



Article

Pirates and Publicity: The Making and Unmaking of Early Modern Pirates in English and Scottish Popular Print

C. Alasdair Macfarlane

Independent Scholar, Glasgow G73, UK; a_macfarlane@hotmail.co.uk

Received: 1 October 2019; Accepted: 21 January 2020; Published: 5 February 2020



Abstract: This essay contrasts scholarship on printed authority within buccaneer ethnographies, contemporary apologetics for colonial enterprise, and the role of publicity in the delineation of piracy within print to ask: ‘when is a pirate not a pirate?’. Beginning with the ethnographies relating to the buccaneers’ crossing of the Isthmus of Darien during the ‘Pacific Adventure’ (1679–1682), this paper describes how the buccaneers escaped prosecution through their literary materials and became socially rehabilitated as credible explorers. Drawing on materials which highlight the diverse readings of piracy within the different ‘news-cultures’ and maritime traditions which existed in the Atlantic archipelago, this paper develops an argument for a ‘popular’ conception and interpretation of piracy within publicity and periodical print which reflects its utility within competing political and maritime enterprises. Using contrasting examples of the negotiation and renegotiation of what constituted ‘piracy’ within the promotion of the attempted colonisation of the Isthmus of Darien by the Company of Scotland (1696–1700), and the literary campaign which surrounded the trial of the crew of the *Worcester* for piracy in 1705, this essay argues for the role of ‘public opinion’ and popular print culture in the making and unmaking of pirates in early modern anglophone print.

Keywords: pirate; trial; buccaneer; ethnography; Scottish; Darien; scheme; Worcester; publicity; periodical; print

1. Introduction

The study of pirates and piracy invites contradictions. In the competitive realm of early modern maritime trade and empires, the definition of a pirate often appears as a transient state of being. A merchant ship engaged in trade might also accept a commission or ‘letter of marque’ to act as a ‘privateer’ from one of the many fledgling Caribbean colonies of France and England and harass enemy shipping during a time of war before resuming its peaceful course at the license’s expiration. Those that continued beyond the terms of their license or acted without a license and attacked shipping belonging to a neutral nation, were said to be guilty of piracy. However, such privateering ships might also carry overlapping commissions on behalf of multiple nations, making their predations seemingly indiscriminate and outside the framework of national governance or patriotic standards. Similarly, the ‘brethren of the coast’, ‘freebooters’ and ‘buccaneers’ which predominantly cruised the waters of the Spanish Americas and the Caribbean in small fleets in the seventeenth- and eighteenth-century often blurred the line between privateering and piracy. While these sea rovers relied on the tacit support of colonial ports as safe havens (Bialuschewski 2008, p. 53), they were composed of the flotsam of Europe and beyond and did not acknowledge a unifying cause or authority beyond profit, though their actions were largely to the cost of Spain. As global maritime figures who might alternatively serve as opponents to and auxiliaries of national governments, the definition of what constituted a pirate and piracy tended to vary according to the subjective interest of the parties involved (Ogborn 2008, p.

170). From a European literary context, 'pirates' also provided the source materials for the imagination of the writers of fiction and scientific knowledge alike through their ethnographies and sea-journals. The pairing of a predatory and rapacious appetite for goods and money with a capacity for reason and scientific inquiry creates a unique ambiguity to their depiction in print and the delineation of fact and fantasy in their accounts.

One of the most fruitful sources of pirate literature from the seventeenth century which displays this paradox within the depiction of pirates in print attends the expedition known as the 'Pacific Adventure' (1679–1682), a series of raids on the Atlantic and Pacific coastline of the Isthmus of Panama by a group of South Sea buccaneers. This group of primarily English and Welsh maritime raiders included many of the most famous names of the period: Bartholomew Sharpe, John Cox, Basil Ringrose, William Dampier, Richard Sawkins, and Lionel Wafer. These buccaneers assembled to attack first Portobello and Santa Maria on the Atlantic coast, then travelled overland across the Isthmus to Panama. There, they divided into two groups, one of which returned to the Atlantic by re-crossing the Isthmus, and the other seized local Spanish shipping to cruise the Southern Pacific coastline of the Americas. Several of the leading participants kept contemporaneous journals which were subsequently edited and collected for publication, making this a remarkably well documented expedition.¹

Current scholarship on the literary afterlives of the buccaneers poses interesting questions on the contemporary perception of the nature of their actions: does one ever cease to be a pirate or buccaneer after giving up that life? Given their transgressive history as sea raiders, how could the buccaneers' appreciable maritime expertise be accommodated within the contemporary epistemological hierarchies of reputable bodies such as the Royal Society, and an affluent and educated reading public? In answer to these issues, the nature of the buccaneers' 'authority' has since been described by scholars as shifting from an ambiguous legal sense through their original letters of marque from colonial governments or commissions from native peoples, to an esteemed position as agents of the 'New Science' through the technical expertise on display in their sea-journals and their direct experience of distant lands (Neill 2000, pp. 171–72; Hellawell 2019, p. 9; Barnes and Mitchell 2002, p. 46). Much attention has consequently been given to the way buccaneer ethnographies such as those authored by the likes of Dampier (d. 1715) were intentionally constructed for publication to conform to certain standards of discursive authority in order to rehabilitate their authors' public image as worthy contributors to the burgeoning fields of natural philosophy and hydrography (Dampier 1695–1697; Thell 2013; Neill 2000; Edwards 1994; Preston and Preston 2004; etc.). The question of credible representation was certainly an issue which confronted buccaneer authors who chose to publish their works and navigate the prejudices and interpretive strategies of a reading public that, in the words of Dampier, gave little attention to anything that did not come 'from the highest hand, though from men of the meanest capacity' (Dampier 1681–1691, p. 471). A degree of ethnographic detachment and narratological 'distancing' within the construction of buccaneer accounts, especially when describing their interactions with native peoples and foreign topography, was desirable to achieve this end and to return their authors from their ambiguous state on the periphery of empire (Neill 2000; Thompson 2011; Frohock 2010).

Other sources of knowledge provided by the buccaneers, such as the charts and atlases of the coastline of the Spanish Americas provided to the English court by Captain Bartholomew Sharpe following the raid were still openly piratical in their origin as they were acknowledged to have been captured from Spanish shipping (Sharpe 1684). As with Dampier's 'social rehabilitation' through his hydrographic prowess, these charts and their value to the Crown, have typically been viewed as

¹ Basil Ringrose, *Bucaniers of America Vol II* (London: William Crooke, 1685); Philip Ayres, *The Voyages and Adventures of Capt. Barth. Sharp* (London: B. W. for R. H. and S. T., 1684); Lionel Wafer, *A New Voyage and Description of the Isthmus of America* (London: James Knapton, 1699); William Dampier, *A New Voyage Round the World* (London: James Knapton, 1697); William Hacke, *A Collection of Original Voyages* (London: James Knapton, 1699), etc. For more on the manuscript and print outputs of the 'Pacific Adventure', see Philip Edwards, *The Story of the Voyage* (Cambridge, Cambridge University 1994).

being responsible for Sharpe's acquittal from charges of piracy and an albeit brief commission as a naval officer, on his return to England in 1682 (Howse and Thrower 1992, p. 22). The relevance of the buccaneers' credibility as informants evidently went beyond the accumulation of scientific knowledge to their potential to address political and imperial projects.

While their associations with institutions such as the Admiralty and the Royal Society is an indication of how the buccaneers' experience as mariners subsequently came to be esteemed within privileged circles, any analysis of the buccaneers' social and practical reputation made on these grounds is liable to reinforce the 'elite bias' within scholarship which has disproportionately favoured historical perspectives from within formal institutions centred in London (Harris 2017). Far less work has been done on their advancement as trustworthy sources within more popular forms of print, and the relevance of establishing or disproving their reputation as pirates within the promotional materials which attended subsequent colonial enterprises. This paper therefore balances two historiographic themes: the popular press and public opinion, and the presentation and perception of piracy in the early modern period, to re-examine the question 'when is a pirate not a pirate?'

Public opinion and public engagement in the early modern period are notoriously difficult to gauge and quantify, particularly through the sole use of print, as contrarians or political partisans often sought to claim for themselves the mantle of the public's voice and will. The very idea of a unified 'public' opinion is troublesome as there were 'competing public voices', each seeking to define and temper the narrative of contemporary events through their interpretation (Harris 2017, p. 732). As recent scholarship attests, different news-cultures and 'publics' existed across the British Isles, which offer up new potential avenues for research on the social negotiation of power between the 'public' and their representatives in government (Bowie 2015; Raffe 2005).

The determination of 'piracy', especially in the Caribbean, is similarly difficult to maintain as piracy of one form or another has been described as the policy of all Europeans operating in the Caribbean in the seventeenth century to some extent, as the region operated under a logic of its own which often manifested itself in unusual alliances and the non-observance of European treaties 'beyond the line' (McDonald 2015, p. 16; Martinez-Fernandez 2015, pp. 8–10). Many fledgling colonies in the Caribbean owed their survival to the protection offered by the brethren of the coast, and relied upon them in the early stages of their economic development for the free exchange of goods and supplies they provided, often in defiance of the mercantilist policies of the nominally governing authorities (McDonald 2015, p. 13; Bialuschewski 2008, p. 65). This dangerous state of 'lawlessness' or internationalism has also been credited with the development of nation state formation in Europe as by the end of the seventeenth century, metropolitan governments were obliged to develop more professional navies and governing institutions to exercise control over their maritime peripheries (Ritchie 1997, p. 12). However, despite the emphasis within recent histories on the different maritime and legal traditions which persisted across the Atlantic archipelago in the early modern period (Armitage 1997, p. 52; Armitage 2000, p. 105), the implications of different perceptions of piracy and buccaneer print on national and international relations within the British Isles have not been fully explored.

Using two case studies from Scotland, the domestic promotion and apologetics for the Darien Scheme (1698–1700) and the trial and execution of Captain Thomas Green for piracy in April 1705, I will argue that Scotland offers up an alternative interpretation of the perception of pirates and piracy in print publicity and the public sphere, which sheds light on a field otherwise dominated by English accounts of piracy and print.

1.1. *The Darien Scheme*

The 'Darien Scheme' refers to the effort by the Company of Scotland Trading to Africa and the Indies (1695–1707), a joint-stock company licensed by an Act of the Scottish Parliament in 1695, to establish a Scottish colony upon the Isthmus of Darien near Panama in Central America. The political and economic consequences of the Darien Scheme and its collapse are not without controversy, and have not lacked scholarly attention, as it is considered to have highlighted the inherent conflict between

the interests of Scotland and England as the former attempted to develop its own maritime trade and foreign policy, and acted as one of the many catalysts for the 1707 Acts of Union between England and Scotland (Watt 2007). However, more recent scholarship has brought into focus the relevance of the Scheme to a 'far broader geography' and a far wider context than domestic British politics (Orr 2018). One member of the Pacific Adventure, Lionel Wafer, has long been acknowledged as contributing to the planning and execution of the Scheme, through his manuscript and print materials, as well as meeting in person with agents of the Company of Scotland in Edinburgh (Herries 1700, pp. 39–45; Insh 1947, p. 16; Watt 2007, p. 128).

Wafer was among the cohort which elected to return to the Atlantic coast by re-crossing the Isthmus but injured his leg during the journey and was forced to remain among the Cuna people of Darien during his convalescence. Wafer's narrative of his role in the expedition, published in London as *A New Voyage and Description of the Isthmus of America* (1699) was consequently rich with ethnographic details of the lives of the Cuna Indians and provided a natural history of the flora and fauna of the region of great value to the projectors of colonial enterprise. Wafer's natural history of Darien has been the main focus of subsequent readings of his text and contributed to his literary reputation as a gentlemanly buccaneer-scientist (Korte 2000, p. 36; Adams 1962, pp. 86–87; Vickers 1996, p. 134). However, the scholarly narrative of Wafer's redemption as a scientific explorer based on this text alone is obstructive to efforts to appreciate the full scope of the buccaneers' influence on the Scheme beyond natural history.

As recent scholarship has detailed, although Wafer's full text was published in London, excerpts from the book were also recreated and edited within promotional pamphlets printed and sold in Edinburgh during the height of the Scheme in 1699 in a manner which indicates the different way in which print materials published in London were being dispersed and read across the British Isles (Macfarlane 2018). The actions of the other buccaneers involved in the Pacific Adventure, and their printed works, were cited alongside Wafer and Dampier within a multiplicity of print materials published in Edinburgh which sought to legitimise and encourage support for the colony and the Company among the Scottish public in the face of opposition from the English and Spanish courts. Although the ethnographic details of Darien were of interest to the Company Directors, and also featured in promotional materials, the constructive elements of the buccaneers' texts which legitimised their campaign against Spain in a time of peace were of more immediate interest as precedents for the contemporary Scottish arguments for empire.

Questions of credible representation and the delineation of what constituted piracy within instances of mass publicity in this context offer up a different interpretive matrix of authority and legitimacy within early modern print culture, in a manner which cuts across traditional social hierarchies. Using the references to the legality of the buccaneers' actions in Central America and their position as the interlocutors with native peoples within the apologetics for the Scheme published in Edinburgh, this paper argues that the intertextuality of the arguments in favour of Scotland's right to claim Darien illustrates the overlapping significance of the interpretation of piracy and mass-publicity within early modern arguments for empire. It will similarly argue that the portrayal of piracy within promotional print related to Darien is a critically underdeveloped aspect to the contemporaneous and subsequent understanding of the Scheme and its consequences in and outwith Scotland.

1.2. *The Trial of the 'Worcester'*

The trial and execution of captain Thomas Green of the *Worcester* for piracy in 1705 was the final crisis in Scotland identified by Daniel Defoe which had the potential to derail negotiations between Scotland and England for Union in 1707 with 'a bloody and irreconcilable rupture' (Defoe 1786, p. 78). The *Worcester* was an English merchant ship which put into Burntisland in August 1704 due to inclement weather on its return voyage to London after a successful voyage to the East Indies. The ship was initially arrested at the behest of the Company of Scotland in retaliation for the seizing

of a Company ship in London on charges of intending to violate the East India Company's trading monopoly, but following a search of the *Worcester*, charges for piracy were brought against the crew.

Despite a lack of material evidence and a prevalence of hearsay testimony at the trial, the crew were nevertheless convicted, and the captain and lead officers were executed on the Leith Sands in April 1705. The trial of Green and his officers for piracy exposed a profound division of opinion over the verdict between the English and Scottish presses which have typically been read against a backdrop of the proposed Union of Scotland and England. As Kelly has outlined, the execution of Green for piracy was celebrated as a 'symbol of national autonomy' in Scotland while in England the crew were mourned as martyrs to injustice (Kelly 2000, p. 9). More recent scholarship on the *Worcester* has similarly emphasised the role of the contemporary periodical press in informing and enhancing this division within anglophone print, and the creation of an ambiguous yet potent idea of 'public opinion' in Scotland concerning the trial (Bowie 2015).

The veritable flood of polemical writing which attended both the Darien Scheme and the trial of the *Worcester* crew, alongside the establishment of first the *Edinburgh Gazette* in 1699, and the *Edinburgh Courant* in 1705, is indicative of the voracious appetite for political news among an increasingly literate Scottish public. Even as these print materials drew ordinary Scots into the affairs of the day (Bowie 2007), the populist narratives which they sought to establish within the public consciousness manifested as public and often violent protests over the Scottish government's handling of the collapse of the Darien Scheme in 1700–1701, and the rumour that the crew of the *Worcester* were to receive a reprieve on the morning of their execution in April 1705 (Bowie 2015; Whatley and Patrick 2006; Whatley 2008). Popular print empowered a notion of 'public opinion' in Scotland capable of interpreting authenticity and truth, influencing political events with considerable power during a weak administration and, in the case of the *Worcester* trial, overwhelming the judgement of elite and genteel institutions (Bowie 2015). Using the framework provided by Bowie on the trial of the *Worcester* and 'public opinion', this paper uses the literary materials which surrounded the trial of the *Worcester* in Scotland to argue that the poetry and polemics concerned with proving Green's guilt mirrored the divergence within anglophone print over the legality of the Darien scheme. Piracy, and its determination in anglophone print, will be positioned at the centre of contemporary discussions over national autonomy, maritime trade and enterprise, and international relations. The full theatre of the Darien Scheme, including the trial of the *Worcester*, offers a case study of the effects of mass literary movements upon the advocacy of colonial enterprise in the early modern period. Moreover, it offers an instance of a 'public' interpretation of what did and did not constitute a 'pirate', and a 'popular' conception of national sovereignty often at odds with government policy. At its heart, the question of whether the South Sea buccaneers could serve as reliable witnesses in print and as legal precedents in action, and the execution of Capt. Green and his officers for piracy in spite of evidence demonstrating their innocence, illustrates the inherent contradictions behind efforts to determine the legitimacy or the nature of piracy in a manner impartial to national interests or 'public opinion'.

2. Piracy, Pardons, and Reprisals in Print

2.1. Redeeming the Buccaneers

William Paterson, the founder of the bank of England and the man credited with founding the Company of Scotland, is also typically credited with providing his fellow Company directors in 1696 with 'several Manuscript Books, Journals and other papers of Discovery in Africa and the East and West Indies' (Insh 1947, p. 13). Among this collection of materials was an early manuscript edition of Lionel Wafer's *A New Voyage and Description of the Isthmus of America*, which informed their evaluation of the potential of Darien for a Scottish colony. As Bannister has shown, Paterson's 'Library of Trade and Finance' offering recommended reading to the public for a knowledge of the benefits of trade, included the accounts of Sharpe, Ringrose, Exquemelin and a collection of buccaneer narratives published by Hacke, suggesting that Paterson was familiar with these accounts as well (Bannister 1968, pp. 47, 54,

58–59, 66). An analysis of the literary construction of Wafer's narrative, alongside those authored by his fellow buccaneers, is essential to understand the process by which these authors and their accounts were 'legitimised' through publication to become a credible resource for a knowledge of trade and finance, and as the likely source material for the Darien Scheme.

Wafer admitted, in the print edition of his text, that he kept no contemporary journal or records during his travels but had rather committed some portion of his experience to writing before his return to England. Since his return, he had frequently been 'comparing' and 'rectifying' those notes, 'by Discoursing such of my Fellow-Travellers as I have met with in London' (Wafer 1699) to arrive at his finished product. Corroboration between seafarers was one means of establishing a greater degree of certainty and accuracy within contemporary scientific circles (Hellawell 2019, p. 11). In this instance, however, 'fellow-travellers' to the Isthmus comparing notes and 'rectifying' their accounts to conformity had a superseding utility in justifying the actions themselves within contemporary legal structures.

One of the most consistent and necessary points of cross-corroboration between the various manuscripts of the buccaneers involved in the Pacific Adventure concerns the nature and apparel of a character among the Cuna people of Darien referred to as 'King Golden Cap' or 'Bonetta de Ora' in the accounts of Sharpe, Ringrose, and the separate narratives of John Coxon/Cox (Cox 1680–1681; Coxon 1680; Ringrose 1680–1683; Sharpe et al. 1683). This figure, alongside the enigmatic 'Emperor of Darien' played a significant role in the narrative framing of the buccaneers' actions in the South Seas, by allowing the freebooters to engage in their raids upon the Spanish while claiming to be acting under the commission of a sovereign and imperial authority (Preston and Preston 2004, p. 72). The necessity of such a commission, however illusory, was an important distinction within the spectrum of maritime predators which allowed the buccaneers to assert the legality of their actions as mercenary auxiliaries while violating international treaties. This framing is most explicit in John Cox's journal, which posited that the buccaneer fleet was in the general proximity of the Isthmus, and were approached by the 'emperor of Duryan' [sic] who proposed engaging them to fight against the Spanish on the Darien natives' behalf. These proposals 'which the emperor had made' were considered and consented to by the commanders of the fleet who only then readied themselves for a march across the Isthmus accompanied by their 'Indian Emperor' (Cox 1680–1681).

The timing of the buccaneers' raid into the Pacific did not have the excuse of being ignorant of the signing of the Treaty of Madrid between England and Spain in 1670, which had made Morgan's successful sacking of Panama in 1671 such a diplomatic embarrassment. The 'Pacific Adventure' was unquestionably a hostile invasion of Spanish sovereignty in a time of peace (Lane 1998). Following complaints from the Spanish authorities in the Americas of the incursion by the buccaneers, contemporary diplomatic accounts from Jamaica found a similar utility in deferring responsibility for the actions of the buccaneers as being beyond 'the reach of government', and instead under the auspices of 'the King of Darien' (Long 1680). Native sovereignty was advanced by the buccaneers and acknowledged by the English colonial administration only insofar as it allowed for attacks on Spain to be 'legal' without making English authorities culpable. As outlined by Bialuschewski, 'as long as predators were furthering French, Dutch and English interests, the colonial authorities cared little whether they held a valid commission' (Bialuschewski 2008, p. 53). The inclusion of the 'King of Darien' within the buccaneers' later ethnographies as the commissioning authority was simply the further extension of a legal fiction which had licensed their predations and frustrated the government of Spain's demands for recompense. The rhetorical positioning of native peoples between the competing interests of European powers is a point of resonance with the early promotion of the Darien Scheme in Scotland.

2.2. Treated as Pirates

The announced landing of the Scottish colonists at Darien, as reported in the newly launched *Edinburgh Gazette* in late March 1699, appears to replicate the narrative tactics of the buccaneers

exemplified in John Cox's journal. The circumstances of the landing of the Scottish settlers were carefully choreographed in print as being at the invitation of the native peoples to settle in an area largely uninhabited, with the native peoples even taking up commissions as agents for the Company (Edinburgh Gazette 27 March 1699). This framing of the Darien natives inviting the Scots to settle on their lands was also taken up in the poetic works which followed the announcement in the *Edinburgh Gazette*, such as *An Ode Made on the Welcome News* (Anon 1699), and *Caledonia Triumphans* (Pennecuik 1699). Similarly, the 'Emperor of Darien' who had supposedly licensed the South Sea buccaneers' actions against the Spanish reappeared in print alongside 'King Golden-Cap' in *A Defence of the Scots Settlement at Darien* (1699):

Capt. *Sharp* in the Journal of his Expedition, published in Capt. *Hacke's* Collection of Voyages, gives an account, that in 1680 he landed at *Golden Island* with 330 Men, and being join'd by one of the *Darien* Princes, whom they call'd *Emperor*, and another to whom they gave the Title of *King Golden-Cap*, with some hundred of their Men, took *Sancta Maria*, attempted *Panama*, and made prize of several *Spanish* Ships; which is the more remarkable, because Capt *Sharp* was afterwards tried in *England* for Robbery and Piracy on this very account, but acquitted because of his Commission from those *Darien* Princes: which is a plain Demonstration that the Government of *England* did then look upon *Darien* to be no way subject to *Spain*, whatever some who are enemies to the *Scots*, do now say against the Legality of their Settlement in that Country.

[. . .] This same Expedition against the *Spaniards* by the assistance of the *Darien Indians*, is confirm'd by Mr. *Dampier* in his Introduction to his *New Voyage round the World*. [. . .] We have likewise a large Account, and a full Confirmation of the War and perpetual Enmity betwixt the *Dariens* and *Spaniards* in the History of the Buccaneers of *America*, Vol. 2 Part 4, wrote by *Basil Ringrose*, who was one of their Company.

'Philo-Caledon', *A Defence of the Scots Settlement at Darien* (Philo-Caledon [pseud.] 1699), pp. 4–5.

Under the terms of the Act of the Scottish Parliament which created it in 1695, the Company of Scotland only had the right to establish settlements under specific circumstances. The Company could establish colonies and factories in uninhabited lands abroad with the consent of the native peoples, was forbidden to traffic with those places in hostility with the Crown, and was not to claim territory already in the possession of other European powers in amity with the Crown (Young 2007, p. 181). The author of *A Defence of the Scots Settlement at Darien* was attempting to anticipate and forestall objections to the settling of the colony of 'New Caledonia' on land nominally claimed by the Spanish by reiterating the significance of the 'Darien Princes' and 'Emperor of Darien' within buccaneers' accounts of the region. In this one instance, the author draws upon the internal consistency between the accounts of Dampier, Ringrose, and Sharpe, which were obviously in popular circulation, to establish that the buccaneers were legitimized as privateers outside the authority of England through their commission from a separate sovereign power. Importantly, the author attempted to confirm the legitimacy of this commission through the treatment of the buccaneers within the English presses and the English courts.

References to the lenient treatment of the South Sea buccaneers on their return to England, however, did not justify the establishment of a Scottish colony between Portobello and Cartagena and on the Atlantic coast from Panama in the eyes of the Spanish authorities in Central America. The Spanish Crown not only officially complained to King William for the incursion of the Scots colony in a time of peace, but also began seizing English shipping in reprisal (Orr 2018, pp. 59, 66). In order to assert a distinction between the actions of his Scottish and English subjects, proclamations were dispatched on behalf of King William to be published in the English colonies of the mid-Atlantic and Caribbean in mid-1699, barring those colonies from providing any material support or supplies to the colony of 'New Caledonia'. Proclamations of this sort were difficult to enforce far beyond the reach of the metropole, and there is little evidence to suggest that they had much impact on the Scottish

colony's prospects for trade, but they were extremely damaging to the morale of the colonists who had no other account of how their actions had been received in Britain. The proclamations also scandalised the Company of Scotland's supporters as they in effect undermined the authority of the Company to act as it had, declared the project to be illegal, and were said to treat the Darien Scots 'as Pyrates' (Fletcher 1699, p. 29; Philo-Caledon. [pseud.] 1700, p. 9). The first expedition collapsed by mid-1699, although the news of this collapse was not wide-spread in Scotland until after the departure of the second expedition in late 1699. The conflation of the news of the English proclamations and the first expedition's collapse provided a useful screen among polemical writers to explain the collapse of the settlement and to galvanise petitions to both the Crown and the Scottish Parliament asking them to explicitly endorse the legitimacy of the Company of Scotland's right to claim Darien.

In order to counter the angry remonstrance of the Spanish court to the seeming invasion of their territory by this upstart Company, the principal argument and apologetic for the colony which was developed in Scotland continued to be based on a dual foundation of the supposed legality of the English buccaneers' actions in the South Seas, and a dismissal of Spanish prerogative powers through an assertion of the natives' sovereign rights. The armed conflicts between the natives of Darien and the Spanish authorities, to which the Pacific Adventurers had volunteered themselves to serve as auxiliaries, were frequently repeated in print, and attested through the words of 'the *English*, and other Travellers, who have Written on this Subject' (Company of Scotland Trading to Africa and the Indies [Corp Author] 1700, p. 6). These English 'Travellers', as with the earlier argument of *A Defence of the Scots Settlement at Darien*, consisted of the South Sea buccaneers. Lord Belhaven, in a speech to Parliament, asserted Scotland's 'unquestionable' right to the settlement of 'New Caledonia' through the 'full and free Consent of the Natives' in possession, and denied any notion of Spanish sovereignty to Darien (Belhaven 1701, p. 10). Whatever 'narratological distancing' might have occurred between the authors and their subject matter in the original publication of the buccaneers' accounts in London, the Company of Scotland was evidently drawing heavily upon their direct experience as the interlocutors with native peoples.

The legality of Sharpe's, and by extension the other South Sea buccaneers' actions in the South Seas, became a crucial aspect of the printed apologetics for the Company of Scotland's actions in the Spanish Americas. If it could be asserted that Sharpe had been acquitted through a successful defence of his actions as having been licensed by the Darien natives, then the point of the Darien people's sovereignty would have been established in English courts, and there could be no further objections to the Company's actions from that quarter.

And tho' it be alleged, that what was done in *Sharp's Case* was reckoned a Jest, and that he was not acquitted upon that ground, as acting by Commission from the *Dariens*; yet the matter of Fact is certain and known, and was indeed remarked by all *England*, that *Sharp* join'd with the *Dariens*, did commit acts of Hostility and carried away great booty from the *Spaniards*, and was pursued for Restitution in *England*, and did propose a Defence, That he acted by Commission from an Independent People, and was acquitted by a competent Judicature in *England*. These matters of Fact being all acknowledged, it must be thought that a Decision in the way of Justice was no Jest, but according to the Law of the Nation.

Company of Scotland, *Scotland's Right to Caledonia* (Company of Scotland Trading to Africa and the Indies [Corp Author] 1700), p. 32.

The circumstances of Sharpe's trial do not lend themselves to this argument. English juries do not give reasons for their verdicts, and it was suggested by Sharpe's co-defendant William Dick, that the *Rosario*, the ship from which Sharpe acquired the Spanish charts which made his name in the English Admiralty and which he stood accused of pirating, had in fact shot first making the capture legal (Howse and Thrower 1992, p. 28). Should the reader of *Scotland's Right to Caledonia* (Formerly Called *Darien*) (1700) have wished to be provided with yet more 'Arguments for providing the legality of the Settlement of *Caledonia*, and with a full account of all the considerable occurrences relating thereunto

may have his judgment', however, they needed have only perused the related list of contemporary publications on the topic advertised in the closing pages.² The evident intertextuality of the arguments which advanced and defended the Scheme in Scotland is indicative of the self-perpetuating momentum the literary campaign had attained prior to the Scheme's collapse, and remains one of the most underappreciated aspects of Darien scholarship. As with the cross-corroboration of the buccaneers' accounts, the printed apologetics for the colony of 'New Caledonia' recycled the same arguments and cited each other in affirmation.

A recent analysis of the 'healthy degree of diversity' among the initial subscribers to the Company of Scotland's coffers, including the range of different 'class, occupational and regional groups' indicates the wide ranging social participation in Scotland within the Company's initial investment campaign (Jones 2001, pp. 34–36), which presumably extended to its subsequent apologetics. The co-ordination of the print campaign by the Company and its supporters to justify and promote the Scheme in Scotland certainly found expression through domestic parliamentary politics, with the opposition Country Party being 'particularly active' in securing and organizing three national addresses and two local addresses from 1699 to 1701 in favour of the settlement (Young 2007, pp. 181–82). Successive Shire and Burgh petitions were also lobbied to the Scottish Parliament from 1700 to 1701, ranging from East Lothian, Lanark, Cupar, Dunbar, Nairn, Ayr, Fife, Banff, Inverness, Orkney, etc., and are similarly indicative of the continued engagement across Scotland in the legal wrangling over the colony. These petitions reiterated the language of the Company's literary campaign to declare their support for 'our rightful and lawful colony of Caledonia', which 'still unjustly is called into question', 'contrary to the[ir] privileges and the law of nations' (Brown 2007–2019).³

Rather than prompting an examination of the decision by the Company to settle on land claimed by Spain, the question of the legality or illegality of 'New Caledonia' came to represent an insular issue within the composite monarchy of the British Isles of the power of the Scottish Parliament to license and approve of settling colonies through the delegated power of the King of Scotland, over and above the interventions of 'the King of England's Ministers' and the censure of the English Parliament (Ridpath 1700, p. 2). The mass political and literary campaign appears to have been highly successful in creating a collective understanding of the legality of Sharpe's actions and by extension the legality of the Darien colony in Scotland, however, it failed to make a convincing case beyond Scotland's borders and there was little naval support to establish the point through force of arms.

The example of the buccaneers was equally pervasive in the counterarguments against this campaign which abounded in the English presses. The ennoblement by the buccaneers of otherwise modest native leaders and 'captains' to a sort of aristocracy of sovereign Kings and Princes was included in Walter Herries' catalogue of the 'indirect artifice' deployed by the Company of Scotland to assert the legitimacy of their actions on the Isthmus (Herries 1700, pp. 2, 54). In *An Enquiry into the Caledonia Project* (1701), which attempted to defend the policy of the English government towards the Scheme, the author criticised the pre-emptive attack and pursuit made by the Scottish colonists on a Spanish scouting party on the Isthmus far beyond the bounds of 'New Caledonia'. This attack, and the taking of Spanish prisoners, was seen to undermine any claim of peaceful intent on the Scots' part and was directly compared to the aggressive policy of the buccaneers (Herries 1701, pp. 42, 49–50). The precedent of the buccaneers' actions on the Isthmus to the Scots' colony at Darien was clearly vulnerable to different readings and interpretations within anglophone print.

The difference between the parliaments of Scotland or England acknowledging the legitimacy of the colony of New Caledonia, once it was established, would have been akin to the difference between being demarked as a pirate or a British privateer in the South Seas. Spain would have no mercy

² Titles include *A Defence of the Scots Settlement at Darien* (1699); [P. C.] *A Short and Impartial View of the Manner* [...] (1699); [Robert Ferguson], *A Just and Modest Vindication of the Scots Design* (1699), etc.

³ Petition of the Heritors of Perthshire, 1700. 27 May. RPS, A1700/5/7; Petition of the Heritors of the Sheriffdom of East Lothian. 1700. 27 May. RPS, A1700/5/3; Petition of the Shire of Fife. 1701. 9 January RPS, A1700/10/32.

regardless, but the charge of piracy came at the cost of state protection and supplies. 'Pirates were not universally condemned because of the nature of their actions,' writes Harding, 'but rather for their failure to comply with the formalities of licensing' (Harding 2007, p. 23). The question of whether the Darien settlement was 'licensed' under the terms of the Company of Scotland's charter, or was in some sense 'piratical', was not resolved in the Scottish Parliament before the second expedition collapsed, however, with articles of capitulation being signed by the leaders of New Caledonia in March 1700 following a short siege by a combined Spanish naval and military force. The Scottish parliamentary address from January 1701 (Young 2007, p. 184), which affirmed the legality of the Darien colony in retrospect reflected the continuing pressure in Scotland on governing bodies to satisfy 'public opinion' on the nature of piracy and the legitimacy of Scotland as an imperial authority, which did not dissipate with the abrupt collapse of the Darien settlement.

2.3. *The Trial of the Worcester*

The Company of Scotland persisted beyond the collapse of the Scheme and dispatched several ships overseas in an effort to recover its fortunes. The *Speedwell* of 250 tons under the command of John Campbell from Port Glasgow, was dispatched in early 1701 and was shortly followed by the *Speedy Return* under two survivors of the Darien colony, Robert Drummond captain and Thomas Drummond supercargo, alongside the *Content* under Alexander Stewart as consort. The *Speedwell* successfully travelled to China, but was wrecked on the return journey in the Straits of Malacca while undergoing repairs, and the *Speedy Return* and *Content* were boarded by pirates in the harbour of the Isle of St. Mary off Madagascar in late 1703 while their masters were ashore (Graham 2002, pp. 88–89). While the fate of the *Speedy Return* was as yet unknown in Britain, the Company of Scotland commissioned the *Annandale* of London, an armed merchantman of 220 tons, 20 guns and 48 men, to recoup the Company's losses and retrieve the cargo of the wrecked *Speedwell*. However, the *Annandale* was detained prior to its departure in the Downs in January 1704 by agents of the English East India Company, and condemned as a legal prize the following July for intending to breach the monopoly of the English East India Company (Graham 2002, pp. 94–95). These successive setbacks coming so soon after the collapse of the Darien venture severely distressed the Company of Scotland and its supporters, who saw in the seizing of the *Annandale* a further act of 'Violence and Oppression' against their designs at the hands of their English rivals (Scot 1704). When an English ship returning from a successful venture to the East Indies, the *Worcester*, put into Burntisland in August 1704 to weather a storm, the Company saw an opportunity for reprisal, and the Company Secretary, Roderick Mackenzie, effected the arrest. The *Worcester* was not a regular vessel of the English East India Company, but rather a private trader aligned with the less powerful 'English Company Trading to the East Indies', or the 'Two Million Company'. As pointed out by Graham, had she been an associate of the English East India Company, it is highly unlikely that her arrest would have been conducted without a significant subsequent retaliation (Graham 2002, p. 95). Following several unguarded comments by members of the crew of an 'incident' having occurred during the last voyage, and a search of the ship conducted by Mackenzie, rumours began to abound that the ship was in fact guilty of piracy against the *Speedy Return*, which had not been heard of in Scotland for some time (Bowie 2015, p. 14). On 15 December 1704, the Captain and crew of the *Worcester* were arrested for piracy, with the trial commencing on 5 March.

The charges brought against the crew of the *Worcester* in the Scottish Admiralty court were deliberately vague. The crew were accused of having committed an act of piracy between the months of February, March, April, or May, in 1703, on an unknown part of the coast of Malabar, against an unnamed ship bearing a red flag and having 'English or Scots aboard'. Such charges reflect the hearsay nature of the evidence against the crew and were a continual source of frustration to the defence (Scottish High Court of Admiralty [Corp Author] 1705, pp. 6, 15). The reader of the Scottish periodical press, however, was not lacking in specificities of the crimes under consideration, as the *Edinburgh Gazette* and the *Edinburgh Courant* provided 'news in stereo' on the seizing of the *Worcester* and trial,

and through their reporting helped create ‘a widespread belief that Captain Green and his crew had pirated the *Speedy Return*, taken its goods and murdered the Scottish sailors’ (Bowie 2015, pp. 13–14).

Green and his crew were found guilty of piracy and sentenced to hang. Any doubts that may have been raised by the sheer serendipity of such pirates falling into the hands of the Scottish Admiralty were surely allayed when following the verdict, members of Green’s crew confessed their crimes, perhaps in the hope of ameliorating their sentences (Graham 2005, pp. 180–81). These confessions were again reported in the Scottish periodical press and explicitly linked the crew’s conviction for piracy with the *Speedy Return* and captain Drummond and made any thought of a reprieve all but impossible for the Scottish government (Bowie 2015, p. 15). Captain Green was executed alongside his first mate, John Madder, and James Simpson, Gunner, on 11 April, before a vast crowd of onlookers convinced of their guilt, and despite efforts to delay the execution until further enquiries might be made regarding troubling rumours that several members of Drummond’s crew were in fact alive and well, and had lately arrived in London. *The Last Speeches and Dying Words of Captain Thomas Green [...] and of Captain John Madder* (1705), a literary work nominally authored by Green but more likely engineered by his lawyers, was published in Edinburgh to coincide with the execution and raised a new pitch of public fury and consternation.

As in earlier decades, pirate executions and the published speeches given on the scaffold were an insecure theatre in which the Crown’s authority to condemn wrongdoing might be affirmed or subverted (Jowitt 2007). Green’s ‘last speech’ asserted that he had not be allowed to defend himself on the grounds of exculpation, and that all his materials from ships logs, inventories of cargo, or the written orders and correspondence between the ship and the ship’s owners to track his motions had been repelled (Green 1705, pp. 4–5). Madder was more direct in his denunciation of the trial:

My Oath is such, Here I Swear in the presence of God, and before all these People, nothing but what is Truth, as I must Answer before my Impartial Judge when call’d to Account at the Great day, If I be guilty of these False and Calumnious Accusations that I’m condemn’d for, viz Piracy, Robbery and Murder; That the Great God of Heaven and Earth, that Minute my Immortal Soul departs my Body, it be thrown to utter Darkness, where there is nothing but Weeping and Gnashing of Teeth. But as I’m Innocent of these False and Calumnious accusations that I’m Condemn’d for, I trust in my Great and Merciful God, by the Mediation and Intercession of my Lord and Saviour JESUS CHRIST, on whose Merits I Confide and Relye, will Graciously Pardon all my other Sins Committed in my Lifetime, whither of Ommission or Commission, or Thought, Word or Deed, which are all known to him who is Omniscient, for there is nothing hid from him, with whom we have to do; And God knows, and I hope due time will discover the Practises of some Persons who have been at great Pains and Zeal to Cheat us out of our Lives, by False and Perjur’d Witnesses, which I appeal to God to be true, and I am Innocent, and Innocent Blood will call for Vengeance on them that is the Cause of shedding it. God forgive them and I forgive them.

[Thomas Green], *The Last Speeches and Dying Words of Captain Thomas Green [...] and of Captain John Madder* (Green 1705), pp. 6–7.

The decision to publish these speeches in an extended italic font, with its association with orality and ‘direct speech’ (Tromans 2019, p. 131), is indicative of the printer or publishers’ efforts to recreate Green and Madder’s words as if they were spoken from the gallows immediately prior to their execution. Both men are identifiable as individual characters capable of speaking on their own behalf in defiance of the judgement of the Scottish Admiralty court and the people who had assembled to see them hanged. The result is a work which is both intimate in its apparent reconstruction of the final spoken interactions between the condemned and their audience, and public through the perpetuation of their declarations of innocence through print. The outright rejection by Green and Madder of all the charges laid against them, delivered with the force of those condemned to death regardless, was profoundly dissatisfying to a Scottish reading public which had followed the reporting of the Edinburgh presses and believed themselves to have appropriately determined Green’s guilt. Denied a

confession from Green upon the gallows, the Edinburgh presses nevertheless indulged the public's appetite by providing one in print: *Captain Green's Last Conference with Captain Madder* (Anon 1825) described in rhyming couplets Green's private torment at being visited with visions of the mangled and decapitated body of 'Poor Drummond dying' before him, and the eternity of hellfire that awaited his soul (pp. 6–7). Madder was made the more intractable villain of the two, acknowledging his bloodlust and refusing any opportunity to repent 'what I have done', forswearing any allegiance to his native Scotland, and delighting that his death might be of advantage to England in some regard (p. 3). James Simpson, another Scotsman, was hanged alongside Green and Madder but was spared much vilification in print. Unlike his fellow officers, Simpson left no personal testimony to posthumously contest his conviction, and consequently he did not feature in literary works such as *Captain Green's Last Conference* which sought to confirm his companions as pirates in print.

Despite such efforts to establish Green and Madder's piratical nature in literary verse, the evident polarisation of opinion over the trial exposed a division within anglophone print which saw a war of words between English and Scottish presses, as '[c]ountervailing evidence was published, rendering English audiences as sure of Green's innocence as the Scots were of his guilt' (Bowie 2015, p. 18). Reports from London confirmed the rumours that crew members of the *Speedy Return* had arrived in Britain and declared that their vessel had been taken by pirates off Madagascar, rather than the Malabar Coast. The confession by members of Green's crew after the trial to having boarded and slaughtered the crew of 'Captain Drummond his Ship' (Scottish High Court of Admiralty [Corp Author] 1705, pp. 62–63), which had been seized upon so fervently by the Edinburgh presses at first, was now liable to be an embarrassment. The *Observer* (Anon 1705a), a short-lived series of printed topical conversations between a fictional 'Country-Man, and a Landwart School-Master', writing in late April 1705, nevertheless reacted dismissively to the news reported in 'the London Written Letter' of survivors of Drummond's ship named as Gasper Freedman and Threepeny of Scotland and New-England arriving in London. Such reports could be readily set aside due to the speed with which they were credited by those in England 'who are not too sharp sighted'. Green and his crew may have been charged with murder, piracy and robbery, but as they were only convicted of piracy and robbery, 'Their not being guilty of Capt. Drummond's Murder, doth not Exonerat them of all other Crimes' (Anon 1705a, pp. 25–26). The cautious reader must not, the *Observer* warned, believe 'every thing writ by an English-man' (*Observer* No. 4 Thursday 24th April (Anon 1705a), p. 25).

The climate of acrimony led to a further venting, in the words of an observer in Edinburgh, of 'poetical malice' against the English press (Taylor 1903, p. 126), culminating in Forbes of Disblair's *A Pill for Pork-Eaters; or, A Scots Lancet for an English Swelling* (Disblair 1825). This poetic work is first framed with an 'Advertisement' by the author on the present political negotiations between Scotland and England over the succession of the Crown and possible Union. The Scottish Parliament had passed the Act of Security in 1704, which threatened to appoint a different successor to the throne of Scotland to that of England on the death of Queen Anne unless conditions on Scotland's trading and religious associations with England were addressed. The English Parliament responded with the Alien Act of 1705, which threatened to treat Scots as foreigners wholly distinct from English subjects and as a consequence severely restrict Scottish trade with England and its colonies, unless the succession issue was resolved, or a political union could be negotiated. 'England', Forbes declared, 'is now turn'd Bully':

[...] and will endeavour to make it good, if she can, That you've no Right to choose a Successor to her present Majesty; Nor the Liberty to make good Laws for the Security of your most valuable Interests; Nor to make Reprisals; Or Judge of the Demerits of English-mens Crimes; Or to hang up their Pirates.

Forbes of Disblair, *A Pill for Pork-Eaters* (Disblair 1825), p. 3.

As with the earlier citation of the Pacific Adventure within the apologetics for the Darien scheme, political priorities were shaping the presentation of piracy in popular print. By presenting the execution

of Green and his officers for piracy against this political backdrop, the poet reviled the attacks made upon the Scottish justice system in the English presses following the trial of the *Worcester*, and dismissed the suggestion of a possible miscarriage of justice as but one more English attack upon a Scottish institution:

[...] if by Providence a *Tarr* is driven
 Upon our Coasts, and here a Villain proven,
 Let him be *English*, and the Devil to boot,
 He died a white and spotless Saint no doubt:
 Our Magistrates and Church-men are abus'd,
 And we as *Thieves* and *Murderers* accus'd;
 For *Drummond* is at *Madagascar* still,
 So say your *Post-Knights*, credit them who will.

Forbes of Disblair, *A Pill for Pork-Eaters* (Disblair 1825), p. 6.

'Green and Madder did most justly swing' (Disblair 1825, p. 7), and to suggest otherwise was to undermine the principle of Scottish justice and Scotland's independent sovereignty. As in earlier times where Scottish sovereignty was at issue, the poet proposed a resolution through a second 'Bannockburn' and a revival of the spirits of 'Douglas, Wallace and the BRUCE' to glut Scottish fields with 'English gore'. This poetic rout would be completed by an invasion of England, and the taking of Lombard Street, the traditional home of London's merchant banking and insurance (Disblair 1825, pp. 9–10, 12). It is clear in Disblair's work how far the outstanding 'debt of Darien', as well as the proposed Union of Scotland and England loomed in the author's mind. The taking of the *Worcester* and the execution of Captain Green for piracy had taken on a greater significance than as an act of reprisal for the *Annandale* alone. The poem and its themes evidently also had some resonance with public feeling and some degree of circulation. Joseph Taylor, a contemporary visitor to Edinburgh from London at the time of *A Pill for Pork-Eaters's* publication, describes how the local children, on learning of his English origins, delighted in pulling his sleeves in the street to cries of 'a Pill for the Pork eaters' (Taylor 1903, p. 126). If 'A true Union', in the words of Disblair, was one founded on shared interests and sympathy, the acrimony evident in Green's trial for piracy, and poetic works such as those by Disblair, were calculated to be obstructive to any such resolution. Conversely, supporters of Union and the Harley ministry in England, such as Daniel Defoe, had to find a means to depoliticise and reduce the dispute to more realistic proportions if they were to prevent the division from further damaging the prospective negotiations between Scotland and England. Defoe's 'compromise' in his *Review* article from 26 April 1705, was to dismiss the idea that Green and his companions had been executed out of mere pique or anglophobia, but also grant that there were grounds to question the verdict. In either event, the case should not rise to the level of an international dispute: 'Whatever the rights or wrongs of the affair,' writes James Kelly, 'England had hanged too many men protesting their innocence to censure Scotland for hanging three more' (Kelly 2000, p. 11).

Amidst the chicanery of this paper war of poetry, prose, and politics, *A Vindication of the False Aspersion laid against the Judges of Admiralty in Scotland by Green's Associats in England*, a two-sided broadsheet published in London and in Edinburgh by George Jaffray, attempted to finally settle the matter and defend the Scottish Admiralty's findings. The author endeavoured to explain that even if the testimony of sailors who claimed themselves to be of Drummond's crew were 'uncontravertible Truth' [sic], their testimony would not have affected the outcome of the trial. Written affidavits could not supersede sworn testimony, and the 'Indefiniteness' of the charges against Green and his crew were such that even if it could be shown that Drummond's ship had never crossed paths with the *Worcester*, that was not sufficient grounds for the defendants to dispute the original indictment. The testimony of members of Drummond's crew could have been of use, however, in preventing 'the Resentments of the

Nation upon Capt Green and his Men, for the Murder of Capt, Drummond. [...] and made a Reprive more easie to be obtain'd' (Anon 1705b, p. 2). The reporting of the newspapers which had associated the trial for piracy with the *Speedy Return*, and the well-publicised 'confessions' by members of the crew after the verdict had 'rip'd up an old Sore, and made the People of Scotland apprehend that it was a new Scene of the Darien Tragedy' which had so damaged the nation's 'Honour and Reputation' (Anon 1705b, p. 2). Under such circumstances, the public's fury could not have been abated, nor their minds changed.

3. Conclusions

The social rehabilitation of the English buccaneers as credible and reliable witnesses in the South Seas through their literary publications, as well as the 'quiet official toleration' for buccaneers among colonial authorities (Ogborn 2008, p. 174), had evident consequences beyond their subsequent celebration as scientific explorers or literary figures. As has been illustrated, the notional deference of the buccaneers and the colonial authorities in Jamaica to the authority of native rulers as independent and sovereign powers, and the lack of successful prosecutions on the buccaneers' return to England directly informed the construction and defence of Scottish rhetoric relating to its Darien colony. Even as the colonists of 'New Caledonia' were themselves accused of being tantamount to pirates due to their incursion into the Isthmus of Darien, the Company of Scotland attempted to assert that the unsuccessful prosecution of Sharpe and his companions for piracy in 1682 in the English courts legitimised their own attempts to establish a settlement in defiance of the overlapping claims of other European powers over the Isthmus. The co-ordinated mass publicity campaign around the early promotion of the Company and subsequent apologetics in favour of the Darien colony printed in Scotland created a singular understanding of events around Darien that found little support beyond Scotland's borders. After the collapse of the New Caledonia colony, the 'Writing Partizans' who had raised so much choler (Herries 1701) around the Darien Scheme found new life in another theatre of the '*Darien Tragedy*', the 1705 trial of Green and his crew. The Scottish press had more success in making pirates of Captain Green and his crew in the eyes of the Scots than in defending the legitimacy of the Darien colony, while the English presses were drawn to defend the *Worcester* as a legitimate trader. Popular print and the periodical press in Scotland had empowered an idea of 'popular will' and public opinion capable of interpreting news and events with its own notions of authority and authenticity, and which proved difficult for governing bodies to counter or control. As one contemporary visitor to Edinburgh from London was informed, 'a Gentleman had like to have been stab'd, for speaking his Sentiments too freely' on the matter of the *Worcester* trial (Taylor 1903, p. 125). While pirates were to be reviled for their renunciation of national ties and lawlessness, literary works such as *A Pill for Pork-Eaters* inverted the principle to make the conviction of Green and his crew for piracy a question of national sovereignty and pride; it did not matter whether Green was innocent, it was the Scottish court's right to find him guilty. Pirates might have been the enemies of all humanity, but 'the power to make that definition stick and to bring a person to justice for piratical acts, is just that: a matter of power' (Ogborn 2008). Both the Darien Scheme and the trial of the *Worcester* provide contrasting examples of that power, and 'popular' literary efforts to negotiate and renegotiate what constituted 'piracy' in early modern print.

Funding: This research was funded by a Hakluyt Society Research Grant.

Acknowledgments: I would like to acknowledge the staff of the Special Collections at the University of Glasgow for the generosity of their time and attention during my research in the Spencer Collection.

Conflicts of Interest: The author declares no conflict of interest. The funders had no role in the design of the study; in the collection, analyses, or interpretation of data; in the writing of the manuscript, or in the decision to publish the results.

References

- Adams, Percy Guy. 1962. *Travellers and Travel Liars 1660–1800*. Berkley and Los Angeles: University of California Press.
- Anon. 1825. Captain Green's Last Conference with Captain Madder, His first Mate, in The Tolbooth of *Edinburgh*. In *Various Pieces of Fugitive Scottish Poetry*. Sp Coll Mu51-G.8. University of Glasgow Library. Edinburgh: W. & D. Laing. First published 1705.
- Anon. 1699. *An Ode Made on the Welcome News*. Edinburgh: James Watson, John Carter Brown Library, O131B/2536:02. Early English Books Online. Available online: http://gateway.proquest.com/openurl?ctx_ver=Z39.882003&res_id=xri:eebo&rft_id=xri:eebo:image:135528 (accessed on 26 June 2018).
- Anon. 1705a. *Observer, or a Dialogue between a Country Man and a Land-wart School-Master*. No. 4. Thurs April 25th. Sp Coll Spencer 33. University of Glasgow Library. Edinburgh: John Reid the Younger.
- Anon. 1705b. *A Vindication of the False Aspersions laid against the Judges of Admiralty in Scotland*. Sp Coll Spencer f37. University of Glasgow Library. London & Edinburgh: G. J. [George Jaffray].
- Armitage, David. 1997. Making the Empire British: Scotland in the Atlantic World 1542–1707. *Past & Present* 155: 34–63. Available online: <http://www.jstor.org/stable/651126> (accessed on 11 December 2013).
- Armitage, David. 2000. *The Ideological Origins of the British Empire*. Cambridge: Cambridge University Press.
- Bannister, Saxe, ed. 1968. *The Writings of William Paterson*, 2nd ed. New York: August Kelley, vol. III. First published 1859.
- Barnes, Geraldine, and Adrian Mitchell. 2002. Measuring the Marvelous: Science and the Exotic in William Dampier. *Eighteenth-Century Life* 26: 45–57. [CrossRef] [PubMed]
- Belhaven, John Hamilton. 1701. *A Speech in Parliament on the 10th day of January 1701*. Sp Coll Spencer 36. University of Glasgow Library. Edinburgh.
- Bialuschewski, Arne. 2008. Pirates, markets and imperial authority: Economic aspects of maritime depredations in the Atlantic World, 1716–1726. *Global Crime* 9: 52–65. [CrossRef]
- Bowie, Karin. 2007. *Scottish Public Opinion and the Anglo-Scottish Union*. Chippenham: Boydell Press.
- Bowie, Karin. 2015. Newspapers, the Early Modern Public Sphere and the 1704–5 Worcester Affair. In *Before Blackwood's: Scottish Journalism in the Age of Enlightenment*. Edited by Alex Benchimol, Rhona Brown and David Shuttleton. London: Pickering & Chatto, pp. 9–20.
- Brown, Keith M., ed. 2007–2019. *The Records of the Parliaments of Scotland to 1707*. Reviews in History. St Andrews: University of St Andrews.
- Company of Scotland Trading to Africa and the Indies [Corp Author]. 1700. *Scotland's Right to Caledonia [. . .] and the Legality of its Settlement*. Sp Coll Spencer 65. University of Glasgow Library. Edinburgh.
- Cox, John. 1680–1681. Journal of J. Cox's Travel into the South Seas. In *Voyages and Travels*. Sloane MS 49. British Library.
- Coxon, John. 1680. The Journall of our Intended Voyage. In 'Fouconberg's Observations' ff 36–71. Sloane MS 2752. British Library.
- Dampier, William. 1681–1691. The Adventures of William Dampier with others who left Capn Sharpe in the South Seas. In *Dampier's Adventures in Darien, Etc.* Sloane MS 3236. British Library.
- Dampier, William. 1695–1697. An Account of a New Voyage Round the World. *Philosophical Transactions of the Royal Society* 19: 426–33.
- Defoe, Daniel. 1786. *The History of the Union between England and Scotland*. London: J. Stockdale. First published 1709.
- Disblair, Forbes. 1825. A Pill for Pork-Eaters; or, A Scots Lancet for an English Swelling. In *Various Pieces of Fugitive Scottish Poetry*. Sp Coll Mu51-G.8. University of Glasgow Library. Edinburgh: W. & D. Laing. First published 1705.
- Edwards, Philip. 1994. *The Story of the Voyage: Sea Narratives in Eighteenth-Century England*. Cambridge: Cambridge University Press.
- Fletcher, Andrew. 1699. *A Short and Impartial View of the Manner and Occasion of the Scots Colony's Coming Away from Darien*. Sp Coll Spencer 20. University of Glasgow Library. Edinburgh.
- Frohock, Richard. 2010. Exquemelin's *Buccaneers*: Violence, Authority, and the Word in Early Caribbean History. *Eighteenth-Century Life* 34: 56–72. Available online: <https://muse.jhu.edu/> (accessed on 19 September 2019).
- Graham, Eric J. 2002. *A Maritime History of Scotland*. East Linton: Tuckwell Press.

- Graham, Eric J. 2005. *Seawolves: Pirates & the Scots*. Edinburgh: Birlinn.
- Green, Thomas. 1705. *The Last Speeches and Dying Words of Captain Thomas Green, Commander of the Ship the Worcester, and of Captain John Madder, Chief Mate of the Said Ship*. Sp Coll Spencer 37. University of Glasgow Library. Edinburgh: John Reid Junior.
- Harding, Christopher. 2007. "Hostis Humani Generis"—The Pirate as Outlaw in the Early Modern Law of the Sea. In *Pirates? The Politics of Plunder, 1550–1650*. Edited by Claire Jowitt. Hampshire: Palgrave Macmillan.
- Harris, Tim. 2017. Publics and Participation in the Three Kingdoms: Was There Such a Thing as "British Public Opinion" in the Seventeenth Century? *Journal of British Studies* 56: 731–53. [CrossRef]
- Hellawell, Philippa. 2019. "The best and most practical philosophers": Seamen and the authority of experience in early modern science. *History of Science*, 1–23. [CrossRef]
- Herries, Walter. 1700. *A Defence of the Scots Abdicating Darien*. Sp Coll Spencer 62. University of Glasgow Library. Edinburgh.
- Herries, Walter. 1701. *An Enquiry into the Caledonia Project*. Sp Coll Spencer 28. University of Glasgow Library. London: John Nott.
- Howse, Derek, and Norman J. W. Thrower, eds. 1992. *A Buccaneer's Atlas: Basil Ringrose's South Sea Wagoner*. Oxford: University of California Press.
- Insh, George Pratt. 1947. The Darien Scheme. In *Historical Association*. Vol. 5. London: Stables Press Ltd.
- Jones, W. Douglas. 2001. 'The Bold Adventurers': A Quantitative Analysis of the Darien Subscription List (1696). *Journal of Scottish Historical Studies* 21: 22–42. [CrossRef]
- Jowitt, Claire. 2007. Scaffold Performances: The Politics of Pirate Execution. In *Pirates? The Politics of Plunder, 1550–1650*. Edited by Claire Jowitt. Hampshire: Palgrave Macmillan, pp. 151–68.
- Kelly, James. 2000. The Worcester Affair. *The Review of English Studies* 51: 1–23. [CrossRef]
- Korte, Barbara. 2000. *English Travel Writing from Pilgrimages to Postcolonial Explorations*. Translated by Catherine Matthias. Basingstoke: Palgrave.
- Lane, Kris E. 1998. *Pillaging the Empire: Piracy in the Americas 1500–1750*. New York and London: M. E. Sharpe Inc.
- Long, Samuel. 1680. ff 213, Colonel Samuel Long, Chief Justice of Jamaica: Papers relating to his affair with Lord Carlisle: 1680. In *Carlisle Papers from Jamaica*. Sloane MS 2724. British Library.
- Macfarlane, C. Alasdair. 2018. 'A Dream of Darien': Scottish Empire and the Evolution of Early Modern Travel Writing. Ph.D. dissertation, University of Durham, Durham, UK. Available online: <http://etheses.dur.ac.uk/12881/> (accessed on 8 December 2019).
- Martinez-Fernandez, Luis. 2015. Far Beyond the Line: Corsairs, Privateers, Buccaneers, and Invading Settlers in Cuba and the Caribbean (1529–1670). *Revista de Indias* 75: 7–38. [CrossRef]
- McDonald, Kevin P. 2015. *Pirates, Merchants, Settlers, and Slaves: Colonial America and the Indo-Atlantic World*. Oakland: University of California Press. [CrossRef]
- Neill, Anna. 2000. Buccaneer Ethnography: Nature, Culture, and Nation in the Journals of William Dampier. *Eighteenth-Century Studies* 33: 165–80. [CrossRef]
- Ogborn, Miles. 2008. *Global Lives: Britain and the World, 1550–1800*. Cambridge: Cambridge University Press.
- Orr, Julie. 2018. *Scotland, Darien and the Atlantic World, 1698–1700*. Edinburgh: Edinburgh University Press.
- Pennecuik, Alexander. 1699. *Caledonia Triumphans: A Panegyrick to the King*. Sp Coll Spencer f52. University of Glasgow Library. Edinburgh: Heirs and Successors of Andrew Anderson.
- Philo-Caledon [pseud.]. 1699. *A Defence of the Scots Settlement at Darien*. Sp Coll Mu15-b.15. University of Glasgow Library. Edinburgh.
- Philo-Caledon. [pseud.]. 1700. *Scotland's Present Duty*. Sp Coll Spencer 26. University of Glasgow Library. Edinburgh.
- Preston, Diane, and Michael Preston. 2004. *A Pirate of Exquisite Mind, the Life of William Dampier: Explorer, Naturalist and Buccaneer*. London: Doubleday.
- Raffe, Alasdair. 2005. Propaganda, Religious Controversy and the Williamite Revolution in Scotland. *Dutch Crossing* 29: 21–42. [CrossRef]
- Ridpath, George. 1700. *Scotland's Grievances, Relating to Darien etc*. Sp Coll Spencer 56. University of Glasgow Library. Edinburgh.
- Ringrose, Basil. 1680–1683. A Journall into the South Sea by Basil Ringrose. In *Ringrose's South Sea Voyage*. Sloane MS 48. British Library. London: William Hacke.

- Ritchie, Robert C. 1997. Government Measures against Piracy and Privateering in the Atlantic Area, 1750–1850. In *Pirates and Privateers*. Edited by David John Starkey, Elisabeth Susanna van Eyck van Heslinga and Jaap De Moor. Exeter: University of Exeter Press.
- Scot, Francis. 1704. *The Petition of the Court of Directors of the Company of Scotland*. Sp Coll Spencer f36. University of Glasgow Library. Edinburgh.
- Scottish High Court of Admiralty [Corp Author]. 1705. *The Tryal of Capt. Thomas Green*. Sp Coll Spencer f58. University of Glasgow Library. Edinburgh: Heirs of Andrew Anderson, London: Andrew Bell and Hugh Montgomery.
- Sharpe, Bartholomew. 1684. *A Spanish Book of Original Drawings of the South Seas*. Sloane MS 44. British Library. London: William Hacke.
- Sharpe, Bartholomew, W. Hacke, and J. Cox. 1683. Journal Kept by Capt. Bartholomew Sharpe. In *Voyages and Travels*. Sloane MS 46A. British Library. London: William Hacke.
- Taylor, Joseph. 1903. *Journey to Edenborough*. Edinburgh: William Brown. First published 1705.
- Thell, Anne M. 2013. William Dampier's "Mixt Relation": Narrative vs. Natural History in *A New Voyage Round the World (1697)*. *Eighteenth-Century Life* 37: 29–54. [CrossRef]
- Thompson, Carl. 2011. *Travel Writing: The New Critical Idiom*. London: Routledge.
- Tromans, Philip. 2019. The Business of Browsing in Early Modern English Bookshops. In *Buying and Selling: The Business of Books in Early Modern Europe*. Edited by Shanti Graheli. Leiden: Brill.
- Vickers, Ilse. 1996. *Defoe and the New Sciences*. Cambridge: Cambridge University Press.
- Wafer, Lionel. 1699. *A New Voyage and Description of the Isthmus of America*. London: James Knapton.
- Watt, Douglas. 2007. *The Price of Scotland: Darien, Union and the Wealth of Nations*. Edinburgh: Luath Press Limited.
- Whatley, Christopher A. 2008. The Issues Facing Scotland in 1707. In *The Union of 1707: New Dimensions*. Edited by Christopher A. Whatley and Stewart J. Brown. Edinburgh: Edinburgh University Press.
- Whatley, Christopher A., and Derek J. Patrick, eds. 2006. *The Scots and the Union*. Edinburgh: Edinburgh University Press.
- Young, John R. 2007. The Scottish Parliament and the politics of empire: Parliament and the Darien Project, 1695–1707. *Parliaments, Estates & Representation* 27: 175–90. [CrossRef]



© 2020 by the author. Licensee MDPI, Basel, Switzerland. This article is an open access article distributed under the terms and conditions of the Creative Commons Attribution (CC BY) license (<http://creativecommons.org/licenses/by/4.0/>).