seven to ten days, regardless of size, which strongly suggests that there was a pattern; that the number of floggings was limited to that needed to provide the necessary deterrent effect, rather than to punish every wrongdoing. Comparisons with figures from other sources give some support to these findings, although they fall short of a full confirmation. The existence of this pattern, though, argues strongly against Robinson's claim of wantonness.

This last point is the key to the question of whether William Robinson's claim of 'wanton and torturing punishment' was a reasonable assessment of the punishment regimes in Nelson's navy or not. We set out to see if there were any patterns in the way that summary punishment was administered that might argue for or against him, and to test some of the hypotheses that have been proposed in the past. There is no definite answer here. There is room to believe that many men transgressed unknowingly and suffered for it, but in nowhere near the numbers suggested by him. And in individual ships under some, perhaps younger, captains, the regimes may have been random and cruel. But the generality of the navy appears to have operated a system in which punishment was considered and measured, perhaps with an element of theatre, and with the aim of persuasion rather than coercion. By the nature of the project, these findings are generalisations, but they represent some clear conclusions and are another step on the way to a deeper understanding of how the Georgian navy was run.

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###### *Culloden*

202, 221, 1130, 1132, 1199, 1241, 1294, 1313, 1404, 1440, 1462, 1527, 1607,  
1751, 1866.

###### *Edgar*

298, 301, 302, 1118, 1152, 1174, 1222, 1272, 1328, 1371, 1385, 1415, 1519,  
1614, 1620, 1817, 2336.

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381, 382, 1253, 1438, 1471, 1627, 1721.

###### *Hyperion*

1964, 2452.

###### *Nereide*

1357, 1423, 1941, 4478.

*Phaeton*

680, 689, 694, 1121, 1175, 1229, 1286, 1320, 1360, 1369, 1509, 1886, 1952,  
2639, 4486, 2643.

*Queen*

750, 752, 753, 1108, 1147, 1178, 1233, 1449, 1484, 1540, 1541, 1703.

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*Blanche*

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*Culloden*

2202, 2230, 2239, 2240, 2241, 2836, 2867, 2876, 2901, 2902, 3014, 3585, 3738.

*Edgar*

2274, 2276, 2277, 2286, 2291, 2964, 2965, 2978, 2985, 3607.

*Ganges*

2317, 2318, 2326, 3041, 3042, 3617, 3833.

*Hyperion*

3767, 4509.

*Nereide*

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