

# Andrew O'Rourke: Captain Johan Heitman, THE GOLDEN LION and the Danish Silver Robbery

*In 1730 the Danish ship DEN GYLDNE LØVE (THE GOLDEN LION) bound for Tranquebar was wrecked on the west coast of Ireland. The crew were rescued and taken ashore and the ship's outward-bound cargo of Spanish silver dollars, to a value of about 76,000 rix-dollars, was salvaged and lodged with the local residents in the neighbourhood.*

*However, the money was stolen, and although it was widely known who the thieves were the matter became a political issue. For many years Asiatisk Kompagni tried to regain the money, and it was not until March 1740 that Johan Heitman could return to Copenhagen. The money, however, was never recovered.*

*Based on English and Danish sources Mr. Andrew O'Rourke, the Irish ambassador to Denmark, reviews this strange case in an article which, contrary to our normal practice, is printed in English with a Danish summary.*

E.N. Arbien (1710-1745) til Heitman

At føre saa sit skib, at det mod skiær ej støder,  
Og føre saa sin pen, at der ved intet møder;  
Som jo oplyse kand, og got og fyndigt er,  
Det kalder jeg en kunst som gives ej enhver.

Hr. Heitman heri bør med rette prisen bære;  
Ham derfor hver Mand og bør Takkerskyldig være,  
At skjønt han fører skib paa havets bølger blaa,  
Blandt mangan storm, saa han maa tit i fare staa.

Saa vil han dog sin pen ej lade legge stille  
Men skriver mange ting aleene for at ville  
Sin næste tjene, og sin Skaber ære, med  
Det sinnd, som nedlagt er paa saa frugbringend' sted.

Jeg vil ej tale om hans mange andre bøger,  
Som nyttig er for dem, sit brød ved søen søger;  
Nu kommer han og med en Ny Calender frem  
Til stadig Borgers brug, den har i sandhed Klem

Den Julianske stiils ustadighed han viiser,  
Gregorianske fejl han heller ikke priiser,  
Men viiser begge hvad de fejler meest udi  
Saa hans alleene blir for sliger fauter frie.

Jeg derfor skyldigst maa min herre gratulere,  
For han vil Publikum med sine skrifter ære,  
Med skrifter ære? jo opbygge, viise det,  
Som i en anden stiil ej findes kan saa let.

Jeg gratulere og vor hoved-stad i Norden,  
Som nu blir meer bekendt for hver et staed paa jorden  
Thi spørges udenlands: hvor kommer bogen fra?  
Strax svars: fra en mand i Christiania.

Tak derfor Læser, ham, som frem med sligt vil komme,  
Og fæld ej over ham for hastig dine domme,  
Men lees kun skriftet først og siden siig med skel,  
Om mandens skib og pen: Han fører begge vel!!!

af hans ærbødigste tiener  
E. N. Arbien<sup>1</sup>

In the 18th century, Danish East-Indiamen  
bound from Copenhagen to the Danish  
colony at Tranquebar on the Coromandel

coast in India sailed north of Britain into the open Atlantic and then south, west of Ireland, to their first landfall in the Canary Islands. One of the Danish ships, DEN GYLDNE LØVE, Captain John Heitman, 18 days out of Copenhagen, was driven ashore in an Atlantic storm on the coast of Co. Kerry in the early hours of 28 October 1730 (old style).

Some months later, the ship's treasure of silver coin and bars, intended for the purchase of return-goods in the East Indies, was stolen by a violent mob which attacked the house of Lady Margaret Crosbie at Ballyheigue, in which Captain Heitman, with some of the ship's officers and the valuable cargo, was lodged.

The robbery gave rise to a great scandal at the time since a number of prominent persons of the locality were accused of involvement in the crime. Criminal trials and disputes about the salvage continued for almost a decade during which time Captain Heitman remained in Ireland.

One hundred and fifty years later, in 1874, the English historian, James Anthony Froude, revived memories of the forgotten scandal in his "The English in Ireland in the Eighteenth Century". His account, inaccurate in many respects, was criticised and corrected by a more careful researcher, Mary Agnes Hickson<sup>2</sup>, whose purpose was to show that Froude was wrong in his generalised accusations against the prominent families of Co. Kerry. Miss Hickson was, however, obliged to concede that members of the establishment - the Clerk of the Crown for the County and an Archdeacon of the Diocese among them - were involved

in the robbery and the disposal of the stolen silver - a conclusion amply borne out by evidence in archival material now available.

The Captain of DEN GYLDNE LØVE, Johan Heitman, was a remarkable man. Scandinavian biographers have taken note of his life and works but have mentioned only in passing the loss of DEN GYLDNE LØVE and the subsequent events in Ireland. For the present account, primary sources, principally in Copenhagen, Dublin and London, are, as far as possible, used.

The earliest published material on Heitman is in the Copenhagen periodical<sup>3</sup> "*Nye Tidender om Lærde og Curieuse Sager*", of 17 August 1742, in connection with the posthumous publication, by his son, also Johan Heitman, of Heitman's work on the Julian and Gregorian Calendars (and his proposed new Calendar). It seems likely that the writer was the subject's dutiful son:

"He was born in Trondheim in the year 1664. His father was Hans Heitman, a citizen and merchant of the same place, of whom I know nothing remarkable, except that he was the first to bring a diver to Trondheim, of which profession there are now a number. As the son in his infant years showed no childishness but a great willingness to learn and the signs of superb intelligence, the father intended to enter him in the Latin school, which intention he could not however later fulfil, since a terrible fire shortly thereafter destroyed a large part of Trondheim and almost ruined him, so that he had to move to a farm he had in Raën in the Bailiwick of Helgeland, where the son

was obliged to pass his young years looking after his farm's land and trade.

After his father's death, he began to go to sea from Bergen and since he had no friends or relations there, he had to work his way up from the lowest rung of the ladder.

He took lodgings with Mr Andreas Laus, Master Navigator in Bergen, in order to learn the skills of a ship's mate. It is evidence of his diligence and intelligence, that he began with navigation at the end of October and passed all of it by the following Christmas and in the few days between Christmas and New Year he revised the most important aspects. Immediately thereafter he studied Astronomy, which he understood with very little coaching, so that by spring he had progressed as far as anyone in the Navigation School.

He was then employed as a ship's mate and made many voyages to Tane Bay in Finnmark (as well as to Holland and other places) during which he diligently took careful observations of places on the coasts which he passed. And when in 1702 he took service with the Viceroy Gabel, he voyaged with His Excellency's yacht from Bergen to Trondheim and from there back to Christiania and on the basis of the observations and calculations he made on this voyage as well as on his many voyages in Finnmark, he made a Chart of the Norwegian coast, which he delivered to His Excellency without receiving any payment. From 1702, he sailed as Captain for His Excellency and later for several leading merchants in Christiania, to Spain, Portugal, France and Holland, and in 1712 he was commissioned by

H.E. General Admiral Lieutenant Guldenlev as "Extraordinary or Commis Captain", in which position he sailed very successfully until 1729, in spite of his many and dangerous winter voyages and the many Turkish corsairs and Swedish privateers he often met.

Persuaded by a number of prominent friends, he entered the service of the Royal Danish Asiatic Company to command one of the ships bound for Tranquebar, DEN GYLDNE LØVE, which was wrecked on the outward journey on the West Coast of Ireland in the County Kerry, where the inhabitants gradually stole a great deal of the cargo and finally 12 silver and money chests, after which began a lengthy law suit, which lasted until 1739, when he returned to Copenhagen. God had given him a very strong constitution, which he preserved with a particularly good diet so that he never had the least illness, before he was 70 years, when the great chagrin and grief over the tribulations he suffered in Ireland so completely weakened his body that he, who in all likelihood and after the examples of his parents and grandparents (for his father's and mother's with his father's mother's ages came together to about 290) could have hoped for a very long life, was obliged to surrender to death and was relieved of this troublesome life in Copenhagen the 6th July 1740, having completed his 76th year and with justice could use the Patriarch Jacob's word to Pharoh (Gen.47.9)."

There is little information in the above, or elsewhere, on Heitman's life<sup>4</sup> as a sea-captain and writer in the years before 1730,

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En  
**Ny Viise/**  
Om de  
**Søfarendis veemodige Klage-  
gemaal / over deris slette Vilkaar / bes-  
værilige Arbeyde / og store Farer  
som de maa udstaa,**

Sammenfat af  
**J. H. E. N.**  
Sangviis Under den Melodie:  
**Gud troste dig arme Jerusalems Stad  
Du før som en Dronning / &c.**



Prentet Aar 1704.

Beside his job as a sea captain with Asiatisk Kompagni Johan Heitman also worked as a cartographer and an author of books on shipping and religion, for example this one: *En ny Viise/ Om de Søfarendis veemodige Klagemaal/ over deris slette Vilkaar/ besværilige Arbeyde/ og store Farer som de maa udstaa*, printed in Copenhagen in 1704. (Photo: The Royal Library). *Ved siden af jobbet som kaptajn i Asiatisk Kompagni arbejdede Johan Heitman også som kartograf og som forfatter af bøger vedrørende søfart og religion. Som her: En ny Viise/ Om de Søfarendis veemodige Klagemaal/ over deris slette Vilkaar/ besværilige Arbeyde/ og store Farer som de maa udstaa, trykt i København 1740. (Foto: Det kongelige Bibliotek).*

when he joined the Danish Asiatic Company. However, there is one hitherto unpublished letter of Heitman's in the Royal Danish Archives, which throws light on both aspects of his work. It was written on St. John's Eve, the 23rd of June 1721 from his ship *PAGTENS ENGEL* lying ready for sea at Drøbak in the Oslo Fjord, to Christian Gabel "Chevalier, Champellan et Premier Secrétaire de Guerre" at Copenhagen<sup>5</sup>. The letter mainly concerns Heitman's book of spiritual exercises for seafarers which he wished to dedicate to Gabel. The completion of the book had been delayed because of his second voyage to Portugal, but it was with the Bishop, for his perusal and approval and would be sent to the printer in his absence. Heitman referred to two other books he had in preparation, one on Navigation which he also wished to dedicate to Gabel and to a little book he had earlier written regarding errors he had found in the Julian and Gregorian Calendars - which gave him occasion to work out a new form of Calendar, more in conformity with the

correct course of the sun and moon and to which he gave the name Stylus Christianus. After his forthcoming voyage to Portugal, he intended to dedicate this work to Crown Prince Christian.

Heitman's letter goes on to complain of his hard life as a seafarer. "If luck had been to me as indulgent as to some others whom God and the King's grace have allowed to earn their living on land, such as harbour masters, sailing masters and cartographers, my reflections would better have been able to fulfil these things my heart longed for, since I could then better use the time left to me for the promotion of navigation as well as producing good maps of the country, rather than now in my old age, in order to earn my bread, having to sail in fear and hardship, as well as in fear of the Turks and the great dangers I must face on such long voyages".

Heitman went on to refer to his cartography work. Because of his difficult life, he was unable to complete the detail which was necessary. He had, through his knowledge of navigation and the sea charts already produced (which should be improved as opportunity offered) brought the work so far that many of his countrymen, skippers and mates, could avail of it; something which had before been greatly lacking in Norway. In the light of this, Heitman hoped that Mr. Gabel would keep him in mind, as he "stumbled into old age", still anxious to exert himself in the service of King and Country; and he hoped for a few words from His Excellency on his return from his voyage. Heitman may have been disappointed. The book, printed in Copenhagen

in 1730, was dedicated to Ditlev Wibe, Viceroy of Norway.

The forewords to some of Heitman's works, congratulatory verse by friends and critical comment by prominent contemporaries also throw light on his life, character and achievements. Heitman's most successful and long-lasting work was his *Besværede Søe=Mænds Søde Sjæle=Roe* (*The Seaman's Sweet Tranquility of Soul*), a book of prayers and psalms for seamen, first published in 1730 and in use, after many reprints, up to the end of the 19th century by Norwegian fishermen.

From his dedication of the book to Ditlev Wibe and in his foreword to readers, Heitman's religious conviction and piety and his stern work ethic are clear. He declares that on long voyages, it is a skipper's duty to be the teacher of his subordinates, to lead them in God-fearing ways and to give them good example. In spite of the hardships of the seaman's life, he had engaged himself in studies which could be of use to the seafarer and used his time at sea in such a manner that it did not pass by uselessly, on account of disturbing and tiresome thoughts. He had sought his pleasure in writing a book on Navigation and Astronomy - as much of which as might be regarded as necessary for a seafarer, in the hope of being of service to others. And having still time to spare, it had given him pleasure to collect the previously widely scattered Prayers and Psalms, used at different times by God-fearing sailors and to add to them. He asked for Christian understanding for his mistakes: a simple man, he had written for simple people - but a seaman best knew what lay in the hearts of seamen.

Besværede Søe=Mænds  
 Gode  
 Siæle=Roe  
 Eller  
 Aandelige Lyst=  
 Hauge  
 Hvor den troende Siæl søger sin Hvile  
 i GUD, og udi hans sande Frygt sig  
 andægtelig forlyster;  
 Anseende den hellige Skriftes Trøste=  
 Sprog, som vederqvægende Blomster,  
 og taler med sin GUD udi  
 Gufte, Sonner og Psal=  
 mer,  
 Eenfoldeligen samlet af een Søe=Mand, der  
 har seet og fornummet, at  
 Iesus Hielper Sine Helgene Mægtelig.  
 København, Trykt hos Johan Jørgen Høpfner, Univ. Bogtr.

The best known of Johan Heitman's books was *Besværede Søe=Mænds Søde Siæle=Roe Eller Aandelige Lyst=Hauge* hvor den troende Siæl søger sin hvile i GUD. The first edition appeared in 1730, but it was followed by 18 reprintings in Denmark and Norway. (Photo: The Royal Library). *Den mest kendte af Johan Heitmans bøger var: Besværede Søe=Mænds Søde Siæle=Roe Eller Aandelige Lyst=haug*e hvor den troende Siæl søger sin hvile i GUD. Førsteudgaven kom i 1730, men siden fulgte 18 oplag i både Danmark og Norge. (Foto: Det kongelige Bibliotek).

Elsewhere, his Nordic puritanism finds expression. In the envoie to his *Thoughts on the Julian and Gregorian Calendars* (published posthumously in 1742) occurs the verse:

"May God's most holy will be done, truth prevail and all evil be rooted out/ and punished" a sentiment which seems accurately to express his attitude to the circumstances in which he found himself after the loss of his ship and cargo in Ireland.

His son, Johan junior, published also, in 1741, Heitman's *Reflections on the Sun's Heat, the Sharp Cold of the Air and the Northern Lights* and in the foreword recalls the author's diligent study of navigation and other mathematical sciences. He wrote that his father's many voyages gave him the opportunity to see and observe things which others seldom saw. He lost no opportunity closely to observe and note anything remarkable and later to attempt to ascertain the causes and to commit this to paper, for the use of others. Johan junior foresaw that his father's work might be regarded as presumptuous, insofar as in some matters he contradicted Newton, Wolff and other learned men. He hoped,

however, that those who were without prejudice would appreciate the author's unwillingness blindly to accept any learned man's opinion if he found it to be badly founded. Furthermore, his views were not borrowed from others, but based on his own observations, experience and reflections. (This publication contains a list, incomplete, of Heitman's works, including his sea charts of the North Norwegian coast, of the North Sea and of the Oslo fjord).

One great and learned man, his contemporary Ludvig Holberg, discussed this work of Heitman in his Epistle Number 165. Heitman maintained that the sun's warmth is a function not of its burning particles, which cannot reach the planets but of its light, which coming to us through the thinness of space, is concentrated in the planets' atmosphere or thicker air - thus the higher a planet's atmosphere, the greater the heat upon it. Holberg considered the arguments which Heitman put forward in support of this apparent paradox, found some he could agree with, others which he must reject. However, the paper pleased him; so much that he wished it translated into other languages. "For one sees, that the author has been no slave to others' ideas; but has sought through his own reflections and with his experiments to develop a system".

#### *DEN GYLDNE LØVE*

According to the records of the Danish Maritime Museum at Kronborg, the frigate DEN GYLDNE LØVE was bought by the Danish East India Company in Amsterdam in 1727. A journal kept by the First Mate Niels Smidt<sup>7</sup>, records her first voyage under the

Danish flag. She sailed for Tranquebar in November of 1727 and returned almost two years later, on 1 September 1729.

Before the voyage was completed, in April 1729, the East India Company, which was in financial difficulties, was dissolved.

A group of Copenhagen merchants received in March 1730 separate interim Royal charters<sup>8</sup> to resume the trade with China and with Tranquebar. DEN GYLDNE LØVE was one of two ships purchased by the new company for the voyage to Tranquebar. An inventory had already been carried out after her return to Copenhagen in the autumn of 1729.

The ship was found to be 96 feet in length, 26 feet 6 inches in width and 11 feet 3 inches in depth from deck to keel. Apart from some timbers which needed replacement she was generally in good condition and was estimated, with rigging, anchors, sails etc to be worth 7160 R.D. The cost of repairs was later estimated at 2371 R.D. A separate inventory<sup>9</sup> of arms and ammunition - including 18 four lb and 4 two lb cannon, hand grenades, pistols, muskets and gun powder - was valued at just under 1000 R.D. Elsewhere in the archives, in a submission to the Crown Prince, it is noted that DEN GYLDNE LØVE was suitably equipped for the voyage to the East Indies and that she was, according to reports of those who had sailed in her, a good sea ship (et got søe Skib). After long negotiations, the new directors purchased DEN GYLDNE LØVE for 8500 R.D.

The interim company was busy during the spring and summer of 1730 (as well as dealing with an unwelcome interloper and

agreeing the list of subscribers) in fitting out and provisioning the ships<sup>10</sup> which they planned to send out in the autumn, i.e. CRONPRINTZ CHRISTIAN (formerly WARBERG) to Canton, and DEN GYLDNE LØVE and FREDERIK IV to Tranquebar. This involved the purchase of goods as varied as beef, pork, salt, barley, beans, dried fruit, wine, brandy, vinegar, timber, canvas, gunpowder and tar, and also the considerable quantity of silver coin and bars which would be used to purchase return goods in Asia. There was also the important task of finding suitable officers and crew for the three ships. It appears from the company minutes that few officers were immediately available. Among those mentioned were Captain Tønder, a naval hero of the recent war, who brought CRONPRINTZ CHRISTIAN home from Canton in 1732 with a rich cargo which re-established the fortunes of the company and Niels Smidt, who had been many years in the service of the previous company, most recently as mate of DEN GYLDNE LØVE.

The company's minutes for 22 May 1730 record the receipt of a letter from Captain Heitman in Christiania in which he said that "he had, in God's Name, resolved to enter the company's service in order to command one of the company's ships bound for Tranquebar". Since the Crown Prince (the company's Principal Director) had already agreed to a recommendation that he be employed, he was assigned by the directors to DEN GYLDNE LØVE. They did not, however, accept his proposal that his son be appointed first mate. Heitman appeared before the board on 3 July and his officers were in-

troduced to him, as their captain and chief, to whom they owed obedience, truthfulness, diligence and attention. It was decided in September to insure DEN GYLDNE LØVE (and FREDERIK IV) in London. The estimated value of DEN GYLDNE LØVE with its equipment but excluding provisions was set at £4000 or 20.000 R.D. and she was insured for £3000. The cargo, consisting of 5 to 6% iron and other goods, the rest in cash, was valued at 80.000 R.D. (each 1000 R.D. to be insured for not more than £220 sterling or 1100 R.D. Danish money). The silver was therefore valued at approx. 76.000 R.D. or £15.200.

Detailed regulations dated 22 September 1730 show the quantities of certain provisions allowed to the captain and officers of DEN GYLDNE LØVE on the outward journey. These included 44 barrels of beer, 14 ox-heads of wine, 12½ casks of brandy, 1150 bottles of various drinks, 22 barrels of butter and 22 of tallow.

The three ships were ready to sail and crews mustered by early October. While it must have been a busy time for the captain of DEN GYLDNE LØVE, he found time to have his book of psalms and meditations for seamen<sup>11</sup> printed, with a congratulatory poem by his ship's chaplain, Christian Grave, dated 3 October 1730.

Niels Smidt, first mate, recorded in his journal this last voyage of DEN GYLDNE LØVE. It was Smidt's "sixth East Indian voyage", although his fourth, when he was third mate of DRONNING ANNA SOPHIA (Captain Nils Hoffmand) ended after only a few days when the ship went aground on Læssøe in the Kattegat. The journal, the



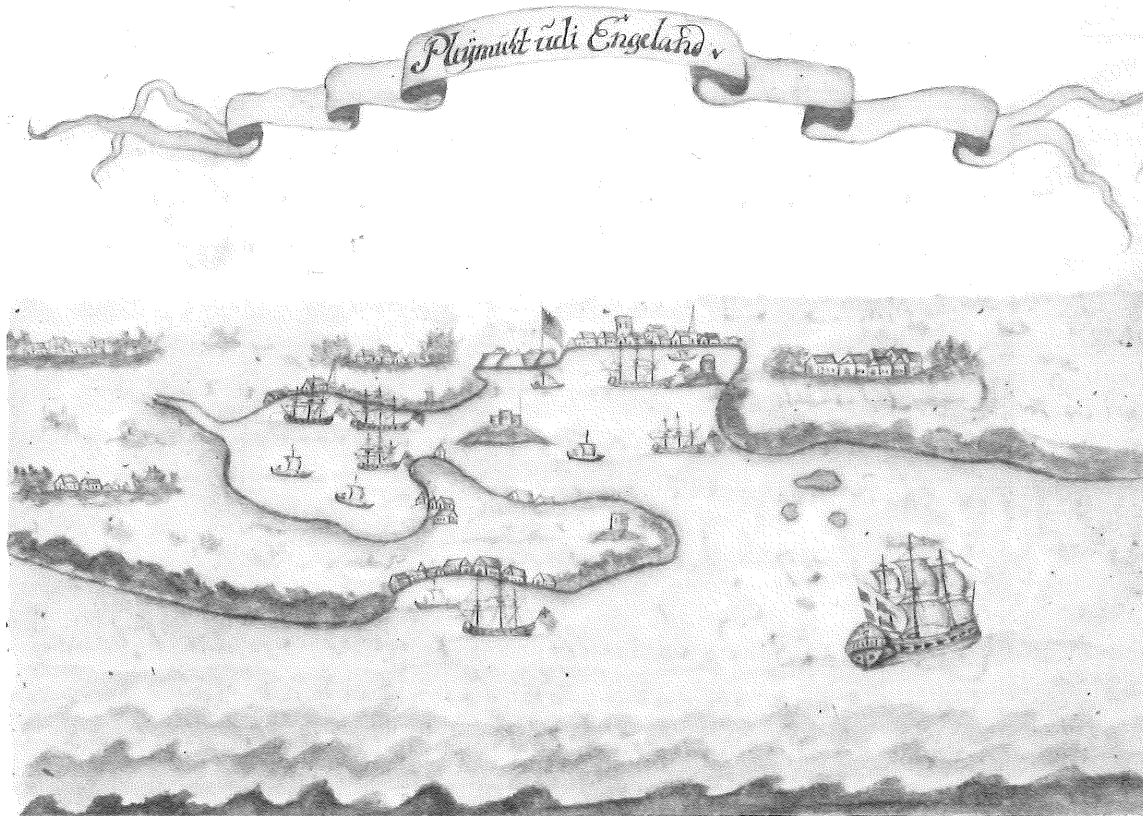
first thirty pages of which are missing, records his travels to India from the year 1718 and is a valuable source for the duration of voyages to Tranquebar, distances sailed and mortality among crews. It contains also interesting observations on religious observance and on climatic and other conditions and events in the Danish colony and at Achin in Sumatra as well as some beautiful water colours, including views of the Canary Islands, Pontefraj, the Cape of Good Hope and of the anchorage at Achin. On his first and second voyages, Smidt was on DRONNING ANNA SOPHIA (formerly JOMFRU SUSANNA) and progressed in rank from 4th mate in 1721 to first mate on DEN GYLDNE LØVE on her voyage to Tranquebar (1727/1729) when, on the outward voyage, Captain Nils Hoffmand died at the Cape, in May 1728.

In the month of May 1730, Smidt noted in his journal his engagement by the directors of the East Asiatic Company as first mate on DEN GYLDNE LØVE, Captain Johan Heitman, bound for Tranquebar. In late September the crew was assembled and paid the usual three months wage. The ship was ready to sail on 13 October (new style), but the port was closed because of the death of King Frederik IV and departure was delayed until 21 October. After some further delay off Kronborg at the mouth of the Sound, they found a "pleasant east wind" and made good speed. They were off the Norwegian coast at Bergen on the 24th and near Shetland, in foggy weather, on the 26th. For the rest of the month they made particularly good progress.

On the 4th November, Smidt recorded

that as he sat, at noon, with others on the poop to observe the sun's elevation, he was accidentally thrown by the ship's rolling to one side and half overboard. To save himself, he dropped the scale of his instrument into the sea, an incident which he found ominous. Under this date, he records also that the previous night the ship's clerk had come to him as he held the watch, "all strange and frightened" and told him he had dreamed of the ship going aground on a rock and himself in great peril. Because the weather was very hard, with a head wind, he thought no more about it "than one usually does of such dreams". On Sunday 5 November, the headwind continued to blow very hard. Towards night, there was an unusual red light over the sky as far as could be seen. Smidt had never before experienced such a thing but Captain Heitman told him that once before he had seen it and after some days there had come a great storm.

On the evening of 8 November at 9.30 "a terrible cry was heard on the ship - land ahead - a pitiful cry to sailors' ears in unexpected places". They changed tack and as darkness fell they believed they were close to an island, which they thought must be the Island Brasil<sup>12</sup> lying 50 miles out from Ireland. This gave them reason to change their view that with foul waters ahead it was best to sail the ship out of danger; now they decided to take in sail and lie drifting. However, an hour or two later, land and breakers were again seen ahead, to their dismay, because they were now sure they were close to the Irish coast. They were obliged to put on more sail but feared they would not escape without loss. Later they were in the



The journal or travel diary of Niels Smidt, the first mate, which can be found in Det kongelige Bibliotek today. Altogether it covers six voyages made by Smidt to the East Indies in the years 1714 to 1730. The diary is richly illustrated with small watercolours such as the harbour prospect of Plymouth shown here. (Photo: The Royal Library). *Styrmand Niels Smidts journal, eller nærmere rejsedagbog, der i dag befinder sig på Det kongelige Bibliotek, dækker i alt 6 rejser til Ostindien, som Smidt foretog i årene 1714 til 1730. Dagbogen er rigt illustreret med små akvareller, som det her viste havneprospekt af Plymouth. (Foto: Det kongelige Bibliotek).*

mouth of the Shannon and saw a light but since they were close to land and could see breakers they wondered if the light was not on shore, intended to mislead them. Soon the land lay on their beam and they could see no way of saving themselves, since it was too late to turn the ship into the wind and the weather was too hard, with big seas. "One had to stand there and look with astonishment at the Lord's portents and wonders, for the ship was caught in the

storm and huge waves. If there had been any rocks off the coast, there would hardly have been a soul saved”.

However, the ship passed the point and as the shore was close ahead, sail was reduced and the anchor prepared. Shortly after the anchor was dropped, the ship struck ground. The anchor cable was then cut so that the ship would not go on her side and be wrecked by the big waves. Then, because the ship began to pound hard on the bottom, the crew cut down the masts.

As day broke on the 9th November, Smidt wrote, some Irish were seen “running along the strand like wild beasts. Finally there came a man by the name Thomas Crosby with some of his people and offered his services to take us to safety. The Company's money chests were driven up to the farm for safe keeping. We continued to save what was possible. Meanwhile a great crowd of people gathered, lying in the sandhills ready to steal anything which came their way. As it became known that this large crowd of Irish ... intended to loot the ship, we had to keep watch night and day and often at night kept them from the ship with cannon fire”

Smidt's journal ends with brief entries on the 13th and the 20th November (new style). The first records the arrival of some customs officials and soldiers to guard the ship; the final entry the discharge of most of the crew “to seek their fortune elsewhere”.

Ireland in the 1730s was a colonial dependency of Britain governed from Dublin Castle in the interests of Britain by a Lord

Lieutenant, who was a member of the British administration, or in his absence, by three Lords Justices. There was a Parliament in Dublin, the draft laws of which required to be approved by the King and Council in London, while, on the other hand, the London Parliament asserted the right to legislate for Ireland. As part of the machinery of government, in Parliament and throughout the country, there was a landlord class, English or Scottish in origin and Protestant in religion, whose ancestors had been settled on lands confiscated from the original Irish owners. At the bottom of the social order was the mass of landless, poverty stricken and persecuted Catholic Irish peasantry. It was little wonder that the appearance on shore of a ship in distress should have caused a crowd of excited poor people to collect in the expectation of some gain. As it happened, the threat to the ship and its cargo came, later, from those higher in the social scale.

DEN GYLDNE LØVE was aground within a few hundred metres of Ballyheigue House, the home of Mr. Thomas Crosbie, a Member of Parliament (1709) for County Kerry. Agnes Hickson described the house as “a long, low, thatched, mansion of the old fashioned Irish type, having an orchard, gardens and bowling green at the rear and east side and a walled courtyard in front with gates... In the south-west corner of the courtyard, and only connected with the house by a wall some hundred feet long, stood a strong stone tower, with vaults and a cave beneath it... Scattered between the shore and the gates of the courtyard of Ballyheigue House were a few cottages or cabins

inhabited by linen weavers... whom Thomas Crosbie had established there..." It was to this house in the little seaside village of Ballyheigue that, as Niels Smidt noted, the money chests of DEN GYLDNE LØVE were brought for safe keeping.

The stranding of DEN GYLDNE LØVE occurred in the early morning hours of 28th October, 1730 (old style). It was reported to the authorities in Dublin on 31st October by the local customs officer, Francis Chute<sup>13</sup>, whose office was in the nearby county town, Tralee. The ship, Chute thought, was about 300 tons. He sent to Dublin a declaration, in Latin, signed by the ship's chaplain, Christian Grave, that the ship had a crew of 88 men and that the cargo consisted of twelve chests of silver and a quantity of iron and of tallow. (The extant copy states "Hafnia venit Navis Regis Daniae Christiani Septimi", though the new Danish king was, in fact, Christian the Sixth. However, the point of the declaration was that the ship and cargo were the property of the King). Chute also reported his view that without Mr. Crosbie's help, "neither the ship, money or anything else belonging to her would have been saved, and he is very careful of their affairs even to the hazard of his life". This question - who saved the cargo - was soon to become a matter of dispute in regard to salvage. Thomas Crosbie, replying to a letter of appreciation he had received from Dublin Castle for his part in the rescue, reported on 23 November that he did "with the utmost hazard of my life rescue from an outrageous mob twelve chests alledged to be silver and did convey them to my dwelling house

without the least assistance from any person whatsoever other than my own servants and tenants". In spite of his undoubted services, relations with the Danish officers who lodged in his house were bad. This was not, perhaps, surprising. By early December, it had already been reported to the Company in Copenhagen that, while it was uncertain if DEN GYLDNE LØVE could be refloated, it was expected that everything else could be saved. Plans were being made to purchase another ship to take off the crew, the money and the other goods and to complete the voyage to Tranquebar. The officers' first concern was to preserve the cargo and supplies intact for that purpose. Thomas Crosbie and his people did not share that interest. They believed they were entitled to salvage and the cargo of the ship and her rich stores of food and drink were an irresistible temptation, both to them and to the local population. Raids on the ship and its stores continued. Six weeks or so after the stranding, the Company had learned from Heitman that it was now less likely that the provisions and other essentials for the voyage to Tranquebar could be saved. The project for the purchase of another ship was abandoned and it appears that about this time DEN GYLDNE LØVE and some of its cargo was sold to Thomas Crosbie.

A letter from the chaplain, Christian Grave<sup>14</sup>, to the Danish Envoy in London some months later gives some indication of the difficulties of the Danes. He wrote that, having been stranded - but with the ship whole and entire, if damaged - the crew primarily by their own efforts saved the

twelve money chests and later what the robbers had left them of the cargo and provisions. These were placed in the house of Thomas Crosbie - not only Lord of the Manor, but also Member of Parliament and Justice of the Peace for the County. "We thought we had found an assured refuge with this magistrate, in accordance with the law and his duty, but on the contrary, we soon missed first 500 ecus and then 200 ecus of our personal money which had been deposited in the squire's own chamber. Similarly, soon some of our sails were stolen or destroyed and a part of our drink and provisions was taken from us on his orders. He forced us to give him what he pleased saying: 'I would not leave you a buckle on your shoes, else'". According to Grave, Crosbie also soon began to make demands against the Company's money and other property, claiming (perhaps because he was suffering from a fever "got by means of the fatigues in saving the goods") that the King of Denmark when dying had left him a third of the value of the ship, its cargo and the money and he intended to have it. This threatening (or teasing) of the Danes soon gave way to legal action. An offer of reasonable payment for the services provided in helping to save the cargo was refused. Crosbie proposed, instead, the appointment of four Justices of the Peace to adjudicate. The Danes did not agree, fearing that local Justices of the Peace would be prejudiced in favour of Crosbie. In any event, they were not prepared to concede that there was a shipwreck. The company had the advice of the country's most senior barrister, the Prime Serjeant, Henry Singleton.

In his opinion he wrote that (in January 1731) the ship was still entire and people were engaged in bringing her off the sands. So far as the silver was concerned, it had been saved and landed by the Captain and crew without assistance. It did not, therefore, come within the law on salvage (4th of George I). Since there was no wreck, Singleton could not see how there could be entitlement to any part of the treasure or cargo. The people who helped in preserving the ship and the rest of the cargo would be entitled to a reasonable reward for their trouble.

Crosbie, supported by the advice of another lawyer, went ahead with the adjudication of the salvage by two Justices of the Peace, the Danes refusing to participate, although it was claimed that the Company's agent had, in fact, appointed one of them. Crosbie was advised by his lawyer, Stephen Bernard, that it would be proper to proceed with the adjudication after due notice, even if one party neglected to attend. Thomas Crosbie died before the two Justices of the Peace made their decision, which was to award £4380 to his executors. An offer of £1500 by a new agent for the company, Mr Caspar White, a Danish merchant in Dublin, was refused, whereupon the case was appealed to the High Court in Chancery in Dublin.

Thomas Crosbie had married Lady Margaret Barry, daughter of the second Earl of Barrymore in 1711. As a young widow, with a teenage son, James, and two daughters, she was now left with a difficult law suit on her hands, but not without advisors and influential connections. Her brother, now

the Earl of Barrymore, had already made it known to the Government in Dublin that if an amicable settlement of the salvage case was to be attempted, it should be in Cork (where he had great influence) rather than in Dublin. Her late husband's cousin was Sir Maurice Crosbie of the nearby town of Ardfert, Member of Parliament and High Sheriff and husband of Lady Anne Fitz-Maurice, daughter of the Earl of Kerry. The Danes found this an unpromising environment in which to negotiate and proposed the removal of the silver to Dublin, against a deposit of £6000, until the salvage case was decided. This was not agreed and matters rested so for some months.

It seems that the Danish officers, who still lodged with Lady Margaret at Ballyheigue with a view to guarding the money chests, talked of the possibility of a Danish ship coming to remove the money, and that the possibility of the loss of the salvage money gave rise to the conspiracy to steal the silver. There is a very detailed statement extant, sworn by one of the robbers, David Lawlor<sup>15</sup>, an innkeeper of Tralee, before the Earl of Kerry, his son John Fitzmaurice and other Justices of the Peace in March 1735, which gives a long and credible account of the plot. It contains much indirect evidence that the family at Ballyheigue - Lady Margaret and her son - were aware of and indeed gave encouragement to plans to steal the silver. It contains also direct evidence that Lawlor conspired with Arthur Crosbie - a relation of Lady Margaret's late husband and Clerk of the Crown for the County Kerry - in regard to the robbery. According to Lawlor's statement, Arthur Crosbie, with

whom he spoke at the beginning of April 1731, told him that if the matter were properly managed the silver might be taken away and that this ought to be done. He said he would go to Ballyheigue the next day "and try their pulses and know whether they were so inclined". He would not, however, speak to Lady Margaret about it "for, said he, if a man kissed her over night, she would tell it next morning". Nor would he, Arthur Crosbie, be directly involved in the robbery, for if he were, he would be obliged to abscond afterwards for some time and would therefore not be able to give so much help as if he were among his friends. He would, however, assist in arranging the robbery. A few days later, according to Lawlor, Arthur Crosbie told him he had been to Ballyheigue. "He had not spoken to Lady Margaret directly about the taking away the Danish money, but sounded her Ladyship about it and found her that way inclined". He had also found that the story of a Danish ship coming to take the money away was true and that the people at Ballyheigue were resolved to take the money away from the Danes. Preparations should therefore be made - the most important being to find safe hands - men who could be confided in - and Crosbie asked Lawlor to find such hands.

This was not evidence against Lady Margaret which a court could accept but it was direct evidence against an officer of the Crown, whose involvement in the plot was no doubt a vital encouragement to those who would carry out the robbery. Lawlor's evidence was that Arthur Crosbie said that after the robbery the Government would

issue Proclamations (outlawing the robbers and offering rewards) but he hoped “that as the putting them in execution would be chiefly in friends' hands the prosecution would soon be at an end ...”.

Lawlor, according to his testimony, soon recruited Francis Ryan, steward to the Protestant Archdeacon of Ardfert, the Reverend Francis Lauder (who though also a Justice of the Peace was willing to assist in the plot and to take a share of the treasure) and a number of others from Tralee and Ballyheigue. He also spoke to Mr. James Crosbie, Lady Margaret's son, who told him if the money were not taken from the Danes, they would not get a penny of their salvage money. There is direct evidence in Lawlor's statement against Lady Margaret's clerk, Richard Ball, who discussed with him arrangements for the robbery and for the division of the spoils - four chests of silver to be left for Lady Margaret, two more for the people of Ballyheigue and the remaining six to be divided among the men recruited by Lawlor.

After a number of false starts, the robbery took place on the night of Friday 4 June. It was agreed “that some of the party should secure and tie such of the Danes as were placed at the gate to watch but not to offer them any other violence. Some others' should go into the turret and secure in like manner such of the Danes as lay there and others should attack the cellar where the treasure lay and take it away ...”. Lawlor himself was to watch at the door of the house for fear any of the family of the house or others in it should come out and be hurt by mistake.

The plan succeeded, with little opposition from the Danes, though three were wounded. Lawlor's evidence, corroborated by many other statements, was that four chests of silver were hidden in the stable yard at Ballyheigue House, two more were left with the Ballyheigue party and the remaining six were loaded on carriages and moved to the Reverend Lauder's orchard at Ballysheen and to his farm at Beinaree where some of the silver was shared out. Some bars of silver were put aside, according to Lawlor, to be “distributed among such gentlemen of the county for whom the

Deposition from Jurgen Fenger de Jonge stating that before sailing with DEN GYLDNE LØVE “skipped by Captain Johan Heitman and bound for Tranquebar in the East Indies I took a loan from Mons. Jost von Hemert here in this city amounting to 150 rix-dollars, and from my father Jurgen Fenger a loan amounting to 60 rix-dollars, which I took out partly as cash and partly as merchant goods and expenses.” When the ship was wrecked in Ireland he managed to salvage a few things which he could sell to the value of 30 rix-dollars, as well as the clothes he was wearing, which were worth about 20 rix-dollars. After paying expenses and food on the homeward voyage he arrived in Copenhagen with only 33½ rix-dollars left. Dated Copenhagen, May 11th 1731. (Orig. doc.: DMM). *Erklæring fra Jurgen Fenger de Jonge om at han, før afsejlingen med DEN GYLDNE LØVE: “...ført af Capt. Johan Heitman destineret til Tranquebar i Ostindien toeg jeg op til laans hos Mons. Jost von Hemert her i staden 150 Rdl. Courant og hos min fader skipper Jurgen Fenger 60 Rdl. Courant hvilke jeg dels anlagde udi Species og dels udi købmandskab og min udredning”. Ved skibets forlis i Irland reddede han kun for 30 Rdl., nogle sager der kunne sælges, samt det tøj han gik og stod i til en værdi af ca 20 Rdl. Efter forbrug og fortæring på hjemrejsen havde han ved ankomsten til til København kun 33½ Rdl. tilbage. Dateret København den 11. maj 1731. (Orig.dok.: H&S).*

Jeg underkender og forklar  
 hermed Gud Guds og hendes Ansigts  
 for i Staden for Gud, at da jeg gik  
 ind med 18 Bøker med Gjeldene Løve  
 forst af (Lth) Johann Heitman d. 2te,  
 medt de Sanguetals i Optindes,  
 for jeg og de Caution for Kongen  
 von Hømet for i Staden 1778 med  
 og for min Gæld <sup>48000</sup> Jürgen Tenger bo  
 i Staden Courent, forst jeg i alle de  
 ind Species, og forst ind i  
 og min indvinding. De 21 min på  
 min rigt, som i Staden og al for  
 minde Courent på Staden, forst jeg  
 af min og Gæld med min  
 i alt 111 ind Species, og forst  
 som jeg min forst for Staden  
 for Courent 1778. A. Tenger, og ind forst  
 og gik ind i Courent Courent  
 på Courent forst Staden for i alt  
 20 estimere for Courent Courent.  
 Og med gik ind i min Gæld og  
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 forst de Courent Courent  
 Specie, forst jeg i alle med Courent  
 perlig ind i Courent Courent og  
 Courent Courent 1778.

Jürgen Tenger d. Tenger



party (without the privity or knowledge of the said gentlemen) had all along designed them in order to make them their friends ...”, naming several members of the Crosbie family, including Sir Maurice, and of other leading Kerry families, the Dennys and Blennerhassetts. (It is clear that not all of these were involved and some were active later in bringing the robbers to justice).

While the robbery was taking place, Captain Heitman, his son Johan and some of the Danish officers were in Ballyheigue House but found it impossible or unwise to oppose the robbers. The other Danes, who were in the tower, had few arms and little ammunition and likewise felt unable to intervene. They left Ballyheigue a few days later for Tralee.

The news of the robbery quickly spread. It was reported to Dublin Castle by customs officers in Kerry by letters dated 5 June. Sir Maurice Crosbie, High Sheriff of the County (a cousin of the Crosbies of Ballyheigue) and several other Justices of the Peace, including four other members of the extended Crosbie family, wrote only four days after the robbery, on 8 June, asking for instructions. The involvement in the robbery of the Crosbies was immediately suspected. A correspondent in Cork conveyed to Sir Maurice on 11 June news of what was being said about the robbery of the silver: “all agree that it was taken by consent”; and about Arthur Crosbie in particular: “most people think he would not lose his share of such a booty”. Official Dublin also suspected the Crosbies. A senior lawyer, Sir Maurice Crosbie's brother-in-law Henry Rose, who over the next months kept Sir Maurice in-

formed of reactions in Dublin, wrote to Sir Maurice on 19 June. He found “an universal cry against the Crosbies”. He advised Sir Maurice that the letter Sir Maurice and other Justices of the Peace had sent on 8 June was imprudent in seeking instructions. “Every gentleman in the commission of peace might know that robbers are to be pursued, taken and punished. And in the case – it has been observed that the justices which signed the representation are composed of Crosbies and their relations”. The letter was seen as “an artifice” of the Crosbies “to screen themselves from censure and give time for the criminals to escape”.

By this time, the authorities had received a letter dated 10 June from a magistrate in the neighbouring county of Limerick, reporting the arrest of one of the robbers, James Anderson and enclosing his confession, naming many of those involved in the robbery. The Castle acted quickly, issuing on 14 June a Proclamation offering rewards for the arrest of a long list of persons suspected of being involved, those at the head of the list being David Lawlor, Francis Ryan, Thomas Cantelon (Cantillon) and James Gilligan. The Proclamation also offered pardons to those who would give evidence. The authorities wrote at the same time to Sir Maurice Crosbie a letter on behalf of the Lords Justices, in effect a rebuke, observing “with some surprise, that though your letter is dated four days after the fact was committed, they do not find that you had made a discovery of any of the Persons guilty of that notorious Robbery and Burglary, although by an information their Excellencies have received

from another part of the Country, several of the Persons concerned in it lived at Ballyheigue and Tralee". The Proclamation was supported by an advertisement from the agents in Dublin of the Danish company, offering a reward of one tenth of the value of silver recovered.

There is further evidence of the lack of confidence which the authorities in Dublin had in the Crosbies and their friends in a letter sent from Dublin Castle on 29 June 1731 to the Earl of Kerry, who was a member of the Government, and the leading aristocrat in Kerry. (Though his daughter, Anne, was married to Sir Maurice Crosbie it seems the two gentlemen were not friends). Mr. Lingen of the Secretary's office in Dublin Castle informed his Lordship that the Lords Justices had not received the satisfaction they would have wished from the gentlemen of Kerry whom they had instructed to apprehend the robbers and recover as much as possible of the stolen silver. They therefore requested his Lordship to make use of his power and influence in order to bring the perpetrators to justice. They had avoided troubling his Lordship previously, hoping that the case might have been dealt with in the common way.

The scene was thus set for a long conflict between those, on the one hand, who wanted justice to be done - the return of the stolen money and the punishment of those, whoever they might be, who were involved and on the other side, those who, in a more practical or in a more self-interested way, sought, by the recovery of the money, to avoid the prosecution or the conviction of

friends who were suspected of involvement (and to avoid also, as was rumoured, the charging of the costs of recompensing the Danes against the landowners of Kerry).

There was little concern for those who were not of good family. At the first Assizes after the robbery, at the end of July 1731 "about ten were found in custody, seven of whom were indicted and the other three made use of as evidence; three only of the seven, and those ordinary persons, were found guilty —". These three, in the words of Sir John Rogerson, the Lord Chief Justice who sentenced them to death, were "only poor Rogues, and though they were actors in it (the robbery), appeared not to be of consequence to know anything of the continuance or the chief promoters of the Scheme". One was hanged, one committed suicide before the sentence was carried out and the third was reprieved, at the request of Captain Heitman and the agents for the Danish company, who thought he could give useful evidence.

In the meantime, the scheme to defuse the affair by recovering as much as possible of the money was underway, led by Sir Maurice, on the advice of Henry Rose who was busy lobbying for the Crosbies in Dublin and with the support of Caspar White, the Danish agent. Sir Maurice complained that the issue of the Proclamation on 14 June had been a setback, since it had driven the proclaimed robbers underground. It appears, however, that not a great deal of money had been recovered before the Assizes in July. Early in that month, Rose advised Sir Maurice that while Dublin opinion acquitted him and "almost the who-

le family except my Lady Margaret and her son” it was necessary for him to exert himself further.

There was signal also in early July from the other camp, seeking justice and retribution. On 2 July, Captain Heitman wrote to Sir Maurice:

Tralee 2 July 1731

Right Worshipful Sir!

I received your letter by a messenger, in which I see, that you have found some of the treasure that was stolen from Ballyheigue, but I would be more glad to hear, that you could catch some of the chief rogues. But for all that I don't doubt, but you will, according to your good renown as also your Christian duty, use the best of your power to recover as much of the treasure, and also to lay hold upon as many of the robbers as 'tis possible. For which your dutiful goodness I am very much obliged your Honour,

yielding myself

Your most humble and dutiful  
servant

Johan Heitman.

The Earl of Kerry was also showing zeal in the interests of justice, taking depositions from suspects who surrendered themselves and arresting others, including servants of Lady Margaret.

However, his efforts were now bringing some uncomfortable evidence to light. In a letter dated 22 July 1731, the Earl's son, John Fitzmaurice, pointed out to Mr. Lingen at Dublin Castle that the evidence in the deposition of one of the arrested servants “accuses persons, concerned in this affair, of greater consequence than hitherto

we have been able to discover. Mr. James Crosby mentioned in it is the only son of the late Mr. Thomas Crosby of Ballyheigue and Mr. Thomas Hassett who is likewise mentioned is the younger brother of Coll. Hassett of Baltasheda and Mr. Arthur Crosbie mentioned in the same information and also in that of Mr. Richard Ball is the Clerk of the Crown for this County. Mr. Lauder so frequently spoken of in some of the informations is the Vicar General and Substitute of the Bishop of Limerick in this diocese and a Justice of the Peace for this County, whose assistance in this affair might have been of more than ordinary service inasmuch as five of the chests appear to have been carried by his people and horses to his own lands and disposed of by his own servants among whom was Francis Ryan his steward and one of the principals mentioned in the Proclamation”.

About the time of the Assizes at the end of July 1731, David Lawlor and Francis Ryan surrendered themselves. While the surrender was voluntary, there is evidence that it was arranged by the Crosbie faction as part of the scheme to recover the silver and to divert attention from members of the Crosbie family who might have been involved in the robbery. John Fitzgerald of Tarbert, Knight of Kerry, wrote on 9 July to Lingen at Dublin Castle saying he was informed that “two persons mentioned in the Proclamation, would on a safety given 'em bring in a considerable part of the silver” and enquiring whether the Government would give an encouragement of that nature. The reply from Dublin Castle was cautious, saying the Lords Justices “would be in-

clined, according to the merit of the services which they perform, to show them favour pursuant to your recommendation”.

Lord Kerry, however, was not playing this game. He wrote informing the Castle on 22 August that having heard that two of the principal robbers - Lawlor and Ryan - named in the Proclamation were going freely about the country, boasting of Government protection, he had had them arrested and found they had a warrant from the Knight of Kerry “in his Majesty’s name charging and commanding” them to make diligent search and enquiry for the Danish treasure and to arrest persons suspected of involvement. Unimpressed by the warrant he had them sent to gaol, “believing it would be of small service to the Government and the quiet of this country, to let the poor rogues be hanged, whilst the principals escape, especially when they declare they will never discover their accomplices”. Lord Kerry also reported that Lawlor was unrepentant; nor would he say how much silver they had recovered and passed to Sir Maurice Crosbie. However, Lord Kerry had a letter from his daughter Anne, Sir Maurice’s wife, who had looked in her husband’s desk in his absence and could find no entries of silver received. She had received only some small sums, Lawlor and Ryan excusing themselves saying they were in pursuit of several people to whom they had given some of the spoils and of others who had robbed them of their own share.

Lawlor and Ryan were committed to gaol in Tralee by the Earl of Kerry on 21 August. On the 23rd, seven Justices of the Peace, including Sir Maurice Crosbie, John Fitzge-

rald, and John Blennerhasset, ordered the keeper of the gaol at Tralee to free them, citing a letter from the Lords Justices promising favours to them. John Fitzgerald claimed that it was the opinion of the judges at the Assizes and of Caspar White that Lawlor and Ryan should have a reasonable time to collect and bring in as much as possible of the money and that if they succeeded, they were entitled to a pardon.

That may have been so, but Captain Heitman at that time was trying to have Lawlor and Ryan removed to Dublin where they would be under less influence and where they might give useful evidence. Both he and the authorities in Dublin Castle were dismayed by the action of the seven Justices of the Peace. The displeasure of Dublin Castle was made known in a letter of 1st September, in which the authorities expressed themselves extremely surprised at what had been done.

Nevertheless, during the summer and autumn of 1731, the scheme to recover as much money as possible and to avoid prosecutions continued with some success, though without much help from Lawlor and Ryan, again at large. The silver was collected principally by Sir Maurice Crosbie, who was assured by Caspar White that in spite of the release of Lawlor and Ryan “our Scheme no way is altered but that the same remains, with the only view of getting the money”. White also pressed to have the recovered silver sent up to Dublin but there was opposition to this from Lady Margaret, who was still claiming salvage. White was prepared to offer security until the salvage case was settled even though Lady Margaret

“has the iron, the ship and the other goods, to a greater value than anyone thinks she will be entitled to considering ... the present circumstances she unhappily lies under on that account by sundry informations, which I hope yet by an amicable manner may be silenced”.

Lady Margaret and her son James handed over in July the 13 bars of silver from the four chests which had been hidden in the garden of Ballyheigue, but accounts kept by Sir Maurice indicate that a third of the coin in these chests was not recovered. In October, Sir Maurice lodged the silver he had collected, 24 bars and according to his reckoning 9397 dollars, with the customs official at Tralee for later transfer to Dublin.

At this time the Crosbies were under considerable pressure. Counsellor Henry Rose, Sir Maurice's friend at court (soon to be appointed a senior judge) learned early in September that the evidence against Lady Margaret, her son James and another Crosbie relative was strong. The Lord Chancellor complained to him that Lawlor and Ryan had been released without bail, that they had recovered no additional silver and that they intended to escape with what they could collect. Lady Margaret's servants were under interrogation and she was widely believed to be guilty. Rose believed that the Government intended to get to the bottom of the affair and that “the reasoning now is that it is much more for the credit and advantage of the Kingdom to punish the heads and contrivers of such a villainy than to gather in the money”. The acquittal of one Peter MacDaniel at the July Assizes in Kerry was regarded as a particular scandal.

The Lord Chief Justice, who had tried him, had reported that, although the evidence was full and plain against him, the Jury after sitting up all night acquitted him. It was now believed in Dublin that his acquittal was due to a declaration he made in gaol that if he was convicted he would implicate “some gentlemen of fortune and figure”. Caspar White, understandably, used these circumstances to press the Crosbies for an amicable settlement of the salvage case - otherwise “there will be strict enquiry and violent persecution from the other side”. The “other side” included Heitman and Lord Kerry. Diplomatic pressure from Copenhagen, as well as press reports in London regarding the robbery and the imminent arrival of a new Lord Lieutenant may also have caused the Government in Dublin to harden its line, although the Danish diplomatic effort was not sustained. King Christian VI, who was a director of the Danish Asiatic Company and who was the owner of one of the stolen chests, wrote in August 1731 to his envoy, Count von Ranzau, in London, instructing him to seek the assistance of the authorities there. Von Ranzau also had a report of the affair, in most indignant language, from Christian Grave, the Chaplain of DEN GYLDNE LØVE, who wrote on behalf of Captain Heitman and the ship's officers.

It is not clear what action von Ranzau took, beyond drafting a mild note recalling the facts and stating that the company demanded the protection and the help of the Lord Lieutenant and Government of Ireland. Von Ranzau's zeal was perhaps diminished by the dismissive attitude to

Heitman's complaints of John Collett, the company's agent in London, who felt that this, unfortunately, was what was to be expected in all countries where ships were wrecked. Von Ranzau also heard from Copenhagen in early September that the insurers would pay up. Negotiations were to take place on the basis that the insurers would pay an agreed percentage of the sums insured; the company to have in addition the right to any goods saved or recovered. The company estimated that they might recover only 15% of the value of the ship and 30% of the cargo, taking account of Lady Crosbie's claims and the silver not recovered.

It is not surprising in the circumstances that when the newly appointed Lord Lieutenant, Lord Dorset, arrived in Dublin in September 1731, he was able to say, according to Heitman, that nobody in London had spoken to him about the affair. Heitman wrote a long letter to Collett in December complaining about this and forwarding copies of a petition he had submitted to the Parliament (which had assembled for the first time on 5 October in the new building on College Green); with copies of statements (including those of Lady Margaret's servants) showing clearly, in his view, that the robbery had been committed with the prior knowledge of Lady Margaret and her friends and that her son James had been involved in emptying one of the stolen chests. Heitman felt that if the case against Lady Margaret could be pursued in Parliament, a satisfactory result could be expected and he wanted the Danish Envoy to press for this. He was afraid that otherwise

the case would be sent back for trial to Kerry, where nothing but injustice could be expected. The recovered silver, he reported, was now finally being sent to Dublin but on the further condition that £4000 was to be deposited as security against the salvage - another injustice, since Lady Margaret not only had the ship and the iron, unpaid for, but also all she had allowed to be stolen, which ought to be security enough to meet her pretensions. Enough, Heitman wrote, for herself or her son, or both, to be hanged, if justice were to be had. In short, it was his humble opinion that if Lady Margaret and some others, including Lawlor and Ryan were arrested as the evidence gave grounds for, the case would take on a different appearance and would soon be decided one way or another.

The case was not to be decided for many years and never to Heitman's satisfaction. Sir Maurice wrote to the Lord Chancellor in September explaining that the release of Lawlor and Ryan was in order to retrieve the stolen silver and for no other purpose and received in reply only a gentle rebuke. It was only a mistake, the Lord Chancellor wrote, when he saw the names of the gentlemen who ordered it "whose honour I have experienced". And he added "God forbid that we should not excuse one another for errors of judgment".

Prosecutions continued and further Proclamations were issued, but since the trials of the Kerry gentlemen involved were held in Tralee, before Kerry juries, it was hardly expected that guilty verdicts would be forthcoming. At the spring Assizes in Tralee in March 1732, Lawlor and Ryan, still at large,

were presented as outlaws; they were proclaimed in December and since they had not surrendered, they were attainted of High Treason in March 1733. Manoeuvres continued on all sides, to recover more silver and to secure or avoid convictions. Sir Maurice and his friends, under pressure from some of the accused, who threatened to tell all they knew, had submitted a memorial requesting pardon for Lawlor and Ryan in March 1732 and the authorities in Dublin responded formally, instructing the judges to suspend their execution, should they be arrested and found guilty, until their case could be laid before the Lord Lieutenant. On a petition of Caspar White, pardons were granted in early 1733 to James Anderson and others, in order to encourage the surrender of hidden silver. Some months later, White sought further proclamations against Lawlor and Ryan and the prosecution of Archdeacon Lauder. Ryan, who had also threatened Sir Maurice, "since your interest failed, to apply for the interest of other friends and go myself to Dublin and to state the affair properly before the Government", surrendered, offered to give evidence and with White's encouragement petitioned for a pardon, which was opposed by Heitman. At the summer Assizes in 1733, James Crosbie was indicted. At the following spring Assizes, in April 1734, Archdeacon Lauder, his wife and son were tried and acquitted - though the evidence against them (and still extant) was very clear. At the same Assizes James Crosbie was acquitted - the reports blame this upon a lack of skill on the part of those employed by the Danes, who had him tried

as an accessory to Ryan, a person at the time not found guilty. Others were acquitted at subsequent Assizes in spring 1735 "against the evidence". As a result of these acquittals, the Lords Justices ordered that a number of accused persons, including Lawlor who had surrendered and Arthur Crosbie, Clerk of the Crown, who had now been arrested on evidence given by Lawlor, be brought to Dublin for trial.

During this period, the Danish King was again trying to secure justice for his subjects (and for himself) through diplomatic channels. There was a new Danish envoy, Christian August von Johnn, in London. In April 1734 he received direct instructions from King Christian VI to lay before King George and his Ministers the claims of the Danish Asiatic Company and to seek recompence for their losses. These losses were set out in detail in a memorandum submitted by the Company, in English, to the Danish King and forwarded with his instructions to von Johnn<sup>16</sup>. The memorandum was in, perhaps, exaggerated language: "Among all People in Europe that suffered shipwreck, is no remembrance in many Centuries, they have been treated harder and more unreasonable...". It complained that the silver recovered had not yet been returned to them and itemised the demand for compensation. This included £15961.9.1 for the stolen silver; £560 for the value of the stranded ship "which Sir Crosby took and brought it at sea again and promised to pay therefor"; £660.18.4 for the iron, "which Sir Crosby bought"; £61.18.5 for brandy and other drink sold at auction, £98.9.2 for a quantity of victuals. With legal

costs, interest on capital and other expenses, the total came to over £22000.

Von Johnn set to work with great zeal, though he was cautious enough at the outset to point out to Copenhagen that chicanery was terrible in England and no doubt worse in Ireland. Furthermore, the Court and the King could do nothing. He would be obliged to follow the usual procedures, that is, at the pleasure of judges and lawyers. No regard would be had, he warned, to contrary orders, even from the King (as would have been the case in the Danish/Norwegian absolute monarchy).

He was quite soon able to report some progress. The Principal Secretary of State, Newcastle, wrote in July 1734 to the Lord Lieutenant of Ireland, Lord Dorset, saying that His Majesty King George wished him to make the strictest enquiry, so that the sufferers might have justice done to them, without any further delay. At the end of 1734, von Johnn reported to Copenhagen that the Court and the Minister seemed perfectly well disposed. Nevertheless, he was not optimistic. Not much had been achieved. The problem was the Lords Justices of Ireland (whom he possibly confused with the judiciary), among whom certain persons of distinction implicated in the affair must, he thought, have relations and friends.

By March 1735, he was more hopeful when, in a report to Copenhagen, he complimented himself on bringing matters to a stage where the Company's agents were in a position to pursue the authors of the robbery with some chance of success. His representations had alarmed the friends

and relations of the gentlemen implicated in the affair and they had engaged the Prime Minister, Sir Robert Walpole, to speak to him several times in the hope of persuading him not to press the matter so vigorously. "But I so well presented the atrocious nature of the case, that this Minister, ashamed on the one hand of involving himself in such a black affair and wishing, perhaps, on the other hand, to oblige persons who are in a position to render him service in the two Houses of Parliament, finally suggested to me that it was necessary to finalise this affair through an accommodation; and he so strongly insisted that I could not refuse to express myself, in his presence, last Thursday 6/12 inst. to one of the principal friends of our adversaries, a Mr. Herbert, on certain points on the basis of which I believed that this case could be facilitated by agreement of the Parties".

Herbert drafted the following suggested compromise:

"That the Money deposited in the Bank of Dublin, be deliver'd to the Agents of the Danish Company.

That the Justices of Peace, who Superseded Lord Kerrys Mittimus shall oblige themselves to recover the Money that is still wanting.

That the Salvage between Lady Crosbie & the Danish Company, in Case any should be due to her, shall be settled in Equity.

That the Lady Crosby Shall pay the Money to the agents of the Danish Company, that is due to them by vertue of the Contracts her late Husband made with the Captain of the Ship.



That any other particulars, not mention'd here, Shall be referr'd to be Settled by the Agents of the Danish Company in Equity."

Von Johnn expressed some doubts, in his despatch to Copenhagen, whether the compromise would work. As far as he could see, he wrote, the idea was to reach an accommodation before the next Kerry Assizes, to avoid some of the authors of or accomplices in the robbery being condemned to hang or even that it was feared that the reputation of the seven Justices of the Peace (one of whom was Arthur Herbert) could be destroyed on that occasion. He was not concerned on either point, but about the company's money. He pressed this in a letter to Heitman in Dublin, to whom he recommended the draft compromise, on instructions from Copenhagen. He urged Heitman to try to have it agreed quickly, making it clear that the company wanted its money rather than endless prosecutions. If this were not possible, Heitman could later vigorously prosecute the robbers and their accomplices at the Assizes.

Heitman had been trying to secure further evidence against the Crosbies. He had written to David Lawlor (who was "on his keeping", but whose whereabouts were obviously known) encouraging him to go to Dublin and give himself up. Lawlor showed Heitman's letter to Lady Margaret in February 1735. She suggested he should not surrender until after the next Assizes but he did so on 2 March and gave a very full confession to Lord Kerry, containing direct

evidence against Arthur Crosbie and others, on 12 March.

At the Lent Assizes on the 22 March in Tralee, the prosecutions - and the acquittals - continued. One Terence Connor was acquitted by the jury "against full evidence and his former confession" and two others were also acquitted, according to a government report "against evidence". However, bills of indictment were found against Arthur Crosbie as an accessory before the fact and against Thomas Crosbie as an accessory after the fact. Since Arthur Crosbie was Clerk of the Crown for Kerry, the indictment and the evidence against him were sealed and locked away "to prevent any improper access to them". Archdeacon Lauder and Lady Margaret's son James were acquitted of further charges against them.

The official narrative of these events states that because of the acquittals, the Lords Justices directed that Lawlor, Thomas Cantillon and Arthur Crosbie should be brought to Dublin to be tried at the Court of King's Bench. (This apparent determination to secure convictions was undermined by a later instruction to the Sheriff of Co. Kerry to send up "a good and substantial jury" for the trial.) Crosbie was brought to Dublin in May and his trial fixed for 17 June. Captain Heitman's main concern was not, apparently, to reach agreement on the proposed compromise, although the recovered silver was released to him from the Dublin bank of H. Henry against lodgment of a bond and arrangements were being made in June 1735 for its return to Denmark. On the contrary, he made representations to the Lords Justices

that there were several persons still at large in County Kerry who had been involved in the robbery; as a result Lord Kerry was requested to urge the Justices of the Peace in that county to take proper measures for their arrest.

On 17 June, Lawlor, Ryan and Cantillon were pardoned on the application of Captain Heitman, who wished to use their evidence in prosecuting Arthur Crosbie. On the same day, the trial of Crosbie was postponed on the grounds that certain prosecution witnesses were not available and it was finally fixed for the 13 November. Crosbie was released on bail on 19 June. The Danes were advised that they should have the evidence of Lawlor, Ryan and Cantillon re-sworn, since their earlier confessions, given while they were proclaimed outlaws would not be admitted as evidence. Their view of what next happened was later set out in a letter to von Johnn: they had the evidence drawn up again and brought their witnesses before Mr. Justice Ward, one of the judges of the King's Bench, to have the statements sworn. "He was pleased to swear Ryan to his Examinations but refused to swear Lawlor and Cantillon of theirs, as Lawlor and Cantillon immediately after told ourselves..... We cannot apprehend what would be his reason for so doing except that Ryan did not swear directly against the Crosbie's family, but Lawlor and Cantillon did. The consequences of their not being anew sworn has proved very detrimental to our affairs, for Lawlor, whose discovery was the fullest, died in a few days after his pardon and as we have great reason to suspect, by poison and now his first examina-

tions which were sworn to before he was pardoned, are of no sort of use to us..."

The above was written after the trial on 13 November of Arthur Crosbie, which resulted in his acquittal. There is an account of the trial, by the Lord Chief Justice Sir John Rogerson, in the official narrative (which also refutes in detail Heitman's allegations). A personal letter from John Fitzmaurice, son of the Earl of Kerry, to a friend, written on the day of the trial, gives the immediate reaction of a member of the Heitman camp:

Dr. Sr.

I suppose myself in your situation & therefore believe you may be inquisitive to know what has passed this day with relation to Mr. Arthur Crosbie. - No Attempt was made to put the Tryal off for want of Evidence. The prime Sergeant said the charge against the prisoner in terms very full which contain'd all that ought to have appear'd in evidence & much more than there did. The first evidence was the record against the persons convicted to whom the prisoner was said to be accessory, the next was Mr. Sucksdorph who prov'd the prisoner's foreknowledge of the robbery, for Arthur Crosbie told him, a month before it happen'd, that there was such a design, upon which Sucksdorph desir'd him to have his informer apprehended that so the author of the design might be found out & the villainy prevented, but Crosbie answer'd that it was beneath a Gentleman to have his name made use of in such a discovery, Lady Margaret who was present at this conversation, said the same; this was Sucksdorph's

testimony. Next there arose a dispute about reading Lawlor's examination as evidence; the prisoner produced an attested copy of the Proclamation to prove his attainder; after much debating, the Court refused to suffer the examination to be read. The next evidence produced was Thomas Cantillon who in the most impudent and uncloaked manner denied all he had formerly given upon oath, alledging that he only knew the prisoner by sight, but he never heard of his having been concern'd in the robbery, & that he had never spoken one word to him of any sort either since the robbery or for a year before it; upon his further examination he said that the misery of himself & his family made him embrace any means to obtain his pardon & besides that George Birch told him, by way of message from Lord Kerry, that he shou'd have his arrears of Rent remitted and his holdings rent-free forever in case he wou'd come in to do service (these were his words). He said that upon his coming to Lixnaw he was examin'd by L. Kerry, Mr. Morris & Me, but declar'd (without being ask'd the question) that neither of us had ask'd him any thing concerning the Crosbies, but that Mr. Denny arriving the next Day at Lixnaw, mett him (Cantillon) in the Gardens in company with Sucksdorph & some others, that Mr. Denny then said to him that the Knight of the Shire had much power in the Country & wou'd have him hang'd drawn & quarter'd unless he swore against Arthur Crosbie & told him that he wou'd refresh his memory by telling him some particulars which he was sure he must be acquainted with; This he made the motive of his having given in the

Information in Kerry, which he said were indeed all false, as he had before told to Judge Ward to whom he referr'd himself. The Consequence of this was that Contillon was order'd into Custody & is to be try'd for perjury. The next person produc'd was Francis Ryan but he having said nothing in his examination but what was to corroborate the testimony of Cantillon & Lalor, was not examin'd, Lalor being dead & Cantillon having recanted. The Kings Council mov'd strenuously that I should be examin'd touching the manner of Cantillon's coming in & giving his Examination, but that being in vindication of the Aspersion that had been thrown & a matter foreign to the business of the Jury, the Bench wou'd not allow it; Arthur Denny has, by a great Cold, been confin'd to his room & therefore was not present at his accusation, which was indeed a very heavy one & carried on with much malice. The Jury was charg'd & the prisoner immediately acquitted. Our present intention to prosecute Cantillon for his perjury with the utmost rigour; he lies now in Gaol, no body having being barefac'd enough to be bail for his appearance. I perceive I have made a mistake in this for Cantillon was examin'd upon this Tryal, before Lalor's examination was disputed. I have troubl'd you with this long & imperfect account but if you will excuse & amend the unaptness of its terms which are owing to haste & Ignorance, its truth will recommend it & give you a just information in Black of what I am sure will be told to Many by this post in White. If any accident shou'd have delay'd my Lord's setting out, pray communicate to him (from me) the contents of this. Give my

best respects to Mrs. Morris. The next time I write to you I will tell you something of my Son who is mightily grown. I am Dr. Sr.– Etc.

John Fitzmaurice

The ballad makers of Dublin also had a view<sup>17</sup>:

An Excellent New  
Ballad on the County of Kerry  
Jury  
To the tune of “Yeara my Shudy”

Good Neighbours attend,  
These Lines I have penn’d,  
will make you all merry, &c.  
Of Twelve honest Men,  
That lately have been,  
From the County of Kerry, &c.

You often have heard,  
of a Danish Vessel, –  
Well laden with Silver, &c.  
How she was stranded,  
and all the Coin landed,  
In a House safe and well there.

The House it was robb’d  
and the Coin ta’en away,  
and yet notwithstanding, yet &c.  
They sued for a Salvage,  
from the foreign Strangers,  
But they understanding, &c.

Who got all the Plunder,  
had then brought them under  
some Jurisdiction, some Jurisdiction,  
But they by their Neighbours,  
did justly endeavour,  
To prove it a Fiction, to, &c.

Twelve honest Men  
from the County of Kerry,  
They outdid the Gallway, &c.  
Jury, by Verdict in not bringing guilty  
their brave Cousin C...e.,&c.

Heitman wrote to the Company in Copenhagen on 29 November. The directors were dismayed at the news of the trial and annoyed at the continuing litigation and expense and the inability of Heitman and his lawyers to suggest how to proceed. When they considered the options in February 1736, they decided they should try, through von Johnn, to settle on the basis of the return to them of their bond, lodged to cover the silver already returned, as well as £6.000 to £8.000 in respect of the remaining, unrecovered silver. If they got this, they were prepared to abandon their claim, amounting to more than £8.000 in respect of the ship, the remaining cargo, expenses and interest. Otherwise, they would pursue their full claim through the intervention of the Danish king.

Von Johnn, by this time, had also received Heitman’s letter containing his bitter complaints of mistreatment by the authorities in Dublin. Heitman accused the judges of partiality and of refusing to take evidence, in order to delay matters and to provide opportunities to tamper with witnesses and to procure a corrupt jury. The judges’ behaviour, Heitman wrote, plainly showed a design to do everything possible to prejudice any legal action in his favour. He asked von Johnn to lay these complaints before the government in London.

Von Johnn did so, in letters dated 23 December 1735 (old style) to the Duke of Dorset, the Lord Lieutenant in Dublin and to the Duke of Newcastle<sup>18</sup> in London. The language he used was intemperate. He expressed surprise, in his letter to Dorset, to find that the Danish company had been as badly treated before the Court of Kings Bench as it had been in County Kerry; and that by all manner of deceit and trickery it had been found possible to avoid doing justice or punishing the wrongdoers. The Government of Ireland, in spite of many obliging promises and repeated orders from His Majesty the King, had made not the slightest attempt to stop the torrent of injustices and iniquities or to oblige the magistrates to proceed rigorously and impartially against those guilty, in accordance with the law. After all his representations, he could no longer believe in the willingness of the Government to administer justice to the Danish company, while it allowed injustice to be heaped upon injustice, even in the capital city, under its own eyes. The crime, he went on, was notorious and the authors of it as well known to His Grace and the members of the Government as to the rest of Ireland. The King of Denmark demanded justice for his subjects, not words. After having wasted five years seeking justice in the normal way, it was no longer possible to amuse oneself further. Von Johnn went on to declare to Dorset, on the express orders, he said, of his King, that if justice were not done, one way or another, by the following Hillary Term, the Company's agents would be withdrawn from Dublin and all proceedings abandoned. It

would then be the Government of Ireland alone which British subjects, who might have the misfortune to lose their ships on Danish coasts, would have to blame, if they no longer enjoyed the favour and protection they had customarily enjoyed.

Von Johnn sent a copy of Heitman's letter to the Duke of Newcastle, complaining that the Danes were discriminated against in the courts, their opponents protected and favourable witnesses discouraged. The crime was, he wrote, as clear as the day and the authors no less well known to the Lords Justices of Ireland than to the rest of that kingdom. His compatriots were at a great loss, their money still in the hands of the robbers. He asked, therefore, that precise orders be given to the Lord Lieutenant in Dublin to secure justice for the Danes and punishment for those involved in the robbery - with the provision, he added, that in case of a subsequent plea of denial of justice on the part of the Company, it would be for the Government of Ireland to answer to his Britannic Majesty for the failure to carry out His repeated orders. He went on, unwisely, to add the threat that British interests could be affected, given the number of British vessels which were stranded on Danish and Norwegian coasts and the favourable treatment they had previously enjoyed from the Danish Crown - even contrary to the prevailing laws.

Six weeks later, not having had a reply, von Johnn wrote again, on 13 February 1736, to Newcastle:

My lord,  
Parliamentary affairs having apparently

prevented Your Grace from thinking of the case which the Danish Asiatic Company has in Ireland in regard to the silver which was stolen from it under arms in the said Kingdom in 1731, it will not be taken remiss if I take the liberty to remind Your Grace of it and to request at the same time that the orders which I requested for the Lord Lieutenant of Ireland be sent without further delay, particularly as time presses and as it is essential to the interests of the commerce of Great Britain that justice finally be extended to the subjects of the King my master in a matter of such extraordinary a nature

Etc. (original in French).

The response from Newcastle was made the same day. The instructions requested had been sent some time before and were, it appeared, in the hands of the Duke of Dorset. "You will see, therefore, that I have not delayed in obeying your orders".

Von Johnn soon after understood, and reported to Copenhagen, that little progress was to be expected and that his own intervention had not helped. He wrote that since Arthur Crosbie's acquittal any hope of a compromise had disappeared. He had pressed Heitman to bring the salvage case to a conclusion so that the company might at least have returned to them the bond they had been obliged to lodge in respect of the silver returned to them - but a decision was put off from one term to the next. He suspected that the lawyers saw this deposit as a source of fat fees. He had been obliged to state his position to the Duke of Dorset in

clear and intelligible terms and to say that, should justice be denied, means would not be lacking to make the Government of Ireland responsible for the bad treatment of the Danish Asiatic Company. He understood that this had displeased the British Government. In this he was correct and shortly after found the tables neatly turned against him. In April, von Johnn was informed that the British envoy in Copenhagen had been instructed to support a demand from the City of Hamburg for the amendment of a Danish decree of 1722 under which owners of vessels wrecked on Danish coasts were deprived of two-thirds of the value salvaged - a third being appropriated in tax to the Crown and another third to persons helping in the salvage.

This effectively stopped Danish diplomatic efforts in support of the Danish company. Von Johnn accepted that "in expressing himself a little strongly" he had brought the British Government about his ears. He submitted to Copenhagen that it would be in the service of his King if in future he treated the affair more circumspectly, in order not to make himself odious in London in a particular case. This line of conduct was approved by Copenhagen, which had other concerns, including the payment of British subsidies, to take account of.

Von Johnn was in difficulties also on the latter question - an annual sum of 250.000 ECUs which the British Government had undertaken to pay to the Danish king against an agreement to make troops available if war should break out. Because of changes in the rate of exchange allowed by

Sir Robert Walpole to the British bankers involved in the transfers, the sum approved by the British Parliament in sterling was no longer sufficient to meet the full amount of the subsidies in ECUs. Von Johnn pressed very hard for payment of the full amount and in letters to Copenhagen (which he later believed were intercepted by the British), made very negative comments regarding the motives, the honesty and good faith of the British Minister, who, he said, took account only of his own interests.

Correspondence between Sir Robert Walpole, his brother Horace and the British Envoy in Copenhagen, Walter Titley, indicates the British Government's attitude to DEN GYLDNE LØVE case (as well as that of the subsidies). In a letter of 3 September 1736, Sir Robert sent his brother a copy of von Johnn's letter to the Duke of Dorset. "The occasion of that letter was some persons in the County of Kerry were accused of robbing and plundering the effects of the Danish ship that was cast away upon the coast of Ireland. Some of them were tried in due form in the County of Kerry and acquitted there. Others at the instance of the Danish agents there were brought up to Dublin, and tried there at the King's Bench, who were likewise acquitted. Upon this legal and formal proceeding Mons Johnn thought fit to write this letter to the Duke of Dorset, and I must observe to you that the whole value, as estimated by the Danes, did but very little exceed £15.000 sterling, of which after all losses and the supposed robbery, the Danes recovered and received above nine thousand pounds. Few instances where such a proportion has ever

been received in any country upon the like occasion."

Titley made good use in Copenhagen of this letter sent to him by Horace Walpole. He reported in October 1736 that "although it has been necessary for me to mention the letters written by Mr. von Johnn to His Grace the Duke of Dorset, yet I have been careful to do it in the utmost confidence and without making any complaint of that irregular and indecent step". He was able to report that the Danish King, while anxious to secure justice for His subjects and while concerned about delays, had never authorised His Minister at London "to apply to the Lord Lieutenant of Ireland, to make any angry Declaration or to use the least Sharpness upon this head either in his writings or discourse. So that whatever passed of this kind proceeded purely from that Minister's own Indiscretions; for which the King had actually recalled him, tho' without letting him know the reason, since we had not publicly complained of this Conduct."

Titley went on to report that the Danes were satisfied with the proceedings in Ireland to date and wished only that the Government would continue to pursue them in accordance with the usual methods and forms of law. He also reported that the losses of the Danish company were likely to be small. "It so happened, that the money having been insured, the proprietors soon after the robbery was committed came to a composition with the insurers at the rate of 50 per cent, and besides this were to have over and above all they could recover of the lost money. The sum reclaimed was about £15.960 sterling, half of which they duly re-

ceived from the insurers, partly English and partly Dutch, and since then have recovered about £9.287 of what was stolen; upon the whole, therefore, setting aside the charges of their pursuit, they must rather gain than lose by this extraordinary accident”.

The Danish Company considered some further progress had been made when in July 1736 they heard from Heitman that the Lord Chancellor in Dublin had made an order that Lady Crosbie should account for the goods salvaged from DEN GYLDNE LØVE and should prove the expences incurred in the salvage. Heitman was ordered to bring the case to a conclusion on this hopeful basis and to avoid other litigation. The minutes of the company show that almost two years later, in April 1738, no progress had been made but that the Company was determined not to abandon its claims and the prospects provided by the Lord Chancellor's order. Heitman was instructed to pursue the case until the next session in May 1738.

There is evidence in the correspondence of Hans Gram<sup>19</sup>, Counsellor of State and professor in Copenhagen and later a director of the Danish Asiatic Company, that Lady Crosbie was ordered to pay £10.000 to the Danish Company as well as costs. Gram comments that this judgment would have been achieved earlier were it not that Heitman had concentrated all his efforts on having Lady Crosbie hanged and remarks that nobody could understand how this could be reconciled with Heitman's

great piety and his expensive prayer book, copies of which, in an improved edition and beautifully gilded, had been presented to the directors. The rest of us, Gram wrote, would prefer to receive a few pounds sterling in Copenhagen, rather than spend them to see Mylady in Ireland hanged.

Gram had some doubts whether the money awarded would actually be received. The available evidence suggests that his doubts were well founded. The final entry in the minute book of the interim Asiatic Company, in March 1740, records Heitman's arrival back from Dublin and the decision of the company to seek the help of the Danish Government in securing the payment of the sum awarded. There is no subsequent record of its receipt.

Von Johnn, recalled from London<sup>20</sup>, was posted to the Court of Lower Saxony.

Captain Heitman died shortly after his return to Copenhagen, on 6 July 1740.

The First Mate of DEN GYLDNE LØVE, Niels Smidt<sup>21</sup>, completed two further voyages to India and was shipwrecked again in 1737 in the Shetlands, as mate of the WENDELA. In this case the Company was obliged to pay salvage costs at the rate of 5/12ths of the silver recovered.

James Crosbie, Lady Margaret's son, married his cousin Mary, daughter of Pierse Crosbie of Rusheen. He was appointed High Sheriff of Co. Kerry and died in 1761. Sir Maurice was raised to the Irish peerage as Baron Brandon in 1758.



## NOTES ON SOURCES

- <sup>1</sup> Arbien's verses to Heitman are with the manuscript of Heitman's *Betænkninger over den Julianske og Gregorianske Kalender*, Kong. Bibl. Nye Kong. Saml. 4213, quarto (see also 4-294.) Arbien was a student at and later rector of the Katedralskole in Kristiania.
- <sup>2</sup> Mary Agnes Hickson's refutation of Froud's conclusions is in *Selections from Old Kerry Records*, Second Series, (London, 1874).
- <sup>3</sup> Nye Tidender: Kong. Bibl. 49-24 octavo.
- <sup>4</sup> For biographical material on Heitman, see, inter alia, Norsk Biografisk Leksikon (v); F Bull F.Bull and Fr. Paasche: Norsk Litt. Hist. M. Jakobsen: Alstahaug Kanikgjeld Ehrencron-Müller: Forfatterleksikon Biblioteka Norvegica (3) Kristian Nissen, *Helgeland*, 9 and 11 August, 1955. Hein Magnus in *Lofotposten* 6 April, 1967 Hein Magnus in *Årbog 1980, Handels- og Søfartsmuseet på Kronborg*. Heitman's birthplace is given variously as Sund in Hemnes, Ranen in Helgeland and Trondheim.
- <sup>5</sup> Heitman's letter to Gabel is in Rigsarkivet, Copenhagen: Breve til Krigssekretæren, 1721
- <sup>6</sup> For a critical appraisal of Heitman's *Besværede Søe=Mænds Søde Sjæle=Roe*, see Sjømain'n, by Hans Nehrus, Oslo, 1941.
- <sup>7</sup> Niels Smidt's journal is in the Royal Library, Copenhagen: Nye Kong. Saml. 2168 folio. The surname of the author was noted by Kaj Larsen from internal evidence; it is clear from the records of the DAC that this was Niels Smidt.
- <sup>8</sup> For the charters to trade with China and Tranquebar see Rigsarkivet As. Komp. 28(a).
- <sup>9</sup> The separate inventories of DEN GYLDNE LØVE and of the ship's arms and ammunition are in Rigsarkivet As. Komp. 28(a). The cost of repairs is noted in As. Komp. 28 at 26/4/1730 as is the decision to purchase (3/5/1730) The submission to the Crown Prince is in As. Komp. 28(a) (12/4/1730).
- <sup>10</sup> Information regarding the preparation of the ships is in the Company's minutes, As. Komp. 28 and in As. Komp. 8 (Generalforsamlingsprotokoller). Detailed regulations, including the authorised provisions, are in As. Komp. 206(b).
- <sup>11</sup> A copy of Heitman's work is in the Royal Library, Copenhagen (4.159 octavo). It is signed J.H.S.H.M. (Johan Hansson Heitman). On the title page: Jesus Hielper Sine Helgene Mægtelig, one of several pious phrases, based on his initials, occurring in Heitman's works.
- <sup>12</sup> The island of Brasil or Brasilia (HyBrasil). Smidt had a similar experience on his third voyage to the East Indies, in January, 1725. He noted that they reduced sail for fear of the island Brasilia, lying far from the mainland - only to be seen as a small rock; nobody could sail close to it because it was so differently placed on the charts. According to J.J. Westropp (Proceedings of the Royal Irish Academy, Vol. XXX,) the island of Brazil appeared on sea charts up to 1865. Some charts showed it at about 52 degrees North, 12 degrees 50 minutes West.
- <sup>13</sup> et seq. Sources used for the account of events in Ireland are:  
PRO London, S.P. 63/395  
Crosbie Papers (unsorted collection) National Library of Ireland, folders 149 to 154.  
Crosbie Papers Trinity College Dublin Ms. 3821.  
Egerton Mss. British Library Eg. 2683  
Reports to and decisions by the Company: As. Komp. 28 and As. Komp. 8.
- <sup>14</sup> References to the sale of DEN GYLDNE LØVE and cargo and the letter of Christian Grave, ship's chaplain, to the Danish Envoy in London, von Ranzau, are in Rigsarkivet, Copenhagen, TKUA 239.
- <sup>15</sup> Lawlor's testimony is in Crosbie Papers NLI, folder 154.
- <sup>16</sup> Instructions to and reports from von Johnn are in Rigsarkivet TKUA 246(X111) and TKUA 93-95.
- <sup>17</sup> A copy of the ballad is in TCD, Early Printed Books, Burgage Collection.
- <sup>18</sup> Copies of von Johnn's correspondence with the Duke of Newcastle are in TKUA 250.
- <sup>19</sup> The letter of Hans Gram is in Gram, Herman: Breve fra Hans Gram, Royal Library, Copenhagen; Gram to Ranzau 29/8/1738. I am grateful to Mr. Bryan McMahon for this reference.
- <sup>20</sup> Von Johnn's recall is in TKUA 246(XXVII)
- <sup>21</sup> Niels Smidt's later appointments and the loss of the WENDELA are noted in As. Komp. 646 (Rulle-

bogen) and in As.Komp. 29 respectively. There is a journal by Smidt of the voyage of the WENDELA, 1735 to 1737, in As. Komp. 759(a). The salvage costs

in the case of the WENDELA are referred to by Hans Gram.

## Kaptajn Johan Heitman, DEN GYLDNE LØVE og røveriet af det danske sølv

*I 1730 forliste det danske skib DEN GYLDNE LØVE, på vej til Trankebar, på vestkysten af Irland. Mandskabet blev reddet i land, det samme blev skibets udgående last af spanske sølvdollars til en værdi af ca. 76.000 rdl., og det hele blev indkvarteret hos lokale beboere i området.*

*Pengene blev imidlertid røvet, og skønt man vidste, hvem røverne var, gik der politik i sagen. Igennem flere år prøvede Asiatisk Kompagni at få pengene igen, og først i marts 1740 kunne Johan Heitman vende tilbage til København. Pengene derimod kom aldrig.*

*Med base i danske og engelske kilder gennemgår Andrew O'Rourke, Irlands ambassadør i Danmark, den mærkelige sag. Artiklen bringes mod sædvanen på engelsk med et dansk resumé.*

### Resumé

I det 18. århundrede sejlede danske handelsskibe, der skulle til Tranquebar, nord om de britiske øer til det åbne Atlanterhav og derefter sydpå til de Kanariske Øer. Et af de danske skibe, DEN GYLDNE LØVE ført af Kaptajn Johan Heitman, drev under en storm på Atlanterhavet i oktober 1730 (g.s.) i land på sydvestkysten af Irland i grevskabet Kerry.

Johan Heitman blev født i Norge (muligvis i Trondheim) i 1664. Han blev uddannet til lods og var som styrmand på mange rejser i nord- og sydeuropæiske farvande. Mens han i 1702 arbejdede for statholderen i Norge, udarbejdede han søkort over den norske kyst. Under den store nordiske krig blev han af admiral Gyldenløve udnævnt til kommis-kaptajn. Udover de vigtige søkort over den norske kyst, Vesterhavet og Oslo fjord skrev Heitman en række værker om navigation og astronomiske emner, hvoraf hans søn fik udgivet to efter Heitmans død i 1740: "Eenfoldige

Betænkninger over den Julianske og Gregorianske Kalender" og "Physiske Betænkninger over Solens Varme, Luftens skarpe Kulde og Nord-Lyset" (se Ludvig Holberg, Epistola 165). Hans mest populære udgivelse var en salme- og bønnebog for søfarere: "Besværede Søe=mænds Søde Sjæle=Roe", der blev udgivet i 1730, og som forblev i brug i senere udgaver i henved 150 år. Det fremgår klart af hans skrifter, at Heitman var en streng, gudfrygtig og retskaffen mand.

I 1730 blev Heitman, i en alder af 64 år, ansat af det konstituerede Danske Asiatiske Compagnie (det gamle Danske Ostindiske Compagnie var gået konkurs i 1729) til at føre DEN GYLDNE LØVE til Tranquebar. Det Ostindiske Compagnie havde købt skibet i 1727, og det havde fuldført en toårig rejse til Tranquebar i 1729. Skibet var 96 fod langt, 26 fod 6 tommer bredt og 11 fod 3 tommer dybt. En inventarliste fra 1730 viser, at det generelt var i god stand og var vurderet til 7.160 rigsdaler. Våben og ammunition, herunder 22 kanoner, var 1.000 rigsdaler værd. Kompagniets direktionsmedlemmer købte det for 8.500 rigsdaler. Efter reparationer og udrustning blev DEN GYLDNE LØVE forsikret for 15.000 rigsdaler. Lasten (5-6% i jern, resten i kontanter) blev vurderet til 80.000 rigsdaler - hvoraf ca. 76.000 rigsdaler var sølvmonter og sølvbarer - og var beregnet til køb af returlast i Indien.

DEN GYLDNE LØVEs sidste færd er beskrevet i en rejsedagbog, der blev ført af l. styrmand Niels Smidt. Dette var hans sjette ostindiske rejse, men denne gang skulle han ikke komme længere end til Irland. Han beretter om mange tegn og varsler om kommende farer, før skibet blev grebet af en voldsom storm og drevet på land - heldigvis uden tab af menneskeliv - nær

landsbyen Ballyheige i Traleebugten i grevskabet Kerry. Han fortæller, at skibet og dets last var truet af en flok mennesker, der havde samlet sig i sandklitterne, men pengebøsserne blev reddet i land af en lokal mand, Thomas Crosbie, hvorefter de blev bragt til dennes hus til opbevaring.

Irland var i 1730'erne en britisk koloni, som blev administreret fra Dublin Slot ved hjælp af en godsejerklasse, som ved konfiskeringer havde overtaget landet fra de oprindelige, irske ejere. Der herskede stor fattigdom blandt størstedelen af befolkningen. Thomas Crosbie tilhørte godsejerklassen, havde gode forbindelser og var gift med datteren af en jarl. Ifølge danskerne behandlede Crosbie de danskere, der boede i hans hus, dårligt og tog af deres forråd og penge.

Skibbrud var ikke ukendt på Irlands vestkyst, man kendte til begrebet bjærgeløn, og der opstod en juridisk strid herom. Lokalbeboerne blev bange for, at bjærgelønnen ikke skulle blive udbetalt, og dette førte øjensynligt til planen om at stjæle skibets sølvlast, som var pakket i tolv kister og gemt i en kælder på Crosbies ejendom. Det fremgår tydeligt af de endnu eksisterende beviser, at medlemmer af godsejerklassen - nogle af dem i familie med Crosbie - var involverede i planen, som blev udført i juni 1731 ved hjælp af nogle af de stedlige folk. Fire af kisterne blev efterladt på Crosbies ejendom (hvor lady Margaret Crosbie nu var blevet enke), mens de resterende kister blev kørt væk. Tre af danskerne blev såret under røveriet, men der var ikke megen modstand fra de danske officerer og mænd, som var indkvarterede hos Crosbie.

Artiklens forfatter beskriver endvidere de anstrengelser, myndighederne i Dublin gjorde sig for at finde og straffe røverne og genfinde sølvet. De afhang imidlertid af hjælp og samarbejde fra de herskende klasser i grevskabet Kerry, som var de lokale fredsdommere, og mange af disse var enten i familie med Crosbie'erne eller venner af dem. Der opstod to partier. For det første de der ønskede at se retfærdigheden sejre - d.v.s. pengene skulle tilbagebetales, og de involverede skulle straffes. For det andet de der ønskede at genfinde pengene og derved undgå, at de involverede skulle blive anklaget og dømt - i det mindste hvad angik dem, der tilhørte de herskende klasser. Heitman stod for den rene retfærdighed og var mere interesseret i at se de skyldige straffet end i at genfin-

de pengene, hvilket var hovedsagen for kompagniet i København. Nogle af de implicerede blandt de fattige blev hurtigt anklaget, og tre af dem dømt til døden. Een blev hængt, en anden begik selvmord, og den tredje blev benådet på foranledning af kaptajn Heitman, der mente, at han kunne blive et nyttigt vidne.

Retsagen mod de anklagede foregik over flere år, men med mange frifindelser til trods for beviserne. Cirka halvdelen af sølvet blev fundet og indsat i en bank i Dublin.

Kompagniet i København blev utålmodigt over de lange og ineffektive juridiske gøremål i Irland og over udgifterne ved at beholde kaptajn Heitman (samt hans søn og andre) i Dublin og besluttede i 1734 at søge hjælp hos kong Christian VI, som befalede sin udsending i London, Christian August von Johnn at skride ind. Von Johnn adlød over al måde og benyttede udtryk, som regeringen i London ikke kunne acceptere. Han truede endog med gengæld mod britiske skibe, som måtte strande ved danske kyster, hvis der ikke blev ydet retfærdighed. Det danske diplomatiske fremstød blev uholdbart, da den britiske udsending i København modtog instruks om at støtte et krav fra Hamburg om ændring af et dansk dekret af 1722, ifølge hvilket ejerne af skibe, som gik på grund i danske farvande, tabte to tredjedele af værdien - en tredjedel i bjærgpenge og en tredjedel som skat til den danske krone.

Den britiske udsending, Walter Titley, rapporterede til London (oktober 1736), at kompagniets tab var ganske små. "Den krævede sum var ca. £15.960, hvoraf de modtog halvdelen fra forsikringsyderne, dels engelske, dels hollandske, og siden har de genvundet ca. £9.287 af, hvad der blev stjålet. De har derfor, når man ser bort fra omkostningerne ved deres forfølgelse af sagen, vundet mere end de har tabt ved denne usædvanlige sag".

Kaptajn Heitman forblev i Dublin, hvor han var blevet instrueret om at forfølge og videreføre kompagniets krav - tilsyneladende uden praktiske resultater - til begyndelsen af 1740. Lady Crosbie blev dømt til at betale £10.000 ifølge et brev skrevet af Hans Gram, statsråd og professor i København og senere i bestyrelsen for det Danske Asiatiske Kompagni. Det ser ikke ud til, at dette beløb nogensinde blev betalt. Gram skrev:

“Paa den Irlandske Sag veed Deres Excellence vel allerede, at vi hafver faaet en god Ende (nemlig saa god som efter slige Omstændigheder var at haabe eller begiere), idet at Mylady Crosby er dømt til at betale Vores Compagnie 10/M Pd. Sterling, og alle Processens Omkostninger. Mand mener, at samme Dom kunde blefvet erholdet en god Tid tilforn, hvis ikke Vores Capitain Johann Heitmann hagde med ald Magt vildet hafve det derhen dirigeret, at hun skulde været hængt. Hvorledes det rimer sig med hans store Devotion og kostelige Bønnebog, den hand nu igien forbedret har ladet oplægge og deraf foræret i Directionen deylige forgyldte Exemplarier, fatter ikke enhver paa eens Maade. Men enhver af os andre seer heller nogle faae Pund Sterling at falde os til i Kiøbenhavn, end at give dem bort for at hænge Myladys i Irland. Kunde vi kun saa sandt faae noget af de

10/M f os nu ere tildømte, og maaske ey saa lige ere at finde hos den gode Frue! Eller, om hun end er saa rig, var det maaske ey af Veyen, at sælge den hele Dom for strax-rede Penge, og lade noget af Profiten til den, der vil besørge Executionen paa egen Regning og Risiko.”

Kaptajn Heitman døde den 6. juli 1740, kort efter at han var vendt tilbage til København.

Von Johnn blev forflyttet fra London til Nedre Sachsen.

DEN GYLDNE LØVES 1. styrmand, Niels Smidt, fuldendte to yderligere rejser til Indien og forliste igen i 1737 på Shetlandsøerne som styrmand på WENDELA. Denne gang var kompagniet nødt til at betale bjærgningsløn, som bestod af 5/12 af det bjærgede sølv.