

WHITE SLAVES: IRISH REBEL PRISONERS AND THE BRITISH ARMY IN THE WEST INDIES 1799–1804

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I

The significant role played by Irishmen in the military and naval campaigns of the French Revolutionary and Napoleonic Wars has not gone unnoticed.¹ As many as 150,000 may have been recruited by the Army in this era. Tapping the mainly Catholic manpower of Ireland was a complex political issue in the 1790s, requiring among both government ministers and military staff confidence in the ordinary Irishman's ultimate allegiance to the Crown, which in the event was usually justified.² Despite this Irish presence, however, recruiting sufficient numbers for the Army remained a persistent problem, not least because of low pay, poor service conditions and harsh discipline. Moreover, most line regiments could expect at one time or another to serve in the West Indies, where during the Revolutionary Wars virulent epidemic diseases turned the islands into charnel houses for unseasoned white troops.³ Between 1793 and 1801 more than 45,000 British soldiers died in the Caribbean, a mortality rate of about fifty per cent.⁴

The West Indian theatre was thus a heavy drain on a scarce resource and the government sought to alleviate the problem by resorting to three strategems: recruiting foreign auxiliary formations;⁵ embodying regiments of blacks;⁶ and filling up regular regiments in the West Indies with conditionally-pardoned criminals and deserters. Although recruiting convicted prisoners in small numbers from the gaols had a long pedigree by the 1790s, and is well documented,⁷ the government's resort to this measure in the years after 1798 has not yet been fully explored. In particular, the drafting of large numbers of Irish rebel prisoners into the Army has gone almost

¹ D. A. Chart, 'The Irish Levies during the Great French War', *English Historical Review* 32 (1917), 497–516; Thomas Bartlett, 'Defence, counter-insurgency and rebellion: Ireland, 1793–1803', in *A Military History of Ireland*, eds Thomas Bartlett and Keith Jeffrey (Cambridge, 1996), pp. 247–93.

² R. B. McDowell, *Ireland in the Age of Imperialism and Revolution 1760–1801* (Oxford, 1979), p. 568.

³ Between 1793 and 1801 sixty-nine line regiments were sent to the West Indies. René Chartrand and Paul Chappell, *British Forces in the West Indies 1793–1815* (London, 1996), p. 3.

⁴ Michael Duffy, *Soldiers, Sugar and Seapower. The British Expeditions to the West Indies and the War against Revolutionary France* (Oxford, 1987), p. 333.

⁵ C. T. Atkinson, 'The Foreign Element in the British Army, 1793–1815', *Journal of the Royal United Service Institution* 58 (1914), 289–320. Perhaps significantly, there were difficulties raising German troops for the West Indies in the late 1790s. See William Huskisson to George Hammond, 11 Jan. 1798, Public Record Office [PRO], FO 33/14, fol. 15; Henry Dundas to Lt-Gen. Bowyer, 23 Mar. 1799, PRO WO 1/87, pp. 65–9.

⁶ Roger N. Buckley, *Slaves in Red Coats: The British West India Regiments 1795–1815* (New Haven, 1979).

⁷ J. M. Beattie, *Crime and the Courts in England 1660–1800* (Princeton, 1986), pp. 498, 532–3; Stephen R. Conway, 'The Recruitment of Criminals into the British Army, 1775–81', *Bulletin of the Institute of Historical Research* 58 (1985), 46–58.

unremarked.⁸ The most recent study of the British Army in the West Indies, for instance, fails to appreciate that most of the 'culprits' dispatched to the Caribbean were not Englishmen awaiting trial on common law charges but Irishmen guilty of political offences.⁹ The purpose of this article, therefore, is to bring this obscure but important Irish dimension to light by examining the fate of several thousand Irish rebel prisoners who were drafted into the so-called 'condemned regiments' in the West Indies following the collapse of the Rebellion of 1798.¹⁰ Together, they formed the largest forcible transportation of recalcitrant Irishmen to the West Indies since the mid-seventeenth century.

II

The Irish government's policy from July 1798 of condemning selected rebel prisoners to general service overseas may be viewed as an attempt to kill two birds with one stone, for in theory it would not only alleviate the Army's manpower difficulties, but also solve the intractable problem of what to do with thousands of disaffected Irish rebel prisoners. Coping with an increasing number of politically-motivated prisoners was an issue which had existed even before the Rebellion. From 1795, as both the United Irish and Defender movements spread in increasingly militarised form through much of Ireland, the government found itself with hundreds of unruly prisoners on its hands. Initially, the quick-fix solution, as promoted by Lord Carhampton in Connacht, was to force the disaffected into the Navy, an illegal practice which subsequently required indemnifying legislation. In 1796, alarmed by the spread of arms raids and by growing evidence of an alliance between the Defenders and the United Irishmen, the government passed the first version of an Insurrection Act (36 Geo. III, c.20), which, in addition to making the administering of an illegal oath a capital offence and the taking of such an oath punishable by transportation to New South Wales, gave increased powers to local magistrates acting in proclaimed districts. Those who broke curfew or who were deemed 'disorderly' by two magistrates could, subject to appeal at the next quarter sessions, be drafted into the Navy.¹¹

How many Irishmen were forced into the Navy by these methods remains unclear, but the mutinies at the Nore and Spithead in 1797, in which Irishmen were prominent, forced a reconsideration of the policy, with the Army being seen as

⁸ This is not altogether surprising, as most of the returns relating to the Irish prisoners no longer exist. They were destroyed during the fire which swept the Four Courts in Dublin during the civil war in 1922.

⁹ Roger N. Buckley, *The British Army in the West Indies. Society and the Military in the Revolutionary Age* (Gainesville, 1998), esp. pp. 95–7.

¹⁰ The Irish rebels were drafted into regular line regiments in the West Indies, but contemporary commentators, aware that service in the West Indies was tantamount to a death warrant, tended to speak of 'condemned regiments', as if they were penal units. See, for example, *Dublin Evening Post*, 3 July 1798.

¹¹ For Lord Kilwarden's learned comments on this Act and its subsequent versions, see William Wickham Papers (copies from Hampshire Record Office), Public Record Office of Northern Ireland [PRONI], T 2627/5/W/5.

a suitable alternative by some in Ireland.¹² At the Home Office in London, however, the Duke of Portland strongly opposed both solutions: 'If any such measure (and it may possibly be a very expedient and necessary one) is in contemplation, I must beg to suggest to you transportation to New South Wales or such place as His Majesty shall think fit to appoint in lieu of the intended punishment.'¹³ Unfortunately, owing to inefficiency in his own office, Portland's strictures came too late; the Irish Parliament had already passed an amended insurrection bill, giving magistrates the power to draft the 'disorderly' into the Army as well as the Navy.¹⁴ Nevertheless, Portland urged Lord Lieutenant Camden to introduce another bill to enable the authorities to send the disaffected to Botany Bay.¹⁵

Transportation to New South Wales was, however, impractical in the period before the Rebellion and, indeed, for a considerable time thereafter. There was already a bottleneck in the transportation system, caused by the government's inability to find vessels suitable for the long voyage. Several hundred criminals sentenced to transportation were already filling the prisons. At the same time, counter-insurgency laws, including the suspension of habeas corpus, were placing increasing pressure on the gaol network. For instance, no fewer than 332 prisoners were tried for administering or taking illegal oaths in the two assizes of 1797 and the Lent assizes of 1798.¹⁶ The mass arrests of suspects prior to the Rebellion, creating large groups of 'state prisoners' in Dublin, Belfast and Cork, placed further pressure on limited gaol space. Thus, even before vast numbers of defeated rebels fell into the government's hands from May 1798, the gaols were bursting at the seams.

When the new Lord Lieutenant, Marquess Cornwallis, arrived in Dublin in June 1798, he found that floating tenders, military prisons and public buildings were needed to house the overflow of prisoners. And the numbers kept increasing. Apart from quelling the last remnants of rebellion, including the French invasion in September, and overseeing the move to legislative union with Britain, much of Cornwallis' viceregal time until his resignation in 1801 was spent dealing with the problem of rebel prisoners.¹⁷ Anxious to dampen down the sectarian fears caused by the Rebellion, he swiftly devised a policy which promised security to the rebels still in arms if they voluntarily surrendered. Together with his chief secretary, Lord

¹² See, e.g. Col. Charles Tarrant (Duncannon Fort) to —, 5 June 1797, National Archives, Ireland [NAI], Rebellion Papers [RP] 620/31/37. Naval hostility to the practice of inducting rebels into the Navy remained strong. See Huskisson to Nepean, 4 Jan. 1799, PRO, WO 6/148, p. 158; William Marsden to Huskisson, 7 Jan. 1799, PRO, WO 1/693, fol. 7. Nevertheless rebels, in small numbers, continued to be drafted into the Navy, even after the renewal of war in 1803. See Names of State Prisoners in Kilmainham and Newgate ordered to enlist, 1804, NAI, RP 620/13/173/1 and 3.

¹³ Portland to Camden, 27 Mar. 1798, PRO, HO 100/75, fol. 326.

¹⁴ Camden to Portland, 31 Mar. 1798, PRO, HO 100/75, fol. 364.

¹⁵ Portland to Camden, 11 May 1798, PRO, HO 100/80, fols 279–80.

¹⁶ These are figures based on my own calculations from the data in various Irish newspapers and the journals of the Irish House of Commons.

¹⁷ Castlereagh claimed during the parliamentary debate on the renewal of the Martial Law Act in Mar. 1800 that Cornwallis 'spent five hours a day examining each case and sentence'. *Dublin Evening Press*, 13 Mar. 1800.

Castlereagh, Cornwallis promoted a strategy targeting rebel leaders rather than ordinary pikemen. On surrendering their weapons and taking the oath of allegiance, rank and file rebels not involved in murders or robberies would be permitted to return quietly to their homes. Only those who had held the rank of captain or above in the rebel forces before or during the Rebellion, or who had committed major crimes, would face prosecution.¹⁸

Although this policy was undoubtedly a success,¹⁹ it still left thousands of prisoners to be dealt with, men who had already been sentenced (mainly by courts martial), or who had yet to be tried, or who were in custody under the Insurrection Act. In dealing with these, Cornwallis had to walk a narrow path between, on the one side, enraged ultra-loyalists who were baying for revenge and blood, and on the other, barely-cowed rebels who might renew their insurrection if they felt that they had nothing to lose.²⁰ Personally, both Cornwallis and Castlereagh favoured a long-term policy of 'qualified leniency', involving the commutation of many capital verdicts to sentences—induction into the Army and transportation—which inevitably led to further clogging of the gaols. Between July 1798 and the spring of 1801 Cornwallis commuted nearly one-third of the capital sentences passed both by courts martial and civil courts for offences during the Rebellion. Although the balance was partly redressed by increasing the numbers of those released on security by two-thirds during the same period, the fact remained that in the eighteen months after the outbreak of rebellion the government had on its hands several thousand young and mostly able-bodied rebels whose release back into Irish society was too risky to contemplate.

Several possible solutions to the prisoner problem were offered during this period. Lord Lieutenant Camden, even before the Rebellion, had suggested drafting rebels into the forces of the East India Company, but his letter of enquiry to Henry Dundas, President of the East India Company Board of Control, seems not to have elicited a reply.²¹ John King, Under-Secretary at the Home Office, thought that the risk posed by the rebel prisoners would be lessened if they were sent to those parts 'of our North American colonies [New Brunswick or Upper Canada] which are not frontier Provinces in respect of our Enemy'.²² Captain Philippe d'Auvergne, Britain's spy controller on Jersey, noted, redundantly, that 'Our aversion to Blood, or putting to Death a great number of people indiscriminately after they have surrendered themselves Prisoners, leaves Government in a very embar-

¹⁸ Cornwallis to Portland, 8 July 1798, PRO, HO 100/77, fol. 216.

¹⁹ William Elliot to Lord Pelham, 28 July 1798, Pelham Papers, British Library [BL], Add. MS. 33106, fol. 27.

²⁰ Craufurd to Wickham, 25 July 1798, Wickham Papers, Hampshire Record Office [HRO], 38M49/8/14/5; Henry Alexander to Pelham, 26 July 1798, BL, Add. MS. 33106, fols 21–4; Cornwallis to Portland, 8 July 1798, PRO, HO 100/77, fol. 217. For a more detailed consideration of Cornwallis' policy see Michael Durey, 'Marquess Cornwallis and the Fate of Irish Rebel Prisoners in the aftermath of the 1798 Rebellion', in *The Irish Rebellion of 1798*, ed. James Smyth (Cambridge, 2000).

²¹ Camden to Portland, 7 May 1798, PRO, HO 100/80, fol. 263.

²² John King to William Huskisson, 13 Nov. 1799, PRO, HO 30/2, fols 372–3.

passed Situation.' Yet 'the [Irish] man that is pardoned today will cut your Throat tomorrow'. Basing his proposal on the need for self-preservation and on the old Dutch proverb, 'Gentle Surgeons make stinking Sores', d'Auvergne suggested that the government should seek the Russian emperor's permission to send the Irish prisoners to Siberia as serfs. 'Twenty or thirty thousand of them dispersed over that Country', he concluded, 'would not endanger the safety of it, and they would be soon sunk into the Body of the People.'²³

D'Auvergne's letter passed through the hands of Dundas, Portland and his Under-Secretary William Wickham before being quietly filed and forgotten, for already a somewhat similar scheme was underway. Early in 1799 the Prussian chargé d'affaires in London had offered to draft the most suitable rebel prisoners into the Prussian Army. Cornwallis gave his approval, as did the King and Portland, who were anxious to draw Prussia into the second coalition against revolutionary France. A limit of 500 recruits was determined, all of whom, in theory if not in practice, had to be volunteers. The choice was to be made from those already sentenced to transportation or from those sentenced under the Insurrection Act. A Prussian recruiting officer, Captain Schouler, made his selection from the holding dépôts, seeking physical standards so high that in the event only about 350 prisoners were sent to Emden.²⁴

Any thoughts of repeating this exercise were discarded when the Prussians remained obstinately neutral during the campaigns of 1799, thus leaving, once again, only transportation or the British Army as practical solutions to the question of the rebel prisoners. The sheer scale of the issue ensured that transportation would act only as a partial vent; probably no more than 400 political prisoners were sent to Botany Bay between 1799 and 1806.²⁵ Nor were technical problems the only reasons why transportation remained a secondary solution, for Cornwallis personally believed that, for most prisoners, transportation was too harsh a penalty. He viewed Botany Bay as a dumping ground for felons, not for rebels, unless they were also guilty of serious felonies.²⁶ The Army, on the other hand, was an honourable profession, through which rebels could expiate their guilt and demonstrate their loyalty to the crown. Cornwallis' attitude, the consequence of a long career in the Army, goes some way towards explaining why in July 1798 the district commanders in Ireland were told that 'Prisoners concerned in the present Conspiracy and Rebellion, who have not been leaders therein, and may be anxious to atone for their past crimes . . . should be permitted to enlist in His Majesty's service, in order that they may be offered to such Regiments as it may be most expedient to assign them to.'²⁷

²³ Capt. d'Auvergne to Henry Dundas, 23 Apr. 1799, PRO, HO 30/2, fols 291-5.

²⁴ Michael Durey, 'The Fate of the Rebels after 1798', *History Today* 48 (1998), 21-7.

²⁵ This figure is derived from my own data collected from the rebellion papers, Irish newspapers and a wide range of other sources, which have been compared with the indents of the ships taking Irish prisoners to New South Wales in these years.

²⁶ Cornwallis to Portland, 29 Oct. 1798, PRO, HO 100/82, fol. 231; [Littlehales] to Johnson, 24 Jan. 1799, PRO, HO 100/86, fol. 117.

²⁷ Adjutant-General Hewitt to Gen. Nugent, 20 July 1798, Nugent Papers, National Army Museum [NAM], 6807/174, pp. 489-90.

As this order suggests, Cornwallis was not naïve; he had no intention of allowing rebel volunteers a choice of regiment. The plan was to draft the rebels into regiments which were already under orders to go abroad (on 'general service'). Regular regiments based in Britain with recruiting parties in Ireland, or British fencible units currently in the country, were strictly forbidden to raise troops from among the rebels in custody.²⁸

Cornwallis was by no means unaware of the risks involved in drafting so many rebels into the Army, but in the eighteen months following the Rebellion he was more concerned with ridding the country of this mass of disaffection as swiftly as possible than with the short-term interests of the Army. The phrase he frequently used when he commuted court martial sentences was 'transportation or general service'.²⁹ Under this rubric, all prisoners could expect to be drafted into the Army unless physically unfit. In the months up to January 1799, most of those found physically fit were drafted into three units, the 30th and 89th Regiments and the Prince of Wales's Fencibles, all of which were preparing for overseas service in the Mediterranean. There they were joined by an unfathomable number of other rebels, many of whom, already in custody, were offered the choice of 'volunteering' for the Army or a court martial.³⁰ Others volunteered before arrest to escape trial for serious offences. James Clements, for instance, who had piked Lord O'Neill to death at the Battle of Antrim, escaped by joining up, eventually fighting in the ranks of the 27th Regiment in the Netherlands during 1799.³¹ Gilliam, alias Dignum, and Forrestal, alias Peck, notorious offenders who had murdered two protestants, father and son, in Wexford in June 1798, eluded capture for many months by 'having foisted themselves into the recruiting party of Major F— and being active in enlisting men'.³² Others enlisted only to desert at an opportune moment. Three privates from the 89th, for instance, were executed in November 1798 for desertion and for joining the French forces of General Humbert.³³

As the number of prisoners stabilized and transports began to take convicts to Botany Bay—three shiploads had left Ireland for Australia by the end of June 1800—Cornwallis revised his rather indiscriminating policy of drafting all able-bodied rebels into the Army. He established a more sophisticated set of ground-rules which aimed at ensuring that the more suitable punishment of transportation was given to those prisoners who had been involved in murders, house robberies and other forms of violent crime. The offences of prisoners incarcerated in the large

²⁸ Cornwallis to Portland, 23 Aug. 1798, PRO, HO 100/73, fol. 376. Cornwallis' orders explain why he refused to confirm the sentence on Andrew Bryson, who had been ordered by a court martial in Sep. 1798 to join a regiment then stationed in Belfast. See *Andrew Bryson's Ordeal: An Epilogue to the 1798 Rebellion*, ed. Michael Durey (Cork, 1998), p. 9.

²⁹ See, for example, Cornwallis' decisions in PRO, HO 100/86, fols 57 (5 Aug. 1798), 59 (14 and 17 Aug. 1798), 68–9 (27 Sep. 1798).

³⁰ *Carlow in '98. The Autobiography of William Farrell of Carlow*, ed. Roger J. McHugh (Dublin, 1949), pp. 180–2.

³¹ *Dublin Evening Post*, 3 May 1800.

³² *Freeman's Journal*, 28 May 1799.

³³ ? to Dundas, 15 Nov. 1798, PRO, HO 100/86, fol. 86; *Dublin Evening Post*, 22 Nov. 1798.

holding depôts of New Geneva, near Waterford, and Cove (Cobh) were more carefully examined by the authorities. Not only were the elderly, the sick and the lame set aside for transportation, but those whose offences were deemed most heinous were rejected by the Army.³⁴

Cornwallis embarked on this policy partly in response to continued complaints about the pernicious effects the redcoat rebels would have on the efficiency and morale of the Army. Portland's pre-rebellion opposition to drafting rebels into the Army was shared both by the government in London and by experienced army officers after the Rebellion, even though the pestilential West Indies was to be the rebels' destination. One Guards officer, viewing the prisoners held at New Geneva barracks, admitted that 'many of them are uncommon fine fellows', but thought that 'wherever we send them we send Emissaries'. He could think of no worse place to send them than 'the smaller West India Islands'.³⁵

In London, acting on behalf of Henry Dundas, William Huskisson at the War Office sought to persuade the Duke of Portland to put pressure on Cornwallis to halt the practice. He confided to Under-Secretary John King: 'whether a Detachment of Recruits of this Description affords any real Security to our reduced West India garrisons under any circumstances is a matter of very serious Doubt; but under the present circumstances, I am convinced, it is equally injurious and alarming . . . If the French had the sense', he continued, 'to send a body of good Troops and a sufficient naval Force there, we should, I am afraid, feel the consequences of *misplaced Security*.' Not only were the rebels unreliable soldiers, but their presence in the West Indies as a punishment would inevitably undermine the morale of the other troops, who had been 'taught to consider [their position] as honorable'.³⁶ In response, King immediately wrote to the Irish government, 'humbly' stating 'that it is time to put an end to that mode of disembarassing ourselves of the Irish rebels'. He claimed that a consideration of the composition of the army in the West Indies left him 'on the verge of alarm. Blacks, and the Whites composed chiefly of prisoners and the worst of His Majesty's subjects!' were together a frightening prospect.³⁷

Although Cornwallis was sympathetic to these views, there was no viable alternative to drafting most of the rebels into the Army. The best that could be done was to ensure that the worst elements were weeded out and that the remainder were sent as far away as possible and kept in the Army for life. No alternative solution was ever found. As the war with revolutionary France drew to a close in 1801, and the need for troops in the West Indies diminished, War Office opposition to the practice increased: 'the safety of His Majesty's possessions in [the West Indies] will be endangered, as certainly the Regiments they would be appointed to, will be

³⁴ See, for example, the comments on the King's County prisoners tried by court martial in Nov. 1798, NAI, RP 620/7/79/49; New Geneva Returns, 1 May 1801, PRO, HO 100/106, fols 40-6; Return of Prisoners on the *Princess*, 1 May 1801, PRO, HO 100/106, fols 47-50; Alexander Marsden to Edward Hatton, 17 June 1801, PRO, HO 100/106, fol. 37; 'Contents of Box, 26 October 1801', NAI, RP 620/59/89.

³⁵ Extract of letter from Waterford, 29 Aug. 1798, PRO, HO 100/78, fol. 321.

³⁶ Huskisson to King, 13 Nov. 1799, PRO, HO 32/2, fols 374-6.

³⁷ King to Littlehales, 14 Nov. 1799, PRO, HO 100/87, fol. 241.

contaminated.³⁸ Nevertheless, another batch of prisoners was sent to the West Indies as late as December 1801 and, despite widespread misgivings, a further large draft was sent following Emmet's Rebellion in 1803 and the renewal of war.³⁹

III

The scale of the problem facing Cornwallis after the Rebellion has never been fully recognised because it has been impossible to calculate the exact number of prisoners involved. The absence of regimental records from the West Indies and the burning of convict records in Dublin in 1922 have dramatically reduced the number of official papers, while copies of most official prisoner returns sent to London also appear not to have survived. However, from scattered information it is possible to state that between 1799 and 1804 five large drafts of rebel prisoners were sent directly to the West Indies from Ireland, comprising more than 2400 individuals. In addition, possibly as many as another 800 rebels eventually reached the West Indies, after first being sent to Chatham, the main army depôt in Britain. Altogether, including prisoners 'encouraged' to volunteer for the Army; those sent to Prussia and Botany Bay; those permitted to banish themselves (more than 300); and those eventually released, at one time or another the Irish government must have had in custody as many as 6000 rebels. Those sent to the West Indies thus comprised more than one-half of the total.

The first draft was collected following a sudden order from Cornwallis that all rebels currently held in prisons in different parts of the country should be transmitted as quickly as possible to New Geneva.⁴⁰ The urgency resulted from the tactics used by defence counsel at the trial of Theobald Wolfe Tone in November 1798. Although Tone, having already pleaded guilty to a charge of high treason, was dying from a self-inflicted wound to his throat, his lawyer John Philpot Curran challenged the right of a military court to try prisoners while the civil courts were still sitting and called for a writ of habeas corpus.⁴¹ The issue remained unresolved at the time, but legal opinion was divided and the prospect arose of hundreds of cases previously tried by courts martial having to be reopened if prisoners successfully obtained writs of habeas corpus from the civil courts.⁴² Cornwallis thought it prudent to place the prisoners out of reach of the courts as swiftly as possible.

³⁸ Col. Robert Brownrigg to E. F. Hatton, 8 May 1801, PRO, HO 50/389.

³⁹ Brownrigg to J. Sullivan, 17 Nov. 1801, PRO, WO 1/623, fol. 611; Hardwicke to Charles Yorke, 7 Sep. 1803, PRO, HO 100/117, fol. 157; Duke of York to Charles Yorke, 24 Oct. 1803, Yorke to Hardwicke, 25 Oct. 1803, Hardwicke Papers, BL, Add. MS. 35770, fols 68-9; Duke of York to Charles Yorke, 14 Mar. 1804, Yorke to Duke of York, 15 Mar. 1804, NAI, RP 620/13/174/13; List of convicts at Cork, c. 15 June 1804, NAI, Prisoners' Petitions and Cases [PPC], no. 1174.

⁴⁰ H. Taylor to Maj-Gen. French, 21 Nov. 1798, [Edward Cooke?] to Brig-Gen. Campbell, 23 Dec. 1798, PRO, HO 100/86, fols 44, 100.

⁴¹ *The Dublin Journal*, 10 Nov. 1798; Marianne Elliott, *Wolfe Tone: Prophet of Irish Independence* (New Haven, 1989), p. 398.

⁴² Edward Cooke to Wickham, 12 Nov. 1798, PRO, HO 100/70, fol. 98; Castlereagh to Wickham, 16 Nov. 1798, in *Memoirs and Correspondence of Viscount Castlereagh*, ed. Charles Vane, Marquis of Londonderry (London, 1848), i, 445-7.

The first draft to the West Indies was taken from this concentration of prisoners at New Geneva. About twenty-five per cent came from Ulster, probably the largest group sent from that province.⁴³ A number complained that they had never been brought to trial, but most had been sentenced for involvement in the Rebellion in Antrim and Down.⁴⁴ On 26 February 1799 the rebel soldiers embarked on the *Admiral de Vries*, a sixty-eight gun third-rate ship of the line captured from the Dutch in 1797, and they set sail on 9 March. With them as a guard were more than 300 German troops of the 5th Battalion, 60th Regiment.⁴⁵ They arrived in Martinique on 9 April. At least three prisoners died of fever on the voyage, leaving 377 to be distributed through the regiments in Martinique and Jamaica.⁴⁶

The second draft, collected at New Geneva and Cove following the despatch of 350 troops to Prussia in September, was ready for embarkation by November 1799. According to William Huskisson, 'Nearly the whole of this Batch appears to consist of notorious rebels, sentenced to serve the King abroad or to some more severe punishment commuted to that Condition.' Reports from Ireland emphasized their unruliness: 'the Lord Lieutenant appears to have little Doubt they would carry the Ships into France, unless a proper military guard is placed over them.'⁴⁷ On this occasion, instead of a Navy troopship being provided, three private vessels were chartered by the Transport Board, with sufficient space to include the regular troops necessary for 'this *unpleasant Service*'. The three ships, *Hibernia*, *Brothers* and *Actives Increase*, were meant to join a West Indies convoy which left Cork in early December, but were held up when General Johnson, Commanding Officer at New Geneva, detained them because of overcrowding. The transports, Johnson informed Dundas, were so unsuitable that 'he is persuaded one half of [the prisoners] at least will die in the voyage'.⁴⁸ Predictably, men had to be relanded at Waterford after falling sick on board.⁴⁹ Later in the month the *Hibernia*, capable of defending itself with sixteen 6-pound cannon and a large military guard, was allowed to sail for the West Indies alone.⁵⁰ After improvements were made to their accommodation facilities, including the erection of bulkheads to separate the convicts from the guards, the *Brothers* and *Actives Increase* sailed with a convoy from Cove on 15 January 1800, arriving at Martinique on 26 March.⁵¹

⁴³ There were enough Ulstermen in New Geneva for a 'Belfast barrack' to be set up. Durey (ed.), *Bryson's Ordeal*, p. 59. The draft sent to Prussia a few months later also included large numbers from Ulster, mainly victims of the Insurrection Act.

⁴⁴ Samuel Neilson to Castlereagh, 11 Oct. 1798, [Hugh] Adrian to Neilson, 7 Oct. 1798, NAL, State Prisoners' Petitions [SPP], no. 245.

⁴⁵ Cornwallis to Portland, 15 Mar. 1799, PRO, HO 100/83.

⁴⁶ Lt-Gen. Trigg to Dundas, 24 Apr. 1799, PRO, WO 1/87, pp. 197-9, 201.

⁴⁷ Huskisson to King, 13 Nov. 1799, PRO, HO 30/2, fol. 374.

⁴⁸ Johnson to Dundas, 28 Nov. 1799, PRO, ADM 108/65, fol. 70.

⁴⁹ Lt Flinn to Transport Board, 3 Dec. 1799, PRO, ADM 108/65, fol. 69.

⁵⁰ Transport Board Minutes, 13, 21 Dec. 1799, PRO, ADM 108/65, fols 77, 94.

⁵¹ Transport Board Minutes, 4 Feb. 1800, PRO, ADM 108/66, fol. 209; Transport Commissioners to Dundas, 21 Apr. 1800, PRO, ADM 108/20, p. 39; Lt Whitaker to Transport Board, 24 June 1800, PRO, ADM 108/67, fol. 135.

The numbers in this draft cannot accurately be ascertained, although the two ships which sailed with the convoy were officially reported to have landed 279 rebels in Martinique.⁵² *Hibernia* had beds for 250 troops;⁵³ at least that number of rebels were ready for embarkation. But sixty-four were transferred to the Ancient Loyal Irish Fencibles at Cove. This was a corps, 'principally formed of persons who were generally suspected of disaffection', raised by Thomas Judkin Fitzgerald, the notorious Sheriff of Tipperary. It was subsequently sent to Minorca and Egypt.⁵⁴ Taking this transaction and the sickness at New Geneva into account, it seems reasonable to assume that the *Hibernia* eventually carried 150 rebels and about 100 guards and their followers to the West Indies. The second draft thus comprised 429 unwilling recruits.

The third draft of rebels was the largest ever sent to the West Indies. As early as April 1800, 420 rebel recruits were ready for transportation; following the summer assizes and continuing courts martial, the number had risen to 781, with more still expected.⁵⁵ On this occasion, with space on the transports at a premium, large detachments of regular troops did not accompany the rebel recruits. Instead, the regulations applying to ships carrying convicts to Botany Bay were implemented, with the ships' contractors supplying the guards.⁵⁶ Presumably, also, the practice of putting prisoners in irons was followed.

The third draft sailed to the West Indies towards the end of 1800 and was followed a year later by the last batch sent before the end of the Revolutionary Wars. By this time the Pitt ministry had fallen and Cornwallis had resigned as Lord Lieutenant, to negotiate what became the Treaty of Amiens. The flow of prisoners had substantially subsided and the system of transporting convicts to New South Wales greatly streamlined.⁵⁷ With peace imminent, the need for troops in the West Indies diminished. Under the new Lord Lieutenant, the Earl of Hardwicke, the Irish government began to wind up its prisoner operations. The unfit and elderly were discharged from New Geneva; others, 'whose Crimes not being of magnitude, and incapable of a voyage to Botany Bay', were offered bail. This policy, however, was kept secret until one final batch of 327 rebel recruits ordered to the West Indies embarked on four navy transports, *Thelia*, *Majestic*, *Champion* and *Warrior*, in

⁵² Trigg to War Office, 11 Apr. 1800, PRO, CO 319/6, fol. 118. *Actives Increase* embarked 204 people at Cove in Dec., 121 of whom were convicts, 53 guards, and the rest family members of the troops. Transport Board Minutes, 21 Dec. 1799, PRO, ADM 108/65, fol. 94. *Brothers* had room for 246 people.

⁵³ Transport Board Minutes, 28 Mar. 1800, PRO, ADM 108/66, fol. 333.

⁵⁴ Hardwicke to Pelham, 25 May 1802, PRO, HO 100/109, fol. 124; Transport Board Minutes, 21 Dec. 1799, PRO, ADM 108/65, fol. 94; NAI, PPC, nos 438, 566; Chart, 'Irish Levies', p. 510; William J. Hayes, *Tipperary in the Year of Rebellion 1798* (Roscrea, 1998), p. 43; *Dublin Evening Post*, 19 Nov. 1799.

⁵⁵ Transport Commissioners to Dundas, 21 Apr. 1800, PRO, ADM 108/20, p. 39; J. Flinn to Littlehales, 26 Sep. 1800, PRO, WO 1/800, fol. 573.

⁵⁶ Littlehales to Flynn (*sic*), 1 Oct. 1800, PRO, WO 1/800, fol. 577; Charles Bateson, *The Convict Ships 1787-1868* (Glasgow, 1985), p. 26.

⁵⁷ According to available records, only 94 individuals were court-martialled in 1801, compared with 1140 in the second half of 1798, 690 in 1799 and 151 in 1800.

November 1801, lest 'they should have made or feigned Sores and Indispositions to prevent their Sailing, and thereby procuring their Discharges'.⁵⁸ This group included deserters and a number of prisoners sentenced to transportation whose 'extreme youth or other circumstances' made them suitable army recruits.⁵⁹ 'About 150 of the most Desperate Fellows' that even the experienced General Johnson had seen remained bound for Botany Bay.⁶⁰

These four drafts of prisoners sent directly from Ireland to the West Indies during the French Revolutionary Wars were augmented by an indeterminate number of rebel recruits who arrived at the same destination via more circuitous routes. Undoubtedly, a large proportion of the 800 troops who arrived in the West Indies from Gibraltar in September 1799, to be drafted into the desertion-stricken 2nd Battalion of the 60th Regiment, were Irish. Only a few months before in Gibraltar 'a wicked plot' had been discovered among soldiers in the 18th Regiment, the object of which was to murder the officers and loyal troops before handing the garrison over to the enemy. The organisers were said to be rebels who had surrendered after the Battle of Vinegar Hill in 1798 and who had been sent to Gibraltar to fill the ranks of the 18th.⁶¹ Furthermore, rebel Irish 'volunteers' were on at least two occasions included in drafts of 'culprits' and deserters sent to the West Indies from England.⁶² In December 1799 one draft of 220 accompanied the 11th Regiment to the West Indies, where they were distributed among the various islands as on previous occasions.⁶³ In August 1801 nearly 300 deserters sailed from Gravesend to the West Indies. 'Many of these fine fellows', it was reported, 'were from Ireland, and had been, they said, deluded from their duty and allegiance by the rebellious, particularly in the province of Leinster.'⁶⁴

Finally, despite the continued lack of enthusiasm shown by the military authorities for enlisting rebels, in the aftermath of Robert Emmet's Rebellion of 1803 yet another large draft was sent to the West Indies. The 23 July uprising in Dublin had caught the Irish government napping. In the aftermath, smarting at loyalist accusations that many of the rebels had previously been beneficiaries of Cornwallis' policy of leniency in 1798, the authorities rounded up hundreds of suspects. The small group of leaders were executed or transported; the rest, thought Hardwicke, were too dangerous to be left in the country but 'would probably be

⁵⁸ NAI, RP 620/59/89; Transport Office to Lord Hobart, 13 Nov. 1801, PRO, WO 1/801, fol. 125; Johnson to Charles Abbot, 10 Jan. 1802, NAI, RP 620/62/76.

⁵⁹ Brownrigg to J. Sullivan, 17 Nov. 1801, PRO, WO 1/623, fol. 611; Alexander Marsden to Edward Hatton, 17 June 1801, PRO, HO 100/106, fol. 37; Abbot to Sir George Shee, 2 Oct. 1801, PRO, HO 100/107, fol. 92.

⁶⁰ Johnson to Brownrigg, 2 May 1801, PRO, HO 50/389.

⁶¹ [Philadelphia] *Aurora*, 2 Aug. 1799; Trigge to War Office, 10 May 1799, PRO, CO 319/6, fol. 99; Trigge to Dundas, 17 Sep. 1799, PRO, WO 1/87, p. 536.

⁶² That 'culprits' in English military parlance referred primarily to Irish rebels is confirmed by Lt-Gen. Grinfield to Brownrigg, 13 Oct. 1802, PRO, WO 1/96.

⁶³ Transport Board Minutes, 6 and 27 Dec. 1799, PRO, ADM 108/65, fols 56, 107; 24 July 1800, PRO, ADM 108/67, fol. 223.

⁶⁴ [Dublin] *Freeman's Journal*, 13 Aug. 1801.

induced to enlist to avoid a prosecution'.⁶⁵ In London, memories of the post-1798 period remained strong and the Duke of York initially rejected the proposal.⁶⁶ But, as in previous years, no alternative solution could be found. By March 1804 500 prisoners were ready to be sent to the West Indies, a number which was augmented a few months later by the overspill from the convict ship *Tellicherry*.⁶⁷

IV

The rebel prisoners were unwilling recruits, 'white slaves' in the opinion of William Duane, the Irish-American radical.⁶⁸ The prospect of a journey to the West Indies in the 1790s evoked fear and consternation everywhere. 'We are bound to Grave's End' was one example of the black humour of sailors leaving the London docks, bound for the Caribbean.⁶⁹ In April 1799 two Irish militia regiments, ordered to Jersey, refused to board transports, fearing that they would be sent to the West Indies.⁷⁰ The resurrection of the British Army from 1800 became possible only after the War Office, by offering special terms of enlistment to soldiers prepared to transfer from the militia to line regiments, had eliminated the bogey of the West Indies. No new recruit would be ordered to theatres of war outside Europe.⁷¹ For some of the rebel prisoners, however, the issue was not so clear cut. Those whose capital sentences were reduced to general service, for instance, would have seen the West Indies option as offering at least a chance of survival. Nor can it be assumed that transportation to New South Wales was widely viewed as preferable to general service, especially as many of the commuted rebels believed that their terms of service would end when peace arrived.⁷² As Lieutenant-Colonel Donkin of the 11th Regiment explained in April 1802: 'I have some reason to apprehend that the term "Commuted Punishment" has occasionally been but imperfectly explained to the men making the commutation', for many came 'under an idea that they would be attached to some Regiment serving here and follow its fortunes, without any conception that their banishment was to be perpetual.'⁷³

The rebel recruits' nonetheless understandable reluctance to be shipped to the West Indies graveyard merely compounded the Army's genuine fears that they

⁶⁵ Hardwicke to Yorke, 7 Sep. 1803, PRO, HO 100/107, fol. 157.

⁶⁶ Duke of York to Charles Yorke, 24 Oct. 1803, Yorke to Hardwicke, 25 Oct. 1803, BL, Add. MS. 35770, fols 68-9.

⁶⁷ Duke of York to Yorke, 14 Mar. 1804, Yorke to Duke of York, 15 Mar. 1804, NAI, RP 620/13/174/13; Names of State Prisoners in Kilmainham and Newgate ordered to enlist 1804, NAI, RP 620/13/173/1 and 3; NAI, PPC, no. 1174; Nepean to King, 18 Sep. 1804, PRO, HO 100/123, fol. 305.

⁶⁸ *Aurora*, 23 Dec. 1806.

⁶⁹ [Philadelphia] *Daily Advertiser*, 27 Apr. 1797.

⁷⁰ Cornwallis to Dundas, 11 Apr. 1799, PRO, WO 1/612, fol. 67. Their fears were allayed a few days later.

⁷¹ Duffy, *Soldiers, Sugar and Seapower*, p. 319.

⁷² It is abundantly clear from prisoners' petitions to the government that general service was preferable to transportation.

⁷³ Lt-Col. R. Donkin to Brig-Gen. Maitland, 29 Apr. 1802, PRO, WO 1/95, fols 85-6. Rebel volunteers drafted into the 30th and 89th Regiments thought the same: Hardwicke to Pelham, 11 and 12 May 1802, PRO, HO 100/108, fols 127-8.

posed a distinct threat to discipline and good order. Once the rebels had been attested, of course, they became subject to the Mutiny Act and its attendant discipline. Nevertheless, fearing their contagious influence, the authorities kept them in barracks at New Geneva separated from the volunteer recruits. In most other respects, however, apart from being ineligible for the usual enlistment bounty, being forced to have haircuts ('the Greatest number that were there . . . never had their hair cut in their life'), and being guarded around the clock, the rebel recruits received treatment similar to other recruits.⁷⁴ New Geneva itself has had a notorious reputation. Richard Madden, self-appointed hagiographer of the United Irishmen, described it as 'a monster prison'. 'The atrocious cruelties inflicted on the state prisoners (*sic*) confined in this stronghold are scarcely credible.'⁷⁵ Thomas Cloney, a prominent United Irishman persecuted by loyalists but the recipient of remarkably lenient treatment from the government, called it 'a most damp and loathsome prison. It really exceeded any description I could give of it for filthiness and a want of every sort of comfort.'⁷⁶ The reality, however, although harsh, was a reflection of normal army life in this era. Andrew Bryson, the young Presbyterian United Irishman, in his private narrative to his sister described life in the camp quite differently. The prisoners ate meat and vegetables daily; they were paid sixpence a day; there was a canteen with beer; and they appeared free to wander their compound during daylight. 'We lived much better in Geneva than we did on our march' from Belfast, was his comment.⁷⁷

New Geneva was, nevertheless, for the rebels a prison camp, not a holiday camp, and conditions for those prisoners on the floating tenders at Cove were considerably worse. Discipline was harsh and floggings frequent. One hundred lashes were usually inflicted for escape attempts. Many breakouts were successful, leading to gangs of robbers roaming the Waterford region. 'Certain it is', complained one local, 'that any of them that are Supplied with money can get out.'⁷⁸ Bryson himself was involved in one attempted mass escape which collapsed when a bribed sentry informed his superior officers. Three prisoners were killed and two wounded in the attempt.⁷⁹

Official fears of prisoners mutinying while *en route* to the West Indies were reflected in the large numbers of regular troops accompanying all but the third draft. Seamen on the transports, following the mutinies of 1797, also remained suspect, possibly with good reason. John Wright, commander of the *Admiral de Vries*, had alarmed the Transport Board when he informed them of the mutinous behaviour of his crew on the way to Ireland in January 1799. He blamed 'some very bad men who had been delegates in the Fleet' in 1797. Although Wright put the

⁷⁴ Lewis to Johnson, 15 Sep. 1798, PRO, WO 4/339, fol. 314; NAI, PPC, no. 287; Durey (ed.), *Bryson's Ordeal*, p. 65.

⁷⁵ R. R. Madden, *The United Irishmen* (Dublin, 1846), i, 330-1.

⁷⁶ Thomas Cloney, *A Personal Narrative of . . . 1798* (Dublin, 1832), p. 131.

⁷⁷ Durey (ed.), *Bryson's Ordeal*, pp. 59-60.

⁷⁸ Patrick Dean to Marsden, 24 Apr. 1800, NAI, RP 620/58/61.

⁷⁹ Durey (ed.), *Bryson's Ordeal*, pp. 62-4.

troublemakers ashore before touching Ireland, Lieutenant-Colonel de Rottenburg, commander of the 5/60th, nevertheless asked for a 'chosen crew' without 'a single United Irishman amongst them', a request impossible to comply with.⁸⁰

More serious was the mutiny in December 1801 on board one of the transports anchored at Passage, the port for New Geneva, carrying ninety of the rebel prisoners, when orders came to sail for the West Indies. According to one crewman, William Whitfield, '20 of us Bold Seamen' with handspikes were faced down by a superior number of soldiers with fixed bayonets. 'If it had not been for the Guard ship and the Commodore', he went on, the prisoners 'certainly would have helped us.'⁸¹ The government tried to hush up this mutiny, and another which broke out on the warships *Temeraire* and *Formidable* in Bantry Bay at the same time, by intercepting crewmen's letters at the post office in London.⁸²

Once the rebels were in the West Indies, the Army command sought to reduce their potential for disorder by distributing them around the islands in every regiment. The commander of the disease-ravaged 43rd Regiment in Martinique applied for fifty recruits from Bryson's draft, but was allowed only thirty-four.⁸³ Sixty sailed with the *Admiral de Vries* to Jamaica; the rest were divided among regiments on the island.⁸⁴ Subsequent drafts were treated in a similar manner.⁸⁵ Not until after the renewal of war in 1803 were specific penal battalions established.⁸⁶

The rebel recruits brought with them an unsavoury reputation which many did their best to live up to. Shocking accounts of their behaviour in Jamaica followed the arrival of the first draft. According to the sister of one clergyman: 'As soon as they got arms into their hands, they deserted, and fled into the mountains, where they have been joined by large bodies of the natives and such of the French as were in the island.'⁸⁷ Several skirmishes between these bands and military search parties caused casualties on both sides. Later drafts had such a bad reputation for indiscipline that captains of private merchant ships refused to transport them from one island to another.⁸⁸ Fears for the safety of property in the West Indies were aired, as increasing numbers of Irish rebels threatened to contaminate the regiments to which they were attached.⁸⁹

The Irish rebels' determination to struggle against their unenviable situation ultimately succumbed to the twin pressures of military discipline and tropical diseases. Bryson's harrowing account of his experiences on Martinique—he and

⁸⁰ Transport Office to Nepean, 11 Mar. 1799, PRO, WO 1/693, fol. 155.

⁸¹ W. W[hitfield] to Thomas Whitfield, 11 Dec. 1801, PRO, HO 100/100, fol. 219.

⁸² PRO, HO 100/104, fols 235–45. These ships were part of the same proposed convoy.

⁸³ Durey (ed.), *Bryson's Ordeal*, p. 81.

⁸⁴ Trigge to Dundas, 24 Apr. 1799, PRO, WO 1/87, p. 201.

⁸⁵ Trigge to War Office, 11 Apr. 1800, PRO, CO 319/6, fol. 118.

⁸⁶ R. L. Yaple, 'The Auxiliaries: Foreign and Miscellaneous Regiments in the British Army 1802–1817', *JSAHR* 50 (1972), 27. It is possible that recruits sent after Emmet's Rebellion served in these penal battalions.

⁸⁷ *Castlereagh Memoirs*, ii, 417.

⁸⁸ [War Office] to William Huskisson, 10 Apr. 1800, PRO, WO 1/621, fol. 331.

⁸⁹ Robert Brownrigg to E. F. Hutton, 8 May 1801, PRO, HO 50/389.

many of his companions fell sick within days of arrival—shows how, irrespective of their backgrounds, all white men in the Caribbean had to undergo a period of seasoning. Suffering episodes of delirium in a military hospital ‘going to ruin’,⁹⁰ Bryson watched many of his friends die one by one. He was fortunate; he survived but required a long period of recuperation before he was strong enough to escape to America, following in the footsteps of some of his fellow rebels. Although it is doubtful whether many of his companions made a contribution to the war effort in the West Indies, later drafts may have been more useful. Their dispersal into every available regiment ensured that some played a role in the minor operations which took place in the Caribbean after 1799.⁹¹ Much of their time, however, was taken up with garrison duties and guarding prisoners of war, menial tasks suitable for untrained and disease-ravaged troops.⁹²

V

Ironically, Cornwallis’ successful conclusion of peace negotiations at Amiens brought the issue of the rebel prisoners once again to the fore. What was to be done with them? Most of the West Indian islands gained during the war had to be returned to their former owners. The Army could return to its peacetime establishment, a desire always at the forefront of government minds. Yet, contrary to what the rebels may have expected, the terms of their commutations required them to suffer life banishment in the Army. Despite the dangers of the West Indies station, there still remained in October 1802 1290 ‘Convicts, Culprits, Deserters etc . . . who have been sent out since the beginning of the Year 1799 to serve in the West Indies for life’.⁹³ Although some of these survivors must have been English, the vast majority were Irish. From these data it appears that between 1799 and 1802 about one-third of the rebels had either died or escaped. This was less than the death rate suffered by the Army during the Revolutionary War in this theatre, but was higher than the average for the Army as a whole during these four years.⁹⁴

As each regiment set sail for home and demobilisation, the rebel soldiers were transferred to the forces still remaining. The 37th Regiment, for example, received 91 ‘culprits’ from the 53rd in June 1802 and another 98 from the 14th in 1803.⁹⁵ The 2/60th, having discarded its lifers, returned home in 1803 with a strength of just forty-seven men.⁹⁶ The only returns available, for October 1802, show that

⁹⁰ Trigge to Dundas, 14 May 1799, PRO, WO 1/87, p. 213.

⁹¹ Duffy, *Soldiers, Sugar and Seapower*, pp. 317–25.

⁹² Durey (ed.), *Bryson’s Ordeal, passim*; Trigge to Dundas, 10 Oct. 1799, PRO, WO 1/87, p. 569.

⁹³ Lt-Gen. Grinfield to Brownrigg, 13 Oct. 1801, PRO, WO 1/96. In addition, three to four hundred deserters who had been allocated to specific regiments before leaving Britain were also still alive.

⁹⁴ Duffy, *Soldiers, Sugar and Seapower*, p. 366.

⁹⁵ C. T. Atkinson, *History of the 37th Regiment 1702–1913* (London, 1913), i, 263. I am grateful to Lt-Col. C. D. Darroch for this reference.

⁹⁶ Evan Nepean to Lt-Col. Clinton, 15 Aug. 1803, Nepean Papers, National Maritime Museum, NEP3.

rebels were serving in eleven regiments, in some, for example the 1/1st, the 37th, the 64th and the 57th, in very large numbers.⁹⁷ Such concentrations were obviously of some concern for the military authorities, as were the costs involved in keeping men who were becoming increasingly decrepit. General Grinfield, who was himself to die from fever in 1804, was seeking a new policy when he pointed out to the Horse Guards that many of the culprits were 'unfit for, and useless as, Soldiers'. He could not return them to England with the other sick soldiers, yet humanitarian feelings prevented him from 'turning them adrift without provision or Subsistence'. They were a drain on government money and a burden on the regiments, 'as they must be provided with room in Barracks, when tolerably well, and in Hospital, when sick'.⁹⁸

Interestingly, Grinfield reiterated the claim by Lieutenant-Colonel Donkin, endorsed by General Trigge, that many of the Irish rebels had 'behaved themselves well, both as men, and Soldiers'. Donkin had pointed out that the 'culprits' comprised two distinct groups: those 'sent out hither for the most atrocious crimes and [who] still persevere in their villanies'; and those 'sent out for a simple fault of which they repent, and attempt by an attentive discharge of their duties to atone for their former misconduct'.⁹⁹ Among the latter were nearly thirty who had been promoted to non-commissioned rank and whose regiments wished to retain their services when they left the West Indies. Under current regulations, this was impossible.

The suggestion by senior officers in the West Indies that some incentive ought to be offered to the former rebels was taken up during the months of peace by the Duke of York at the Horse Guards, resulting in new orders being issued in April 1803. Henceforward, soldiers under commutation of sentence sent abroad on general service were no longer to be deemed 'culprits', but 'Soldiers destined to continue on Foreign Service'. After seven years, if they could obtain a certificate of satisfactory service from their commanding officers, they would be allowed to return home with their regiments, having 'fully expiated' their former offences. The only exceptions were those who had been sentenced by general court martial to serve abroad longer than seven years; they would need to petition the King personally.¹⁰⁰

These orders were viewed by the Commander-in-Chief as 'a powerful Incitement to Reformation and Good Behaviour', but in practice they had no immediate effect. None of the Irish rebels had been in the West Indies for seven years when the orders were issued, and the renewal of war at the same moment ensured that they remained in place in their regiments. However, it is possible that survivors may have moved with their regiments in later years. The 37th returned to England in

⁹⁷ 223, 205, 173 and 150 respectively. Grinfield to Brownrigg, 13 Oct. 1802, PRO, WO 1/96. The 57th returned to England in 1803, presumably having already transferred its culprits into other formations.

⁹⁸ Ibid.

⁹⁹ Ibid; Trigge to Brownrigg, 24 May 1802, PRO, WO 1/95, fol. 83; Donkin to Maitland, 29 Apr. 1802, PRO, WO 1/95, fols 85-6.

¹⁰⁰ Horse Guards to Grinfield, 18 Apr. 1803, PRO, WO 3/36, fols 14-15.

1809, for instance, and the 64th went to Canada in 1813.¹⁰¹ The numbers involved would have been tiny. Most rebel prisoners must have left their bones bleaching on the picturesque but deadly islands of the West Indies.

¹⁰¹ Ray Westlake, *English and Welsh Infantry Regiments. An Illustrated Record of Service 1662–1994* (Staplehurst, 1995), pp. 120, 200.