Every Kidd Has His Day: A Story of How Pirates Forced the English to Reevaluate Their Foreign Policy in the Indian Ocean (1690-1700)

by

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Dedication

This thesis is dedicated to Jeremy Brewer: recent high school grad, little brother and great friend. Congratulations on getting into college Jer, be prepared for what awaits you…wabba wabba wabba
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Introduction

Pirates: A Brief History

Piracy is a long-standing practice that dates back to the beginning of maritime trade. The first recorded acts of piracy were committed by a group of seafaring raiders known collectively as the Sea Peoples during the thirteenth century BC. Since then, no era has been devoid of piracy. In classical antiquity, the Illyrians, Tyrrhenians, Thracians and even the Greeks and Romans were all known to resort to piracy. The Illyrians became the most infamous pirates because of their continuous raids on the Adriatic Sea and their many conflicts with the Roman Republic.

The Middle Ages also saw its fair share of piracy. Vikings often accosted medieval European towns, while Muslim pirates terrorized settlements along the Mediterranean Sea coast. The Narentines were a group of Slavic pirates who caused similar trouble during this era in Venetian waters.

During the sixteenth century one particular form of piracy became increasingly popular among the Europeans, privateering. Privateering involved a state commissioning a privately owned vessel to seize goods and wares from any enemy ships—generally these were vessels engaged in commerce, such as merchant ships. The English and French heavily favored this type of maritime interaction because it was one of the only ways they could successfully compete with Spanish dominated trade in the Americas. In fact, privateering became so crucial to English interests in particular, that some privateers were elevated above their original social standing for their actions abroad. Francis Drake, later
knighted Sir Francis Drake, was one such privateer.

Endorsing privateering generated some problems because it was particularly challenging to control the privateers. Privateering was a highly profitable enterprise, and many privateers refused to stop robbing just because their home state made peace. When one combines this lack of control with the fact that the European powers regularly fluctuated between war and peace and that it took several months for messages to travel to the far reaches of the Empire where the pirates often were, it becomes clear that it was often quite difficult to differentiate between those acting on the state’s directive (privateers) and those who were not (pirates).

This issue was exacerbated as privateers and pirates became aware of the substantial ambiguity surrounding their roles. “The legality of their actions depended upon open and conflicting interpretations of whether the timing, location and targets of raids fell within the terms of often dubious commissions.”¹ Using all this ambiguity to their advantage, captains and sailors developed an expertise in representing their commissions as legitimate and their plunder as rightly seized. As discussed later, William Kidd endeavored throughout his voyage in the Indian Ocean to play this legal posturing game. Each ship that he took could be rationalized as an authorized prize falling within the confines of his commission (at least according to him). Even Henry Every, who showed very little interest in such legalistic affairs, still made an effort to evoke some sense of acting under the law. In a letter that he wrote before

chasing Mughal ships, he declared that “I have never as yet wronged any English or Dutch, nor ever intend whilst I am commander.”

As with many activities, when it came to navigating the law there was a spectrum of ability. Some pirates were highly effective at blurring the line between pirate and privateer. They could do this so perfectly that they made even the most outlandish actions seem within the legal limits of their commissions. Henry Morgan was the epitome of this type of pirate. In 1667 he analyzed his commission and learned that he could not seize Spanish ships unless they were plotting against Jamaica. Therefore, every time he wanted to take a Spanish ship all he had to do was devise a new plot that the Spanish had “come up with,” upon which he had the freedom to act as he pleased. Morgan also found that his commission was mute on the subject of land attacks. This omission meant that Morgan could raid and plunder settlements without having to give the Crown a share. “Morgan clearly understood this opportunity and formed a contract with his crew distinguishing between the ‘free plunder’ taken on land and goods captured from ships.”

At the other end of the spectrum were pirates like George Cusack. When charged with piracy Cusack presented his commission to the Court which rejected it. Cusack then stated to the Court that he had a valid commission but someone must have taken it and replaced it with this invalid one. The Court rejected this defense too, explaining that it did not matter what commission Cusack presented because there was no commission available that entitled one Englishman to rob another.

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Piracy—whether recognized for what it was or labeled privateering by the Europeans—was a longstanding maritime tradition. As Europe embraced and legitimized privateering, the definition of who was a pirate became confused. Ambiguous laws, contracts, and terms further distorted who was or was not a pirate. A clever individual could make almost any piratical action seem to be the legitimate act of a privateer.

Setting the Stage: the Importance of Pirates

Europe’s struggle to deal with conceptions of piracy and pirates did not remain confined to the European Continent or the Americas. It spread wherever Europeans traveled and attempted to establish themselves. The Indian Ocean was no exception. By the 17th century, the Portuguese had firmly entrenched themselves within this region and the English and Dutch were working to gain influence and access to it. European piracy in the Indian Ocean appeared almost immediately after the English and Dutch arrived.4

All this background sets the stage for the course of events that my thesis will address: how two pirates operating in the Indian Ocean during the 1690s caused the English Government to reevaluate its foreign policy in the region and ultimately conclude that it needed to play a more active role in suppressing piracy here.

At first, the Mughals and English traded on relatively civil terms, and the English were largely unconcerned with any piracy that was occurring in the Indian Ocean. In a few instances, they even encouraged it. However, when two

now infamous pirates, Henry Every and William Kidd, captured Mughal vessels in the Indian Ocean, the Mughals felt the need to react. The forcefulness of the Mughals’ retaliation against English interests in South Asia made England reexamine its position on piracy. The English Government decided that pirates were a dangerous liability whose presence could no longer remain unchecked.

In the course of presenting this transition in English foreign policy, I will address a number of issues that are critical to fully grasping what eventually transpired. First, how did such a substantial misunderstanding between the Western powers and Mughals regarding the role of governments in sponsoring both piracy and maritime trade in the Indian Ocean come about? Unlike the European empires which from their founding were based on maritime trade, the Mughal Empire was formed and expanded over land. Mughal relations with their Asiatic neighbors had not involved the complex of legal, quasi-legal and illegal maritime activities that characterized relations between seafaring European powers. This issue will be explored in chapter one. Second, even if Mughal experience was originally land-oriented, why were initial misconceptions regarding European involvement in state-sponsored and individual acts at sea not corrected when regular contact with the Europeans started to occur? Chapter two will look into this. Third, who were Henry Every and William Kidd and what did they do to catalyze confusion between governments and transform this confusion into a serious conflict? Chapters three and four will attempt to answer these questions with extensive primary data. Following these events, exactly how did the Mughals and English react to
the pirates’ actions and what changes in policy were made? The contents of chapter five will address these matters with the continued aid of primary data. Finally, the conclusion will examine how developments in the English empire contributed to the timing of the changes in foreign policy.

Methodology

To conduct an in-depth analysis of the English response to piracy, I sought to thoroughly examine primary sources from Parliament, government debate, letters and personal communications from the period. My ability to carry this research out was greatly aided by an online database that brings together a multitude of relevant documents in a searchable form. Almost all of my primary sources were found in the enormous online database *British History Online*. This electronic library was created by the Institute of Historical Research—an organization committed to providing resources and training to historians, particularly those doing research, that is part of the School of Advanced Study in the University of London—and the History of Parliament Trust—a project dedicated to putting together a complete history of the Parliament of the United Kingdom and all its predecessors (the Parliament of Great Britain and the Parliament of England).

The Library itself has hundreds of thousands of records from the medieval to modern period that cover an eclectic range of subject areas including local, urban, parliamentary and ecclesiastical documents. Most of the information that I utilize comes from their parliamentary section, which contains the Journal of the House of Lords (1509-1764 and 1832-34), the Journal of the
Because the database is so vast, it is critical to take a comprehensive search strategy while remaining focused. In order to do this, I worked to choose effective search terms, which I decided upon in the following way. I began by conducting basic research on the time period when many pirates were active. This research enabled me to enter the database with the tools I needed to gather further information effectively. I knew many of the names of people and places that could be pertinent to my topic. I then had to select which pirates I would examine. I reviewed Daniel DeFoe’s *A General History of the Robberies and Murders of the most Notorious Pyrates* (1724) to assist in this selection.

In the online database of primary source documents, I then searched for all documents mentioning those pirates who had the potential to have the greatest impact on English response: Henry Every and William Kidd. Henry Every was chosen because he was the most notorious pirate of his time. He captured the biggest prizes, commandeered the most goods, and provoked tremendous outrage by targeting ships making the pilgrimage to Mecca. William Kidd was selected because, though he was never as successful a pirate as Every or many others during his time, his numerous connections to some of England’s most powerful men brought him to the forefront of the debate and conflict surrounding pirates in the Indian Ocean. In addition to searching for all references to either pirate, I searched locations where the pirates were active, names of people and ships known to be attacked or otherwise connected to the pirates, and names of leaders who may have responded to these pirates.
Searching for any individual person or place was not straight-forward because most were referred to in a variety of ways and there was regularly inconsistency in how certain things were recorded. This was especially true with people’s names. Because of these inconsistencies, multiple searches were a necessity to gather all records on any one topic. The widely varying spellings of Henry Every’s name provide an illustration. When I was assembling the information on Henry Every, I had to search under the names Henry Evory, Henry Avery, Henry Avary, John Avary, Long Ben and Benjamin Bridgeman as well as the original Henry Every. At this point, my general understanding of the time frame of the relevant events helped my research. I could quickly determine if I was looking at a record that was not relevant to my thesis despite initially appearing to be so (example: right name and place but record is dated three decades before the event of interest even occurred).

**Historiography**

Literature on pirates began with Daniel Defoe’s *A General History of the Robberies and Murders of the most Notorious Pyrates* in 1724. In this historical account, Defoe describes a number of the greatest pirates of his time as well as their acts and deeds. After Defoe, historians who wrote on piracy tended to branch into two general groups: those who examine the institution of piracy and those who examine the individuals within the institution. The first category can be further subdivided into historians who look at piracy from a sociological perspective (piracy as an organization, as a community) and those who look at it from a state-centric political perspective (piracy as a form of state sponsored...
terrorism to gain supremacy over one’s enemies). The leading historian in the first subcategory is Marcus Rediker. In his book *Between the Devil and the Deep Blue Sea: Merchant Seamen, Pirates and the Anglo-American Maritime World, 1700-1750* (1989), Rediker examines pirates as a form of labor. Narrowing in on the social world of early eighteenth century seamen, Rediker explains that the pirate ships should be considered the most advanced “factory” of the time. Rediker argues that labor practices at sea (where a captain is nothing more than a first among equals and everything is decided democratically) helped draw many to piracy.\(^5\)

The second subcategory is led by two historians, Janice E. Thomson and Charles Tilly. Tilly was instrumental in this field since he was one of the first historians to connect piracy to state formation and growth with his essay *War Making and State Making as Organized Crime* (1985). Here Tilly examined the pivotal role that pirates played in the overall process. Beginning as a means by which the state could consolidate power and carry out its aggressive ends, once a ruler had consolidated his own power, Tilly concludes, he would criminalized the actions of the same individuals who had build his kingdom.\(^6\) Eleven years later, Thomson added to Tilly’s work in her book *Mercenaries, Pirates, and Sovereigns: State-Building and Extraterritorial Violence in Early Modern Europe* (1996). Taking Tilly’s ideas a step farther, Thomson proposes that the “contemporary organization of global violence is neither timeless nor natural;”


instead it is distinctively modern. More specifically, the present arrangement of sovereign states who try to monopolize violence and extend authority has evolved over the past six centuries through a number of institutions, one of the most influential of which was piracy.

Having discussed some of the more prominent historians who study the institution of piracy, I will turn now to those who look at the individual pirates. This group of historians differs from the first both because it is more numerous and because it does not have obvious central figures like the previous group. As such, two historians that are both well known and illustrate the breadth that occurs within this subfield are Robert C. Ritchie and Diana and Michael Preston. Ritchie decided to research Captain Kidd in his book *Captain Kidd and the War Against the Pirates* (1989) in which he traced the political, economic and legal factors surrounding Kidd’s rise to and fall from power. In contrast, the Prestons inspected William Dampier and the intellectual and scientific currents that influenced his life and work in their book, *A Pirate of Exquisite Mind: Explorer, Naturalist, and Buccaneer: The Life of William Dampier* (2005).

Since my own topic is confined to the Indian Ocean, I will discuss some of the notable historians who have looked at piracy within this region. One of the earliest was Charles Rathbone Low, who in 1877 published *History of the Indian Navy (1613-1863)*. This long and detailed two volume account examines

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8 ibid
maritime activity in the region, particularly that of the Indian Navy. Designed to complement the numerous works already published by historians on the English Army and Royal Navy, the book nonetheless offers great insight into the relationship between pirates and other actors in the area.¹¹ When placed alongside J. G. Lorimer’s *Gazetteer of the Persian Gulf, ‘Oman and Central Arabia* (1915) which was published thirty-eight years later, one has two highly Eurocentric histories. Both favor the English and the East India Company, periodically discussing how the Company had to contend with the few European and many local pirates. (Lorimer in particular seems to ignore or gloss over events throughout his book when their retelling would place the English in a bad light).¹²

Starting in the 1960’s, a new wave of historians chose to re-conceptualize old understandings of piracy in the Indian Ocean (especially those set forth by Low and Lorimer). These historians saw European commercial aggression as piratical or, at the very least, a stimulus of local piracy. Robert G. Landen strongly backs these ideas in his book *Oman Since 1856: Disruptive Modernization in a Traditional Arab Society* (1967) where he argued that owners and users of dhows were wedged between British attempts to suppress piracy and the need to utilize maritime violence to survive.¹³

Many of the most recent historians writing on piracy in the Indian Ocean seem to have a fascination with individual pirates from this region, in particular

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For my part, I take a different approach to piracy from most historians writing on the subject. To me what is most interesting is not looking at piracy as state sponsored crime, as a miniature socioeconomic and sociopolitical group whose highly progressive attitudes should be examined, or even as the occupation of individuals whose actions are of the upmost importance. Instead, I see pirates as catalysts that helped prompt change in foreign policy. Restricting my focus to the Indian Ocean allows me to concentrate on the interplay between competing powers most effectively and reveal how individuals can provoke nations to transform their policies abroad.
Chapter 1: The Mughals and the Indian Ocean

In order to fully understand later discussion of Mughal and English interactions and of Mughal reaction to foreign maritime activity, it is essential to first grasp early Mughal history. Within this topic the notion that the Mughal Empire was largely a land-based empire is especially important. Though oceanic trade was profitable and grew in significance over the seventeenth and eighteenth centuries, the Mughal Empire began as a land-based empire, it expanded as a land-based empire, and it asserted its policy on land.

Rise of the Mughals

It was by a single-minded focus on land-based warfare and expansion over a period of several generations that the Mughal Empire became a powerful Islamic state that ruled a large portion of the Indian subcontinent from 1526 to 1719 (though it lasted until 1857). It is only in light of this that one can come to understand the Mughal Empire’s continuous inattention to its navy, ports and the sea.

The empire was founded by Zahir-ud-din Muhammad Babur, a Chagatai Turkish ruler from the north. (Babur was descended from the Turkic conqueror Timur—father’s side—and Chagatai, the second son of Genghis Khan—mother’s side—thus Chagatai Turkish). Babur first appeared in India after he was ousted from his ancestral home in Central Asia. Over the course of a

14 I chose the date 1719 as the end date of Mughal power and the start of the empire’s decline because that was the start of Muhammad Shah’s reign (lasted from 1719 to 1748) during which time warfare, internal rivalries, and the invasion of northern India by Nadir Shah (1739) occurred and the breakdown of the empire clearly began.
number of years, he struggled with the Afghans for supremacy in northern India. “Their principle adversaries were the Afghans who had supplanted Turks and Persians to become the most powerful and widely dispersed foreign Muslim group in northern India.”

These Afghans were members of the Lodi dynasty, which had been founded by Bahlul Lodi (reigned 1451-1489) when thousands of Afghans traveled from the mountains of Afghanistan to the plains of northern India. At the time of the conflict between Babur and the Afghans the ruler of the Lodi dynasty was Ibrahim Lodi.

Babur attempted to invade Ibrahim’s city of Punjab several times before finally succeeding. In 1526 Babur was able to rout Lodi forces at the Battle of Panipat, just outside of Delhi, which solidified his conquest of the Delhi sultanate and the start of the Mughal Empire. From there Babur moved against the Rajput Confederacy, which was under Rana Sanga of Mewar. By 1527 he had overwhelmed them. Babur then defeated the Afghans of eastern Uttar Pradesh and Bihar in 1529. By his death in 1530 he controlled most of northern India. His attention to land warfare had been met with great success.

When Babur’s son Humayun took over (also known as Nasir al-Din Muhammad) the fortunes of the empire appeared to take a turn for the worst. The Afghans and Rajputs, whom his father had conquered, “were merely restrained, but not reconciled to Mughal supremacy, by Mughal victories at

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Encouraged by Bahadur Shah, ruler of the wealthy maritime state of Gujarat to the South, Afghan refugees and escapees began to challenge Mughal rule in Rajasthan. For his part, Bahadur tested Humayun by seizing control of the Sultanate of Malwa.\textsuperscript{18}

To counter Bahadur, who at this point had initiated his own invasion of Rajasthan, Humayun launched a campaign against him in 1535. Mughal forces overpowered the Gujarat army, pushing them deep into their own territory. Bahadur would have been overthrown at this point, and his kingdom annexed, had it not been for Humayun’s indecision and constant delay. The consequences of these factors ultimately forced Humayun to withdraw, leaving Bahadur still in power. Had Humayun persisted, the Mughal Empire would have established its first connection to the Ocean. Luckily for Humayun the Gujarat threat was ended when the Portuguese decided to dispose of the ruler they had previously supplied in 1537.\textsuperscript{19} This, however, did not mark the end of Humayun’s troubles.

As the Mughals were engaged with the Gujarat forces on the seacoast, a threat was arising in southern Bihar. An Afghan by the name of Sher Khan of Sur had consolidated power among Afghan resisters and begun to strike at neighboring areas. By 1537 Sher was invading Bengal, quickly forcing then ruler Mahmud Shah to retreat into his capital at Gaur which Sher then put under siege. Recognizing and fearing Sher’s growing power, Humayun sent his army east to relieve Mahmud. Humayun failed to achieve this objective, however,

\textsuperscript{17} Ibid.  
\textsuperscript{18} Richards, \textit{The Mughal Empire}, 10.  
\textsuperscript{19} Ibid., 10.
because he chose to stop and take the fort of Chunar instead of marching directly
to Gaur. This delay gave Sher time to seize Gaur and to gain control of all of
Bengal. Again Humayun had missed an opportunity to begin to create a sea-
based power.

When the two armies finally met at Chausa, a river town on the Ganges in
1539, Sher’s forces proved victorious. The Afghans so thoroughly demolished
the Mughals that Humayun himself barely escaped alive. Mughal resistance to
the encroaching horde did not completely end here though. One year later, at the
Battle of Kannauj, Humayun again attempted to halt Sher’s advance. Again,
Humayun was defeated and this time he was forced out of India and into exile.

In an attempt to regain his territory Humayun traveled to Sindh, Marwar
and then back to Sindh again, speaking with local leaders and asking for support.
Largely unsuccessful, Humayun entered Iran in 1544 where he met with Shah
Tahmasp. Humayun remained in the Safavid court for some time until Tahmasp
agreed to fund his effort to regain power. Supplied with new troops and funds,
Humayun took his Mughal-Persian force back towards India. Stopping in
Kandahar to capture the city (1545), he then pressed on to Kabul which he took
after three attempts from his disloyal brother Kamran in 1550.

During the years that Humayun was in exile, Sher Shah and his
successors (now Shah not Khan because of his coronation) were losing control

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20 Ibid., 11.
21 “Humayun.” *Encyclopedia Britannica.*
22 This city is also known as Qandahar and is located in modern day Afghanistan
23 Ibid.
of their newly conquered territory. Sher Shah only ruled for five years before his death in 1545. When the throne passed to his son Islam Shah Sur, Islam could not consolidate his father’s power nor truly centralize the rule. His death in 1553 meant the division of the territory into different domains under different relatives. Because of this decentralization of power, it was relatively easy for Humayun to reassert his control over the entire area as his army marched out of Kabul and into the surrounding parts of northern India. By 1555, Humayun had restored his father’s empire.\(^{24}\)

Akbar, Humayun’s son, (also known as Abu al-Fath Jalal al-Din Muhammad Akbar) succeeded Humayun when he died in 1556. Known by many historians as the greatest Mughal Emperor, Akbar consolidated his father’s territory before expanding it through a series of conquests.\(^{25}\)

The expansion of the empire began when Akbar attacked Malwa which he took in 1561. Turning next to Rajasthan, Akbar took an incredibly nuanced approach with the Rajputs, one which Muslim rulers had not utilized in the past: conciliation and compromise. Meeting with Raja Bihari Mal of Amber (now Jaipur), Akbar agreed to marry his daughter. The Raja then acknowledged Akbar’s suzerainty. Akbar proceeded to implement this feudal policy with all subsequent Rajput leaders. He would marry one of their daughters and they would recognize him as emperor. (This recognition included paying tribute and supplying troops when required, but opened up the possibility for them and their sons to join the Emperor’s service which provided financial rewards and honor).

\(^{24}\) Richards, The Mughal Empire, 12.
\(^{25}\) This is a slight abbreviation as Akbar had to contend with the insurrection of a high-ranking minister Hemu, who claimed the now vacated throne before Akbar could take command.
Not all Rajput rulers wanted to marry off their daughters to Akbar, however. The inhabitants of Mewar resisted Akbar for a number of years, finally succumbing in 1583. During his struggle with them, Akbar demonstrated that he could be cruel when necessary and deserved to be feared and respected. One instance of this was when he took their fortress of Chitor in 1568, which was considered to be the bastion of Rajput strength and sovereignty at the time. Akbar did not accept surrender nor did he give pardon. Instead, he massacred everyone within the fortress leaving none alive.\(^\text{26}\)

In 1573, Akbar conquered Gujarat before heading east to take Bengal from its Afghan leader. (This same leader later rebelled in 1576, was defeated, executed, and Bengal was annexed). These two successes deserve special recognition because they represent a pivotal transition point in Mughal history. In just three years Akbar had transformed the Mughal Empire from a completely landlocked state into one with maritime potential. Akbar then took a ten-year hiatus from capturing territory before returning to subjugate Kasmir (1586), Sindh (1591), and Kandahar (1595). By 1601 Khandesh, Berar, and part of Ahmadnagar had also been added to the Mughal Empire.\(^\text{27}\)

Akbar was not just a gifted conqueror; he was also skilled at bringing together diverse constituencies and fostering greater efficiencies within his administration. Under his reign non-Muslims, especially Rajputs and Hindus, participated substantially in government. Some attained the highest ranks possible within the Empire, becoming generals and provincial governors. Akbar

\(^{26}\) Ibid.  
\(^{27}\) Ibid.
also centralized and streamlined the government. He lessened provincial autonomy by consolidating the power to appoint and promote within the state’s bureaucracy. He had the administrators of the state be given a military rank to erase the “traditional distinction between the nobility of the sword and that of the pen (this also made bureaucrats just as dependent on the emperor and the structure as the military).”  

Lastly, Akbar developed a centralized financial system and revenue collection.  

In short, by the time Sir Thomas Roe was sent by King James to be the first English ambassador to the Mughal Empire in 1615, what he encountered was the legacy of three generations of effort which Akbar had left to his son Jahangir (also spelled Jehangir) ten years before. It was a legacy of pride, power, and now a strong unified state that was in considerably better shape than it had ever been in the past. Still, it was a state that had a history of being land-based, and did not share in the same conceptions of maritime trade and politics that the English and other European powers did.  

*Maritime India in the Seventeenth Century: Merchants and Neighbors*  

In the seventeenth century the Mughal Empire began to turn its attention towards the sea. As it did, it started to derive its perceptions of maritime trade from its experience interacting with two groups of trading partners and competitors in the surrounding Indian Ocean and its associated seas. The first group, described below, were the immediate Asian neighbors in the Indian Ocean with whom the Mughal merchants interacted. Chapter two focuses on the

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28 Ibid.  
29 Ibid.
Mughals’ relationship with the second group, European powers, and on how their individual perceptions as well as exchanges gave shape to certain notions of maritime trade while simultaneously confusing others.

Before briefly describing the relationship between Mughal merchants and their Asian neighbors, it is useful to outline the basics of Indian merchant ships and shipping. The unique roles that these merchants played on their ships helped contribute to their and the Mughal Empire’s later response to piracy. More specifically, each type of merchant became animated in a different way during the Mughal response and for different reasons. The big merchants because of their financial risk, the nakudas because of their personal risk.

The most important person on any ship, or at the very least the highest ranking, was the nakhuda. The nakhuda was the person who was ultimately in charge of the destination of the vessel. He was also responsible for what occurred on the ship. In other words, “the nakhuda’s decisions were the law.”

This person was not necessarily equivalent to the English captain, however. In fact, the nakhuda did not need to have any seafaring background whatsoever. Instead his relationships to the ship and its crew might lie elsewhere, but he was always the highest ranking person onboard. The most obvious individual to fit this category was a ship-owning merchant. This merchant might have had no idea how to sail and might even have hated being on a boat. As long as the owner accompanied his own ship on its voyage, however, he would still be the

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Another type of nakhuda was a high-ranking or distinguished noble tasked with commanding imperial ships, such as the hajj ships that traveled to and from Jedda.\(^3^2\) (If the noble in charge was a very high-ranking official such as a governor or a general, however, then no one on board referred to him as nakhuda). The final group of nakudas were representatives of someone from one of the earlier categories. If a merchant wanted to examine a potential market or secure a good but did not wish to travel himself, he might send a relative or close business associate in his stead. This person would be the nakhuda for that journey.

Just below the nakhuda was the sarang. This man was identical to the English notion of a captain. The sarang was in technical command of the ship, ensuring that the course was followed and every maritime aspect that was necessary to make the journey was accounted for. At times, especially on larger vessels, the sarang would be assisted by a muallim or a navigator. The final high-ranking member of the crew was the Tindal who was in charge of all the sailors onboard. (This sailor would have been equivalent to a quartermaster).\(^3^3\)

The merchant ships themselves generally covered a wide range of sizes (anywhere from 100 to 600 plus tons of carrying capacity). While the specific details of these ships beyond size are not particularly important, what is crucial

\(^{31}\) Ibid., 24.
\(^{32}\) Ibid., 24.
\(^{33}\) Ibid., 24-25.
is that most Mughal merchants did not own their own ships. Mughal oversea trade was largely carried out by ship-less merchants. (The significance of this will be seen in the following paragraphs).

The merchants of Mughal India could be generally divided into three economic categories. The most well off were powerful merchants who could, if they chose to, travel lavishly along with their valuable cargoes. These merchants often owned their own ships and received special treatment when they arrived in port. The second class was comprised of non-ship-owning merchants who were either watching over their own goods or acting as an agent for the ship owner. Naturally there was overlap between these two categories of merchants: “the nakhuda on board an Indian vessel [regularly] combined the features of both types in that he was almost always an eminent merchant in his own right, while [at times] it was one of his duties to act as the agent of the ship-owner.” The final type of merchant was the small merchant. These men traveled on other people’s ships carrying small quantities of some particular commodity. For a small fee, or for free if they served as a member of the crew, these men could voyage to foreign markets and barter away “their bale or two of textiles every year.”

The overwhelming majority of merchants were from this third group, with each Mughal port being dominated by a few wealthy traders. The wealthy traders who operated over large geographic areas were never able to run the

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35 Ibid., 418.
36 Ibid., 419.
small local merchants completely out of business. This was because the high cost of transportation relative to local transaction meant that a basic level of price differentials was a necessary condition for trade. In other words, “The peddler or the small trader was the commercial equivalent of the peasant farmer. His notional costs almost certainly would have excluded the contribution made by his own labor.” A perfect example of this occurring in actuality was in Surat where Abdul Ghafur, one of greatest merchant ship-owners at the close of the seventeenth century, was unable to monopolize his highly-favored Red Sea trade. Regardless of how many small merchants he bought out or drove into bankruptcy, more kept cropping up or remained in business because their expenditures were negligible despite the fact that their profits were minimal.

The high cost of transportation was a direct product of most merchants not owning ships. This derived from the reality that investing in ships was unpopular among the Mughal merchants. Aversion to ship owning was created and perpetuated because ownership was almost invariably individual. “Shared proprietorship was known but was, on the whole, a rare phenomenon in our period.” Any merchant who wanted a ship, therefore, was forced to tie-up a large portion of his capital in a commodity that he would not be selling or bartering with. Furthermore, investments in shipping had relatively low returns, bringing in 30% profit in a good season compared with corresponding profits in

38 Ibid., 137.
40 Raychaudhuri and Habib eds., *The Cambridge Economic History of India*. Vol. 1, 70.
41 Ibid., 68.
the trade itself that regularly reached 50% or more. The combination of limited
opportunities for joint ownerships and lower yields meant that few Mughal
merchants had the resources or interest in owning ships during this period. 42

If the ship ownership within the Mughal Empire seemed unconducive for
generating further maritime trade, the condition of Mughal ports during this
period was equally so. Port towns within the Empire were constantly left
undefended. “Neither the Mughals nor any of the other Indian states seemed to
have paid sufficient attention to the defense of these ports.”43 On the rare
occasion that the state did decide to defend a port, it established a land-based
defense rather than a maritime one (for example, Surat had a large standing army
put in place). Furthermore, many ports were left undeveloped or, at the very
least, not developed to their full potential. “Since annual revenue-raising was
the prime concern, no attempt was made to spend on large-scale structures of
long-term benefit. Very few of the ports in our period show any waterfront
buildings of importance that could facilitate trade.”44 When ports were
developed, often only the very basic improvements were implemented: water
outlets and estuaries to facilitate barge movement or causeways and bridges so
that carts could travel closer to the wharves. The one exception to this general
lack of infrastructure development was storage facilities and custom posts.
Every major port in the Mughal Empire had vast storehouses for local and

42 Ibid., 68.
43 Sinnappah Arasaratnam, Maritime India in the Seventeenth Century (Delhi: Oxford University Press,
1994), 222.
44 Ibid., 222.
foreign goods as well as solidly built customs posts.\textsuperscript{45}

Moderate neglect of ports and shipping was perfectly rational for Mughal leaders since maritime trade was not a substantial source of revenue for them. “Customs duties are estimated to have amounted to only 1% of the total revenue of the Mughal Empire.”\textsuperscript{46} It is worth noting that customs were by no means the only way in which the Empire received money from oceanic trade. The transportation of newly arrived goods across the country was taxed and as port towns grew larger they generated more commerce and thus more revenue. There was a tax on artisans, especially on looms, the proceeds from which grew substantially as sea-borne trade increased. Finally there was a tax on the sale of bullion [used regularly in maritime trade] and so forth. Even with all this, however, oceanic trade was still far from the lifeblood of the Empire.\textsuperscript{47}

Now that Mughal merchants have been examined, it is time to shift briefly to the Mughals and their Asiatic neighbors, before turning to the far more important discussion of Mughal-European relations in the Indian Ocean. The most important thing to note about the former is that the naval strength of these non-European Indian Ocean powers varied substantially based on the perceived value of seaborne trade and national assets. In China, where the state’s resources were vast and maritime trade was considered critical, powerful war junks were built that ensured a high level of defense to local ports and merchants. On the Indian subcontinent in contrast, almost no protection was provided despite comparable funds because oceanic trade was believed to be less

\textsuperscript{45} Ibid., 222.
\textsuperscript{46} Ibid., 224.
\textsuperscript{47} Ibid., 224.
crucial.\textsuperscript{48}

Chapter 2: European Powers and Perceptions of Piracy

Enter Europe

The Mughal Empire’s understanding of piracy was heavily informed by their interactions with the European powers that entered the Indian Ocean. The first to do so were the Portuguese. The Portuguese appeared in the Indian Ocean in 1497 after the explorer Vasco da Gama rounded the Cape of Good Hope. In 1510 when viceroy Dom Francisco de Almeida wrestled control of Goa from its Bijapur rulers, the Portuguese declared their Estado da India to be a stable political entity within the region. This declaration occurred sixteen years before the Mughal Empire was founded by Babur.

Initial diplomatic contact with the Portuguese began under Humayun in the 1530s. However, constant conflict with the Afghans, Humayun’s inability to annex either of the two major maritime provinces near him (Gujarat or Bengal), and his eventual exile meant that this relationship did not amount to much. In the 1570s under Akbar, Gujarat and Bengal once again became Mughal objectives. As the decade concluded and control had been established over both areas, it was clear that the Mughal Empire had begun a transformation. It was no longer “a landlocked state in the plains of northern India;” instead it was a new power that had just entered “the political scene of the Indian Ocean.”

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51 Ibid., 360.
By the time all this had transpired, the Portuguese had situated themselves relatively comfortably in two general areas of the region. The first was to the east around Chittagong and Dianga. (This area was outside of Mughal control and would remain so until the 1660s). The second was to the west around Satgaon and Hughli, which was inside Mughal control and thus prompted renewed interaction between the two empires. At Hughli, or Porto Pequeno as the Portuguese called it, the two powers met, trade terms were discussed, and an agreement was finalized. In all likelihood, these terms centered around two distinct areas that were at the forefront of Mughal-Portuguese relations. First, Mughal ports in Gujarat shared important trade links with Portuguese ports like Goa and Hurmuz in the last quarter of the sixteenth century. Mutual accommodation was necessary so that Mughal cities such as Surat could be supplied with silver reales (and other merchandise) and the Portuguese could receive customs revenue and Gujarat textiles which were brought back to Europe. Second, there was the annual pilgrimage to Mecca, what some historians call the hajj traffic, which the Mughal state was naturally interested in. The Mughals bought passes for safe sea passage issued by the Portuguese. (This arrangement was at times highly contentious because the Mughals resented paying for security during such a holy period; the Portuguese inflated matters by “not missing opportunities to squeeze benefits out of the arrangement”).

Discussion of this agreement is not included to suggest that Mughal-

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52 Ibid., 361.
53 Ibid., 361.
Portuguese interactions were cordial, friendly or that their interests were congruent. (In fact they often were not, and Mughal expansion across the Indian subcontinent regularly perturbed the Portuguese, further souring their relationship). It is instead provided to show that trade agreements were a standard part of European-Mughal dealings. When the English and Dutch later arrived in the Indian Ocean, similar formalities between the powers were observed.

**Conflict Continued and Expanded: The English and Dutch Join**

The Mughals’ conflicts with the Europeans grew exponentially once the Dutch and English entered the Indian Ocean. Part of this stemmed from the fact that the recent European arrivals had not just come to trade. The English, for instance, had several additional reasons to be interested in the east: the purely nationalist rationale to outdo and overrun the Spanish and Portuguese, the desire to “spread Christianity and encircle the Islamic powers of the region,” and the hope of interrupting non-English Europeans trading in the area through plundering and potentially piracy. Many English also were excited by the opportunity to explore the unknown. Sir Frances Drake, who circumnavigated the globe from 1577-1580, spurred the imagination of the Nation and provided this impetus. His exploits contained “the right blend of Protestant national fervor triumphing over Catholic perfidy on the high seas, and the more personal story of the native seamen surviving the uncharted but perilous waters of the unknown world.”

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55 Ibid., 2.
Of course trade still mattered to the English. As Queen Elizabeth’s reign (1558-1603) was coming to a close, Dutch traders more than doubled the price of pepper from three shillings a pound to eight. This enormous increase in price helped convince London merchants to meet in September 1599 and one year later, December 1600, to form the East India Company to challenge Dutch hegemony in the spice trade. (The first fleet set sail in April 1601 carrying £28,742 in bullion and £6,860 in English goods).\textsuperscript{56}

Dutch reasoning for creating a company to enter the Indian Ocean was a mix of trade and other motives similar to the English. The Vereenigde Oost-indische Compagnie (VOC) was founded in 1602 to both protect their already existing trade within the area and to assist in the war for independence against the Spanish.\textsuperscript{57} (This war did not end until 1648 when the Dutch received independence with the Treaty of Westphalia).

Almost immediately upon arrival in the Indian Ocean, the English and the Dutch amalgamated trade with violence (and also religion but this issue will not be discussed). Maritime aggression within the region became a tool both to continue conflicts that were occurring in Europe and to maximize profitability relative to their rivals. A perfect example of the interconnection of trade and violence occurred in Amboina in 1623. Amboina was a spice island that is part of the Maluku Islands in Indonesia. The Dutch landed and subsequently established themselves on the island at the start of the seventeenth century.

\textsuperscript{56} A. Wyatt Tilby, \textit{British India, 1600-1828}, Vol. 2 (Boston: Houghton Mifflin, 1914), 22.

They built Fort Victoria, appointed a local governor, and put a garrison in place to guard over the area. By any Eurocentric measure this land was now definitively Dutch. English merchants, however, also were attracted to the spice island. They soon landed and pretty quickly came in conflict with the Dutch. Herman van Speult (the Dutch governor) then accused ten Englishmen of plotting to kill him. He ordered their arrest and tortured the English until they admitted to conspiring against him, finally executing all of them for this crime after they had been tried by the local Dutch court.58

The use of force was not exclusively reserved for other European powers. Many recipients of maritime violence were natives who became entangled in the inter-European conflicts. This included the Mughals. (It is arguable, based on the sheer number of incidents, that the Europeans preferred to harass each other indirectly through local populations rather than directly as in the case of Amboina). In 1611 an indirect exchange of this nature occurred between the Portuguese, the English and the Mughals. The Portuguese were the first Europeans to entrench themselves in the port of Surat. When English merchants arrived the Portuguese became upset and threatened the Mughals. The Mughals in turn ordered Sir Henry Middletown and his vessels to depart.59 Unfortunately for the Mughals, the English chose to retaliate against the Portuguese through them. Middletown and his fleet sailed to the mouth of the Red Sea where they

established a blockade, preventing Mughal ships from traveling through.\textsuperscript{60}

It was not long before the Europeans were using maritime force on local states to simply coerce them into providing more lucrative trading opportunities. (This tactic was used regardless of whether a competing European power was present). One of the more outlandish examples of this type of coercion was undertaken by the Dutch in the 1640s when the VOC attempted to redirect a large portion of the Indian Ocean trade. The plan “was directed at both the east and west coast trading ports and, if successful, would have led to the collapse of India’s overseas trade.”\textsuperscript{61} It began with the denial of passes of safe passage to all ships leaving the ports of Gujarat and Bengal destined for any Asian cities to the southeast. If ships sailed without a pass anyway, the Dutch seized them as a prize.

The Dutch goal was to end all Indian (especially Mughal) trade eastward. If completed, the Dutch would have been the sole suppliers of Indian goods to all Southeast Asian markets. This operation would have been tremendously profitable for the VOC, but it never came to fruition because of Mughal resistance. When it became clear that the Dutch would not cease commandeering their ships and even took hostilities a step farther by blockading Surat, the Mughals responded on land by asserting their power over Dutch factories and officers. The VOC were forced to settle.\textsuperscript{62}

Roughly forty years later the English initiated a parallel attempt. Frustrated by deteriorating relations with the Mughals and convinced that the

\begin{itemize}
\item \textsuperscript{60} Ibid., 168.
\item \textsuperscript{61} Arasaratnam, \textit{Maritime India in the Seventeenth Century}, 229.
\item \textsuperscript{62} Ibid., 229.
\end{itemize}
best way to maximize profits and to procure a favorable trade agreement was to utilize force, the East India Company went to war with the Mughals in 1688. That same year Alexander Hamilton seized fourteen Mughal ships harbored in Bombay. Josiah Child added heavily to that number when he sailed into port with provisioning vessels he had captured in Surat as he was fleeing the city.63 None of these actions seemed to substantially perturb the Mughals, who immediately threatened English factories and land-based assets as they had done to the Dutch before. The East India Company eventually had to forfeit this fight and was required by Mughal Emperor Aurangzeb to pay a massive indemnity and to promise to conduct operations more respectably in the future.64 One factor that likely played a major role in convincing the East India Company to concede the war was that its profits were being devastated by it. In 1684 the Company’s total annual imports were about £800,000. By 1691 this revenue had plummeted to one-tenth of its former glory—£80,000 total annual imports.65

It is interesting to note that the Mughals and other regional powers were not always pawns in European entanglements. At times, the local states were able to successfully play the European powers against one another. A good example of this type of strategic thinking was demonstrated by the Marathas—a regional kingdom formed by a confederation of clans. Culturally related to the

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63 Josiah Child was a large stockholding member of the East India Company who was made a director in 1677. Four years later he was elected governor of the company, a post which he held for almost a decade.

64 The conflict of 1688-89 probably made Aurangzeb react more harshly when six years later Henry Every plundered the important Ganji-i-sawai which contained several members of his own court (although from a Mughal perspective this act was so atrocious it might have been sufficient by itself). The English were probably affected by the war as well, and were possibly more willing to call for a complete crackdown on pirates.

Hindu tribal groups of the Deccan, they resisted Mughal attempts to annex their territory. To gain additional support and financial backing, the Marathas turned to the Portuguese merchants of Goa. Since the Mughals had already enlisted the assistance of the English and the Dutch, it undoubtedly took very little convincing for the Marathas to swing the Portuguese onto their side and against two longstanding rivals. 66

A similar display of political astuteness, but this time by the Mughals, occurred when dealing with the island of Diu. The Mughals hated having the Portuguese on Diu and would have greatly enjoyed ousting them. To accomplish this goal, they turned to both the Dutch and English and began preparations for a joint attack by the two companies. As Portuguese maritime power declined, however, the Mughals changed their mind. They let the issue fall to the wayside, preferring to have a deteriorating European power own the island instead of one on the assent.67

While the logic behind having force as an integral part of one’s commercial presence probably eluded the Mughals, it made perfect sense to the Europeans who employed this strategy. Looking back over hundreds of years of European regional history (as far back as even Greco-Roman times), one can see that there has been a longstanding tradition of “exercise[ing] control over vital sea routes in order to control both economic resources and political

67 Arasaratnam, Maritime India in the Seventeenth Century, 228-229.
settlements.”68 Factories, warehouses and fortresses and the ability to recreate these essentials across the ocean motivated and enabled Europeans to enact their policy of maritime violence and control in remote places previously inaccessible. (The Iberians were the true innovators in this regard, literally revolutionizing this particular process).

Tradition alone was not the only reason that the Europeans chose to use this method in the Indian Ocean, however. In fact, there were several factors which encouraged them to do so. First, their companies were effectively centralized distributors of European products and precious metals. As such, incredible quantities of goods and silver were passing through their people on a regular basis. They felt far safer if this transaction occurred in territorial enclaves that they had secured across the region then simply out in the open. These enclaves could provide a level of military and even political security that other methods of distribution and consumption could not.

Second, each power was competing with the other European states for domination in the area. It was critical for them to establish bases and use force to help maneuver into the best possible position. “The element of monopoly, most strongly followed by the VOC…[was used to] exclude all rival traders by force from highly profitable areas of the Indian Ocean’s inter-regional trade.”69 Finally, although protection and aggression cost money, companies and their respective powers preferred to internalize those costs rather than depend on others’ funds for their security. (Though it could be quite costly to cover this at

69 Ibid., 88.
times, it was relatively easy to recover expenditures through monopoly profits, payments for passes of safe passage and so forth).  

Various Forms of Piracy

The European method of trade was not the only activity that was probably somewhat foreign to the Mughals and other local states. European understanding of piracy was almost certainly as unfamiliar and equally confusing to the natives because of the incredible nuance within the European definition.

Before analyzing this definition it is essential to take a slight aside to point out that the word “pirate” itself could have confused the Mughals. “Pirate” comes from the Greek word *peirates* which “seems to have represented a broad range of maritime violence in the multi-coastal environment of Greece and the wider Mediterranean.” The word was then adopted by the Romans and transformed into *pirata*, which literally meant an enemy of humanity. (In the Roman case “pirate” has lost its nautical denotation. While a connotation might have remained, the word was intended to describe all individuals who engaged in indiscriminate violence).

Each European nation would later have its own word for pirate, along with several synonyms. These included, but are not limited to: freebooter (Dutch: free and booty), buccaneer (French: one who dries and smokes meat), and corsair (Latin: to run). In contrast, many of the languages spoken within the

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70 Ibid., 88.
72 Ibid., 297.
Indian Ocean had no term that truly embodied the specific form of maritime violence that is piracy. Sanskritic languages such as Marathi and Hindi would use different combinations of *samudrii* (nautical), *chaurya* (theft), and *daakaa* (attack) to try and represent the conception. At times a phonetic transliteration of the English word was used, which suggest that there might have been some need to borrow English terminology.\(^73\)

The other common languages within the region were Arabic and Arabic-influenced Persian; the latter was the official language of the Mughals. Here again there was no single word for piracy. In Arabic one could employ a wide vocabulary of plundering terms to try and convey the same notion. There was *salaba* and *qat’-al-tariq* which meant to plunder and loot respectively. Sea robber (which had an equivalent in Persian as well) was *duzd darya’i*. All of this could occur either within or outside of *harb* or war.\(^74\)

Simply put, before even engaging with Europe’s complicated, versatile, and nuanced definition of piracy, there was already a potential gap in understanding between the Indian Ocean powers and the Europeans—one brought about by a lack of terminology on the part of these particular Asiatic nations.

Having examined the word itself, it is time to return to how it was defined. At the most basic level, who was a pirate and who was not could be seen as all relative (at least according to the Europeans). There were numerous situations where one power would declare sailors from another country all

\(^{73}\) Ibid., 299.
\(^{74}\) Ibid., 300.
pirates. The latter country would disagree, describing these same people as privateers (to use the English word). English poet and philosopher Samuel Taylor Coleridge summarized this notion quite well when he said “I think it very absurd and misplaced to call Raleigh and Drake, and others of our naval heroes of Elizabeth’s age, pirates. No man is a pirate unless his contemporaries agree to call him so.”\(^\text{75}\) (In my mind this is the best definition of piracy).

Naturally there were those who disagreed with a relativist definition preferring an absolutist one instead. Historians such as J. G, Lorimer and C. R. Low epitomize this position. These men were two of the earlier writers on piracy, coming into prominence in the late nineteenth and early twentieth centuries. Both made “ample use of the term ‘privateering,’ thus acknowledging as legitimate those Europeans who held licenses or contracts, granted by European states, to attack vessels carrying the flag of a declared enemy.”\(^\text{76}\) The obvious problems with such an absolutist definition are twofold. First it is foolishly Eurocentric, invariably classifying almost identical individuals and activities within the same region as two different things because of respective origins. Take Kanhoji Angre and William Kidd for instance. Angre was a mariner who seized ships and helped defend Marathi interests for a number of years starting at the end of the 17\(^\text{th}\) century.\(^\text{77}\) Because the Marathi state did not have the cultural tradition of handing out an official license or contract, however, Lorimer and Low would have classified Angre as a pirate. Kidd did


\(^{77}\) Ibid., 293.
receive a contract from the English Crown to rob and plunder ships. His exploits in the same area, at basically the same time as Angre, would not be called “piracy” because of his license. (To ensure the clarity of this example, I will not be discussing the heavily debated topic of whether Kidd robbed merchants outside his contract and could thus be considered a pirate here.)

The second issue with thinking along the line of Lorimer and Low is that when one restricts privateering to only attacking vessels carrying the flag of a declared enemy, it becomes incredibly unclear how to treat the multitude of merchants who carried several flags (and in the case of the Indian Ocean, several different passes of safe passage as well). When the targets are doing their best to identify themselves as an ally of whoever is targeting them, a blanket statement declaring that it is piracy to attack non-enemy ships is unhelpful.

Because of this complexity, there were those who gave up on trying to define piracy altogether. Samuel Charles Hill (Indian Ocean historian) “emphasized that the lack of a universally accepted maritime law had the effect of reducing the English definition of piracy to a legal fiction.” This, along with the first relativistic definition, most effectively embodies the idea of piracy of this time. To give the reader a better idea of how all-encompassing a definition of piracy had to be to truly capture the era, a spectrum of what one could have expected to find in the Indian Ocean follows. First, there were the different European trading companies who would rob, plunder, commandeer,

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and generally commit acts of piracy against each other and the local powers. Second, these same trading companies were doing these same things, but doing so under another company’s colors (flag). Third, were pirates like William Cobb, master of the *Samaritan*, who was not only given a letter of marquee and the complete freedom to take prizes and divide the money among his crew, but was also allowed to sail with a Royal Navy flag. Fourth, there were pirates like William Kidd, who received permission to act as a privateer in the Indian Ocean yet was not flying the Royal Navy colors. Fifth, there were pirates such as Henry Every who had no agreement with their government to attack other ships but did so anyway. Finally, there were the pirates who never robbed anyone and only attempted to trade with the local states. These “interlopers” would not have been considered pirates were it not for the fact that the East India Company spent a substantial amount of time and effort trying to convince everyone that they were and that it was unacceptable to trade with them.

Unsurprisingly this final category confused regional states like the Mughals the most. Since comprehending European piracy was already incredibly complicated, as shown above, trading companies like the English East India company that added to the mess by “willfully confusing interlopers and pirates, and claiming the right to waylay either wherever they threatened legitimate trade,” simply helped to ensure that it was impossible for the Mughals to distinguish them from “actual” pirates when individuals like Every struck.

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81 Ibid., 200.
Chapter 3: The Man Who Started the Ball Rolling

Fame and Fortune

Very few people achieve celebrity status, even today in our media intense world. Back in the seventeenth century, it was considerably harder to gain global recognition. Henry Every managed to do it. In 1696 Every gained world renown for his exploits in the Indian Ocean. He had captured and looted two Mughal ships of incredible importance to the Mughal Empire, creating significant political tension and strife between the Mughals and the English. Every’s robberies also put the pirate island of Saint Mary’s on the map for the first time, giving it a level of infamy and fable that it had never experienced despite having been populated by groups of pirates almost a decade earlier.82

As time passed the legend of Henry Every grew. People living as far away as the Americas and Europe became convinced that Every was a pirate king or emperor, in charge of a vast base at Saint Mary’s. Even European rulers and governments made the error of thinking Every was something he was not. They periodically received people pretending to be Every’s ambassadors, sent from Saint Mary’s to discuss politics. In more extreme cases “English and Scottish officials at the highest level gave serious attention to the proposals of these ‘pirate diplomats’” and “Peter the Great of Russia tried to hire the Saint Mary’s pirates to help build a Russian colony on Madagascar.”83

Helping to fuel these misguided notions of who Henry Every was, and

83 Ibid., 81.
what the pirates of Saint Mary’s were doing, were dramatized events in books, songs and plays produced during this era. For instance, in 1709 the novel *The Life and Adventures of Captain John Avery: the Famous English Pirate, Now in Possession of Madagascar*, was popular around London.\(^{84}\) The book described Every as a powerful pirate who captured a Mughal ship and fell deeply in love with a Mughal princess on board. He took her back to the uninhabited paradise of Saint Mary’s where he and his men created a new kingdom, of which he became the leader. Every grew even more influential as more pirates, attracted by the bounty (especially sexual), joined his forces and built him fortresses and cities.\(^{85}\)

A similar romanticized story appeared four years later in the play *The Successful Pyrate*. In this rendition of Every’s story, his power, glory and the Kingdom of Saint Mary’s were again emphasized. A unique twist was added by the author, Johnson Charles, who chose to portray Every as regretful of the fact that he achieved his status through nefarious means:

Here I resign all Power and earthly Rule:  
The gaudy Tinsel of ill-taught Ambition,  
First tempted me to leap at once the Pale Of all Laws Human and Divine, to reign,  
But here I lay it down—Take it, Aranes;  
Thou may'st without a Crime enjoy my Throne,  
That was not the foul Purchase of my Guilt,  
Altho' the Means that fixt me here were bad.  
The Nation with one Voice proclaim'd me King,  
And made their Gift successive—May you both

\(^{84}\) While John Avery is the name used in the title of the book, Henry Every is the name that appears in all of the government documents that I found from this time. In certain cases, Every was referred to as “Henry Every alias Bridgeman” so it is possible that John Avery is another alias, as oppose to a simple spelling/fact finding error.

While ultimately passages like this one make Every come across as a man with whom the viewer might sympathize and respect, there are points in the play where the more traditional, tyrannical images of a pirate are given.

Simply put, Every achieved a level of recognition and fame seldom seen during his era. Fact morphed into fiction as his exploits in the Indian Ocean turned into legends that had a clear impact on society. People and governments alike were forced to reevaluate their understanding of this region because of Every and his myth.

*Henry Every's Actual Tale: the Facts That Made Him Famous*

It is difficult to trace Henry Every’s actions and past before he emerged as a man committed to profit and piracy in 1694. Some non-government sources suggest that Every was born near Plymouth in Devonshire. His parents possibly owned an inn, which regularly served local sailors and relied on their business. This would have been where Every was first introduced to men who spend their lives at sea.

These same sources place Every’s first nautical journey at the tender age of six (admittedly this is an estimation and he could have been a few years younger or older). At the time, Every was forced to join a ship by a boatswain who was displeased with Every’s parents and their substantial charges for the

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service they provided. “Zounds, said the boatswain, let’s take the you[ng] dog aboard, and the bitch his mother shall soon be glad to adjust the reckoning more to our satisfaction before she shall have her son.”

The ship was bound for Carolina, and during the long voyage Every followed the boatswain, observing everything he did and learning how to manage and sail a boat. At some point during the journey the captain took interest in Every because “he ordered him a little hammock in his own cabin.”

When the voyage concluded and the ship arrived in Carolina, Every was given to a merchant who placed the boy in school in an attempt to educate him. Every appears to have disliked school and his new lifestyle, since the merchant put him on a ship bound for Plymouth three years later.

Every’s return home was accompanied by the news that his father had died while he was away. Soon after, Every’s mother died and he was left without family. At this point, the record ends, picking up sometime later when Every sets sail to serve as a privateer for Spain.

While some non-governmental records state that Every sailed to Spain on board the ship the Duke, it is pretty clear from testimony from members of Every’s future pirate crew that the ship was in fact the Charles II. The Charles II had been hired by Spain, along with many other private warships, for a raid on the French West Indies. Since 1689, Spain, England, Holland, Bavaria, Saxony, and the Palatinate had been waging a war against Louis XIV of France known as

87 A boatswain is an officer on the ship who is below the rank of captain. Based on different accounts, it seems that a boatswain could be in charge of navigation but mostly helps manage the crew.
89 Ibid., 5.
The War of the League of Augsburg or the Nine Years War.\textsuperscript{90} This raid was part of the overall war effort against the French and was assembled at La Coruna in the northwestern part of Spain before making its way to the Caribbean.\textsuperscript{91}

Though the war had begun in 1689, Every’s ship did not actually sail from London until 1692. Based on testimony from members of the Charles II crew such as John Elston, it is known that Every was first mate.\textsuperscript{92} First mate is the second highest rank on a ship, meaning the only person onboard who could give Every orders was the captain (Gibson). First mate also meant that Every must have demonstrated considerable leadership and nautical skills prior to the journey. Nothing else would convinced the ship’s owner, Sir James Houblon, and the captain that Every was worthy of such a high rank and able to fill such an important role.\textsuperscript{93}

As the Charles II waited to depart to the French Indies the crew became increasingly frustrated. “Their pay being eight months in arrear,” the crew finally mutinied on May 7, 1693.\textsuperscript{94} The captain along with other men who refused to take part in the mutiny were sent ashore at Cape Verde (a group of islands off the northwestern coast of Africa—due west of modern day Senegal

\textsuperscript{90} “Colonial Wars and the Seven Years War,” NCSSM External Programs Division, http://www.dlt.ncssm.edu/lmtm/docs/Colonial-7yr.htm (accessed January 08, 2010). Most Americans call this war King William’s War, however, this name refers more to the conflict occurring in the America’s and not the war as a whole.


\textsuperscript{92} Ibid


\textsuperscript{94} Ibid
and Mauritania). The eighty-five remaining members of the Charles II held an election and voted to make Every their captain. “The captain was no sooner gone, but they called a council, who all agreed to own Avery as their captain; which he accepted of with all the humility imaginable.” Under new leadership, they set sail for Saint Mary’s with the hope that they would find rich prizes and plunder.

The Charles II, renamed the Fancy, sailed along the coast of Africa looking for provisions and potential recruits. Passing the coast of Guinea, the pirates spotted and seized two ships. Having restocked and enlisted a dozen or so new members, they continued to sail south, rounding the Cape of Good Hope and eventually landing at Saint Mary’s.

At Saint Mary’s Every and his crew again restocked and recruited. The Fancy now had water, wood, cattle and other necessities essential for the upcoming battles. In addition, the number of men that they picked up, both during their voyage and also at Saint Mary’s, meant that the Fancy was now heavily manned. (The Fancy was a 46 gun ship. While it could be easily crewed by the 85 men with whom Every started off, the crew was too small to utilize the Ship’s full battle potential. It took multiple men to fire a cannon since this maneuver was a very complicated process. With only 85 men, Every never would have been able to operate all of his cannons, putting him at a

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95 “Deposition of John Elston,” taken at Perth Amboy May 27, 1698.
96 Falkirk, The Famous Adventures of Captain John Avery, of Plymouth, a Notorious Pirate, 9.
98 ibid
disadvantage in battle). Finally, Every had the ship careened and razed to increase its speed. (Careening a ship is when one removes barnacles, weeds and other materials from the hull of the ship—the part that is permanently below the water—to reduce drag. To razee a ship is to remove some of the decks to make it faster and less top heavy.)

From Saint Mary’s the *Fancy* traveled north to Johanna Island. Here Every dropped off men who had taken ill along the way and left a letter with a native chief that was to be delivered to the next English ship that passed by. The letter stated that Every intended to pirate in the Indian Ocean, but would not harm other English subjects, nor the Dutch.

Riding here at this instant in the Ship *Fancy* Man of War, formerly the *Charles* of the Spanish expedition, who departed from Croniae the 7th of May 1694 being in a ship of 46 guns, 150 men, and bound to seek our fortunes. I have never as yet wronged any English or Dutch, nor ever intend whilst I am commander.100

What makes this letter so important is that it not only revealed Every’s understanding of the policy surrounding piracy at the time, but also sheds light on what was almost certainly a commonly shared belief: that he would be safe, or at least go unpunished, if he did not attack or steal from the English or their allies. (It is unlikely that Every would have gone through all this effort if this understanding was not widely subscribed to by pirates in that area). For Every (and other pirates) this meant that the “Moors” were still an acceptable target. By declaring himself and his ship to other Englishmen within the area, Every was effectively articulating that he knew and understood the status quo and was going to abide by it.

100 Ibid., 84.
From Johanna the *Fancy* traveled deeper into the Indian Ocean where it met up with two other English pirate ships: the *Dolphin* and the *Portsmouth Adventure*. The *Dolphin*, under Captain Want, “was a Spanish bottom with sixty men on board, and had been fitted out at Orkells, near Philadelphia, having left it two years ago last January.”\(^{101}\) The *Portsmouth Adventure* initially came from Rhode Island and had set out from port about the same time as the *Dolphin*.

“Her master was Captain Joseph Faro, and her crew was about the same number as the *Dolphin*. Both had about six guns.”\(^{102}\)

All three ships now headed north towards the entrance to the Red Sea. This was not a random choice but rather a calculated move. The pirates somehow knew that around this time a pilgrim fleet would be leaving Mocha, which is close to the tip of the Arabian Peninsula, and heading back to India. Nor were they the only ones. When the *Fancy, Dolphin* and *Portsmouth Adventure* arrived, they were met by three other English pirate ships who immediately agreed to join them. “About June twelve we came to Liparan Island at the mouth of the Red Sea, where three more sail of English came to us, one commanded by Thomas Wake, another, the *Pearl*, William Mues commander, fitted out at Rhode Island, the *Amity*, Thomas Tew commander, fitted out at New York.”\(^{103}\)

It should be noted that Mariner John Dann, whose deposition this came from, was either using a colloquial name for the island where they met the other pirates, or he simply got the name wrong, since there is no island named Liparan at the entrance to the Red Sea. In all likelihood Dann meant either

\(^{101}\) "Examination of John Dann, mariner," August 3, 1696.
\(^{102}\) Ibid
\(^{103}\) Ibid
Perim, also known as Mayyun, or the Sawabi Islands, which are the only islands at the entrance to the Red Sea. Perim has an important strategic location because it sits in the middle of the Bab El Mandeb Strait, which the fleet would have had to sail through to leave the Red Sea. In contrast, the Sawabi Islands are off in the southwestern corner in a much wider section of the Strait. If the pirates chose to hide at the Sawabi Islands, it would be considerably harder for them to trap the oncoming fleet. Looking at a regional map, it appears that Perim also has a sheltered bay whereas the Sawabi Islands are open. The sheltered bay would have made Perim a more desirable place to berth since the pirate ships would have been more protected from winds and storms. In short, based on the reasoning above, I assume that Dann meant that the pirates stayed at Perim Island.

The ships captained by Wake and Mues each had six guns and about fifty men. Tew on the *Amity* had thirty to forty men and an unspecified number of cannons. By partnering with the other ships, the pirates now had the makings of their own fleet. They had a total of at least three hundred and thirty five men (likely more), six ships, and seventy cannons at their disposal.

The pirates must have felt that to utilize this force effectively they needed one person to command everyone during battle because they soon held a meeting to decide on a leader. They chose Henry Every. This selection was a clear

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105 Ibid
106 "Examination of John Dann, mariner," August 3, 1696.
107 Ibid
sign of Every’s growing status among the pirate community. After all, pirates only make money when they capture and loot other ships. Had Every not been a good leader, a good captain, and most importantly a good pirate, he would not have been elected to lead this party as it would not have maximized the expedition’s net profits.

Having gathered their forces, chosen a leader (Every), and picked a location from with to strike (Perim), it was now time to make final preparations. To get the exact date of the pilgrim fleet’s dispatch from Mocha, the pirates sent a ship ashore to gather information. “After lying there some time they sent a pinnace to Mocha, and took two men who gave them information as to the ships coming down.” Every and the other pirates soon learnt that the fleet would be leaving in the next five to six days, so they sat and waited. (If one includes these five to six days, Every and the other pirates had been anchored in Perim for approximately one month).

It is possible that during this waiting time the pirates were spotted by someone sailing around the Red Sea. This person then informed locals in cities like Mocha to take precautions. It is equally possible that the pilgrim fleet was just lucky when they chose to sail at night. In any event, all twenty-five ships in this enormous fleet managed to sail through the Bab El Mandeb Strait one night without the pirates noticing. The fleet would have escaped completely.

108 “Examination of John Dann, mariner,” August 3, 1696. A pinnace refers to one of two different types of naval craft. The first is a small light boat that can use sails or oars. It was often employed in maritime ports to guide large merchant and warships into dock—a “tender.” The other type is slightly larger model that could be used as either a small merchant ship (carrying capacity was usually between 20-40 tons) or a pirate ship/small warship.
unharmed, and the pirates would have been left waiting, had Every and the others not captured a small ship that traveled through sometime after. When questioned, the prisoners of the captured ship explained that the fleet had already sailed through. This news forced Every and the others to set sail immediately and give chase. “After five or six days the Moors' ships, twenty-five in number, passed them in the night; but hearing of this from a captured ketch they resolved to follow them.”

Problems arose for the pursuing pirate fleet almost immediately. The Dolphin was a terrible ship and sailed poorly. To prevent this ship from holding them back, the pirates made the important choice of burning the Dolphin and having its crew board the Fancy with Every. The Amity and the Susana also were unsatisfactory vessels, completely incapable of hunting down the pilgrim fleet. “The Amity fell astern and never came up, Wake's ship also lagged but came up later.” Instead of waiting for these ships or choosing to take time to merge the Amity and Susana’s crews with the crews of the remaining three vessels, the pirates simply decided to press on. Their force had now been reduced by at least one hundred men, twelve cannons, and three ships.

After some time, it is unclear how much, the pirates caught up with one of the ships from the fleet, the Fateh Mohammed. The Fateh Mohammed belonged to Abdul Ghafur, the richest and most influential Indian merchant of his era. He was so powerful that one of his associates described him as follows:

110 “Examination of John Dann, mariner,” August 3, 1696. A ketch is a sailing craft that usually has two masts: main mast and a shorter mizzen abaft.
111 Ibid
112 This does not include the 60 men that transferred from the Dolphin to the Fancy
113 “Examination of John Dann, mariner,” August 3, 1696.
“Abdul Ghafur, a Mahometan that I was acquainted with, drove a trade equal to the English East-India Company, for I have known him to fit out in a year, above twenty sail of ships, between 300 and 800 tons.”\textsuperscript{114} The \textit{Fateh Mohammed} itself was one of Ghafur’s bigger ships, with a carrying capacity of about 600 tons.\textsuperscript{115}

Despite its size, the \textit{Fateh Mohammed} did not put up much of a fight against Every and the other pirates. She fired three shots before surrendering to them. As the pirates looted the ship they discovered an incredible fortune; “she had £50,000 or £60,000 on board in silver and gold,” which is worth about $30 million today.\textsuperscript{116}

Deciding to leave some men behind to guard the \textit{Fateh Mohammed}, Every and the remaining crew members set sail for Surat.\textsuperscript{117} Though it is not described in any of the accounts how the pirates determined that the fleet was sailing to Surat, there are two reasonable possibilities. First, the stories, rumors or sources that informed them of the fleet in the first place also described where it was going. Second, based on the direction they had been pursuing the fleet thus far, it seemed only natural that the remaining ships were headed for Surat. After all, Surat was at this time a rich and prosperous port town that was home to many of the merchants who would have been trading in that region (including Ghafur). “At the turn of the eighteenth century, if not earlier, the city was the home of the largest commercial marine in India. The mercantile classes of this great trading metropolis played an important role in the city and through it in the

\textsuperscript{114} Rogozinski, Honor among thieves: Captain Kidd, Henry Every, and the Pirate Democracy in the Indian Ocean, 248.
\textsuperscript{115} “Deposition of John Elston,” taken at Perth Amboy May 27, 1698.
\textsuperscript{116} “Examination of John Dann, mariner,” August 3, 1696.
\textsuperscript{117} Ibid
trading world of India.” When chasing a giant fleet filled with merchant ships, where better to head then towards a giant merchant city?

Regardless of what led them towards Surat, the pirates guessed the destination of the remaining merchant fleet correctly. Eight or nine days outside the port, Every and his followers spotted the royal ship the *Ganji-i-sawai*. The *Ganji-i-sawai* was enormous and heavily armed; one of Every’s crew member’s estimated that the ship was 1,600 tons. Another guessed that it was boasting a crew of around 800 men. Neither pirate was very far off. The captain of the *Ganji-i-sawai* was a man by the name of Ibrahim Khan. His ship had eighty cannons, four hundred men armed with muskets (separate from the sailors aboard), and other weapons of war. In contrast, the pirates had about two hundred and thirty-five crewmen and 58 cannons; they were completely outmanned and outgunned. By every reasonable measure, the *Ganji-i-sawai* was a far greater nautical force then the three remaining pirate ships and it was crazy for them to attempt to capture it. Nonetheless, two of them did.

The *Fancy* and the *Pearl* pressed forward to engage the *Ganji-i-sawai*, but the *Portsmouth Adventure* decided to hold back and simply observe the battle. The *Ganji-i-sawai* opened fire first. Every and his fellow pirates were incredibly lucky as the *Ganji-i-sawai*’s cannon burst, spraying fragments across her deck. Three or four men were instantly killed. It is safe to assume that more

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118 Leach and Mukherjee, *Elites in South Asia*, 201.  
119 "Deposition of John Elston,” taken at Perth Amboy May 27, 1698.  
120 "Examination of John Dann, mariner," August 3, 1696.  
122 "Examination of John Dann, mariner," August 3, 1696.
were injured, confused and dazed by what had just occurred. The pirates luck continued to hold as a retaliatory shot from the *Fancy* “struck and damaged the mainmast,” rendering the *Ganji-i-sawai* almost completely un-maneuverable.\textsuperscript{123} Nevertheless, the battle between the ships raged for another three hours before the *Ganji-i-sawai* finally surrendered.\textsuperscript{124} Yet it is unclear that the conflict should have ended the way it did. As the final stages of the encounter approached, and the pirates prepared to board the *Ganji-i-sawai*, Captain Khan fled below deck instead of choosing to fight the pirates further. Had he mounted a resistance, it is quite possible that Khan could have prevented Every and his comrades from successfully boarding and taking the ship. The writer Khafi Khan certainly believed this, describing this instance as follows: “The Christians are not bold in the use of the sword, and there were so many weapons on board the royal vessel that if the captain had made any resistance, they must have been defeated.”\textsuperscript{125} In any event, the pirates had overcome a powerful adversary and procured an incredible prize.

Because the *Ganji-i-sawai* was so large, and had been carrying a substantial cargo of desirable goods, the pirate crews of the *Fancy* and the *Pearl* chose not to unload everything at sea. Instead, they began removing what they could onto their boats, before sailing to an island to continue the looting. “When they had laden their ship, they brought the royal ship to shore near one of their settlements, and busied themselves for a week searching for plunder, stripping

\textsuperscript{123} Ibid
\textsuperscript{124} Ibid
\textsuperscript{125} Khafi Khan, "Muntchalalul Lubdl of Khafi Khan," in *The History of India as told by its own Historians*, 350.
the men, and dishonoring the women, both old and young.”126 By the time the pirates were done, the Ganji-i-sawai had made them all immensely wealthy.

“The owners of the cargo [would] later estimate their loses at £600,000,” while the English East India Company argued that the loss was instead £325, 000 (this range is about equivalent to between $200 and $400 million dollars).127 Each member of the crew earned a share of roughly £1,000, with certain members like the captain and the master receiving slightly more (two shares and a share and one half respectively).128

Although each pirate was now in possession of a small fortune, this was not enough for some. Any loyalty and comradery that they had exhibited during the battle quickly evaporated as the process of dividing the spoils further unfolded. To begin with, the crew of the Portsmouth Adventure was excluded from taking any shares, since they failed to participate in the battle. Next the crew of the Pearl started trading gold for silver with Every’s men, which would not have been a problem if they had not been “clipping” it.129 When Every’s crew discovered this, they promptly commandeered all the loot that had been given to the Pearl’s members at gunpoint. Nothing was left for the Pearl except for “2,000 pieces-of-eight to buy provisions.”130

Once all the loot had been divided the pirates went their separate ways.

Some of the ships sailed back to Saint Mary’s while others, like the Susana,

126 Ibid., 350.
128 “Examination of John Dann, mariner,” August 3, 1696.
129 Clipping gold is when one cuts, or otherwise removes, the edges from a piece of gold, thereby reducing its value.
130 “Examination of John Dann, mariner,” August 3, 1696. This is still about $225,000 today.
headed towards the Red Sea to look for new merchant vessels. Aboard the *Fancy* (whose crew was now in control of basically all the Ganji-i-sawai’s assets), Every planned to sail directly to Providence in the Bahamas. A mutiny, however, forced him to take a detour to a “French Island” off the coast of Madagascar.131 “There we left as many men as were inclined to stay, and in March or April we came to Providence, anchoring first off Thora Island.”132 Here Every sent a letter to Governor Trott to inquire if he and his crew could be granted protection and general immunity for a price. Governor Trott agreed to this arrangement. In total, the Governor received twenty pieces-of-eight per pirate (forty for Every himself) and the *Fancy*, since Every and the others decided to leave it behind. Trott also received a present of elephants’ teeth and other commodities, probably for good measure, worth a total value of about £1,000.133

Every’s remaining crew then split apart. Every kept about twenty men, bought a sloop, and sailed for Ireland.134 Some of his crew stayed in the Bahamas, while still others sailed for different parts of the Americas, often going to various English colonies. Towards the end of June, 1696, Every and his men landed in Ireland; information on Every’s whereabouts and activities ends at this point. His disappearance, however, does not mark the end of his tale. About this time news of Every and his exploits in the Indian Ocean had reached England. The East India Company was desperate to demonstrate to the Mughals

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132 “Examination of John Dann, mariner,” August 3, 1696.
133 Ibid
134 A sloop is a small, fast, light ship that usually has just one mast.
that they neither tolerated nor endorsed piracy so they put tremendous pressure on the King, Parliament, and the Council of Trade and Plantations to crack down on piracy in general and specifically to hunt down and punish Every and his crew; all three complied beginning what can only be described as a transcontinental witch-hunt for these men. Only six weeks after Every landed in Ireland, the Treasury Lords issued a memo to the Lords of Justice stating that they had evidence that Every and some of his men were in Ireland and that an order for their arrest should be issued immediately. 135

In Ireland, two men that had accompanied Every were caught: Philip Middleton and John Dann. Both turned informer, agreeing to testify against six of their old comrades captured in the months following their own arrests. When these six men went on trial and were found not guilty by a jury, a retrial was held two weeks later with a new jury. “Under great pressure from the court, the second jury found them guilty, and the death sentence was pronounced with great solemnity.” 136

In the North American colonies, the search for Every and his men met with more mixed results. This was largely due to the fact that many local officials had no interest in asserting a new national policy, especially when they had been paid off by members of the Fancy’s crew. For instance, when a local justice Captain Robert Snead attempted to detain some of Every’s former crew in Philadelphia, the Governor, who had financial connections to those same men,
stopped him. When Snead persisted in his attempts to arrest these men the
Governor punished him.

He called me rascal and dared me to issue my warrants against these men, saying that
he had a good mind to commit me. I told him that were he not Governor I would not
endure such language, and that it was hard to be so treated for doing my duty. He then
ordered the constables not to serve any more of my warrants; moreover being greatly
incensed he wrote a warrant with his own hand to the Sheriff to disarm me.\footnote{137}

When money was not involved, officials became more willing to aid the
hunt, but their efforts still varied notably. On June 10 and 11, leaders in
Maryland and Virginia put out notices to all local law enforcement calling for
the arrest of Every and any of his crew members.\footnote{138} The Massachusetts
Lieutenant Governor, in contrast, simply informed the National Government that
he had looked for pirates but could not find any. He further concluded that the
reason he could not find any was because pirates did not like to live in
Massachusetts. “After diligent enquiry and search I cannot find that any of them
are in this Government. They find more countenance and better entertainment in
other places.”\footnote{139} Lastly, some local officials acted in between the situations
described above. The Governor of New York, for example, published the King’s
proclamation concerning Every and the crew of the \textit{Fancy}, but did not go much
beyond this.\footnote{140}

\footnote{137 \textit{"Narrative of Captain Robert Snead,"} April 1697, in \textit{British History Online}. http://www.british-history.ac.uk/report.aspx?compid=70953&strquery=%22henry%20every%22 (accessed November 12, 2009).}
\footnote{138 \textit{"Minutes from the Council of Maryland and Virginia,"} June 1697, in \textit{British History Online}. http://www.british-history.ac.uk/report.aspx?compid=70898&strquery=%22henry%20every%22 (accessed November 12, 2009).}
\footnote{139 \textit{"Lieutenant Governor Stoughton to Council of Trade and Plantations,"} September 30, 1697, in \textit{British History Online}. http://www.british-history.ac.uk/report.aspx?compid=70906&strquery=%22henry%20every%22 (accessed November 16, 2009).}
\footnote{140 \textit{Governor Sir Edmund Andros to Council of Trade and Plantations,"} July 1, 1697, in \textit{British History Online}. http://www.british-}
As time passed and the hunt intensified, harboring Every and his crew became so taboo that individuals would accuse others of doing it to try to gain leverage. Captain Josiah Daniel’s actions are a perfect example of this behavior. Daniel was a captain in the Royal Navy who press-ganged some Maryland sailors into service. When they deserted, Daniel wrote to the Governor of Maryland to try to coerce him into getting these sailors back, or into getting him new ones. Daniel’s letter began by stating “I suppose they are gone for your province. The worst sailors know how ready you are to entertain and protect all deserters.”

He then changed topics. He wrote that he recently heard that some men from Every’s crew were within the Governor’s jurisdiction and, as the law clearly states, that the Governor must do whatever he could to apprehend these men. Daniel’s letter then returns to his discussion of deserters, with no hint of transition and a clear emphasis on the connection between the two subjects.

Henry Every was a pirate who demonstrated tremendous skill and leadership ability. He became a legend in his own time for his sensational robberies, which astounded many and provoked many more. The latter category included the Mughal Empire, who became enraged with the English for what Every did, and the East India Company, who became furious at Every and all other pirates for how upset they had made the Mughals. Every inspired songs,
books, and plays, but none captured the real man or his legacy. Every made Saint Mary’s a household name, and he became a symbol of piracy. He was so infamous that he triggered a global hunt for himself and his crew and Henry Every helped force the English to change their views on all pirates in the Indian Ocean.
Chapter 4: The Man who Added Additional Politics to Piracy

Early Career and the New Commission

Before William Kidd was used as a piece of evidence against some of the highest ranking English officials of his time, before his name took center stage in a political battle between the Whigs and the Tory’s in the House of Commons and before his highly publicized execution for murder and piracy, William Kidd appears to have been just a regular sailor looking to serve King and Country.

The year was 1689 and Lieutenant-General Codrington was sailing around the Caribbean trying desperately to protect English holdings from French pirates and privateers. To his pleasant surprise, he bumped into a French pirate ship that had been recently commandeered by Englishmen. He soon learned that the vessel, a boat packing sixteen cannons, had been manned by one hundred and thirty pirates who had just headed to shore to attack St. Christopher’s. The pirates had left twelve French and eight English aboard to guard the ship. The English mutinied and took over the moment the main body of pirates had gone. Codrington then met the man who had devised this daring and exceptionally ambitious plot, a sailor by the name of William Kidd.143

Excited that he finally had a potential ally within the area, Codrington urged Kidd to join him in hunting and fending off the French pirates. Kidd agreed and was made captain of the ship he had taken: “she is now fitting for the

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King's service, her captain being William Kidd.” 144 Though Codrington still regularly complained to the Council of Trade and Plantations about his lack of military support within the area (“This vessel [referring to Kidd’s ship] with my two sloops is all our strength at sea, very inconsiderable in comparison with their fleet”), he was clearly happy to have Kidd along.145

How long Kidd remained in the Caribbean helping Codrington pursue pirates is unclear and not entirely important. What is significant was that six years later, Kidd was finalizing an agreement with Lord Bellomont (and other prominent men) that ultimately made his name infamous: a commission to continue to hunt pirates.

The commission began by outlining the main sponsors of Kidd’s expedition. There was Lord Bellomont (soon to become Governor of New York, and later of Massachusetts), Edmond Harrison (merchant), Samuel Newton, William Rowley, George Watson, and Thomas Reynolds. (Though not named, the Earl of Orford also played a key role in ensuring that the King signed Kidd’s commission. Lord Orford was in charge of “executing the Office of Lord High Admiral of England”—a formal title for the man who runs the Royal Navy.146 Also unnamed in the contract, but who nonetheless helped guarantee Kidd’s voyage was approved and funded, were Lord Somers, Lord Portland and Lord Halifax. Lord Somers can probably be considered the most prominent of these three men because he was Lord Chancellor and Keeper of the Great Seal at the

144 Ibid
145 Ibid
The commission went on to state that “all ships, vessels, goods, merchandise, treasure and other things whatsoever which shall be taken or seized upon or with the pirates, filibusters and sea rovers by Capt. William Kidd” were the commissioners’ property. Kidd was placed in charge of the sponsors’ ship, the *Adventure Galley*. Should he, for whatever reason, be replaced by another commander, however, the new commander would still be bound by the same rules and obligations binding Kidd.

Kidd’s contract further put forth that there were certain pirates that he should search for. These pirates, all originally from New England, were Thomas Too, John Ireland, Thomas Wake and William Maze. Why the commissioners were so concerned that Kidd find these particular pirates remains unclear. The contract explains that Kidd should pursue these four because they “had associated with divers other wicked persons to commit, and did frequently commit, great piracies and depredations upon the seas.” Yet there were numerous pirates across the globe that fit this description, some of whom were more infamous then the ones mentioned above. Why not have Kidd hunt those pirates instead?

This situation naturally makes one wonder if there was some other motive behind why these four pirates were named. It is possible that one of the

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149 The *Adventure Galley* was a thirty-gun ship originally crewed by seventy to eighty men. When Kidd left New York, his crew was about twice this size (155 men—*The arraignment, Tryal and Condemnation of Captain William Kidd*, page 166)
150 “Kensington to the Solicitor-General for a Great Seal,” April 30, 1696.
151 Ibid
sponsors had had a run in with one of these pirates, or that one of these pirates had stolen cargo or merchandise from one of the sponsors in the past. It might also be that the commissioners named these pirates because they believed that they were far closer to England than the Indian Ocean. After all, the faster Kidd captured pirates the faster the sponsors realized a return on their initial investment. If Kidd was chasing pirates who were known to be on the other side of the world, it could be years before the commissioners received any money. Of course, if the latter reason was the actual one, then Thomas Wake should not have been named. Wake, who was mentioned previously in Chapter three as captain of the *Pearl*, was in the Indian Ocean at this time.  

In any event, the commission ended by declaring that the King would be given a share in the proceeds (“a tenth part being reserved to the king”) and that Kidd must return to Lord Bellomont by no later than the end of March 1697. If he was late, or if he came back without loot, Kidd stood to lose £10,000.  

It should be noted that some historians have a slightly divergent view of the general tenor of Kidd’s commission. These historians, in particular John Keay, state that after Henry Every’s actions in the Indian Ocean there was talk of sending in a naval squadron to eliminate the local pirates. Because the Government did not want to cover such an expensive undertaking, they actively

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152 Because the depositions and records are inconsistent when it comes to the spelling of people’s names, it is very likely that Thomas Too (mentioned in this chapter) was the same as Thomas Tew (from the previous one). This supposition meant that half the pirates Kidd was assigned to look for were currently in the Indian Ocean serving under Every.


sought out entrepreneurs to fulfill this task. Kidd and his sponsors were then chosen for the job. “The Government declined on the grounds of expense but then, as it were, put the job out to tender. A syndicate headed by the newly appointed Governor of New York won the contract.”

This view of Kidd’s commission is one that I personally would love to back because it adds a new layer to my own argument. It would show that the English Government recognized piracy as an issue, but one that did not require a strong and decisive response on its part, at the time. Leaving the handling of this situation to private practice, it was only after Kidd turned pirate [thus proving that private practice failed] that the English Government felt the need to step-in and play a more direct role in managing what occurred in the region. Unfortunately, there are two major problems with this position. First, it logically makes no sense. Why would the government only approve one group, which only had one ship and one captain, to take out all the pirates in the Indian Ocean when they could hire multiple groups and multiple ships at the same price they were paying Kidd, £0? Second, and by far the more important, none of the evidence, with one exception, seems to substantiate this position. That evidence appeared in the House of Commons impeachment hearings of Lord Orford: one of the accusations brought against him was that he refused to grant the East India Company letters of marque to hunt the pirates harassing their trade, despite having given Kidd one.

Naturally, there are issues with using this as evidence to support the

156 “Articles of Impeachment against Edward Earl of Orford,” May 9, 1701.
claim that the Government, rather than passively responding to applications by pirate hunters, was actively recruiting from the private sector to carry out a new policy of ending piracy. To begin with, it never directly puts forth the notion that the Government was seeking someone to eliminate pirates and in the process chose Kidd. Instead it indirectly hints at this and far more directly implies that Lord Orford thought he could amass a fortune for himself or his friends if he only approved one person to hunt pirates and invested only in that expedition. Furthermore, it was the East India Company that was complaining about pirates in the first place. Why petition the Government for help with the pirates, only to then petition the Government for letters of marque to hunt said pirates, when they could have left out the Government all together and just continued their general policy of attacking anyone who got in the way of their trade? Also undermining any claims that this evidence might make are other East India Company sources, discussed in chapter 5, which show that the Company was only interested in publically punishing pirates in India, not in actually hunting them down.157 The East India Company wanted the image that came with a policy of no-tolerance towards pirates [to ease any Mughal concerns] without shouldering the incredible costs of carrying out said policy. In short, though some historians like Keay believe that the Government played an active role in choosing Kidd and only Kidd to eliminate pirates in the Indian Ocean, and as such provided him with a commission to do so, both evidence and logic seem to refute this position.

As final preparations were made for the Adventure Galley to set sail, Kidd met with his new Quartermaster, John Walker, and together they drew up their own contract for dividing any plunder. Before describing how Kidd and Walker chose to do this, it is interesting to note that they chose to make a contract at all. While it was common practice for pirates and privateers during this era to decide upon a set of articles (prior to setting sail) that specified shares, bonuses for injury, and punishments for disobedience, it seems odd that Kidd, who was commissioned by others and thus already bound by a contract, would go through with this. After all, how could he authorize the division of loot that was not technically his?

The articles that Kidd and Walker created, and that the rest of the crew then agreed to, were just as peculiar as the decision to draw them up. First, they favored Kidd astronomically. “The Captain shall receive for the ship, the finding her in wear and tear, 35 shares, and five full shares for himself.” It is literally inexplicable how, in a time when most captains (such as Every) received only two shares, Kidd regularly managed to convince his crew that he deserved forty, regardless of the condition of the ship they were currently sailing. Had Kidd been with any other crew these terms would have never been

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158 A Quartermaster was one of the highest ranking officers onboard, often only under the captain himself. The Quartermaster’s job was to punish crewmembers who broke any part of the agreed upon articles and to help divide up loot.


160 Ibid

161 "Examination of John Dann, mariner," August 3, 1696.
accepted. Second, there was no mention of the commissioners anywhere in the articles. Since they were the financial backers of the expedition, it would have made sense to have their shares clearly detailed, yet they were not.

The only parts of Kidd’s articles that were the least bit conventional were the medical benefits and the punishments. Medical benefits were an important part of any agreement for pirates and treated very seriously. Kidd still acted slightly irregularly, as he specified an exact amount per injury instead of a portion of a share (“100 pieces of eight for the loss of a finger or toe”). In September 1696 the *Adventure Galley* finally left its New York port, where it had anchored for three months, and hit the open waters. Kidd had decided that instead of patrolling the Caribbean, as he had done in the past, he would travel to the Indian Ocean to look for pirates there. Picking up the westerly winds, the *Adventure Galley* headed toward Madeira Island, situated off the coast of Portugal. Turning south, Kidd and his crew traveled along the coast of Africa, passing the Cape Verde Islands, rounding the Cape of Good Hope, and eventually landing off the coast of Madagascar. By this time, the *Adventure Galley* had spent approximately five months at sea.

Punishments were equally critical to any pirate articles, and the severity of Kidd’s was in line with those of other pirates. (Pirates undoubtedly hated mistakes because they cost money, time, and potentially the pirates’ lives.)

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The journey had been a long one and Kidd’s crew did not arrive in good

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shape. Many suffered from scurvy, a sickness caused by ascorbic acid (vitamin C) deficiency.\(^{164}\) In the hope of curing his men, Kidd sailed for Johanna, an island famous for having an abundant supply of fruits and vegetables as well as hospitable inhabitants. While there Kidd encountered two English East India Company vessels also resupplying. Kidd met with the other ships’ officers who were curious about where Kidd was heading. Kidd replied to their inquiries that he was “bound to Port St Mary to hunt for pirates.”\(^ {165}\)

It is critical to step aside here to point out that this interaction further illuminates the contradiction and illogicality that surrounded Kidd’s actions. Kidd never ended up going anywhere near Saint Mary’s, despite being commissioned to hunt pirates and clearly knowing that pirates were staying at Saint Mary’s. (If he did not know this, Kidd would not have said what he said to the merchant ship officers). It makes absolutely no sense that Kidd would decide to be a privateer hunting pirates while simultaneously staying clear of the one spot where pirates were guaranteed to be.

Some historians have attempted to reconcile these facts by stating that Kidd never planned to hunt pirates; instead he always intended to become a pirate himself. Others argue that because of his now “woefully undermanned


\(^{165}\) “An account of Captain Kidd of the Adventure galley,” January 26, 1697, in British History Online. http://www.british-history.ac.uk/report.aspx?compid=70967 (accessed January 7, 2010). Johanna (presently called Anjouan) was also mentioned in chapter three as one of the places that Every stopped. It is an island located within the group of islands collectively known as the Comoro Islands, all of which are located off the north-western coast of Madagascar.
vessel [any attack] would be suicidal.” 166 Neither perspective seems particularly strong. If the former was true, why not just join one of the many crews that was heading out to the Indian Ocean (or the Caribbean) to make their fortunes, or at the very least start building his own crew to fulfill this end? Why go to some of the richest, most powerful and influential men of his time, men who certainly could have ruined him if they wished, to get a ship, when he could have avoided interacting with them all together? If the latter was correct, then there was no reason for Kidd to continue privateering because if his crew was too small to capture unprepared pirates hanging out on an island, then it was too small to secure any substantial prize.

Whatever Kidd’s reasoning was for failing to carry out his commission, he clearly realized around this time that he needed to capture a prize and fast. As things presently stood, he was going to be late for his rendezvous with Lord Bellomont who would probably be furious with him for being tardy and almost certainly charge him the £10,000; that was unless Kidd had something exceptional to present. Furthermore, Kidd’s own crew was undoubtedly restless by this point in the voyage because they had made a long and dangerous journey with nothing to show for it.

Assessing the best way to obtain quick results, and thus satisfy all involved, Kidd chose to sail north to the entrance of the Red Sea. 167 He could not have picked a more perfect location. Pirates often sailed this area searching for merchant ships traveling between the Indian Ocean and the Red Sea.

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167 "Robert Bradinham’s Testimony," 166.
discussed in Chapter 3, the Bab El Mandeb Strait, which connected these two bodies of water, was particularly popular.

Yet Kidd was not there to hunt pirates. As it soon became apparent to members of his crew, like Rob Bradinham, Kidd was in fact there to take merchant vessels. What caused Kidd to turn pirate is unknown, but instead of searching for marauding looters he sat and waited for the same fleet that Every had attacked two years earlier.

Mr. Cooper: Did he express himself so, that he did lie in wait for that fleet?
Rob Bradinham: Yes. He said that he did design to make a voyage out of them.
Mr. Cooper: Did he lie in wait for any French Effects in that fleet?
Rob Bradinham: No; only for the Moorish fleet.

Like Every, Kidd had to wait some time. He and his crew remained in the Bab El Mandeb Strait for two to three weeks before their target sailed through. During this time, Kidd attempted to do what other pirates had done before him: gather information on the fleet. He sent a boat to the city of Mocha three times in the hope of discovering the exact date that the ships were to set sail. The first two times Kidd’s reconnaissance ship came back with nothing. The third time, however, his men returned to inform Kidd that the fleet, which had between fourteen and fifteen ships, was ready to sail and would be passing through the Bab El Mandeb Strait shortly.

Kidd immediately set about making preparations. Aware that the fleet might try and pass during the night, Kidd ordered his men to stand watch and alert him when they saw the ships approaching. Four or five days later, on either

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168 Ibid., 166.
169 Ibid., 166.
170 Ibid., 166.
August 14 or 15, the fleet came through.\textsuperscript{171} Completely ready, Kidd and his crew gave chase. Unfortunately for the pirates, the fleet that they pursued was far different from any that their predecessors, like Every, had gone after. These ships were not traveling alone, but instead were escorted by English and Dutch warships: “and there was a Dutch convoy, and an English one among them.”\textsuperscript{172} As soon as Kidd acted aggressively towards the merchant fleet, two of the Men-of-War opened fire on the \textit{Adventure Galley}.\textsuperscript{173} Though Kidd was at first unfazed, and even proceeded to open fire at one of the far off “Moorish” merchant ships, he soon fled the scene as the warships increased their attack and showed signs of giving chase. It had not taken long for Kidd and his crew to realize that the warships were not to be trifled with. Had they remained and continued to harass the merchant fleet, they would have almost certainly been gunned down.\textsuperscript{174}

Having been completely outmatched, Kidd had no choice but to alter his course. He headed west to Karwar, an Indian coastal city located on the southwest tip of India. En route the pirates spotted another Mughal ship. This ship was a small merchant vessel chartered out of Bombay. It was captained by an Englishman named Thomas Parker and was probably sailing to Karwar to sell goods. Because it was not being escorted by warships, nor was it part of a fleet


\textsuperscript{172} Ibid., 171.

\textsuperscript{173} A man-of-war was one of the most powerful naval warships of its time. It generally had three masts and could be up to 200 feet long. It could be equipped with 124 cannons (four in the front, eight in the back, and fifty-six on either side) and had three decks to support this incredible amount of artillery—\textit{Seamanship in the Age of Sail}.

\textsuperscript{174} Ibid., 171.
with other boats, it was an easy target for Kidd and his crew.175

Once the pirates had captured the merchant vessel, their first real prize, the plundering began. They looted a bail of pepper, a bail of coffee, sugar and twenty pieces of Arabian gold. Certain that the crew was hiding more money somewhere aboard the vessel, Kidd ordered his crew to torture some of the sailors. “[He] order’d some men to be taken and hoisted up by the arms, and drub’d with a naked cutlass.”176 After this was done, Kidd released the sailors and let the ship continue on its course. Kidd did, however, force the merchant ship’s captain (Parker) and Portuguese translator (Antonio) to remain onboard his ship. Parker was held to serve as a pilot and Antonio was kept to facilitate communication with any Portuguese ships that Kidd and his crew happened to meet.177

The Adventure Galley then proceeded to sail to Karwar where news of the attack had already reached the East India Company. Not long after Kidd docked in port, two representatives from the local branch of the company (simply referred to in the testimony as “one Harvey and Mason”) came to question Kidd about what had occurred and to demand the release of Parker and Antonio. Kidd vehemently denied any wrong-doing or any connection to those two particular men. He simultaneously kept Parker and Antonio hidden, not only for the period when he was being questioned, but for some time after as Kidd restocked and resupplied the Adventure Galley. “He denied that he had any such men and he

175 “Robert Bradinham’s Testimony,” 167.
176 “Joseph Palmer’s Testimony,” 171.
177 “Robert Bradinham’s Testimony,” 167.
kept them in the hold, I believe for a week.”

Soon afterwards, Kidd and his crew departed from Karwar.

On the open ocean, the *Adventure Galley* ran into two Portuguese warships which had been dispatched by the viceroy of Goa to arrest Kidd. The pirates chose to flee rather than fight. As the Portuguese pursued, the pair of warships drew apart since one was considerably faster than the other. Kidd noticed this turn of events and eventually made a round-about to attack the faster of the two vessels. “He engaged her for five or six hours” until the trailing warship arrived, upon which Kidd turned and made his escape.

Kidd continued to journey along the coast of India, eventually stopping at the Maldive Islands. (The Maldives are located to the southwest of the southernmost point of India). Here Kidd took on water and wood and waited while his men rested. During this layover one of the sailors, who also happened to be the cooper, was captured by a group of natives while wandering around the island alone. They later cut his throat. In response, Kidd brought a group of men ashore and “plundered several boats, and burnt several homes, and order’d one of the natives be ty’d to a tree,” for target practice for Kidd’s men.

Kidd and his crew continued to sail around the Indian Ocean until mid-October, when they spotted the English ship the *Loyal Captain* off the southern tip of India. Though Kidd stopped the ship and spoke with its captain, he did not

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178 “Joseph Palmer’s Testimony,” 171.
179 Ibid., 171.
182 A cooper is someone who makes barrels
183 “Robert Bradinham’s Testimony,” 167
loot it. In fact, he prevented his men from stealing the ship’s goods and robbing its crew. “When Kidd refused to order an attack…mutineers threatened to use the ship’s boat to take the Loyal Captain. Kidd swore he would run them down with the Adventure Galley” if they did.¹⁸⁴ Disgruntled but obedient, the crew complied with Kidd’s orders and momentarily stopped insisting on taking the ship.

Two weeks later, around October 30, feelings of dissatisfaction again evolved into discussions of mutiny and calls for more piracy from various crew members. This discontent should not have surprised Kidd. The voyage had yielded very little loot, regular run-ins with various naval vessels, all of which had attacked them, and the passing-up of perfect opportunities (like with the Loyal Captain). At this point, the crew probably perceived Kidd as indifferent to their desires and the purpose of their expedition.¹⁸⁵

One of the sailors voicing these sentiments most overtly was William Moore. Moore was a gunner aboard the Adventure Galley and on that day he was sitting on deck expressing his frustration (especially over the Loyal Captain) to the other men. When Kidd heard him, he confronted Moore: “which way could you have put me to take that ship, and be clear.”¹⁸⁶ Moore responded in a roundabout manner, provoking Kidd to call him a “lousy dog.” Moore was angered by this remark so he yelled “if I am a lousy dog, you have made me so;

¹⁸⁵ “Joseph Palmer’s Testimony,” 155.
¹⁸⁶ Ibid., 155.
you have brought me to ruin, and many more.”\textsuperscript{187} Kidd was now infuriated. He grabbed an iron bound bucket and struck Moore on the side of the head. The blow was so powerful that Moore died from the blunt force trauma the following day.\textsuperscript{188}

While Kidd would later be tried and convicted of murder because of this incident, the historical value of this moment lies within the two clearly different understandings of contemporary piracy laws and practices that are presented here. One interpretation may be based on Moore’s behavior. Moore almost certainly believed that all aboard the \textit{Adventure Galley} were now considered pirates and criminals. They had captured a ship that was captained by an Englishman, then proceeded to hold him captive. They also had attacked a fleet protected by an English convoy. Since they were already pirates, there was no point in not robbing other English ships such as the \textit{Loyal Captain}. Kidd’s views contrasted sharply with Moore’s because he saw both of these incidents as minor technicalities rather than breaches of contract or commission.

He had not been assauling English ships, but Mughal ones that happened to have English crew members. There was no way he could have known that Englishmen were onboard, nor was there any reason that he should have suspected they would be. Furthermore, it had always been difficult to determine a merchant ship’s origins because merchants often hid that information. “Merchant captains carried multiple sets of flags and passports. If they were chased by a ship, they would hoist a flag and get out papers identifying

\textsuperscript{187} Ibid., 155.
\textsuperscript{188} Ibid., 156.
them[selves] as a friend of the pursuer.”\textsuperscript{189} Because of this practice, as long as Kidd could feign ignorance of an English ship’s origins, it, like any other, was probably acceptable target to plunder. It was only in situations where there could be no doubt that the ship was English-owned, such as in the case of the \textit{Loyal Captain}, that Kidd had to be wary regarding his actions.

During this recounting of Captain Kidd’s history there have been numerous instances where it has seemed that Kidd’s behavior was illogical or contradictory. Yet however inconsistent Kidd’s rationale might seem, he understood contemporary piracy practices much better than Moore and many others. Technicalities routinely were utilized to justify actions at sea, to the point where it was foolish not to understand and employ them. A perfect example of how utilizing technicalities around this dance between a merchant ship and its pursuer occurred may be seen a few weeks later when Kidd was pursuing a Dutch ship. During the chase Kidd flew a French flag; when he caught the Dutch ship, he had a crewmember that spoke French pretend to act as captain. When he was presented with French passes Kidd exclaimed “By God I have caught you! You are a free prize,” and then looted the ship.\textsuperscript{190}

Kidd employed this same tactic when capturing his biggest prize, the \textit{Quedah Merchant}. The \textit{Quedah Merchant} was a four to five hundred ton vessel owned by Surat merchants. It was returning from Bombay loaded with goods when Kidd intercepted it. Kidd did so flying the French flag and putting forth the same crew member who spoke French. When the \textit{Quedah Merchant}
presented its French passes, Kidd seized it instantly. Over the course of a few days, the crew unloaded the *Quedah Merchant*. They removed goods and coins, some of which they later chose to sell for about £10,000 and £12,000. When the time came to divide up the plunder, it was decided that one share would be worth £200 in coins and £200 in goods. Once this was done they set sail for Saint Mary’s with the *Quedah Merchant* in tow.\(^{191}\)

At Saint Mary’s Kidd found Captain Culliford and his ship the *Resolution*. Afraid that Kidd was there to arrest him, Culliford was initially tense until he learnt that Kidd had no intention of doing so. After an exchange of gifts and a brief interlude, Kidd set sail for the Americas to reunite with Lord Bellomont.

*An Unhappy Reunion: Captain Kidd Returns to New England*

In April of 1699 Kidd landed in Anguilla. There he learnt that he had been branded a pirate and, due to his escapades in the Indian Ocean, was sought after by the English Government and the East India Company. Undoubtedly concerned by this news, Kidd nonetheless proceeded to sail to Boston, arriving two months later.\(^{192}\) (Kidd would sail to New England on a smaller sloop, having left the *Adventure Galley* in the Caribbean.)

Once near port, Kidd began to display an incredible level of caution. He

\(^{191}\text{Ibid., 172.}\)

\(^{192}\text{Why Kidd chose to sail to Boston instead of New York is unclear. After all, his voyage began out of New York, most of his interaction with Lord Bellomont seems to have been in New York, Lord Bellomont was Governor of New York before he became Governor of Massachusetts, and Kidd had been halfway across the globe for an extended period of time so it is hard to believe that he would have even discovered that Lord Bellomont was now in Massachusetts. The only possible explanations is that Kidd must have met someone on his return trip, such as in Anguilla, that told him Lord Bellomont was now governor of Massachusetts.}\)
chose to remain off the coast rather than docking in the harbor. Furthermore he did not contact Lord Bellomont immediately upon arrival. Instead, he waited until dark and sent an intermediary in his place. “On June 13th Mr. Emot, a lawyer of New York, came late at night to me (Lord Bellomont) and told me he came from Captain Kidd who was on the coast with a sloop, but would not tell me where.” Kidd clearly had decided in advance that he was going to attempt to purchase his pardon because Emot proceeded to notified Lord Bellomont that Kidd had brought back a substantial fortune. “Kidd had brought 60 lbs. weight of gold, about one hundred weight of silver and 17 bales of East India goods…[also] Kidd had left behind him a great ship near the coast of Hispaniola, that nobody but him could find out, on board whereof there were in bale goods, salt-petre and other things to the value of at least £300,000.”

Lord Bellomont was extremely excited by what he heard. He sent Emot back to Kidd to ask him to come into port to negotiate a pardon. Lord Bellomont also summoned Mr. Campbell, the postmaster and an old acquaintance of Kidd’s, and asked him to accompany Emot. (This was likely done to increase the probability that Kidd would dock and enhance the perceived credibility of Lord Bellomont’s desire to pardon him).

(It is interesting to step aside here to note that Lord Bellomont would later testify to the Council of Trade and Plantations that he had no intention of

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194 “Governor the Earl of Bellomont to the Council of Trade and Plantations,” June 26, 1699. Kidd had undoubtedly exaggerated to the lawyer here who in turn spread this exaggeration to Lord Bellomont.

195 ibid
pardoning Kidd unless Kidd demonstrated that he was completely innocent. 

Undoubtedly trying to mask his own culpability in the matter [bending the law to benefit his pocket], Lord Bellomont would recall his actions during this moment in the following way. “The promise I make Captain Kidd…of a kind reception and procuring the King’s pardon is conditional, that is, provided he were as innocent as he pretended to be.”

When Kidd landed he met with Lord Bellomont who began to question Kidd about his voyage and what occurred. Lord Bellomont also attempted to probe Kidd for information on the location of his ship in Hispaniola, but Kidd remained mute on the subject. Kidd and Lord Bellomont met several times over the course of almost a month until July 3 when Kidd and a few members of his crew were brought before the Massachusetts General Assembly. Here Kidd and the others were examined thoroughly for three days, at one point even being asked to bring in written narratives of what transpired during their voyage.

When these proceedings had concluded, Kidd and his crew members were charged with piracy, arrested and placed in jail. Sometime later they would all be put on a ship bound for London where they would be tried by a criminal court. (When Lord Bellomont was later asked by the Council of Trade and Plantations why he let Kidd reside in Boston for a month before the public questioning and arrest, Lord Bellomont replied that, among other things, Kidd’s

196 ibid
wife and children were there.)\textsuperscript{198}

Once Kidd had been arrested, Lord Bellomont ordered that Kidd’s possessions should be searched and anything of value seized. The Deputy Collector in charge of this task found two large bags, one of which was filled with gold and the other filled with silver. The collector also discovered several smaller bags of gold, a diamond ring, a few minor trinkets and gems.\textsuperscript{199}

Around this time Lord Bellomont also heard a rumor that Kidd had made a stop at Gardiner’s Island (either during his stay in Boston or on his way up to Boston). While there, Kidd had apparently buried some treasure. Acting quickly, Lord Bellomont sent a messenger to Mr. Gardiner to explain that Kidd had been arrested for piracy and that any goods he had left there must be turned over forthwith. Gardiner complied, turning over gold, silver and six bales of goods. The sum of these newly acquired items was enormous. “We hope that when the six bales are sent in by Gardiner, what will be in the hands of the gentlemen appointed to that trust will amount to about £14,000.”\textsuperscript{200}

\textit{Charged and Tried: The End of Captain Kidd}

In April, 1700 the H.M.S. \textit{Advice} docked in London. On board was Captain Kidd, now thirty-two-years-old, and nine of his associates/accomplices.\textsuperscript{201} Though Kidd probably did not know it at the time, his life was about to become embroiled in English politics. He would be brought

\textsuperscript{198}“Governor the Earl of Bellomont to the Council of Trade and Plantations,” June 26, 1699.
\textsuperscript{199}ibid
\textsuperscript{200}ibid
\textsuperscript{201}“J. Burchett to W. Popple (Admiralty Office),” April 11, 1700, in \textit{British History Online}. http://www.british-history.ac.uk/report.aspx?compid=71338&strquery=%22william%20kidd%22 (accessed January 9, 2010).
before the House of Commons where Tory M.P.s (Member of Parliament) resumed their vigorous attacks on all Whigs who had any connection to Kidd and his voyage. The operative word here is resumed because the Tories had already been attacking the Whigs prior to Kidd’s arrest. In debates held in the Commons in 1699, the Tories had accused certain Whigs of attempting to profit from the now infamous and criminal Captain Kidd. They came down especially hard on those directly associated with Kidd’s commission. “The Grant was dishonorable to the King, against the Law of Nations, contrary to the Laws and Statues of this Realm, Invasive of Property, and Disruptive of Trade and Commerce.”

Kidd’s arrival in London created a fresh opportunity for the Tories. Speedily placing him before the Tory-controlled Admiralty Board, they questioned him intensely hoping to discover new evidence that would incriminate the Whigs. Again their efforts amounted to nothing. Undoubtedly frustrated, the Tories ensured that Kidd’s trial was delayed before placing him in Newgate prison. This was almost certainly an attempt to break Kidd’s spirit and convince him to testify against his sponsors. Kidd chose to remain in prison and not cooperate, which meant that by the time his trial began on May 8, 1701, he had spent almost two years in confinement (if one starts counting from his arrest

All of this culminated in a motion to declare the Kidd’s commission illegal and dishonorable. On December 6, 1699, when this resolution came to a vote, it did not pass. This of course greatly disappointed the Tories.

Like the examination in the Commons, the trial itself was highly political, but in an entirely different way. Instead of being at the center of a battle between the Tories and Whigs, Kidd was now immersed in the English State’s continued attempts to repudiate the pirates in the Indian Ocean and appease the Mughal Emperor. Kidd was placed before a court that was stacked against him in every way imaginable. “The prosecution was led by the King’s Solicitor-General, Sir John Hawles.”

This was the same man who had helped make the case against Every’s crew members six years before. Hawles was assisted by three counselors and Dr. Thomas Newton who was Chief Advocate in the Admiralty. (Newton, like Hawles, had also been part of the Every proceedings). Finally Hawles could, at any point, chose to utilize the advice and support of then Regius Professor of Civil Law at Cambridge, Dr. George Oxenden.

The bench itself was comprised of six eminent judges all of whom were highly respected and, most importantly, very supportive of the prosecution. (The biggest names of those presiding were probably Sir Edward Ward who was former Attorney-General, and currently Lord Chief Baron of the Exchequer, and Justice Gould, who was a new member of the King’s own bench).

Finally, because this was a criminal case, two additional variables were working against Kidd. First, since the dispute was considered to be between the victim and the accused Kidd was not accorded counsel: he had to defend himself.

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204 Ibid., 145.
205 Ibid., 145.
206 Ibid., 145.
against the state. The only time Kidd was allowed to use a lawyer was when he had questions on the law itself, as seen in the following exchange between Kidd, one of the Judges and a member of the prosecution.

Kidd: May it please your Lordships, I desire you to permit me to have Counsel.
Justice Lovell: What would you have Counsel for?
Kidd: I have some matter of law relating to the Indictment, and I desire I may have Counsel to speak to it.
Oxenden: What matter of Law can you have?
Lovell: You must let the Court known what those Matters of Law are, before you have Counsel assigned to you.207

Second, Kidd could describe his actions during his time in the Indian Ocean and attack the State’s evidence, but he was not permitted to provide his narrative under oath, thus submitting it as evidence.208

With so many forces working against him, it is unsurprising that William Kidd was found guilty of piracy, robbery and murder. He was sentenced to death and executed on May 23, 1701. Though Kidd’s story ends here, it is interesting to note two things that followed immediately after his hanging. First, Kidd’s possessions, which had been confiscated after his arrest and subsequently shipped to London, were sold and the proceeds were donated to the Royal Hospital at Greenwich.209 The total value of the donation was £6472, just under half of what Lord Bellomont obtained from Gardiner’s Island alone. Second, despite Kidd’s lack of cooperation, Lords Orford, Somers, Portland and Halifax were all impeached by the House of Commons on April 14, 1701. (The Tories would later decide not to press their case in the House of Lords, because it was

208 Joel H. Baer, British Piracy in the Golden Age: History and Interpretation, 1660-1730, 145.
firmly in the hands of the Whigs).
Chapter 5: Mad Mughals and the Attempt to Appease them—the Mughal and English Response to Piracy

The Emperor and his Subjects

Mughal responses to the robberies committed by Every and Kidd were harsh and swift. In 1695 the Ganj-i-Sawai limped into the port of Surat, having been plundered so completely by Every and his crew that there was nothing of value or interest left aboard. This horrified and angered local merchants, yet their feelings were easily outmatched by those of the public who were outraged that a ship carrying pilgrims to the holy city of Mecca during the hajj would even be considered an acceptable target. “For a Muslim, the capture of the imperial pilgrim ship was more than a crime; it was a direct act of sacrilege against god.”210

These sentiments intensified exponentially as reports trickled in of murder, rape, and women so ashamed of what was occurring that they chose to fling themselves into the sea rather than be a part of what was transpiring.

Shortly after, the public in Surat turned violent and chose to head to the English factory where they intended to overrun the facilities and lynch all the occupants. Had Governor Ahmanat Khan not arrived with local troops to intervene, factory president Samuel Annesley and his sixty-three coworkers would have all been killed.211

The English in Surat would remain in their factory under house arrest for the next eleven months, during which time the Emperor was informed of what

had occurred. Like the public, Aurangzib was furious. He decried the English as criminals and infidels. Ignoring pleas from Annesley and Sir John Gayer (Governor of Bombay) that “we are merchants, not pirates,” Aurangzib ordered that preparations be made to immediately remove the English from India.\textsuperscript{212} “Only the intervention of Issa Cooly, an Armenian friend of the company, kept the emperor from sending an army to wipe out all the English factories in India.”\textsuperscript{213} Though the East India Company’s holdings were ultimately spared, the Company itself paid a high price. It had to cover the losses of the *Gang-i-Sawai* and agree to protect future pilgrim fleets.

The entire situation was so unpleasant that even some Mughal officials that had been sympathetic to the English turned against them in this instance. One Mughal official that visited Bombay in 1696 perfectly encapsulates this position. “[He] strongly criticized the English for plundering Muslim ships visiting Mecca and the Red Sea, and went so far as to contrast their policy with that of the Portuguese who did not, according to him, attack ships at sea except those which had failed to take out Portuguese passes.”\textsuperscript{214}

Simply put, the Mughals were outraged by what happened to the *Gang-i-Sawai*. They blamed the East India Company for Every’s actions, seeing the corporation as deliberately and indiscriminately plundering indigenous shipping for the sake of self-enrichment.\textsuperscript{215}

Not surprisingly, when Kidd robbed another merchant ship from Surat

\begin{footnotes}
\item[212] Ibid., 310.
\item[215] Ibid., 111.
\end{footnotes}
three years later, the Mughals were furious to say the least. The Emperor instantly ordered that all the Europeans be held responsible for what occurred. On January 1, 1699, when the order reached Surat, the Governor gathered his army. The next day soldiers had surrounded English, Dutch and French factories. The three European groups were all informed that they would have to cover all future robberies committed by pirates, and each would be charged a fee equal to a portion of the loss of the *Quedah Merchant*. Though the Dutch and French agreed, the English originally resisted. Gayer sailed up from Bombay to instruct Annesley not to give in to Mughal demands. Annesley was instead told to offer a counterproposal: namely that the Company would send two ships to the coast of Malabar to hunt pirates, provided the ships could also bring indigo to trade with. When the counter proposal was rejected, the English finally gave into Mughal demands. This was fortunate because this, and only this, was the reason that the Emperor “reversed an order, which he had just issued, for putting a final embargo on the trade of all Europeans in his dominions.”

*Company Action and Crown Reaction*

The severity of the Mughal response put tremendous pressure on East India Company officials to do something about the pirates. Since company representatives did not have to power to contend with these marauders themselves, numerous officials stationed across India wrote to the English Government desperately seeking intervention in this matter. While each of these pleas differed slightly, fear of being trapped and perhaps harmed permeated almost all of them.

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Two examples of these letters follow. The first comes from Surat and was probably written by Samuel Annesley, president of the Surat factory, during his (and 60 other East India Company employees) yearlong house arrest. He stated that “your estates, trade, and servants' liberties and lives here are in continual danger, and may be shortly so all over India. We are at this instant prisoners at large, and how soon we may be straiter confined by the Government or massacred by the rabble, God alone knows.” The second came from the head of the Bombay factory. On October 15, 1696, he wrote to the Council of Trade and Plantations describing his perspective on the situation in Indian as follows:

If care be not taken to suppress pirates in India, and to empower the Company's servants there to punish them according to their deserts without fear of being traduced for what they have done when they return to England, the said servants fear it is probable that their throats will all be cut by malefactors and by the natives of the country in revenge for frequent losses, and, moreover, the trade in India will be wholly lost. It occasions great trouble to stave off the Governors of these parts from violently revenging the loss of their subjects' lives and effects upon the lives and estates of the Company's servants.

The situation was complicated by the fact that these two highlighted letters, and for that matter all the correspondence between India and England, took several months to reach England, depending on which ships were departing from where and the general sailing conditions. This meant that it was almost an entire year before the English Government received these calls for help. (The Surat letter

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217 As explained above, Annesley, along with about 60 other company officials, was put under house arrest by the governor of Surat following Every’s robberies.
was dated February 6, 1696 and arrived January 28, 1697. The Bombay correspondence was written in October 1696 [as stated above] and was received December 21, 1697).²²⁰

When the English Government did finally hear these pleas, its response was surprisingly rapid. The Council of Trade and Plantations was quickly convened to discuss the matter and a statement was issued to the East India Company explaining that their calls for intervention had been heard and the situation was now being considered. “A representation to that effect had been made and that the great officers of the Crown, belonging to this Board, had appointed a meeting to be held on the subject.”²²¹ Both the Council’s letter informing the Company that it was deliberating, and deliberation itself, proved to be completely unnecessary.

On December 23, two days after the Council received the correspondence from Bombay, another communication was sent to them; this one was from James Vernon, the Secretary of State. Vernon, who was speaking on behalf of King William III, ordered the Council to come up with a solution to the pirates immediately. The Council was commanded not to deliberate over the situation occurring in the Indian Ocean, nor examine its many facets, unless it directly pertained to the eradication of pirates within that area. “You are to consider what measures are to be taken for suppressing such piracies, for destroying the fort they are said to have built in the island Santa Maria near Madagascar, where they are supplied with provisions from the West Indies, and for preventing them

²²⁰ Ibid
²²¹ "Extracts from two letters from East India Company Officials in Surat," February 6, 1696.
from settling themselves under a formed Government of robbers.”

Before moving on to discuss the Council’s plan and its subsequent implementation, there are two essential pieces of historical information that must be drawn from Vernon’s letter to the Council of Trade and Plantations. First, the fact that the King and the Secretary of State were becoming directly involved in an issue that would normally be handled solely by the Council meant that the situation was no longer a purely economic problem. The pirates had provoked the Mughals to such an extent that, what would otherwise have been a simple matter of compensation, had been transformed into a major foreign policy concern. Along similar lines, the fact that the Secretary of State and the King were forcing the Council to immediately develop an aggressive course of action spoke to the severity of the situation.

The other essential piece of information to take away from this letter is that the King had only a limited idea of what these pirates were actually doing. Though he was correct on where they were located—a fact that seemed to elude some East India Company officials—and where they were supplied from, he had absolutely no idea what they were doing at Saint Mary’s. The pirates were not building fortifications nor had they constructed an entire fort. Furthermore, they had absolutely no interest in forming a government or even in working together on robberies in many instances. Recognition that even the King had so little in the way of accurate information clarifies why someone like Kidd might have thought he could get away with almost anything this far from the Crown. It also allows one to explain how exaggerated tales of Every, “King of Madagascar,”

222 "Bombay Factory to English Government," October 15, 1696.
could spread and why many officials might believe them.

Having highlighted the key points of this particular letter, it is now possible to return to the Council’s plan. The plan was simple, straightforward and comprised of two elements. The first was to stop the pirates operating from Saint Mary’s. In order to do this, they recommended that a fleet be sent down to destroy the pirates and any pirate settlements within the area.\(^{223}\) The second was to ensure that no one turned Saint Mary’s into a pirate haven again. To this end, the Council suggested that the King forbid any and all trade between the Americas and Saint Mary’s. This way it would become impossible for any marauders to regularly resupply at this island.\(^{224}\)

Despite overwhelming support for the plan, its implementation was slow. It is possible that this delay was an unintentional byproduct of England’s war with France. With resources strained from years of fighting, the English may have been unable to muster a force at this point in time that would have been strong enough to subdue the pirates. It is equally possible that the Council wrote to the East India Company to get their advice on the strategy before it was put in place. In any event, on March 7, 1698, the Council of Trade and Plantations still had not sent a fleet to the Indian Ocean. Additionally, they had just received another message from the company. This time, however, the letter contained not a plea but information about the pirates.

The communication began by stating that the Company thought three


\(^{224}\) Ibid
Men-of-War should be sent to Saint Mary’s to destroy any pirate holdings. The fleet should arrive in April, the start of the major pirating season, and remain there until October when many of the pirates returned. “The squadron should stay at the Island till the middle of October, by which time the pirates return with their plunder from shipping of the Red Sea and the Gulf of Persia.”225

It went on to suggest that after October the fleet should start sailing the Indian Ocean looking for pirates. Beginning in Cape Comorin, the fleet should proceed to make its way along the coast of India, ensuring that there were no pirates in the area and no rumors of recent pirate attacks at all the major ports and company factories. “Having plied off the Cape for five or six days, the squadron should coast it all along the coasts of Malabar and India as far as Bombay and Surat, visiting the most frequented ports as they pass for intelligence, especially Rhetora, Calicut, Tellicherry and Carwan, where the Company has factories.”226 Once this was done, the fleet would proceed back to Surat to resupply before taking a final loop around Saint Mary’s. During this time, the fleet would pay special attention to other islands off the coast of Madagascar, like Moheila and Johanna, which were known for their rich supplies and refreshments and thus a popular resting spots for pirates.

The East India Company did not just demonstrate their support of the eradication of pirates by providing fact based proposals. Exhibiting true commitment, they offered to supply the fleet whenever it docked at a company


226 Ibid
factory and to grant a line of credit to purchase supplies that the company was unable to procure. The company went on to recommend that the fleet stop in Madagascar whenever possible, since there was an abundance of cheap goods there. “[There are] provisions at Madagascar at very reasonable rates—an ox for a dollar or two, and goats, rice and caravances proportionally cheap, to be purchased with pieces-of-eight.”

In January 1699, the fleet, under the command of Commodore Thomas Warren, was finally ready to set sail. As Warren headed toward Saint Mary’s, he was accompanied by a royal proclamation which had recently been distributed across the Empire. The proclamation stated that Saint Mary’s was no longer allowed to receive supplies and that its current occupants had two options: surrender or die. If the pirates chose to admit to being pirates and surrendered, and they had not committed any acts of piracy after July 31, 1699, they would be given a full pardon. If they did not surrender or had committed acts of piracy after that date, they would not be given a pardon. The proclamation went on to state that “this pardon shall not extend to any pirates on this side [west side of] the Cape of Good Hope, nor in any case to Henry Every alias Bridgeman.”

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228 Ibid
230 Ibid
231 “Council of Trade and Plantations to the Lords Justices of England,” September 1, 1698.
Before describing Warren’s actions in his attempt to carry out the proclamation, it is important to consider why, after so clearly indicating a strong malevolence to the pirate community and an equally strong desire to eliminate them, the English chose to take this course of action. After all, a pardon was far from a punishment for pirates who had already made their fortunes and were eager to rejoin normal society. The simplest answer to this question is that it was the most cost-effective approach. Why fight the pirates if one did not have to? Let them surrender on their own and one could decide later whether to honor the proclamation or not. Lives would be saved and goods would remain undamaged. Furthermore, there was the distinct possibility that the pirates would return to England with plunder. This was wealth that the English Government would never be able to seize or even tax, if they attempted to invade Saint Mary’s (the pirates undoubtedly would have hidden any loot the moment they got word of the fleet’s approach). In short, the proclamation was an intelligent way to solidify the Council’s plan and ensure that the chance of success remained high while costs remained relatively low.

Unfortunately for the Council, the Company, and the Crown, the strategy did not go as planned. Almost none of the pirates seemed interested in surrendering. Warren Jr., who took over command of the fleet after his father died en route, convinced only 17 men to surrender. As Warren Jr. set sail for England with his captives, James Littleton took over command. No better than Warren Jr. at achieving the goals of the venture, Littleton soon decided that he would not invade Saint Mary’s. Instead, it is rumored that he chose to
intermingle, trade, and generally live with the pirates for a period of time before returning to England himself.

In summary, while the initial English response seemed to demonstrate a clear desire to check the pirate exploits and appease the Mughals, in the end it was never implemented effectively. This failure was not the fault of those who devised the plan but rather of those who were put in charge of carrying it out. Still, although the pirates persisted for some time thereafter, the government had made it clear that it was going to play a more active role in controlling the pirates within the area.
In a letter to the East India Company dated November 24, 1616, the first English ambassador to the Mughal Empire, Thomas Roe, urged the company to act aggressively in the Indian Ocean. He seemed to believe, at the time, that the only power the English had to fear was the Portuguese. Once checked, the Mughals would fall under the English boot. "You (the East Indian Company) can never oblige them (the Mughals) by any benefitt, and they will feare you sooner then love you. Your residence you neede not doubt so long as you tame the Portugall." Needless to say Roe’s statement would be proven wrong numerous times over the next century.

While the East India Company dealt with other European powers and a Mughal Empire that was far stronger and more assertive than Roe made it out to be, the Mughals had to contend with their own matters. The Mughals were still particularly vulnerable at sea. As a land-based empire, the Mughals were naturally far less comfortable with maritime trade and activity then their nautically based European counterparts. Regular dealings with the English, Dutch and Portuguese only served to convert Mughal discomfort into confusion and uncertainty; it was hard for the Mughals to grasp with any confidence these nations’ policies regarding trade. The Europeans seamless bonding of the notions of violence and trade, as well as their highly convoluted understanding

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of piracy, were particularly difficult to comprehend.

When Henry Every and William Kidd robbed and plundered important Mughal ships (some of which were in one way or another directly connected to the Emperor’s court or the Emperor himself), the Mughals used their superior power on land to retaliate against the Companies, particularly the English East India Company. Though blaming the Company was a mistake, it was one that could be expected and understood based on the history that had occurred thus far. This mistake of course did not change the fact the East India Company’s representatives were quite upset that they were being punished for the pirates’ actions. They petitioned the English Government to rectify this problem, specifically to eliminate the pirates. The Government attempted to comply and in the process made it clear that it was going to make an effort to play a more active role in the Indian Ocean, especially when it came to piracy.

Looking back on this series of events and how they unfolded, one thing is very clear; foreign policy is not determined by governments alone. Sometimes governments are forced to respond to the actions of individuals who are acting in their own right, in ways that the government might not have predicted or desired. The piracies of Every and Kidd were such actions that forced a state response.

At the same time it is hardly reasonable to assume that the variables mentioned above were the only factors playing into the situation evolving at the end of the seventeenth century. By this point the Mughals had been in contact with the English for almost a century, during which time similar incidents had occurred. Yet these earlier conflicts had produced markedly different outcomes
from the one described above; a fact that can be illustrated by the acts of piracy committed by Captains William Cobb and William Ayres.

In 1636 the *Samaritan*, under Cobb, and the *Roebuck*, under Ayres, set sail from England. Eager for loot and plunder, both captains and crews charted a course for the Indian Ocean where it was rumored that many rich prizes awaited. While rounding the Cape of Good Hope sometime in July, a storm separated the ships. The *Samaritan* was wrecked and had to stop and make repairs, while the *Roebuck*, completely unaware of what had occurred, continued on to the predetermined rendezvous point.\(^{233}\)

After waiting sometime for Cobb to arrive, Ayres assumed the worse and set out to look for potential targets. On September 5, 1636, he spotted the *Taufiqi*, a merchant-cargo ship chartered out of Surat that was returning from a trading venture in Aden. Ayres immediately engaged the ship which, failing in its attempt to avoid a fight, began to defend itself. The battle between the *Taufiqi* and the *Roebuck* lasted the entire night and a few hours into the next day. Ayres and his crew were unable to gain the upper hand, so the pirates decided that continued combat was not the solution. They instead chose to raise the English flag and hail the merchant vessel. The *Taufiqi* stopped defending and pulled alongside the *Roebuck* to present English passes of safe passage. Unsurprisingly, Ayres found the passes illegitimate and seized the now defenseless ship.\(^{234}\)

Ayres would go on to take one more prize, the *Mahmudi*, before

\(^{234}\) Ibid., 202.
accidently encountering Cobb. Reunited at last, the two ships eventually made their way to the Red Sea where they acquired more loot, before setting sail for England. On May 10, 1637, they landed in Falmouth with their stolen cargo that was later appraised at about £30,000 to £40,000. (Grey suspects that this might be an underestimate and that the actual value of the plunder was around £90,000).235

Despite taking a substantial sum, the exploits of Cobb and Ayres hardly provoked any reaction from the Mughals or the English. The Mughal Emperor appears to have ignored the entire situation, feeling absolutely no need to threaten the English or prepare his armies for retaliation. Mughal response, therefore, was relegated to the Governor of Surat who met with the president of the Surat factory (Methwold) and voiced merchant resentment but took no further action at the time. After continued haggling from local merchants, the Governor asked Methwold to provide a compensatory deposit in case it was proven that Englishmen had robbed the Mughal ships. Methwold refused, so he was imprisoned for three days before the Taufiqi returned and affirmed stipulations that English pirates had committed the crime. Still refusing to provide compensation, Methwold was imprisoned for eight weeks before he finally gave in.236

The English Government’s reaction was equally blasé. Though the East India Company sent numerous complaints and strongly pushed for the situation to be redressed, its letters were met with almost complete inaction. The

235 Ibid., 209.
236 Ibid., 212.
Admiralty court, where the Company filed a legal claim, hinted that it would be advisable to drop the matter and just cut their losses. A man who was directly connected to the pirates was apprehended for a short period of time, only to be released by a direct order from the King. Ayres and Cobb were also arrested and thrown in Rochester Jail but were eventually released because holding and trying them was seen as “not worth the expense.”

The stark contrast between the English and Mughal responses prior to Every’s and Kidd’s robberies and those immediately after can be explained in a few ways. From an English standpoint, for much of the seventeenth century the Government lacked the capacity to react to piracy in the Indian Ocean even if it wanted to. Being able to hold a strong position against Kidd and Every was in many ways a luxury of the last decades of that century. There are a few general reasons for this. First and foremost, England was regularly at war in the decades leading up to the exploits of Every and Kidd. When the Thirty Years War began in 1618 England decided to participate in a number of campaigns. They helped back Peter Ernst (Count von Mansfled) in his 1625 crusade against the Spanish and, that same year, started their own expedition to attack the Spanish at Cadiz. Two years later, the English funded another expedition; this time, to attack the French-owned Île de Rhé.

From 1639-1640, the English were in conflict with the Scots who refused to follow Anglican observances in their churches. Charles I marched on Scotland in 1639 in an effort to enforce these policies, marking the start of the first Bishop’s War. Insufficient resources forced Charles I to end the war with

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237 Ibid., 210.
the Pacification of Berwick Treaty, before confusion over said treaty and the possibility of a new Scot-French alliance convinced Charles I he should declare war again. The second Bishop’s War was in many respects a disaster for the English who lost all of Northumberland and Durham. This failure, along with the decision by Charles I to dissolve parliament, helped set the stage for the English Civil War, which would ravage the state from 1642-1651.\textsuperscript{238}

The Civil War, also known as the Great Rebellion, was the largest military commitment for the English during these decades. It has been estimated that one of every ten adult English males was a combatant at any given point during the war.\textsuperscript{239} The war itself also did not remain confined within England’s boarders, but spread to neighboring Ireland and Scotland. Particularly in the final years of the war, Irish and Scottish involvement rose exponentially as losing Royalists appealed to them for support and they acquiesced. (Their participation prompted major military expeditions under Cromwell from 1649-1652).

During the 1650’s, England was again at war, this time with Spain. Partially overlapping this was the first of what became three wars with the Dutch (1652-1654, 1665-1667, and 1672-1674). Finally in 1688, England was yet again subject to civil strife as King James II was deposed and replaced with King William III and Queen Mary II in the Glorious Revolution (also known as the Revolution of 1688). Unlike the civil war, however, this was effectively a


bloodless and peaceful exchange of power.

Second, when not engaged in some form of combat, the English Government’s ability to handle piracy in the Indian Ocean was greatly impeded by its own inability to generate and sustain a formal military; a fault which it attempted to remedy over the course of the century. This liability was most obvious within the navy. Starting in Elizabethan times, any naval effort was contingent on the support of armed merchants ships and their owners. To ensure a successful union between government interests and private actors, a royal bounty was paid to anyone who built a ship over 100 tons as long as they served the state in times of war. As peaceful trade began to offer more lucrative rewards than military service, fewer merchants remained interested in participating in this system. This can be seen in the table provided below, which gives the composition of English fleets on selected major operations over the course of the seventeenth century. (It should be noted that this table does not provide the total number of vessels sent to sea in any given year, nor is it possible to make a completely direct comparison between years, as each operation listed required different vessels and tactical employment. This table does nonetheless indicate the gradual change in the composition of fleets).

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240 Ibid., 287.
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(This table comes from Richard Harding, The Evolution of the Sailing Navy, 1509-1815 (New York: St. Martin’s Press, 1995), 152)

Faced with a deteriorating navy, the English took two dramatic steps towards revitalizing this institution. In the 1640’s parliament seized control of the navy and reorganized the command structure and, between 1649 and 1660, two hundred and sixteen new ships were added. These changes were monumental in transforming the English navy into a force to be reckoned with (as seen in subsequent contests with the Dutch and the instrumental role the Royal Navy played in securing Spanish-controlled Jamaica for the English).²⁴²

Fiscal reform was an essential part of enhancing the government’s military capacity. While there were several ways in which the English altered their monetary policies during this century, each of which produced a unique outcome, the most notable efforts centered on the state’s ability to gather resources in times of war. “The portion of national wealth that could be

mobilized by [the] government for war probably doubled in the 1640s before doubling again in the 1690s.”243 In short, unbelievable increases in the English Government’s military and fiscal power, now available by the 1690s for use in what was a relatively more peaceful decade, all would have afforded it the opportunity to take on a more direct role in the Indian Ocean during the time of Every and Kidd.

These differences in the English Government are adequate enough in their own right to explain the divergent responses to piracy. But obviously the severity of the Mughal reaction is critical to a more complete explanation of why the outcomes of these situations were so distinct. Had Mughal response to Every and Kidd been as muted as its response to Cobb and Ayres, it is unlikely that the English would have acted so decisively. The show trials, additional protection to Mughal shipping, and the fleet sent to eradicate the pirates of Saint Mary’s, were all part of a national demonstration that the English took piracy seriously. The demonstration would have been unnecessary had the Mughals not particularly cared about pirates. So why were the Mughals more concerned about piracy in the 1690’s then in the 1630’s? This, unfortunately, is slightly unclear. It could be because the Mughal Empire had established its maritime trade far more completely by the close of the century. Of higher importance by then, a threat to said trade merited a heightened response. It could also be something as simple as a change in who was emperor. During the time of Cobb and Ayres, Shah Jahan was in charge; the far more militant Aurangzeb was reigning in era of Every and Kidd.

243 Ibid., 290.
Acknowledging these other causal factors, cannot, however, obscure the centrality of individuals in precipitating changes in English foreign policy in the 1690s. This period cannot be understood without attributing major roles to Every and Kidd.
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*Additional Primary Sources Consulted*


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Appendix 1