

Chapter 6

The Restoration



Charles II | by Sir Peter Lely

By 1660, Jamaica was finally rid of Spaniards, and the increasingly frequent raids by privateers and elements of the English navy stationed at Cagway kept Spanish forces at home and committed to the defence of their own territories. In late July 1660, news reached Jamaica that Charles II had been restored to the English throne on 8 May.

This must have caused anxiety in the minds of many officers and soldiers stationed in Jamaica, some of whom had faithfully served Parliament and the Protector for nearly twenty years. Surely, they feared being denounced and brought to trial for their opposition to the monarch. And they would have been concerned that, though they had received land-grants, none had been issued patents, i.e., legal documents transferring Crown land (land held in the name of the monarch) to a private owner.

Besides, it was widely accepted that during his exile, King Charles II had made a treaty with Philip IV of Spain to restore Jamaica to Spanish rule. Accordingly, Jamaicans feared they would lose their hard-won conquest of the island and the rewards promised them.

But Charles II did not honour the terms of the secret treaty and informed Spain to that effect. However, Jamaicans knew nothing of this until 29 May 1661, a year after the King's restoration. This, too, is when Edward D'Oyly finally received his commission and royal instructions as Governor of Jamaica. This came in the form of a

proclamation in the name of Charles, “*King of England and Lord of Jamaica.*” This latest news relieved many colonists’ anxiety for they learned the king had instructed the governor to encourage agriculture and commerce and to allot and register grants of land. Also, to honour the restoration of Charles II, Cagway was renamed Port Royal, and Fort Cromwell was christened Fort Charles.

During the year between the arrival of news of the restoration and the report confirming Jamaica as an English colony, Cromwell’s republican commonwealth supporters had mutinied unsuccessfully. D’Oyley dealt harshly with the leaders of the revolt, and Colonels Raymond and Tyson were tried by court-martial and shot as mutineers.

What part Harry Morgan might have played in the mutiny is unknown. We know that his friend and future brother-in-law, Henry Archbould, became embroiled in the intrigue before being cleared by a court of enquiry. We also know that Morgan rose to the rank of Major in the Liguanea Regiment and was later promoted to lieutenant-colonel and transferred to another regiment. So it seems safe to say that if he did play a role, he was not one of the ringleaders.



A census taken in 1661 of the population and land under cultivation showed a total of 2,458 men, 454 women, 44 children, 514 negroes, 618 arms and 2,588 planted

acres. The colony was entering a new, more mature, phase with many at Port Royal and Spanish Town craving peace with Spain so they could trade legitimately—and even more profitably—with their neighbours. And for that reason, they were encouraged to hear that London was negotiating a treaty with Spain that would ensure peace between those traditional enemies, which should inevitably result in more opportunities for commerce between their colonies in the New World.

On 5 Feb 1662, Governor D'Oyley published a second proclamation at the Point, addressed to “all Governors of Islands, captains of ships, officers and soldiers under his command.” It announced that “*His Majesty having commanded a cessation of hostilities, they are hereby ordered to cease from all acts of hostility against the King of Spain or any of his subjects.*” With that, D'Oyley ordered all privateers operating under letters of marque issued by him to return to Port Royal immediately to receive new orders.

Such orders would not have been liked by the many privateer captains operating from the Point for, as far as they were concerned, “*In peace or war in Europe, there was no peace beyond the line.*”^[1] And so we can assume this order was, as Shakespeare put it, “more honoured in the breach than in the observance.”

[1] The two “Lines of Amity” drawn up at the 1559 Peace of Cateau-Cambrésis, which led to the cliché among pirates and privateers, “no peace beyond the line.” The lines were the

Tropic of Cancer and the Meridian passing through Ferro in the Canaries (46° W). On the European side (north and east) of the lines the treaty was to be binding; west and south of them it had no force. This had the effect that, even during peacetime in Europe, the Spanish could take whatever measures they considered necessary for their own defence in the Caribbean and France and England could attack Spain's interests in the New World without jeopardizing peace in Europe.

At about this time, a legislative council of twelve was formed with the governor as its president. The first meeting of the “Council of 12”^[2] was held at Port Royal on the 18 Jun 1661, at which the following members were present:

General Edward D'Oyley, Governor and President.

Col. Samuel Barry

Col. Philip Ward

Col. Richard Wilbraham

Lt.-Col. Henry Archbold

Major Thomas Fairfax

Major John Cope

Capt. William Valet

Capt. Thomas Ballard

Capt. Cornelius Burroughs

Capt. John Harrington

Capt. Humphrey Groves.

Richard Povey, Island Secretary.

[2] W.A. Feurtado, *Official and Other Personages of Jamaica from 1655 to 1790* (on-line).

Each member of the Council was appointed a *Justice of the Peace* for various parts of the island and was authorized to choose three or more constables in his area. The Council enacted much-needed ordinances and levied taxes for the expenses of the civil government. The budget for the first year was estimated at £1,640.

Formerly the colony had been under martial law, and breaches of the peace were brought before a court-martial. Once the new Council was formed, however, it appointed judges and justices of the peace to preside in civil courts—though, most of the appointees were officers of the army.

Determined to demonstrate that the civil authorities were in control of the colony, D'Oyley—when confirming a sentence of death passed by the new civil court—remarked it was necessary, “to let them see that the law could do as much as a court-martial.”

A royal proclamation was published extolling the fertility and other advantages of the colony and offering a free grant of 30 acres of land to every resident over twelve years of age or anyone else who would move to Jamaica within two years. It also declared that all children of English subjects who were born in Jamaica would themselves be free subjects of England.

Immigrants began migrating from other smaller English colonies in the West Indies—Barbados, Nevis, and Bermuda—and some even came from New England. They were allotted tracts of land and began planting and breeding horses, cattle, and hogs, for which Jamaica was especially well suited. Among these new immigrants were veterans of the English Civil Wars and the recent war with Spain, who had come to the West Indies hoping to make their fortunes as planters and privateers—some preferring the latter occupation only while others like Harry Morgan became both.

One notable example was Sir Thomas Whetstone. A nephew of Oliver Cromwell but a royalist at heart, Whetstone had been so loyal to the exiled King Charles, the King had sent him on a special mission to the Baltic squadron to win over its commander, Edward Mountague.

After the restoration, bankrupt and starving, Whetstone found himself imprisoned for debt in Marshalsea. Without any prospect of release, he petitioned Secretary of State Sir Edward Nicholas in September 1661, pleading for assistance. Nicholas saw it as expedient for Whetstone be advanced a £100 to enable him to obtain his freedom and passage to Jamaica.

Apparently, Whetstone received the money, for two years later, he was in command of a small squadron of privateers. Moreover, in October 1664, he was elected to the

House of Assembly for the parish of St. Catherine and was chosen as the Assembly's first Speaker.

For much of his term in Jamaica, D'Oyley had lived under harsh conditions. By 1661, he was worn out and requested that he be relieved of duty and given permission to return to England.