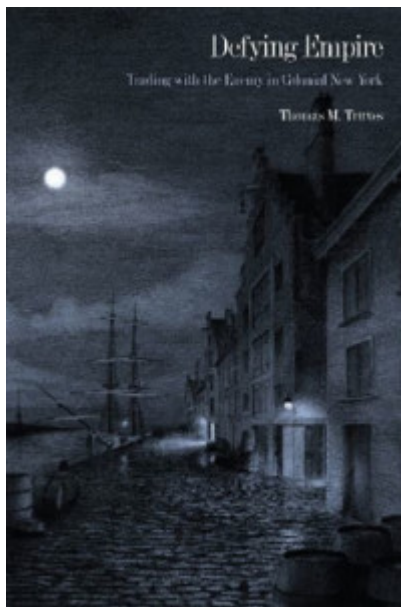
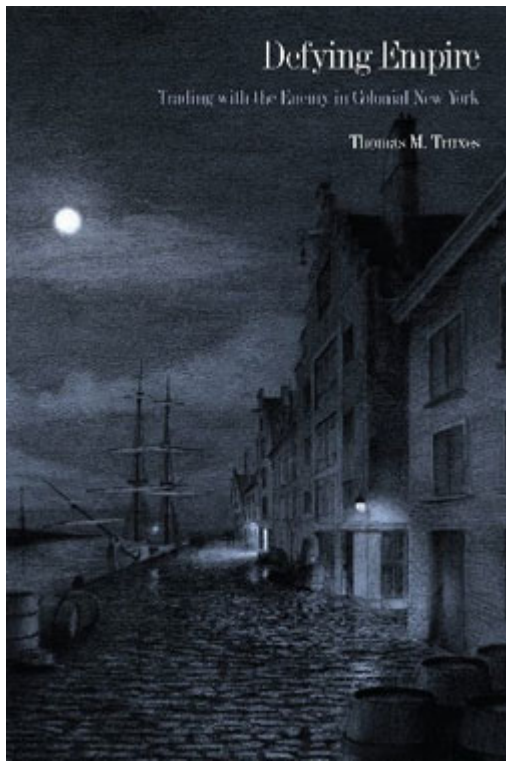


# Acquiring a Taste for Defiance



Thomas M. Truxes, *Defying Empire: Trading with the Enemy in Colonial New York*. New Haven and London: Yale University Press, 2008. xv, 288 pp., cloth, \$30.00.

Smugglers were perhaps the greatest beneficiaries of the era of salutary neglect in colonial North America. All along the eastern seaboard, authorities allowed breaches of the Navigation Acts to occur openly or covertly. New York City was no exception. Contraband trade thrived in the city during King William's War (also known as the Nine Years' War), when Governor Benjamin Fletcher (1692-97) connived at various sorts of dubious or illegal

transactions. He even permitted the city's food supply to deteriorate in order for provisions to be sold to a Dutch ship that was in port for several months. Not every governor was willing to look the other way. Soon after he arrived as Fletcher's successor, Richard Coote, Earl of Bellomont, ordered the arrest of some East India goods that came off a suspected smuggling vessel, provoking an uprising. Bellomont also failed in later attempts to root out an established practice.

Conditions had not changed by the time another new governor stepped off the ship sixty years later, shortly after the outbreak of the Seven Years' War (or French and Indian War). Charles Hardy carried instructions to end all commerce between New Yorkers and French America, and he had every intention to succeed in his mission. His most obvious target was the commerce in flour and other provisions to the French at Cape Breton Island, although other forms of contraband trade flourished as well, facilitated by lax enforcement of existing laws. Archibald Kennedy Sr., the customs collector of New York City's port since 1722, firmly believed that British restrictions on North America's trade harmed the empire and only served metropolitan interests.

New Yorkers did not mend their ways. The provisions trade with French subjects was simply too profitable. Nor did the French contemplate a cessation of trade with British Americans. Their war effort, writes Thomas Truxes in his eminently readable *Defying Empire*, depended upon access to North American provisions and "warlike stores." Both sides, nonetheless, fervently supported the war effort. The French captured dozens of New York ships, and numerous Americans volunteered to fight the French at sea, though nowhere as many as in New York, whose privateers outdid all other ports. Not only did smuggling and privateering coexist, the very New York shipowners whose mainstay was the contraband trade with the French fitted out privateers.

Using a great variety of primary sources, Truxes describes the permutations of New York's trade with the enemy as the war progressed. After the provisions trade with Cape Breton had been reduced to a trickle following its prohibition by the New York General Assembly, the French enemy was supplied by way of the neutral Dutch and Danish islands in the West Indies. The Flour Act, adopted by Parliament in 1757, may have forbidden the export of provisions to non-British places; however, the trade with the French Caribbean islands reached massive proportions, involving also the exchange of dry goods, lumber, and naval stores for French plantation crops.

This trade had to take place in circuitous ways. Dutch intermediaries were especially active, their sloops carrying North American flour to the Dutch islands of St. Eustatius and Curaçao, where French ships were waiting to transship the cargoes. But North Americans also sailed themselves to St. Eustatius, enabled by forged certificates. As captures by the Royal Navy made this trade increasingly difficult, Monte Cristi, a neutral port on the north coast of Spanish Santo Domingo, emerged as the premier place of exchange between North Americans and the French. New York City's entire elite took part

in it, sending provisions and bullion to buy French American sugar, much of which came from neighboring Saint Domingue. Merchants took precautions to camouflage this business, involving ports in Connecticut and New Jersey where lenient enforcement was the rule. But in the end, the Royal Navy caught up with them, disrupting but not ending the Monte Cristi trade.

Truxes makes wartime New York come to life by spotlighting a number of colorful protagonists. One of them is well-connected Irish merchant Waddell Cunningham, who was up to his neck in illicit commerce but did all he could to cover his tracks, including bullying informers. With a dozen like-minded merchants, he singled out for punishment George Spencer, an English-born merchant who had presented evidence to the city's authorities of illicit dealings with the enemy. To frighten other potential whistleblowers, Cunningham and his friends incited a mob of sailors to cart Spencer around town before having him put behind bars on false bankruptcy charges. When Spencer was released after twenty-seven months, he was silenced by a bogus accusation of treason. At war's end, Cunningham, who "approached the legal system with a boldness characteristic of [his] trade with the French" (161), faced prosecution himself. New York's attorney general regarded the trade that Cunningham and his business partner conducted with the French as high treason. Although the jury returned with a guilty verdict, the judgment was eventually arrested, and the defendants were discharged after paying a fee of one hundred pounds. Spencer never gave up, traveling to London to report in great detail about New York contraband practices, pleading incessantly for vigorous action against those who broke the trade laws, and finally devising a scheme to tax tea sent to the North American colonies.

This is one of the best books ever written about contraband trade in the colonial Americas. Truxes not only does justice to the subject's significance and complexity, he also hints at the long-term effect of British attempts to eliminate smuggling. In the war's aftermath, he writes, "the odor of autocratic rule lingered" in New York, "as did a newly acquired taste for defiance. Its origins were deep and complex and, surely, manifest in the city's brazen trade with the enemy during the Seven Years' War" (198-199). This defiance, kept alive by the succession of metropolitan acts, would soon develop into revolutionary fervor.

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1500-1830 (2009).