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Abstract

Following the abolition of the transatlantic trade in African captives, slave traders from France, Spain and Cuba devised strategies of concealment to perpetuate and even expand their enterprise. A close reading of the unexpurgated logbooks and business correspondence of the *Jeune Louis*, a French ship that transported more than three hundred captives from the Bight of Biafra to Havana in 1825, identifies three decisive innovations in the Franco-Cuban branch of the illegal slave trade. Transnational business structure, risk management through honor-based marine insurance policies, and redacted record keeping transformed the wider Atlantic slave-trading sector into one capable of eluding attempts at international suppression. The clandestine techniques that this transnational slaving network developed to skirt the law also distorted the archival record of that traffic. Accounting for the resulting distortions and disappearances will enable future researchers to better navigate them.

A Business Archive of the French Illegal Slave Trade in the Nineteenth Century*

The French traffic in enslaved people from West Africa to Cuba grew markedly in the first four decades of the nineteenth century, despite the fact that by the 1820s most states including France and Spain had abolished the transatlantic slave trade.¹ French slave traders had turned to Cuba as a new market following the abolition of slavery in the colony of Saint-Domingue (Haiti) in 1793 and the Haitian declaration of independence from France eleven years later. This emerging traffic to Cuba was part of a wider transformation of the slave trade in the era of abolition. Between 1800 and 1840, the slave trade morphed from a legal commerce conducted across all Atlantic empires from outfitting ports in Europe, into a

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¹ 138 ships sailing under the French flag transported captives from Africa to Cuba between 1807 and 1840: <https://www.slavevoyages.org/voyages/3PWbHOMH> (accessed 27 Apr. 2020). Very few had done so in the previous three hundred years. Entries for nineteenth-century French ships in the Slave Voyages database are taken mostly from Serge Daget, *Répertoire des expéditions négrières françaises à la traite illégale (1814–1850)* (Nantes, 1988) (hereafter *Répertoire*).

banned enterprise concentrated in Cuba and Brazil—where most illegal voyages originated and ultimately sold their human cargoes.²

The voyage of the French brig *Le Jeune Louis*, which transported more than three hundred African captives from the mouth of the Niger Delta to Havana in 1825, was typical of the early phase of this ‘second slave trade’, but exceptional in that its logbooks and business papers have survived nearly in their entirety.³ These papers, originally compiled by the ship’s captain François Demouy, are now archived in the French Clandestine Slave Trade collection at the Huntington Library.⁵ Within the collection’s four hundred written pages are two ship’s journals, records of the outfitting and disarming of the expedition, false papers, an insurance contract, letters from the ship’s owner to the captain, the captain’s letter book, crew lists, and records of negotiations with slave dealers in West Africa. The *Jeune Louis* was one

² On the transformation of the slave trade after its legal abolition, see W.E.B. Du Bois, *The Suppression of the African Slave-Trade to the United States of America, 1638–1870* (New York, 1896), chs. 7–9; David Eltis, *Economic Growth and the Ending of the Transatlantic Slave Trade* (New York, 1987); Leonardo Marques, *The United States and the Transatlantic Slave Trade to the Americas, 1776–1867* (New Haven, 2016). On the rise of Cuban slave trade in the nineteenth century, see Herbert S. Klein, *The Middle Passage: Comparative Studies in the Atlantic Slave Trade* (Princeton, 1978), 209–27; José Luciano Franco, *Comercio clandestino de esclavos* (Havana, 1980); Laird W. Bergad, Fe Iglesias García, and María del Carmen Barcia, *The Cuban Slave Market, 1790–1880* (Cambridge, 1995); Josep Maria Fradera and Christopher Schmidt-Nowara (eds.), *Slavery and Antislavery in Spain’s Atlantic Empire* (New York, 2013); Michael Zeuske, *Amistad: A Hidden Network of Slavers and Merchants* (Princeton, 2014); David Eltis and Jorge Felipe-Gonzalez, ‘The Rise and Fall of the Cuban Slave Trade: New Data, New Paradigms’, in Alex Borucki, David Eltis, and David Wheat (eds.), *From the Galleons to the Highlands: Slave Trade Routes in the Spanish Americas* (Albuquerque, 2020). On the suppression of the slave trade to Brazil, see Leslie Bethell, *The Abolition of the Brazilian Slave Trade: Britain, Brazil and the Slave Trade Question, 1807–1869* (Cambridge, 1970). For the illegal trade in West Central Africa, see Roquinaldo Ferreira, *Dos Sertões ao Atlântico: Tráfico Ilegal de Escravos e Comércio Lícito em Angola, 1830–1860* (Luanda, 2012).

³ The term ‘captives’ as distinct from ‘slaves’ emphasises that people trafficked into the transatlantic trade were subjected to a process of commodification, which, while never complete, culminated in their being marketed as chattel slaves only upon arrival in the Americas. See Stephanie E. Smallwood, *Saltwater Slavery: A Middle Passage from Africa to American Diaspora* (Cambridge, Mass., 2007). For the term ‘second slave trade’, see Randy J. Sparks, ‘Blind Justice: The United States’s Failure to Curb the Illegal Slave Trade’, *Law and History Review*, xxxv (2017), 79.

⁵ French Clandestine Slave Trade Manuscripts, HM43974–44029, The Henry E. Huntington Library, San Marino, California (hereafter HEH). Scholars who have examined this collection include Claude Fohlen, ‘Une expédition négrière nantaise sous la Restauration’, in Michèle Merger and Dominique Barjot (eds.), *Les entreprises et leurs réseaux: hommes, capitaux, techniques et pouvoirs, XIXe–XXe siècles: mélanges en l’honneur de François Caron* (Paris, 1998), 157–66; James A. Rawley and Stephen D. Behrendt, *The Transatlantic Slave Trade: A History* (Lincoln, Nebr., 2005), 127–8; Alan Forrest, *The Death of the French Atlantic: Trade, War, and Slavery in the Age of Revolution* (New York, 2020), 265–8; Manuel Barcia, *The Yellow Demon of Fever: Fighting Disease in the Nineteenth-Century Transatlantic Slave Trade* (New Haven, 2020), 62–3. References to the voyage based on other sources occur in Eric Saugera, *Bordeaux, port négrier: chronologie, économie, idéologie, XVIIe–XIXe siècles* (Paris, 1995), 176–7; Daget, *Répertoire*, 339.

of the few slaving voyages of any nation from this era that left behind a significant cache of private records.⁶ As states outlawed slave trading one by one between 1807 and 1820, traders learned to conceal their activities from official view and, ultimately, from historians.

A close reading of the *Jeune Louis* papers demonstrates three innovations within France's slave trade to Cuba which transformed the wider slave-trading sector into one capable of eluding attempts at international suppression. First, investors, traders and dealers transgressed national boundaries to pool capital and expertise and to evade prosecution. Second, new financial arrangements spread risk across multiple investors while insulating them from criminal liability. Third, slavers developed expertise in concealing their activities from official view by redacting, although not necessarily destroying, documentary evidence. These three techniques of evasion and concealment that sustained the burgeoning illegal traffic also papered over the systemic violence of the trade itself, rendering African captives as ciphers in the archives.⁷

The techniques of concealment that became central to the business of illegal slave trading have raised significant problems for historians of nineteenth-century slavery. By one count, 1.65 million Africans were traded as slaves to the Americas in the nineteenth century.⁸ Another puts the number as high as 2.5 million.⁹ Scholarly efforts to unearth information

⁶ Examples of slave traders' logbooks from captured ships can be found in the records of the Slave Trade Commissions at Cape Town, Havana, Jamaica and Sierra Leone. See FO 312 to 315, the National Archives, Kew (hereafter TNA). For French studies based on slavers' accounts, see Serge Daget, 'A Vieux-Calabar, en 1825: l'expédition du *Charles* (ou de l'*Eugène*) comme élément du modèle de la traite négrière illégale', in Jan Vansina *et al.*, *Etudes africaines: offertes à Henri Brunschwig*, (Paris, 1982); Eric Saugera, 'Une expédition négrière nantaise sous la Restauration: les comptes du *Cultivateur*, 1814–1818', *Enquêtes et documents*, xvi (1989).

⁷ The recent scholarship on business innovations in slavery has concentrated on nineteenth-century North American and Caribbean plantations: Caitlin Rosenthal, *Accounting for Slavery: Masters and Management* (Cambridge, Mass., 2018); Dale W. Tomich, *Through the Prism of Slavery: Labor, Capital, and World Economy* (Lanham, 2004), ch. 3; Walter Johnson, *River of Dark Dreams: Slavery and Empire in the Cotton Kingdom* (Cambridge, Mass., 2013); Sven Beckert, *Empire of Cotton: A Global History* (New York, 2014); Daniel Rood, *The Reinvention of Atlantic Slavery: Technology, Labor, Race, and Capitalism in the Greater Caribbean* (New York, 2017). For innovation in transatlantic and North American slave trading, see Calvin Schermerhorn, *The Business of Slavery and the Rise of American Capitalism, 1815–1860* (New Haven, 2015).

⁸ John A. E. Harris, 'Circuits of Wealth, Circuits of Sorrow: Financing the Illegal Transatlantic Slave Trade in the Age of Suppression, 1850–66', *Journal of Global History*, xi (2016), 410.

⁹ Eltis, *Economic Growth*, 164–5.

about this enormous clandestine traffic in humans necessarily struggle against the past efforts of slave traders to bury that information. The empirical challenge of recovering information about illegal slave trading has led to this history being too often downplayed or misunderstood. The apparent scarcity of sources has also limited historians' ability to attend to the experience of enslaved people aboard such voyages.¹⁰

Despite the persistence of transatlantic slave trading after abolition, historians still often see the illegal phase in terms of its suppression and gradual disappearance. Scholarship has focused on the emergence of new kinds of unfree labour in the wake of the slave trade.¹¹ By framing the slave trade in terms of disappearance, however, scholars sometimes mistake disappearance from the archives for disappearance in reality. Indeed, the slave trade expanded rather than contracted during the first half of the nineteenth century as demand for enslaved labourers in the New World increased. Far from ending the trade, abolition inaugurated a new kind of human traffic in which disappearance was central to the business model. The French traffic in captives to Cuba, which reached its height in the 1820s, made this transition possible: it fuelled the rise of Cuba as the Caribbean's most lucrative

¹⁰ Archival concerns have become central to the historiography of the slave trade. Scholarship that attends to the lived experience of captivity has benefited from more available documentation for the early modern period. See for example Robert W. Harms, *The Diligent: A Voyage through the Worlds of the Slave Trade* (New York, 2002); Smallwood, *Saltwater Slavery*; Marcus Rediker, *The Slave Ship: A Human History* (New York, 2007); Sowande M. Mustakeem, *Slavery at Sea: Terror, Sex, and Sickness in the Middle Passage* (Urbana, 2016). However, on the illegal slave trade, see Sylviane A. Diouf, *Dreams of Africa in Alabama: The Slave Ship Clotilda and the Story of the Last Africans Brought to America* (Oxford, 2007); Benjamin N. Lawrance, *Amistad's Orphans: An Atlantic Story of Children, Slavery, and Smuggling* (New Haven, 2014); Emma Christopher, *Freedom in White and Black: A Lost Story of the Illegal Slave Trade and Its Global Legacy* (Madison, 2018). Historians have also stressed the need to attend to the interior lives of enslaved people in the transatlantic trade while seeking to avoid reproducing the implicit violence of archival records. See Saidiya Hartman, "Venus in Two Acts," *Small Axe*, xxvi (2008); Laura Helton *et al.*, 'The Question of Recovery: An Introduction', *Social Text*, xxxiii (2015); essays by Brian Connolly and Marisa Fuentes, Stephanie Smallwood, and Jennifer Morgan in *History of the Present*, vi, 2 (2016).

¹¹ See for example, Robin Law (ed.), *From Slave Trade to 'Legitimate' Commerce: The Commercial Transition in Nineteenth-Century West Africa* (Cambridge, 1995); Céline Flory, *De l'esclavage à la liberté forcée: histoire des travailleurs africains engagés dans la Caraïbe française au XIXe siècle* (Paris, 2015); Padraic X. Scanlan, *Freedom's Debtors: British Antislavery in Sierra Leone in the Age of Revolution* (New Haven, 2017); Beatriz G. Mamigonian, *Africanos livres: a abolição do tráfico de escravos no Brasil* (São Paulo, 2017); Jonathan Connolly, 'Indentured Labour Migration and the Meaning of Emancipation: Free Trade, Race, and Labour in British Public Debate, 1838–1860', *Past and Present*, no. 238 (Feb. 2018); Jake Christopher Richards, 'Anti-Slave-Trade Law, "Liberated Africans" and the State in the South Atlantic World, c.1839–1852', *Past and Present*, no. 241 (Nov. 2018).

slaveholding economy in the wake of the Haitian Revolution, and provided a testing ground for new business arrangements that entered the mainstream of illegal slave trading through to the 1860s.¹²

The *Jeune Louis* papers reveal not only activities that were normally invisible, but also the process by which slave traders rendered their activities invisible in the first place. This collection, a seemingly accidental survival, demonstrates how new procedures of concealment became central to the business operations of slave traders not just in the French trade to Cuba, but among slave traders of all nations. It helps to make slave smuggling visible and thus opens the topic to deeper analysis.¹³ Studying smugglers' methods can help historians unravel their tricks and fill in gaps in the archives where they redacted evidence of their crimes. Rather than simply destroying their paper trail, criminal slave traders archived their activities selectively. Similarly, they manipulated established corporate structures to escape culpability. Prohibited though their activities certainly were, traders developed clandestine strategies that kept them just within the margins of the law.

I

TRANSNATIONAL NETWORKS

The *Jeune Louis* expedition pooled capital and expertise, and moved between different jurisdictions in the Spanish and French empires, to avoid prosecution for slave trading while tapping into growing markets. Transnational exchange characterised both the expedition's

¹² On the links between the Haitian Revolution and the French illegal slave trade, see Mary D. Lewis, "Repairing Damage: The Slave Ship *Le Marcellin* and the Haiti Trade in the Age of Abolition," *American Historical Review*, cxxv (2020). For the changing mechanics of the Cuban slave trade after 1820, see Manuel Barcia and Effie Kesidou, 'Innovation and Entrepreneurship as Strategies for Success among Cuban-Based Firms in the Late Years of the Transatlantic Slave Trade', *Business History*, lx (2018).

¹³ Michael Zeuske has called the world of underground slave traders a 'hidden Atlantic': *Amistad*, 11.

itinerary and business structure, reflecting major new developments in the organisation of the Atlantic slave trade.

The fragmentation of France's Caribbean empire in the early 1800s drove French slave traders into partnership with foreigners, as exemplified by the *Jeune Louis* venture which relied on Spanish investors. The French colony of Saint-Domingue had been the world's most profitable plantation economy in the eighteenth century and a fulcrum of the Atlantic slave trade. In the 1770s and 1780s, around 40,000 African captives were sold into slavery in Saint-Domingue each year, nearly all by French traders. Ninety-seven per cent of transatlantic slave trading by Frenchmen was concentrated at Saint-Domingue.¹⁴ However, the uprising of enslaved people against their colonial masters in the 1790s overthrew slavery in Saint-Domingue and brought its slave trade to a halt. In 1804, revolutionaries in Saint-Domingue declared independence from France—thus briefly shattering French-imperial commerce—and formed Haiti as the first independent Caribbean nation.

The overthrow of slavery and French rule in Haiti pushed France's slave traders into the orbit of Cuba's rising plantation economy where they had scarcely been before. After 1814, French traders trafficked more captives to foreign territories, not just to Cuba but also to Louisiana, Brazil, Suriname and Danish Saint-Thomas.¹⁵ In these decades, the French traffic in captives from East Africa and Madagascar to the Mascarene Islands and the Seychelles in the western Indian Ocean also grew.¹⁶ Merchants in the French Antilles meanwhile engaged in repeat slaving voyages to Spanish Puerto Rico where, by the late

¹⁴ Rawley, *The Transatlantic Slave Trade*, 124; Laurent Dubois, *Avengers of the New World: The Story of the Haitian Revolution* (Cambridge, Mass., 2004), 39; Robert Louis Stein, *The French Slave Trade in the Eighteenth Century: An Old Regime Business* (Madison, 1979).

¹⁵ Serge Daget, *La répression de la traite des Noirs au XIX^e siècle: l'action des croisières françaises sur les côtes occidentales de l'Afrique, 1817–1850* (Paris, 1997), 78–87, 104–9; Daget, 'Armateurs nantais et trafic négrier illégal: une histoire sans petite boîte verte', *Enquêtes et documents*, xiii (1987), 85.

¹⁶ Richard B. Allen, 'The Constant Demand of the French: The Mascarene Slave Trade and the Worlds of the Indian Ocean and Atlantic During the Eighteenth and Nineteenth Centuries', *Journal of African History* 49, no. 1 (2008); Robert W. Harms, Bernard K. Freamon, and David W. Blight, eds., *Indian Ocean Slavery in the Age of Abolition* (New Haven, 2013).

1820s, France's consul reported that 'more than two thirds of ships engaged in the slave trade are French'.¹⁷ But Cuba was their most common foreign destination. By the 1820s, ships from France were supplying nearly a quarter of all transatlantic imports of captives to the Spanish colony.¹⁸ It is notable also that more than half of French voyages to Cuba after 1814 went to ports outside Havana, especially to Santiago de Cuba, where planters from Saint-Domingue had settled.¹⁹

Spaniards, including those behind the *Jeune Louis*, meanwhile became dominant investors in the internationally organised slave trade, using capital accumulated from Cuba's take-over of the sugar export market that Haiti had abandoned in the 1790s. The primary investor in the *Jeune Louis* was Francisco Fernandez, a Spaniard from the Galician port town of Vigo who naturalised as French following Napoleon Bonaparte's occupation of the Iberian peninsula in 1808. Investment by foreign merchants was a new feature of France's slave trade, just as French ships importing captives directly from Africa was a new feature of the trade at Cuba.²⁰ Spanish slave dealers to Cuba included both *peninsulares*, born in Spain, like Pedro Martinez, Pedro Blanco and Julián Zulueta, and *criollos*, born in the New World.²¹

¹⁷ Leveil au Ministre, Puerto-Rico, 19 Oct. 1828, no. 43: Archives Nationales d'Outre-Mer (hereafter ANOM), FM Généralités, 166/1342.

¹⁸ French-flagged ships disembarked an estimated 29,836 captives in Cuba in the 1820s, accounting for 23% of all slave imports to Cuba in that decade: <https://www.slavevoyages.org/voyages/FXZPVBxU>; total imports to Cuba in the 1820s (128,343 individuals): <https://www.slavevoyages.org/voyages/DrZ5xumk>. For comparison, an estimated 29,270 captives were disembarked in French colonies after 1817 by vessels of any nation: <https://www.slavevoyages.org/voyages/g5tD95cG>. All links were accessed on 25 April 2020.

¹⁹ On the Haitian Revolution's impact upon Cuban slavery and the slave trade to Cuba, see Ada Ferrer, *Freedom's Mirror: Cuba and Haiti in the Age of Revolution* (New York, 2014). On émigré planters from Saint-Domingue in Cuba, see Jorge Felipe-Gonzalez, 'Reassessing the Slave Trade to Cuba, 1790–1820', in Borucki, Eltis, and Wheat (eds.), *From the Galleons to the Highlands*, 245; Marques, *The United States and the Transatlantic Slave Trade*, 73; Agnès Renault, *D'une île rebelle à une île fidèle: les Français de Santiago de Cuba (1791–1825)* (Mont-Saint-Aignan, 2012). For the persistent links between independent Haiti and Cuba forged by French slave-trading voyages, see Lewis, 'Repairing Damage'.

²⁰ See Daget, *Répression*, 78–82. The only previous period when French merchants sold captives to Spain's colonial territories on any scale was from 1702 to 1715 when they possessed *asiento* licences.

²¹ Alex Borucki, David Eltis, and David Wheat, 'Atlantic History and the Slave Trade to Spanish America', *American Historical Review*, cxx (2015), 454; Josep Fradera, 'La participació catalana en el tràfic d'esclaus (1789–1845)', *Recerques*, xvi (1984), 119–39; Eduardo Marrero Cruz, *Julián de Zulueta y Amondo: promotor del capitalismo en Cuba* (Havana, 2006); Enrique Sosa, *Negreros catalanes y gaditanos en la trata cubana, 1827–1833* (Havana, 1998).

Both groups poured money into the creation of merchant houses in Havana devoted to human trafficking. By 1819, twenty-two were in operation.²² These houses, largely tolerated by Cuba's colonial government, made a mockery of Spain's treaty commitment to cease all involvement in the slave trade by 1820.

Emissaries of these companies operated in France in order to benefit from French maritime protections, weak French anti-slave-trade legislation and longstanding knowledge of West African commerce. The economic life of Atlantic port towns like Nantes, La Rochelle and Bordeaux depended on the slave trade.²³ Ministers of the Bourbon crown attempted to shield these economies from the shock of abolition by limiting the scope of anti-slave-trade legislation and refusing to enter a bilateral treaty with Britain on suppression.²⁴ France's abolition laws of 1817 and 1818 defined slave trading as an offence rather than a crime, and neglected to outlaw investment in the slave trade.²⁵ In addition, France barred Britain's West African squadron from visiting or intercepting French ships suspected of engagement in the slave trade. As a result, vessels flying the French flag were theoretically immune from foreign interdiction and trial in the courts of mixed commission. French

²² David R. Murray, *Odious Commerce: Britain, Spain, and the Abolition of the Cuban Slave Trade* (Cambridge, 1980), 79. In the three hundred years prior to 1800, only seven West African slave trading voyages began in Cuba; over the next sixty years that number reached 1,100: <https://www.slavevoyages.org/voyages/nLS6ulks> (accessed 8 Apr. 2019).

²³ Olivier Pétré-Grenouilleau, *L'argent de la traite: milieu négrier, capitalisme et développement: un modèle* (Paris, 1996); Saugera, *Bordeaux*; Serge Daget, 'Long cours et négriers nantais du trafic illegal', in *La traite des noirs par l'Atlantique: nouvelle approches* (Paris, 1976), 90–134; Daget, 'Armateurs nantais et trafic négrier illegal'.

²⁴ Serge Daget, 'France, Suppression of the Illegal Trade, and England, 1817–1850', in David Eltis, and James Walvin (eds.), *The Abolition of the Atlantic Slave Trade: Origins and Effects in Europe, Africa, and the Americas* (Madison, 1981), 198; Jean Allain, *The Law and Slavery* (Leiden, 2015), ch. 2.

²⁵ Napoleon Bonaparte's imperial decree of 29 March 1815 committed France to abolishing the slave trade, but application of the decree in law was partial and also compromised by the restoration of the Bourbon monarchy, a regime opposed to Napoleon's legacy. Louis XVIII's *ordonnance* of 8 January 1817 forbade the slave trade to French colonies, on pain of confiscation of the ship and cargo. A law of 15 April 1818 confirmed and expanded the 1817 *ordonnance* by prohibiting the traffic by Frenchmen in any region. A law of 25 April 1827 criminalised the slave trade. On France's faltering path to abolition, see Paul Michael Kielstra, *The Politics of Slave Trade Suppression in Britain and France, 1814–1848: Diplomacy, Morality and Economics* (Basingstoke, 2000); Lawrence C. Jennings, *French Anti-Slavery: The Movement for the Abolition of Slavery in France, 1802–1848* (Cambridge, 2006).

statesmen argued that France's navy alone should enforce the French ban.²⁶ To that end, France maintained a small naval fleet to search the West African coastline for slaving voyages.²⁷ The anti-slavery African Institution in London lamented in 1822, however, that 'while the Slave-ships of France are to be found on every part of the coast, the French cruisers have not as far as is known, made a single capture'.²⁸ These commercial protections meant that merchants in France commissioned nearly as many slaving voyages in the fifteen years after abolition as during the 1770s and 1780s.²⁹

Fernandez drew upon the resources of slave-trading merchants in Nantes and Bordeaux. He gained access to this network through two brothers, Benjamin and Félix Coquebert, who brokered connections with investors and loaned Fernandez a considerable sum of money to construct and outfit the ship.³⁰ Most important for Fernandez, however, were the brothers' social connections. Both of them belonged to the French Atlantic coastal merchant establishment, Benjamin through his marriage to Louise Boissinot, the daughter of two wealthy slave-trading families, and Félix through having served as president of Nantes' tribunal of commerce.³¹ Their social and institutional standing gave Fernandez's illegal activities the protection of the wider merchant community.

²⁶ The only other nation to withstand British pressure in this way was the United States. See Jenny S. Martinez, *The Slave Trade and the Origins of International Human Rights Law* (New York, 2012), ch. 3; Marco Basile, 'The Slave Trade and the Foundations of U.S. International Legal Thought, 1808–1870' (Harvard Univ. Ph.D. thesis, 2016).

²⁷ Daget, *Répression*, 246–83.

²⁸ *Sixteenth Report of the Directors of the African Institution* (London, 1822), 15. Despite the restriction on foreign ships visiting French vessels, Britain's Royal Navy in fact charged or seized 108 French slave ships between 1817 and 1831, prosecuting nearly half of them. See Serge Daget, 'British Repression of the Illegal French Slave Trade', in Henry A. Gemery and Jan S. Hogendorn (eds.), *The Uncommon Market: Essays in the Economic History of the Atlantic Slave Trade* (New York, 1979). France entered bilateral treaties with Britain in 1831 and 1833, enabling cooperation between the two states in suppressing the slave trade.

²⁹ David Todd, 'A French Imperial Meridian, 1814–1870', *Past and Present*, no. 210 (Feb. 2011), 167–8. Researchers have identified more than seven hundred suspected or known slave-trading expeditions that departed from France or the French colonies after 1814, 640 of which were transatlantic. See Serge Daget, *Répression*, 97; Daget, *Répertoire*; David Eltis and David Richardson, 'The "Numbers Game" and Routes to Slavery', *Slavery & Abolition*, xviii (1997), 4. An estimated 192,948 people were embarked as captives on ships sailing under the French flag in the period 1814 to 1831. See the count year by year in <https://slavevoyages.org/assessment/estimates> (accessed 14 Apr. 2020).

³⁰ *Compte de construction*, 3 Nov. 1824: HEH, HM43984.

³¹ Fohlen, 'Une expédition négrière nantaise', 158.

In addition to harnessing the merchant network, Fernandez benefited from the extensive experience of the slave trade that French sailors had gained through their defiance of the law. Weak punishments and poor policing ensured that rates of recidivism among slave-trading captains in France were high. As a result, officers and novices gained considerable expertise in the trade during the early years of illegality. *Jeune Louis* captain Jean-Baptiste Ménard and the second captain, Joachim Guillaume Amanieu, were no exception. Prior to serving on the *Jeune Louis*, Ménard had been an officer on the *Expérience* which carried captives from Senegambia to Cayenne in 1819.³² Both he and Amanieu had also served on the *Marie-Angélique*, a slaver commissioned by Fernandez which sailed from Bonny to Havana two years later. The voyage ran into legal trouble when a court in Bordeaux convicted Ménard of slave trading after crew members denounced the expedition to the authorities. The conviction did little, however, to prevent him or Amanieu from continuing to serve on slaving missions.³³

French captains' knowledge of the slave trade made them desirable navigators of foreign ventures. A well-known example of Spaniards in Cuba employing French officers was that of *La Gaceta* which carried hundreds of captives off from the Pongo River in Guinea to Matanzas in 1833. The ship's captain was Juan Bautista de Escurra, a man from Nantes who passed as a Spaniard. Thanks to the survival of a journal written by the ship's pilot, the *Gaceta* is among the best-documented Cuban slaving voyages. The voyage's success depended on the French captain's awareness of riverine and coastal geography in West Africa, local trading networks and the movements of naval patrols. Experienced mariners transmitted such knowledge to "aspiring slave traders based in Cuba."³⁴

³² Saugera, *Bordeaux*, 161.

³³ Saugera, *Bordeaux*, 173; Daget, *Répertoire*, 247–48; On the *Marie-Angélique* affair, see letters of 23 October and 30 November 1822: Archives départementales de la Gironde, 4S/11.

³⁴ 'Un negrero de Cuba va a Río Pongo en África (1833/34)', in Orlando García Martínez and Michael Zeuske, *La sublevación esclava en la goleta Amistad* (Havana, 2012). The quotation is from Edgardo Pérez Morales, 'Tricks of the Slave Trade: Cuba and the Small-Scale Dynamics of the Spanish Transatlantic Trade in Human

With these social and legal benefits from its transnational business structure in place, the *Jeune Louis* carried out the kind of international itinerary that was typical in the second slave trade. The newly built 219-tonne brig cleared out from Nantes on 9 November 1824, with a crew of thirty, bound for the Bight of Biafra.³⁵ Purportedly destined for the trade in palm oil and ivory at the island of Príncipe, the expedition's true objectives would have been plain to anyone involved in its outfitting or inspection.³⁶ The ship's papers misleadingly listed the Coquebert brothers, not Fernandez, as the vessel's owners. They also designated the mate, François Demouy, as captain. In turn, the real captain, Ménard, whose previous slaving conviction barred him from captaincy, was registered as a supercargo. This completed the sequence of duplicitous substitutions. Before departure Ménard made Demouy promise in writing 'never to take over the responsibilities of captaincy' and 'to never do or say anything that might harm the operation and its outcome'.³⁷

These skilled mariners worked within tight-knit networks. Joachim Guillaume Amanieu was not the only member of his family to engage in contraband slave trading. His two elder brothers, Antoine and Antoine *dit* Seraphim (a somewhat ironic nickname for a slave trader), either commanded or commissioned four slaving expeditions between 1820 and 1822. At least two of these voyages ended in Cuba.³⁸ The Amanieu brothers associated with another Spanish-born, French-naturalised resident of Bordeaux, Juan José Zangroniz, who

Beings', *New West Indian Guide / Nieuwe West-Indische Gids*, xci (2017), 22. See also Daget, *Répression*, 142–7.

³⁵ For the outfitting of the ship see *Compte de construction*, 3 Nov. 1824: HEH, HM43984. For the number of crew members, see *Etat de payement pr solde et décompte de l'équipage du Jeune Louis*: HEH, HM43995.

³⁶ The stated destination of Príncipe was a decoy. This can be plainly seen in the draft death notices for crewmen Antoine Marius Rippert and Jean Marie Bains (18 and 19 February 1825): HEH, HM43990, in which the candid phrase "étant dans la riviere de touchen toro (côte d'afrique)" has been crossed out and "à l'Ile du Prince" inserted in its place, with the intention of covering up the true location. The record of the deaths of six crew members 'à l'Ile du Prince' in *Rôle d'équipage*: HEH, HM43993 can similarly be read as a subterfuge. Claude Fohlen's claim that the vessel ferried back and forth between Príncipe and the African coast is not supported by other evidence. See Fohlen, 'Une expédition négrière nantaise', 162–3.

³⁷ Accord entre J. B. Ménard et François Demouy: HEH, HM44027.

³⁸ *Télémaque* (Slave Voyages ID: 34125), *Mentor* (34183, ex-*Télémaque*), *Ulysse* (2756), and *Pénélope* (2757); Saugera, *Bordeaux*, 161–62.

co-owned all four of the ventures in which the two elder brothers held a stake and who collaborated with Fernandez.³⁹

As with Francisco Fernandez, Juan José Zangroniz's trans-imperial network shaped his emerging business. Having migrated to Cuba from the Basque country in the early 1800s, he partnered with his brother Juan Bautista as an investor in the slave trade. After the Napoleonic occupation of Spain, however, Juan José relocated to Santander and then to Bordeaux.⁴⁰ Continuing to trade in slaves out of Bordeaux, Juan José also added steam shipping to his business portfolio, eager not to place all of his eggs in one basket. In a similar fashion, his brother, Juan Bautista, diversified his investments in Havana by acquiring a sugar plantation in nearby Matanzas.⁴¹ As Manuel Barcia argues, the Zangroniz clan were at once 'capitalist entrepreneurs' and family businessmen. The next generation remained actively engaged in the slave trade on both sides of the Atlantic Ocean. Juan José's sons, Junior and Ignacio María, established themselves respectively as a major slave trader in Whydah, formerly a stronghold for French trade in Benin, and as an important slave dealer in Havana. And although the business eventually relinquished its toehold in Bordeaux, the family retained commercial connections to that city.⁴²

Endowed with experience, expertise and Spanish backing, the Frenchmen of the *Jeune Louis* were as prepared as possible to conduct trade in a region of West Africa that was otherwise relatively unfamiliar to them. The Niger Delta in the Bight of Biafra, where they docked in December 1824, had supplied just five per cent of captives to the French trade before 1800, but supplied fifty per cent of captives afterwards. Ijaw and Efik dealers with

³⁹ Fernandez to Ménard, Bordeaux, 24 Jan. 1825: HEH, HM44013.

⁴⁰ The *Union* (Slave Voyages ID: 42178) and the *Venganza* (42186).

⁴¹ Manuel Barcia, "Fully Capable of Any Iniquity": The Atlantic Human Trafficking Network of the Zangroniz Family', *The Americas: A Quarterly Review of Latin American History*, lxxiii (2016).

⁴² Barcia, 'The Atlantic Human Trafficking Network of the Zangroniz Family', 315–22. On the ambiguous relationship between kinship and commercial trust, see Francesca Trivellato, *The Familiarity of Strangers: The Sephardic Diaspora, Livorno, and Cross-Cultural Trade in the Early Modern Period* (New Haven, 2009).

commercial links to the Aro confederacy controlled the delta's major slaving entrepôts at Bonny, Elem Kalabari, Calabar and Brass. Most of the people sold into the Biafran market had been taken captive in wars, raiding or kidnapping in the Igbo-Ibibio country of what is today southern Nigeria. A number of factors including rising demand for slaves in the Americas pushed the frontier of slaving in this region further inland, encompassing larger populations who were sold down river to places where European vessels like the *Jeune Louis* traded.⁴³

[INSERT MAP: The voyage of the *Jeune Louis*, 1824 to 1825]

The Frenchmen entered a new engagement with Ijaw merchant rulers who set the terms of trade in that region. With their ship moored upriver from the town of Brass, they spent four months purchasing captives with the arms, alcohol, gunpowder, iron and cheap Indian cotton cloth that they had carried from France.⁴⁴ The ship's officers first inspected the captives whom they intended to purchase; they then advanced goods to the local merchants (whom the Frenchmen called 'kings') who undertook to deliver the captives at a later date. At the appointed time, delegates of the Ijaw traders returned to the ship with canoes carrying small groups of captives bound by cords and canes. The French crewmen replaced the cords

⁴³ David Geggus, 'The French Slave Trade: An Overview', *The William and Mary Quarterly*, lviii (2001), 135. On relations between the Aro slave-trading confederacy and coastal city-states in the Niger Delta, see Paul E. Lovejoy, *Transformations in Slavery: A History of Slavery in Africa*, 2nd edn (Cambridge, 2000), 84–6, 148–9, 182–9.

⁴⁴ The goods they traded for captives included cavenettes (painted glass containers for alcohol), chapeaux, *eau de vie*, fusils, poudre, Bajuptapeaux ('a coarse bleached cotton'), Photaes ('a striped or checked cotton cloth, defined as a dyed calico, usually blue and white. Popular'), Korutts ('a short, cheap blue fabric'), Chasselas ('a cheap striped or checked fabric mentioned only in French sources'), Tapseils ('cheapest of the cotton-and-silk fabrics, striped with blue and other colors. Exceptionally popular'), Limeneas ('a fine, striped cloth'), various decorated handkerchiefs including Romals ('either of cotton or silk and in many patterns'), and blue Guinea Cloth ('usually narrow cotton goods, blue and/or white, striped or checked, made expressly for the African trade. Exceptionally popular'). These items are listed in Account Book, HEH, HM43993. Information about these goods is quoted from Stanley B. Alpern, 'What Africans Got for Their Slaves: A Master List of European Trade Goods', *History in Africa*, xxii (1995). On the rising use of specie, see Eltis, *Economic Growth*, 152, and Harris, 'Circuits of Wealth', 425–7. See also Chris Evans and Göran Rydén, "'Voyage Iron': An Atlantic Slave Trade Currency, Its European Origins, and West African Impact', *Past and Present*, no. 239 (May 2018).

with manacles as they dragged them into the ship hold. Initial purchases satisfied the *Jeune Louis* officers.⁴⁵ On 31 December 1824, one logged that they had contracted to purchase forty men and twenty women ‘all of the first quality without any defect whatsoever’ who would be delivered to them in twenty-five days.⁴⁶ Negotiations grew strained, however, as other European slavers entered the market. On 8 January, Demouy logged that ‘king Fordé came aboard, we provided the rest of the merchandise that we are giving him in advance but he did not want to receive 10 pieces and 2 guns. He said it was not enough and that other smaller ships had given him 20 pieces’.⁴⁷ Financially and legally exposed, the Frenchmen were obliged to accept the rates offered to them by Fordé and other dealers.

Local traders used the protraction of negotiations with the French voyagers to their advantage. The captives aboard the ship grew sicker and wearier as weeks turned into months. The ship’s officers observed that ‘King Fordé had a certain quantity of slaves’ but was ‘doubtless looking to send us inferior slaves before talking about selling slaves for cash’.⁴⁸ They finally concluded their trade in mid-April but still needed to ensure that the ship had enough food and water for the oceanic crossing. The officers reported that with the spreading disease ‘our position is becoming so alarming that we cannot delay our departure more than five or six days’.⁴⁹ The African traders used the epidemic and the Frenchmen’s legal jeopardy against them. Demouy protested that ‘king [Jacquet] took advantage of the occasion of our departure to hold us to ransom’ by withholding provisions they desperately needed to feed the captives; ‘but unable to wait any longer we had to trade for it at any cost and leave in a deplorable condition’.⁵⁰

⁴⁵ Lovejoy, *Transformations in Slavery*, 102–3.

⁴⁶ Account Book: HEH, HM43993.

⁴⁷ Demouy, Logbook No. 1: HEH, HM43991.

⁴⁸ Alfred François La Guerre to Demouy, Brass, 5 Apr. 1825: HEH, HM44017.

⁴⁹ Amanieu aboard the *Jeune Louis* to Demouy in Brass, 15 Apr. 1825: HEH, HM43974.

⁵⁰ Demouy, Logbook No. 1: HEH, HM43991. High morbidity made delays to the onward shipment of captives deadly and costly: Joseph C. Miller, *Way of Death: Merchant Capitalism and the Angolan Slave Trade, 1730–1830* (Madison, 1988), ch. 19.

The breakdown of trust between the French and Ijaw traders ensured that death would become the voyage's dominant theme. Forty-one of the 385 captives purchased by the *Jeune Louis* died before the ship departed the coast, leaving 211 men and boys and 133 women and girls still imprisoned in the hold.⁵¹ A further seventy-four captives drowned themselves or succumbed to the effects of dysentery during the fifty-five-day crossing to Cuba. Eight crew members also died. Every time a captive died, the crew dumped his or her body into the sea. Not so the body of the captain. Upon his deathbed Jean-Baptiste Ménard instructed his crew to have his body preserved 'in a cask of *eau de vie*, transported to a plantation or to Havana to be buried in a holy place', and tasked the ship's surgeon Denis Béjaud with 'embalming his heart and sending it to M^{me} Ménard his wife' in Bordeaux of whom he carried a portrait during the voyage.⁵² Ménard's death thrust François Demouy into the office of captain, which he had previously sworn never to usurp. Then the surgeon Béjaud himself died. On that day, Demouy's log sounded a note of despair. 'The remaining crewmen' he declared, 'are sick and very weak, finding it impossible to care for the cargo, being scarcely able to manoeuvre the ship with the Blacks [on board]'.⁵³ Although cooperation with Spaniards had prepared the French officers to conduct their trade in Africa, interactions with Ijaw dealers in this unfamiliar market had proved less harmonious and had thrown the voyage into chaos.

⁵¹ Demouy recorded 344 captives aboard ship just prior to departure on 18 April, and noted the deaths of sixteen males and six females between then and 25 April, at which point he also noted down the remaining number of males and females. Nowhere did he clearly distinguish children from adults. See Demouy, Logbook No. 1: HEH, HM43991.

⁵² Volontés de Mr Ménard, 17 Apr. 1825: HEH, HM43990; Inventaire de ses effets, 24 Apr. 1825: HEH, HM43990. Nobles in northern France had practised funerary heart extraction or embalming since the Middle Ages. Promotion of the ancient devotion to Christ's Sacred Heart in France in the early nineteenth century may have popularised this rite, making Ménard from Normandy a prime candidate for such a funeral. Rozenn Colleter *et al.*, 'Procedures and Frequencies of Embalming and Heart Extractions in the Modern Period in Brittany', *PLOS ONE*, xi (2016); Raymond Anthony Jonas, *France and the Cult of the Sacred Heart: An Epic Tale for Modern Times* (Berkeley, 2000), 118–47. On material and affective culture in nineteenth-century Mexico, see William E. French, *The Heart in the Glass Jar: Love Letters, Bodies, and the Law in Mexico* (Lincoln, Nebr., 2015).

⁵³ Demouy, Logbook No. 1, 4–5 May 1825: HEH, HM43991.

When the *Jeune Louis* reached Cuba in early June, the officers relied on local consignees who knew how to smuggle in new arrivals, where to sell them and to whom bribes should be paid.⁵⁴ Theophilus Conneau, a ship captain of French and Italian parentage who kept a diary of his career in the illegal slave trade, in 1827 described the process of delivering captives to Cuban merchants in the clandestine fashion:

Once the cargo is landed, it is hastened in the Interior as soon as possible, escorted by the Captain and part of the crew ... In this manner, they are conducted to the nearest plantation whose consent is purchased before, and there deposited ... In the meantime, a dispatch is sent to the owners in Havana, Matanzas, or Santiago de Cuba, who arrive post haste.⁵⁵

The officers of the *Jeune Louis* depended all the more on Cuban consignment networks because the spread of disease during the Atlantic crossing had incapacitated them. The *Sociedad Gabriel Lombillo-Suárez Argudín* seems to have arranged for the captives' distribution. This firm based in Havana was, according to Michael Zeuske, one of the Cuban slave trade's 'most powerful' commercial partnerships in the 1820s.⁵⁷ Docked in the secluded cove of Ortigosa near the Bahía Honda, sixty miles west of Havana, the Frenchmen conveyed the captives to the consigning merchant 'Mr Lombille' and another shareholder 'Mr Canelet' who escorted them in turn to 'a merchant who plans to buy all of them'. 'Being sick', Demouy wrote, 'I could not accompany these Messieurs, which frustrates me [*me contrarie*] a great deal'. His letter assured Fernandez, nonetheless, that they 'are disposed to take care of your interests and benefit from [the sale] as much as possible'.⁵⁸ Three weeks later, Demouy wrote again to inform Fernandez that Lombillo had 'sold 235 Negroes at 250 *piastres* each, a quarter of whom [were] paid for with cash; of the 35 remaining sick ones, eight died. The 27

⁵⁴ Eltis, *Economic Growth*, 273–9.

⁵⁵ Theophilus Conneau, *A Slaver's Log Book* (London, 1976), 87–8.

⁵⁷ Zeuske, *Amistad*, 198; José Antonia Piqueras, 'The End of the Legal Slave Trade in Cuba and the Second Slavery', in Dale W. Tomich (ed.), *Atlantic Transformations: Empire, Politics and Slavery during the Nineteenth Century* (Albany, 2020), 97; Manuel Moreno Fraginals, *El ingenio: complejo económico social cubano del azúcar*, 3 vols. (Havana, 1978), ii, 142–3.

⁵⁸ Demouy to Fernandez, Havana, 25 June 1825: HEH, HM44002.

who remain are much better'.⁵⁹ Lombillo's distribution network was essential to the success of the sale, just as it was ruthless in leaving dozens of people to die along the way.

The profits from this sort of operation were often so large that the high death toll among captives and crew did not greatly deter officers from conducting repeat expeditions. Prior to the ship's arrival in Havana, Fernandez addressed instructions to the captain to prepare a new voyage to West Africa that would clear out from Cuba directly and bypass France altogether. For this 'second operation', the ship owner proposed dispatching to Havana another vessel carrying manufactured goods from France that the *Jeune Louis* would then be able to resell in exchange for captives in West Africa. 'For the second voyage, you shall come to an agreement with Don Jose Vazquez, your consignee', instructed Fernandez. 'Since he is well versed in these sorts of operations, I do not doubt that everything will be done in our best interests'. Fernandez relied on Vazquez not just to outfit the planned second voyage but to ensure that it escaped the detection of the Cuban authorities. In his instructions, Fernandez continued: 'As there is currently a government agent in Havana, you will see with Mr Vazquez whether it is better or not to take the ship into that port to dispatch it, or whether it would not be more suitable to do so from Bahia-Onda'.⁶⁰ For reasons that are unclear, this second operation did not go ahead. The fact that Fernandez and Ménard had been planning it, however, indicates the important role that Cuban intermediaries like Vazquez played in remolding a historically 'triangular' trade outfitted in Europe into one conducted from New World ports directly to West Africa.

The Frenchmen relied not only on Cuban intermediaries, however; they also gathered their own information about the conditions of the slave trade in that colony. For instance, Demouy noted that 'this merchandise'—enslaved people—sold better 'between Matanzas

⁵⁹ Demouy to Fernandez, Havana, 18 July 1825: HEH, HM44002.

⁶⁰ Fernandez to Ménard, Bordeaux, 24 Jan. 1825, HEH, HM44013.

and Havana than in the West, even though an insurrection of 600 Negroes has just taken place 4 leagues from Matanzas [which] was promptly quelled'. '14 or 15 white men and women were killed', Demouy noted, 'and apparently 200 Negroes'.⁶² His dry commentary was perhaps more a note of a potential future market than a report of human loss. In addition to gaining knowledge of the local slave markets, Demouy collected intelligence for possible future collaborations. He wrote, for example, that 'foreign seamen are extremely costly and generally in this country [Cuba] are very unsavoury characters'.⁶³ Intelligence of this nature helped French traders to form a trading relationship with Spanish merchants more on their own terms. In addition to building their networks and intelligence, the Frenchmen loaded their vessel up with casks of sugar and coffee and in late July set sail for Nantes via Antwerp, thus concluding their international itinerary.

Concerns about the physical security of trading in Cuba, the trustworthiness of Cuban collaborators, and the chance of being captured in the process did not greatly deter French slave traders from outfitting repeat voyages. After his return to France in late 1825, Demouy reported news that an 'English frigate has [recently] conducted to [the mixed commission court at] Sierra Leone 4 or 5 vessels' noting that 'this news discourages neither the shippers, nor the investors nor the insurers – *L'Orphée* transported 658 N[oirs/blacks] of which 257 to St Yago [Santiago] and 400 to Trinidad, [a town in the] Island of Cuba'.⁶⁴ We know from English records that the *Orphée* was carrying 698 captives on yet another voyage from Nantes to Cuba when a British cruiser intercepted it. The English captain refrained from seizing the cargo for fear of, in the words of a Foreign Office official, contravening 'existing

⁶² Demouy to Fernandez, Havana, 18 July 1825: HEH, HM44002. His note refers to the events of a revolt by enslaved Africans in Matanzas that set off a chain of similar African-led rebellions in Cuba over the next two decades: Manuel Barcia, *The Great African Slave Revolt of 1825: Cuba and the Fight for Freedom in Matanzas* (Baton Rouge, 2012).

⁶³ Demouy to Fernandez, Havana, 18 July 1825: HEH, HM44002.

⁶⁴ Demouy to Jean Donnet in Antwerp, Nantes, 2 Jan. 1826: HEH, HM44002.

relations between Great Britain and France'.⁶⁵ With the slaver ultimately docked in Santiago, the French consul interrogated 'the principal members of the crew who all declared under oath that the vessel had not carried out the trade', despite unambiguous English evidence to the contrary.⁶⁶ The apparent ease with which slave ships flying the French flag evaded capture reinforced confidence in the enterprise. Each successful expedition to Cuba in turn stimulated new interest among merchants and mariners in France.⁶⁷

Rampant French slave trading alarmed consular officials in Cuba. Reporting to France's minister of foreign affairs, the French consul general at Havana, Jacques-Marie Angelucci, expressed exasperation at his inability to prevent slave trading under the French flag. In February 1825 he observed that French slavers were disembarking their human cargoes primarily at Santiago de Cuba and in the bay of San-Felipe in the southwest of the island, and had imported about 20,000 enslaved Africans to Cuba in recent months.⁶⁸ Later that year he informed the navy ministry of the ease with which Nantes slavers based in Havana had been evading the hand of the French authorities by deliberately not returning to France and instead conducting voyages directly between Havana and West Africa.⁶⁹

France's consul at Santiago de Cuba reported that merchants there benefited from French investment in the slave trade, insisting that local vested interests made preventing it nearly impossible. The traders, he maintained, purchased freight or settled their accounts in the bay of Juraguá and often repeated this twice before returning to France or changing flags. He stated that the profits of this illicit trade went less to the French than to the Cuban merchant houses that appeared to be organising most of the ventures. Finally, he

⁶⁵ Daget, *Répertoire*, 405–7.

⁶⁶ S. Dannery to navy minister, Santiago de Cuba, 30 Nov. 1825: ANOM, FM Généralités 166/1342.

⁶⁷ Daget, 'Long cours et négriers nantais du trafic illegal', 114. Eighty-five slave ships bound for Cuba departed from Nantes alone in the period after 1807: <https://www.slavevoyages.org/voyages/72qxsWdJ> (accessed 20 Apr. 2020).

⁶⁸ Jacques-Marie Angelucci to the navy minister, Havana, 6 Feb. 1825: ANOM, FM Généralités 166/1342.

⁶⁹ Angelucci to navy minister, Havana, 31 Aug. 1825: ANOM, FM Généralités 166/1342.

recommended stationing more French war ships at Cuba, or better still, in ‘Saint-Domingue’ to stem the traffic while also, it would seem, asserting neo-colonial control of Haitian waters.⁷⁰

Spaniards and Frenchmen were unequal partners in the burgeoning illegal slave trade to Cuba. Every year, merchants in Cuba purchased more and more ships from Europeans and Americans in order to run the trade themselves.⁷¹ But for more than fifteen years after the Napoleonic Wars, collaboration with French slave dealers who sought access to Cuba gave their Spanish counterparts a competitive edge. The arrangements for the *Jeune Louis* expedition suggest the difficulty of neatly demarcating where the French slave trade ended and the Cuban or Spanish slave trade began during the formative years of the 1820s. The ship’s correspondence shows how transgressing national boundaries allowed participants to simultaneously expand and conceal their newly clandestine enterprise. They also illustrate the contingency and fragility of these new, unfamiliar interactions.

II

BLACK MARKET INSURANCE

A second innovation in the business of human trafficking was the adaptation of traditional marine insurance to the formation of temporary joint-stock enterprises that augmented and concealed investment. For the *Jeune Louis* venture, Fernandez obtained what appears to have been a fairly conventional insurance contract. The contract was drafted on 9 October 1824, exactly a month before the brig cleared out of Nantes. The document consisted of three sections: a detailed handwritten policy that covered the first two legs of the expedition, an official printed disclaimer specifying the rights and obligations of the insurers and the

⁷⁰ Dannery to navy minister, Santiago de Cuba, 30 Nov. 1825: ANOM, FM Généralités 166/1342.

⁷¹ Sparks, ‘Blind Justice’; Marques, *The United States and the Transatlantic Slave Trade*, ch. 4; Felipe-Gonzalez, ‘Reassessing the Slave Trade to Cuba, 1790–1820’, 244–5.

insured, and a list of the names of thirty-nine insurers from Nantes and Bordeaux including the sums they each consented to risk on the venture. The insurers had repurposed a standard-issue form for an illegal operation. Yet the precision of the language in the policy suggests that lawyers had drafted it.

Marine insurance had long been a standard feature of the Atlantic slave trade. Few merchants conducted slave-trading expeditions without insurance in the eighteenth century. They insured not only their ships but also the lives of the captives who comprised the ‘human cargo’ being transported on these ships. The law surrounding insurance recognised African captives on slave ships not as people but rather as perishable goods. High rates of death in the middle passage meant that insurance policies specified what kinds of slave mortality constituted an insurable loss. Policies covered losses caused by the deaths of captives in ‘unnatural’ circumstances such as revolt or suicide, but not those caused by ‘natural’ events such as disease. The horrific *Zong* slave-ship massacre of 1781, in which an English captain jettisoned 130 living captives to recoup the financial loss on insurance, drew public attention to the sins of Britain’s investment in the slave trade. The crime disturbed observers at the time because the courts recognised the killing as lawful under a commercial logic. Before this moment, however, slave-shipping insurance had seemed an almost banal feature of Atlantic commerce. As Robin Pearson and David Richardson argue, insuring slave voyages was a ‘generally unexceptional business’ compared to other branches of marine insurance.⁷²

⁷² Robin Pearson and David Richardson, ‘Insuring the Transatlantic Slave Trade’, *Journal of Economic History* lxxix (2019), 442. On insurance of slave ships in France and Britain, see Guillaume Daudin, *Commerce et prospérité: la France au XVIIIe siècle*, 2nd edn (Paris, 2005), 254–8; John G. Clark, ‘Marine Insurance in Eighteenth-Century La Rochelle’, *French Historical Studies*, x (1978); Clark, *La Rochelle and the Atlantic Economy during the Eighteenth Century* (Baltimore, 1981), 184–9; Joseph E. Inikori, *Africans and the Industrial Revolution in England: A Study in International Trade and Economic Development* (Cambridge, 2002), 338–60; Jacques Ducoin, *Naufrages, conditions de navigation et assurances dans la marine de commerce du XVIIIe siècle*, 2 vols. (Paris, 1993), i, 83–100, 143–54, and ii, 195–222. On the ideology and economics of insuring enslaved people’s lives, see Ian Baucom, *Specters of the Atlantic: Finance Capital, Slavery, and the Philosophy of History* (Durham, NC, 2005); Anita Rupprecht, ‘Excessive Memories: Slavery, Insurance and Resistance’, *History Workshop Journal*, lxiv (2007); Tim Armstrong, *The Logic of Slavery: Debt, Technology, and Pain in American Literature* (Cambridge, 2012), ch. 1; Jonathan Levy, *Freaks of Fortune: The Emerging World of Capitalism and Risk in America* (Cambridge, Mass., 2012), ch. 2; Michael Ralph, ‘Value of

Given the established nature of marine insurance in the slave trade, it is unsurprising that Fernandez took out a policy on his ship and cargo. What is surprising, though, is how the contract insured the voyage against illegality itself. The contract stated that the underwriters would cover:

all risks at sea, whatever they may be, mentioned in the printed section below, plus those of war; prize capture and confiscation by whichever power it may be, even French, pirates, insurgents, independents, theft, pillage, the ransoming of crew members who may be taken, revolt or the consequences of revolt, repurchase of stolen captives, barratry, especially all actions and operations of fraud, as well as clandestine commerce related to the trade in slaves.

Here the insurers adapted a conventional policy to a range of new scenarios, including capture by a naval patrol. In addition, the policy covered ‘all risks foreseen and unforeseen, even those resulting from laws and ordinances in place or to come that prohibit the trade in slaves, excepting only death by natural sickness.’⁷³

Notwithstanding the apparent conventionality of the policy, several aspects of it are striking. The first is its brazenness: while the printed disclaimer stated that the insurers would not ‘cover loss or damages due to Contraband or clandestine commerce’, the handwritten statement above expressly ‘renounced all clauses contrary to this, mentioned in the printed part of this policy’.⁷⁴ In renouncing those clauses, the underwriters dispensed with legal protection. The second is the policy’s remarkably broad coverage—not just for disaster or conflict, but even for being discovered in breach of slave-trade prohibitions. The implication is that insurance for an illegal voyage was worth little unless it guaranteed against capture by naval squadrons. The insurers even guaranteed the value of cargo lost in the event of being ‘captured and taken’ prior to the embarkation of captives. Third, the fact that the thirty-nine signatories agreed to cover the enslaved cargo is significant, since they could have limited themselves to the value of the vessel alone. Even in Cuba at this time, insurance companies

Life: Insurance, Slavery, and Expertise’, in Sven Beckert and Christine Desan (eds.), *American Capitalism: New Histories* (New York, 2018), 257–82.

⁷³ Police d’assurance, Nantes, 9 Oct. 1824: HEH, HM44027.

⁷⁴ *Ibid.*

‘offered policies for merchandise and ships’ but were often reticent ‘to extend coverage to the returning human cargoes’.⁷⁵

The capacity of premium-based marine insurance to absorb and mitigate new commercial risks made it ideally suited to illegal slave trading. As risks increased, so did the premium. The abolitionist Achille Léonce Victor Charles, 3rd Duc de Broglie, stated in 1822 that ‘the only effect of the [French abolition] law must be to increase the insurance premium paid by slave merchants and thus to reduce their profits by the same amount’.⁷⁶ Prior to abolition, marine insurance contracts in France absorbed between three and eight per cent of slaving investments.⁷⁷ For the *Jeune Louis*, the risk of being caught drove the premium up to at least 26 per cent, comparable to rates for long-distance voyages during war.⁷⁸ The underwriters also permitted the voyagers not to trade in slaves and thereby reduce the risk on their capital. The policy specified that ‘if the ship does not trade in blacks, the premium would be reduced to 6 per cent’. In these ways, insurance adjusted to the uncertainties of the clandestine slave trade.

Although insurance adapted organically to illegal commerce, the large amount of money at stake rendered negotiations over the contract unusually fraught. First, contrary to convention, Fernandez and the Coquebert brothers (who brokered the contract on his behalf) continued to negotiate the premium throughout the duration of the voyage. Proposed figures fluctuated between twenty-six and 35 ¼ per cent, eventually settling on twenty-seven per cent. Second, the draft policy left blank the estimated value of the vessel and cargo, again leaving these open to discussion even after the ship had quit Nantes. Third, the parties could not agree on how the risks should be allocated between the ship and cargo respectively.

⁷⁵ Pérez Morales, ‘Tricks of the Slave Trade’, 14.

⁷⁶ *Archives parlementaires*, series 2, xxxv (Paris, 1877), 698.

⁷⁷ Stein, *The French Slave Trade in the Eighteenth Century*, 139–40; Harms, *The Diligent*, 83–4.

⁷⁸ The rate matched those in the Cuban slave trade between 1826 and 1845. See Eltis, *Economic Growth*, 273–8.

Should it be ‘fifty fifty’ or some other proportion?⁷⁹ The one thing they agreed on was that ‘each head of blacks traded, without distinction of age or sex, [should be] evaluated at eight-hundred francs’. Fourth, the premium of twenty-seven per cent was so high that Fernandez took out insurance on its value under the first clause of the contract. This value too needed to be accounted for, thereby further complicating the deliberations.⁸⁰

Something new was happening: in addition to accommodating higher risk, the insurance contract allowed the underwriters to engage in financial speculation. In contrast to the standardised, low-stakes insurance market of the eighteenth century, the *Jeune Louis* insurers profited from Fernandez’s legal vulnerability to claim a large portion of his investment.⁸¹ By leaving crucial elements of the contract uncertain until late in the voyage, it seems as if the underwriters hoped to figure the premium as a proportion of the expected profits of the expedition, rather than as a section of the capital outlay. For this reason, Fernandez expressed his frustration at the brokers for not better protecting his investment from the underwriters’ claims. He warned Ménard that ‘you will be astonished by the nuisance caused by the insurers of Nantes, or rather, by our partners [*consignataires*, referring to Benjamin and Félix Coquebert] with respect to the estimation on the policy’.⁸² To the brothers he wrote exasperatedly that ‘nothing is clearer or fairer than my accounts’, and that with regard to their contentious arrangements with the insurers, ‘it’s either your fault or mine’.⁸³ Insurers of illegal French expeditions were known to overestimate risks to justify

⁷⁹ Copy of a letter by Fernandez probably addressed to Benjamin and Félix Coquebert, undated, HEH, HM43992. This letter contains Fernandez’s computations of the premium. A pencil annotation in the draft insurance contract (HM44027) shows that different rates were considered.

⁸⁰ Police d’assurance, Nantes, 9 Oct. 1824: HEH, HM44027; Fernandez to Ménard (addressed to Havana), Bordeaux, 3 Mar. 1825: HEH, HM44014; Copy of a letter by Fernandez probably addressed to Benjamin and Félix Coquebert, undated, HEH, HM43992.

⁸¹ On eighteenth-century norms, see Pearson and Richardson, ‘Insuring the Transatlantic Slave Trade’, 431–40.

⁸² Fernandez to Ménard, Bordeaux, 3 Mar. 1825: HEH, HM44014.

⁸³ Fernandez to Benjamin and Félix Coquebert, undated, HEH, HM43992.

inflated rates.⁸⁴ The underwriters of the *Jeune Louis* were doing more than simply inflating their prices, though; they were positioning themselves as indirect investors.

Informal market logics also made it possible to enforce illicit contracts that insurers or ship owners were reluctant to contest in court for fear of incrimination. In the illegal phase of the trade, as much as in the period beforehand, many underwriters of slave-trading voyages were other slave merchants. While serving as underwriters, these men understood that only by honoring their contracts could they expect to obtain insurance on their own voyages down the line. As a result, relationships between slave merchants and insurers were more likely to be cordial than contentious. High-profile legal cases concerning slave-ship insurance such as the *Zong* in 1783 or the *Creole* (in the North American ‘coastwise’ slave trade) of 1841 give the misleading impression that enforcement of such contracts generally happened in court.⁸⁵ In fact, underwriters governed themselves to a remarkable degree and routinely settled disputes out of court based on mutual interest and commercial norms.⁸⁶ Informal market logics also benefited from the fact that France imposed no specific penalty on underwriters of slaving voyages prior to 1827, in contrast to Britain, which as early 1807 punished them with a £100 fine plus triple the cost of the original insurance premium.⁸⁷

The fact that black market insurance was based on honor rather than on judicial enforcement meant that it operated within circles of trust. Fernandez informed Captain

⁸⁴ *Archives parlementaires*, series 2, xxxv, 698.

⁸⁵ On the *Zong* and associated litigation, see James Walvin, *The Zong: A Massacre, the Law and the End of Slavery* (New Haven, 2011); James Oldham, ‘Insurance Litigation Involving the *Zong* and Other British Slave Ships, 1780–1807’, *Journal of Legal History*, xxviii (2007); Anita Rupprecht, “‘A Very Uncommon Case’: Representations of the *Zong* and the British Campaign to Abolish the Slave Trade’, *Journal of Legal History*, xxviii (2007); Michael Lobban, ‘Slavery, Insurance and the Law,’ *Journal of Legal History*, xxviii (2007). On the *Creole* mutiny see Walter Johnson, ‘White Lies: Human Property and Domestic Slavery Aboard the Slave Ship *Creole*,’ *Atlantic Studies*, v (2008); Anita Rupprecht, “‘Inherent Vice’: Marine Insurance, Slave Ship Rebellion and the Law’, *Race & Class*, lvii (2016).

⁸⁶ Hannah A. Farber, ‘Underwritten States: Marine Insurance and the Making of Bodies Politic in America, 1622–1815’ (Univ. of California, Berkeley, Ph.D. thesis, 2014); Adrian Leonard (ed.), *Marine Insurance: Origins and Institutions, 1300–1850* (Basingstoke, 2016). See also Christopher Ebert, ‘Early Modern Atlantic Trade and the Development of Maritime Insurance to 1630’, *Past and Present*, no. 213 (2011).

⁸⁷ See Article V of ‘An Act for the Abolition of the Slave Trade’, 25 Mar. 1807, www.esp.org/foundations/freedom/holdings/slave-trade-act-1807.pdf (accessed 12 Feb. 2018).

Ménard that he had ‘addressed himself to Le Havre where they do not want to take on [the expedition’s] risks, [and] to Marseille – it’s useless because the insurers of that town are of bad faith for any policy based on honor’.⁸⁸ In other words, he might get them to sign on the dotted line but could not make them pay out. Trust between the parties was essential. That is why Fernandez relied on the well-connected Coquebert brothers to broker the policy on his behalf. These men also enjoyed institutional protection. At least forty-six insurers of slaving expeditions in Nantes belonged to the city’s Société d’Assurances. Slave merchants also owned significant shares in the municipal Banque d’Escompte. Corruption extended to the Nantes tribunal of commerce, whose bench in the 1820s had eleven merchant judges, all but one of whom were known to have participated in the slave trade.⁸⁹

The blurring between insurers, regulators and financiers allowed a large number of individuals to indirectly share in the profits of the voyage. Owning shares in a slave ship exposed merchants to a higher level of culpability than being ‘mere’ insurers. Merchants may therefore have preferred to invest through insurance instead of through ownership. Profits from illegal slave-trading were often so high that shipowners considered sharing the spoils with insurers a small price to pay. In addition to reducing the investors’ liability, insurance also mutualised it among all parties by establishing a reciprocal arrangement in which those who insured illegal voyages would themselves obtain coverage from their compatriots for voyages that they commissioned at a later date. We know, for instance, that at least twenty-six of the *Jeune Louis*’ thirty-nine underwriters were slave-ship owners or captains, who between them conducted a total of at least seventy-seven separate illegal slaving voyages.⁹⁰

⁸⁸ Fernandez to Ménard, Bordeaux, 24 Jan. 1825: HEH, HM44013.

⁸⁹ Daget, ‘Armateurs nantais et trafic négrier illégal’, 78–80; Saugera, *Bordeaux*, 269–72; Pétré-Grenouilleau, *L’argent de la traite*, 222–4.

⁹⁰ Twenty-six of the signatories (individuals or partners) appear in Serge Daget’s *Répertoire* as slave-ship captains or owners. The most prolific partnership among them was Vallée et Fils which orchestrated at least twenty-nine voyages. These figures do not include ventures that these individuals merely insured. On joint-stock shipping in Nantes, see Jean Meyer, *L’armement nantais dans la deuxième moitié du XVIIIe siècle* (Paris, 1969), 110–14.

This scheme for mutualising both risk and liability was ideally suited to running a semi-underground commerce.

The *Jeune Louis* venture operated as a temporary joint-stock enterprise whose shareholders enjoyed anonymity and limited criminal liability. Whereas an eighteenth-century slave voyage was usually the work of just a few investors, here dozens of individuals claimed small stakes in the expedition without risking prosecution or scandal.⁹¹ The 1820s were a moment when joint-stock corporations, also known in France as *sociétés anonymes*, were beginning to take off.⁹² The *Jeune Louis* policy also contains early hints of innovations in the financing of the illegal slave trade that developed in later decades. The last surge of slave trading in the 1850s and 1860s reduced risk and liability through a complex system of multiple investors from around the Atlantic rim purchasing small individual shares in the ship and the cargo, thus departing definitively from the single-owner or partnership investment model.⁹³

Insurance shaped not just the investment structure of the *Jeune Louis* venture but also the procedures of record keeping at sea. Nearly every day between the ship's arrival on the West African coast in December 1824 until it reached Havana in June of the following year, Demouy tallied the number of captives who died and the cause of their deaths. On 30 March he noted that 'one man died of dysentery'. Beside that entry he adjusted the number of 'dead' upwards to twelve and revised the total of males and females in the ship downwards, accordingly. The next entry was 2 April: 'a Black died of dysentery (man)' accompanied by a

⁹¹ Stein, *The French Slave Trade in the Eighteenth Century*, 60.

⁹² *Sociétés anonymes* were generally larger corporations that required government approval. On this score, the *Jeune Louis* venture more closely resembled a less-formal *société en commandite par actions*, which granted limited liability to 'passive' shareholders. See Bertrand Gille, *Recherches sur la formation de la grande entreprise capitaliste, 1815–1848* (Paris, 1959); Claude Fohlen, 'Sociétés anonymes et développement capitaliste sous la monarchie censitaire', *Histoire des entreprises*, vi (1960); Claude Fohlen, 'Sociétés anonymes et développement capitaliste sous le Second Empire', *Histoire des entreprises*, viii (1961); Charles E. Freedeman, 'Joint-Stock Business Organization in France, 1807–1867', *Business History Review*, xxxix (1965)

⁹³ Harris, 'Circuits of Wealth', 416–20; Barcia and Kesidou, 'Innovation and Entrepreneurship', 550–2.

‘1’ in the deaths column. The procedure of accounting became so routine that entries for the following three days consisted simply of ‘a d[itt]^o d^o d^o’, ‘a d^o d^o d^o woman’, and ‘two negroes d^o d^o d^o’, with numerical adjustments in the adjacent column.⁹⁴

The nature of the deaths recorded corresponded to the categories of insurance for the human cargo. Although the policy expressly excluded deaths by disease, it did cover suicides or revolts. On 13 April, Demouy logged that ‘1 Negro hanged himself on the bars of the passage in the night, we found him in the morning’. On 17 May, Demouy reported the death of ‘1 man who threw himself into the sea’. On the 27th, another ‘Negro threw himself into the sea’, on the same day that ‘a woman gave birth to a small negro’. Demouy refrained from adding the newborn child to the running total of captives, perhaps anticipating the boy’s imminent death. On the 28th, another ‘Negro threw himself into the sea’.⁹⁵

Although the insurance policy was a gentleman’s agreement, the insured party needed to keep scrupulous records of profit, loss and damage. Using the tally of deaths, Demouy reported that nearly a third of the captives died immediately before or during the passage to Cuba. He described the ‘natural death of 106 negroes’ and ‘the death of nine negroes one of whom hanged himself and the rest who threw themselves into the sea, for whom the insurers will pay you I think’.⁹⁶ Demouy’s log of the captives’ deaths would serve as evidence for Fernandez’s insurance claim.

Although state authorities in France knew that a black market for slave marine insurance existed, they intervened little. The naval commissioner at Nantes reported in 1819 that the market encompassed not just France but also England, and that ‘the insurers of this nation are in competition with ours for our own shipping, and the premiums have lowered for

⁹⁴ Demouy, Logbook No. 1: HEH, HM43991.

⁹⁵ On accounting for the dead aboard slave ships, see Smallwood, *Saltwater Slavery*, 135–52.

⁹⁶ Demouy to Fernandez, Havana, 28 June 1825: HEH, HM44002. On mass killing in the Atlantic slave trade, see Jeremy Krikler, “A Chain of Murder in the Slave Trade: A Wider Context of the *Zong* Massacre,” *International Review of Social History*, lvii (2012).

this reason, from 25%, the previous rate, to 20% & even lower'. 'These insurances', he continued, are done 'on word of honor; they apparently reimburse captured or lost vessels with the greatest exactitude'. The *Jeune Louis* expedition's premium of twenty-seven per cent indicated that by 1825 these rates were rising again. The commissioner added that 'the outfitting fees are even used to insure the cost of the premium' so as to safeguard the entire capital outlay of each venture.⁹⁷ Despite their damning implications, these observations prompted almost no government response.

The Nantes commissioner's allegation that English financiers were insuring French slave ships confirms that he knew of France's ongoing engagement in the trade. Meanwhile, it also reflects the efforts of state officials in France to shift the blame from fellow citizens onto the abolitionist English, whom they liked to brand as moral hypocrites. In a similar vein, the French foreign minister in 1820 acknowledged the existence of a 'system of secret insurance of slave-ships', but insisted that 'insurance offices in London' were primarily responsible for it and that 'it was not fair to press the subject exclusively upon France'.⁹⁸ These deflections signal that French authorities cared little about the insurance dimension of the slave trade, even though it was increasingly essential to the continuation of the traffic.

The relative impunity of slave-trade investors made France an attractive location for foreign merchants. Political opposition to the abolition of slavery amplified the government's indifference towards France's investment in the slave trade. The Bourbon Restoration (1814–1830) was the high tide of pro-colonial sentiment in France as conservative elites struggled to accept the loss of Saint-Domingue. Legislative debate on reforms to slave-trade legislation remained mired in ministerial obfuscation when deputies such as Benjamin Constant pressed the matter.⁹⁹ But even liberal representatives like Constant himself agreed with conservatives

⁹⁷ Commissioner to navy minister, Nantes, 22 Sept. 1819: ANOM, FM Généralités, 154/1289.

⁹⁸ Charles Stuart to Viscount Castlereagh, Paris, 3 Feb. and 7 Feb. 1820: TNA, FO 27/224.

⁹⁹ For early French legislative debates on the slave trade, see *Archives parlementaires*, series 2, xxi, Feb.–Apr. 1818 (Paris, 1871); *Archives parlementaires*, series 2, xxv, 1819 (Paris, 1874); *Archives parlementaires*, series

on the patriotic necessity of resisting incursions by the Royal Navy into French sovereignty at sea.¹⁰⁰

French lawmakers only gradually acknowledged investment in the slave trade as a problem. In 1826 France's highest court ruled that the slave trade 'consists not only in the fact of the buying and resale of a merchandise, but in the commercial enterprise behind this buying and reselling'.¹⁰¹ The next year, liberal statesmen moved to change the law to target not just captains but the network of port officials and merchants in France and the colonies who underpinned the commerce in human beings. Citing instances of captives being tossed overboard 'like damaged goods', the reformers rejected the conservative belief in the possibility of ameliorating the trade, stressed the homicidal effects of tolerating it, and argued that criminalisation of slave trading was needed to prevent escalating deaths.¹⁰² Growing public awareness of the role that new financial arrangements had in helping slave traders cover up their activities and evade prosecution created a stimulus for legislative reform.¹⁰³

III

REDACTION OF EVIDENCE

The third business innovation visible in the papers of the *Jeune Louis* was the expertise that traders developed in keeping selective records of their activities. This was not simply a matter

2, xxviii, May–June 1820 (Paris, 1875); *Archives parlementaires*, series 2, xxix, June 1820–Feb. 1821 (Paris, 1875).

¹⁰⁰ Benjamin Constant, 'Opinion relative à la traite des noirs (Séance du 27 juin 1821)', in *Discours de M. Benjamin Constant à la Chambre des députés*, 2 vols. (Paris, 1828), i, 550; Serge Daget, 'L'abolition de la traite des noirs en France de 1814 à 1831', *Cahiers d'Études Africaines*, xi (1971); Mary D. Lewis, 'Legacies of French Slave-Ownership, or the Long Decolonization of Saint-Domingue', *History Workshop Journal*, lxxxiii (2017); Jean-François Brière, *Haïti et la France, 1804–1848: le rêve brisé* (Paris, 2008); Robin Blackburn, *The Overthrow of Colonial Slavery, 1776–1848* (London, 1988), ch. 7.

¹⁰¹ Ministère Public C. Jean Blais, 14 Jan. 1826, *Journal du Palais*, 2 (Paris, 1826), 536–8.

¹⁰² The deliberations for the 1827 law appear in *Annales maritimes et coloniales*, 2nd part, i (Paris, 1827), 549–772. The speech by the Comte Chabrol de Crousol at pages 586–7 refers to two court decisions of 1825 and 1826 in support of expanding criminal liability.

¹⁰³ Daget, 'France, Suppression of the Illegal Trade, and England, 1817–1850'.

of destroying papers to avoid detection or prosecution. Clandestine slave traders could not avoid leaving behind a paper trail. In order to run the slave trade as a going concern, participants needed to operate within the same broad bureaucratic structures as legal traders did. They invariably generated paperwork in the course of interactions with port authorities and commercial courts. They also needed to produce records for their own business purposes, for instance logging the death toll for insurance reasons. Selective reporting, false declarations and redaction of explicit evidence of human trafficking helped conceal illicit activities while allowing their authors to maintain reputations as honest businessmen. The 1820s were a period of apprenticeship in these skills of selective archiving.

The first technique was to carry false documentation. The ship had two copies of the insurance contract, for instance: the authentic one and a decoy. The decoy was cleverly produced. Its formulations were nearly identical to those in the original version, with a few important differences. Unlike the original, the false copy expressly excluded from its coverage ‘all activities and operations of fraud as well as the clandestine commerce linked to the trade in blacks’, in order to give the impression that the voyage was legitimate. Furthermore, it listed the value of the ship and cargo, which the original copy left blank, and stated a premium of just 3.5 per cent, versus the real rate of twenty-seven per cent, so as not to raise suspicion. These elements gave the false copy verisimilitude. Indeed, it even listed the names of all the insurers who appeared on the original policy, as would have been standard practice. To the unsuspecting eye, the decoy insurance contract appeared authentic. En route to Africa, the vessel encountered two British ships. Near the Gold Coast, according to Demouy’s log, one ‘sent an officer to visit us who limited himself to requesting the journals and taking the ship’s name, the captain’s name, [and] where we’re going to trade’, before letting the Frenchmen go on their way.¹⁰⁴ By preparing their false documents in

¹⁰⁴ Demouy, Logbook No. 1: HEH, HM43991.

advance, the officers managed to pass these inattentive inspections and make their way unhindered to the Biafran markets.

In addition to carrying false papers, the voyagers produced misleading declarations. On 15 June 1825, a day after laying anchor in Havana, the ship's officers signed a statement asserting 'that during our stay at Prince's Island [Príncipe] we exchanged our cargo for unfinished ivory and palm oil, and that these exchanges being concluded, the supercargo Mr Ménard sold our intended shipment to an American brig, such that we took on ballast and left on 23 April 1825 for the Island of Cuba, our destination, and entered Havana on 14 June 1825, without any significant incident'.¹⁰⁵ Although the locations and the nature of the commerce were false, the dates they provided were true and would have corresponded with the expedition's original licence.¹⁰⁶

The second technique was to control the crew's testimony. The second captain, Joachim Amanieu, who had a history of violence, inflicted terrible physical punishments on members of the crew to maintain their silence upon reaching Havana. The deterrent backfired, however, as crewmen began reporting Amanieu's brutality to French consular officials. The consul general, Jacques-Marie Angelucci, whom we encountered earlier in connection with his efforts to suppress French engagement in slave smuggling, wrote to Demouy that '[d]uring the month that you have been docked in Havana, few days have passed without some complaints on the part of your crew against mistreatment by M. Amagneux, your second in command'. He warned that Demouy alone as captain had the authority to mete out punishment.¹⁰⁷ Although he mentioned no suspicion of their engagement in clandestine slave dealing, Angelucci's rebuke read as a tacit warning that he knew what the men were up to. Knowing that the crew might publicise more than just their

¹⁰⁵ Certificat, fait triple à bord le Jeune Louis, Havana, 15 June 1825: HEH, HM43997.

¹⁰⁶ On false declarations by French slavers, see Lewis, 'Repairing Damage.'

¹⁰⁷ Angelucci to Demouy, Havana, 22 July 1825: HEH, HM43975.

own maltreatment, the ship's officers had to proceed with caution. Caution did not, however, stop Demouy from discharging one of the complainants, Jacques Dufresne, on the grounds of ill health, leaving him to find his own way back to France from Cuba.¹⁰⁸

Captains learned how to negotiate with the crew to ensure their silence. Before returning to France on the third leg of the voyage, the ship docked and disembarked its cargo of 203 sacks of lower-grade coffee and 463 cases of white sugar in Antwerp (in October 1825) to avoid re-entering Europe through French customs.¹⁰⁹ Fernandez's agent in Antwerp, Jean Donnet, warned Demouy that 'all must be hidden, because [otherwise] that could give those who are greedy for news something to blab about'.¹¹⁰ The customs officials at Flushing, upriver from Antwerp, who interrogated Demouy 'suspect[ed] that this [wa]s not a cargo of palm oil but one of black slaves'. Demouy stuck to the line: 'I have told the truth and have certainly not engaged in the commerce in blacks. I embarked not a single one'.¹¹¹ Demouy clearly took Donnet's advice to heart. Writing from Antwerp, he instructed Fernandez's agents in Lorient, into whose charge he was delivering the crew, to:

pay them [two months' bonus, *gratification*] only after you feel assured that their declaration to the navy bureau was in the interests of the ship owners [*l'armement*], that is, that the ship went to Prince's Island near the coast of Africa to load palm oil and ivory which merchandise were sold to an American vessel and that the *Jeune Louis* went on ballast to Havana its destination, a declaration that they have already put their signatures to in Havana of which Mr Fernandez will no doubt send you a copy.¹¹²

Sailors' testimony was a particular vulnerability when it came to concealment. Hush money became an integral part of the incentive structure of clandestine slave trading.

¹⁰⁸ Dufresne was 'disembarked on 25 July 1825 in Havana, not being able to continue the voyage': Rôle d'équipage, HEH, HM43993.

¹⁰⁹ Manifeste du chargement du brick français le Jeune Louis, Havana, 28 July 1825: HEH, HM44029; Fernandez to Demouy at Antwerp, Bordeaux, 19 Sept. 1825: HEH, HM44012.

¹¹⁰ Donnet to Demouy, Antwerp, 13 Sept. 1825: HEH, HM44005.

¹¹¹ Demouy's transcription of the interrogation: HEH, HM44000.

¹¹² Demouy to MM^{rs} Bourdon & C^{ie} in Lorient, Antwerp, 6 Oct. '1824' [*sic*, 1825]: HEH, HM44002.

Once back in Bordeaux, the captain enlisted the widow of the deceased surgeon Denis Béjaud to dissuade the abused and abandoned sailor Dufresne from publicising the story of the expedition. He wrote to Madame Dufresne in Lorient imploring her to:

do me a huge favor in preventing Dufresne my crew master from denouncing me. I beg you to go to his wife and his best friends to get them to prevent her husband from dishonoring himself ... and that if he persists in denouncing me or if he has [already] publicised it in the streets of Lorient, Nantes and Bordeaux like a snitch [*dénonciateur*], like a man degraded in public opinion, I will come to Lorient.¹¹³

Dufresne proved harder to negotiate with than expected. Béjaud's widow's response reported that 'As soon as I received your letter, I went to Mr Dufresne's home [where] I found a man who was extraordinarily aggrieved at how he was treated'. She continued that 'after having reasoned with him and entreated him, he said that if you would like to give him a sum of 800 francs that he would drop all charges'. Yet she also expressed her deep reluctance to assist Demouy in protecting men who had likely contributed to her husband's death: 'Going to see this man has afflicted me a great deal, and it is still possible that my husband was one of the victims of [Amanieu], your second in command'.¹¹⁴

Negotiations over secrecy extended beyond members of the crew to their families. In his response, Demouy apologised for the 'awkwardness of having to go to the wife of Dufresne'. 'I believed that they [Mr and Mrs Dufresne] had some residual sense of honor', he fumed. 'It's as if a brigand came up to me in a crowd to whisper in my ear *if you don't give me 800 frcs I will kill you in the middle of the night when no one is watching*'.¹¹⁵ Béjaud's anguished widow again replied with exasperation at the sordid circumstances of her husband's death: 'nothing of what took place on board was hidden from me and I've been told everything that can possibly have been said to increase my suffering, which was already very great'. She made Demouy's swift disbursement of her husband's earnings from the

¹¹³ Demouy to M^{me} Béjaud, Bordeaux, 6 Nov. 1825: HEH, HM44002.

¹¹⁴ M^{me} Béjaud to Demouy, Lorient, 10 Nov. 1825: HEH, HM43977.

¹¹⁵ Demouy to M^{me} Béjaud, Nantes, 20 Nov. 1825, addressed to Lorient, HEH, HM44002.

voyage a condition of her continued silence. Widowed, she now had ‘a large task to accomplish, four little children to raise ... [she] had experienced great pain before, but never like the present one’.¹¹⁶ Keeping the slave trade secret was a social enterprise in which, paradoxically, the most exploited participants often held the greatest leverage.

The third skill of evidentiary concealment was selective record keeping to throw potential investigators off the scent. While the private correspondence of the *Jeune Louis* expedition mentions slaving explicitly, the ship’s officers were more circumspect in the records they kept of the buying and selling of slaves. The first method for concealing these transactions was the simple redaction of written evidence. In some cases redaction was so unsubtle as to almost be a joke. A couple of times officers scribbled ‘O’s over the word ‘Esclaves’ to hide it, although it was left still partly legible underneath (see Image 1).¹¹⁷ Similarly, they also glued strips of paper over identifying information in otherwise incriminating manuscripts, such as over the name of the ship on the insurance contract. Another subterfuge was to write the wrong year at the top of letters, 1822 instead of 1825, say. They resorted to these simple deceptions out of a justifiable fear that the ship’s logs might fall into the wrong hands.

[INSERT IMAGE 1: François Demouy’s note to Jean-Baptiste Ménard, *ca.* April 1825, later partially redacted. The Huntington Library, San Marino, California, HM43988.]

An even more insidious technique of redaction was the use of codes, euphemisms and ciphers to refer to enslaved people as cargo. Contrast, for instance, Demouy’s logbook which refers openly to the deaths of ‘negroes’ on the ship with Amanieu’s spreadsheet of slave purchases. Seeking to conceal the fact that he was buying slaves, Amanieu’s log referred only to the acquisition of ‘*produits indigènes*’ [indigenous products], which he divided into four

¹¹⁶ M^{me} Béjaud to Demouy, Lorient, 29 Nov. 1825: HEH, HM43978.

¹¹⁷ List of items paid to Roi Jacquette: HEH, HM44025; Demouy to Ménard, upriver from Brass, *ca.* April 1825, HM43988.

categories ‘A, a, B and b’, referring to men, boys, women and girls.¹¹⁸ The same booklet kept a record of each individual transaction, using these code letters to register the number of each category of captive thus acquired. Unlike Demouy, who designated *hommes* and *femmes* with their corresponding initials of H and F, Amanieu made the code still more abstract by converting simple abbreviations (i.e. H or F) into algebraic notation.

Rather than destroying evidence of slave trading, ciphers preserved it in an already existing vocabulary of human commodification. Upon reaching Havana, Demouy recounted having ‘disembarked 270 bundles, 115 bundles had so perished that I was forced to throw them into the sea’.¹¹⁹ ‘Bundles’ was clearly a euphemism for the enslaved. But the use of the term originated not in the clandestine slave trade. Indeed, slave dealers had employed terms to characterise slaves as cargo well before the slave trade was outlawed. Objectifying words such as ‘pieces’, ‘bundles’, ‘cargoes’, formed part of the lexicon of the early modern slave trade. The process of enslaving African captives and preparing them for sale in the Americas rendered them legible as things rather than people. The terms through which traders reimagined enslaved people as cargo were, in turn, tools of human commodification. The insurance policy’s characterisation of captives as perishable goods had a similar effect.¹²⁰ The new dimension in the illegal trade was traders’ neat redeployment of the old vocabulary of dehumanisation into codes of concealment.

All three techniques of documentary concealment—false declarations, mediated testimony and redaction—generated records that both detailed and concealed slavers’ crimes. Slave traders did not acquire these skills organically; they learned them through practice. These skills, developed, rehearsed and transmitted while the trade was becoming widely

¹¹⁸ Account Book: HEH, HM43993. I attribute authorship of the account book to Amanieu on the basis of the similarity of the hand to that of Amanieu’s signed letter of 15 April 1825 addressed to Demouy in Brass: HEH, HM43974.

¹¹⁹ Demouy to Fernandez, Havana, 15 June 1825: HEH, HM44002.

¹²⁰ Smallwood, *Saltwater Slavery*, esp. 51–2 and 151–2; Zeuske, *Amistad*, 14–15, 74.

illegal in the 1820s, entered the mainstream of the clandestine traffic to Cuba and Brazil in subsequent decades. As states tightened their enforcement of the slave-trade ban, the skills of testimonial and archival concealment grew more sophisticated. Yet it was precisely because slave traders needed to generate and keep records of their activities, whether in customs files, notarial registers or private correspondence, that they continually devised methods to obscure, without annihilating, evidence of their crimes.

IV

CONCLUSION

The *Jeune Louis* papers' full provenance is difficult to establish. In 1958, the Huntington Library purchased the papers from John Howell, a collector in San Francisco, who had likely acquired them from Karl W. Hiersemann in Leipzig in 1930. All manuscripts in Hiersemann's sale, including Demouy's papers, had previously been in 'the possession of the French Capt. Du Loup, who spent a great deal of his life in collecting original documents'. No information about the manuscripts' prior ownership has yet been ascertained.¹²¹

Why did François Demouy not destroy the evidence of his criminal activity? The first reason is that each document he preserved had a use. The logbooks supported the insurance claim, the letters were a matter of private record, and detailed information on the purchase and sale of slaves was needed to calculate profits and commission. Demouy's accountability to business partners precluded him from simply burning the papers. The second reason is that Demouy kept the papers as an instruction manual for those who came after him. Although the French were established experts in many aspects of transatlantic slave trading from before abolition, key elements of the new illegal commerce—the transnational cooperation, the

¹²¹ *French Manuscripts Relating to Navigation, etc.* offered for sale by Karl W. Hiersemann (Leipzig, 29 Königstrasse, 1930). See the Huntington Library's information file on the collection.

illicit insurance, the specific locations in which they purchased captives, and the pressures of illegality—were not yet familiar to them. This record might have served as a guide to future ventures.

For the historian, the collection does more than expose a covert criminal enterprise, however; it illustrates specific strategies of concealment that slave traders made central to their business model in the early nineteenth century. In devising new techniques, traders reacted not only to the international suppression of the slave trade, but also to large structural changes in the organisation of the trade, such as the shift from European to American financing. In the process, clandestine slave trading became central to Atlantic capitalism. All three of the strategies of concealment and evasion described above—transnational collaboration, black market insurance and deceitful record keeping—operated on the edges of, rather than entirely outside, the legal economy. Concealment was as much about avoiding liability as it was about literally hiding illicit activities. In this sense, merchants conducted the slave trade rather openly during the years following abolition. The ability to use the resources of the law without yielding to its pressures was what permitted these men to profit so enormously from slavery after 1817. In turn, they papered over their tracks in the archive.

A new history of the nineteenth-century slave trade that uses private as well as public records must grapple first with the problem of archival disappearances. Much of what historians know of the workings of the illegal slave trade comes from the rich archives of official organs of slave-trade suppression such as the Slave Trade Department of the British Foreign Office or the mixed commission courts. One reason for the reliance on public records is that private material on the illegal slave trade is difficult to find. Even so, the paper trail of such voyages may simply be hiding in plain sight, not just in consolidated collections like that of the *Jeune Louis*, but in the interstices of workaday business correspondence. Paying careful attention to the procedures that slave smugglers used to make their operations

disappear will help researchers track them down in such archives. The task of empirical recovery is, however, only the first step towards confronting the larger archival disappearance of captives who were caught up in the clandestine trade, but whose subjectivity and experience traders strategically redacted from their accounts.