

Foster's Letter Of Marque

A Tale Of Old Sydney - 1901

Louis Becke



Project Gutenberg

The Project Gutenberg eBook of Foster's Letter Of Marque, by Louis Becke

This eBook is for the use of anyone anywhere at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this eBook or online at www.gutenberg.org

Title: Foster's Letter Of Marque
A Tale Of Old Sydney - 1901

Author: Louis Becke

Release Date: April 12, 2008 [EBook #25058]
Last Updated: March 8, 2018

Language: English

*** START OF THIS PROJECT GUTENBERG EBOOK FOSTER'S LETTER OF MARQUE ***

Produced by David Widger

FOSTER'S LETTER OF MARQUE

A TALE OF OLD SYDNEY

From “The Tapu Of Banderah and Other Stories”

By Louis Becke

C. Arthur Pearson Ltd.

1901



Contents

I

II



I

One by one the riding-lights of the few store-ships and whalers lying in Sydney Harbour on an evening in January, 1802, were lit, and as the clear notes of a bugle from the barracks pealed over the bay, followed by the hoarse calls and shrill whistles of the boatswains' mates on a frigate that lay in Sydney Cove, the mate of the *Policy* whaler jumped up from the skylight where he had been lying smoking, and began to pace the deck.

The *Policy* was anchored between the Cove and Pinchgut, ready for sea. The north-easter, which for three days had blown strongly, had now died away, and the placid waters of the harbour shimmered under the starlight of an almost cloudless sky. As the old mate tramped to and fro on the deserted poop, his keen seaman's eye caught sight of some faint grey clouds rising low down in the westward—signs of a south-easterly coming before the morning.

Stepping to the break of the poop, the officer hailed the look-out forward, and asked if he could see the captain's boat coming.

“No, sir,” the man replied. “I did see a boat a while ago, and thought it was ours, but it turned out to be one from that Batavian Dutchman anchored below Pinchgut. Her captain always goes ashore about this time.”

Swinging round on his heel with an angry exclamation, the mate resumed his walk, muttering and growling to himself as elderly mates do mutter and growl when a captain promises to be on board at five in the afternoon and is not in evidence at half-past seven. Perhaps, too, the knowledge of the particular cause of the captain's delay somewhat added to his chief officer's ill-temper—that cause being a pretty girl; for the mate was a crusty old bachelor, and had but little sympathy with such “tomfoolery.”

“Why the devil couldn't he say goodbye to her and be done with it and come aboard,” he grumbled, “instead of wasting half a day over it?”

But Mr. Stevenson did not consider that in those days pretty women were not plentiful in Sydney, and virtue was even scarcer than good looks, and Dorothy Gilbert, only daughter of the Deputy Acting Assistant Commissary-General of the penal settlement, possessed all the qualifications of a lovable woman, and therefore it was not wonderful that Captain Charles Foster had fallen very much in love with her.

Dorothy, of course, had her faults, and her chief one was the rather too great store she set upon being the daughter of an official. Pretty nearly every one in those days of the settlement was either an official or a prisoner or an ex-convict, and the D.A.A.C.G. was of no small importance among the other officials in Sydney. The girl's acquaintance with the young master of the *Policy* began in a very ordinary manner. His ship had been chartered by the Government to take out a cargo of stores to the settlement, and the owners, who were personally acquainted with her father, had given Foster a letter of introduction. This he had used somewhat sooner than he had at first intended, for on presenting himself at the Commissary's office he had caught sight of Dolly's charming face as she stood talking to a young man in the uniform of a sergeant of the New South Wales Regiment who had brought a letter to her father. .

“Thank you, Sergeant,” the young lady said with a gracious smile. “Will you present my father's compliments to the Major and say we shall be sure to come. He is not here at present, but cannot delay long, as he will have much business to transact with the master of the ship just come in, and who will doubtless be here very soon.”

Just at that moment Foster appeared at the open door, and the young lady, divining at once that he was the person of whom she had just spoken, bowed very prettily, and begging him to be seated whilst she had search made for her father, left the office and disappeared in the living portion of the house, followed by a look of very great interest from Captain Foster. A minute later the Commissary entered the room, and Foster was soon deep in business with Dolly's father, to whom he made himself very agreeable—having a certain object in view.

Their business concluded, the young man rose to go, and not till then—being wise in his generation—did he allude to the fact of his having a private letter of introduction from his owners—Messrs. Hurry Brothers, of London—to Mr. Scarsbrook. The stiff, official manner of the D.A.A.C.G. at once thawed, and being at heart a genial old fellow, he expressed his pleasure, shook hands again with the young man, and inquired why he had not presented the letter or made allusion to it before.

Foster, who had pretty well gauged Mr. Scarsbrook mentally, modestly replied that he did not care to obtrude private affairs at an inopportune time. He knew that weighty affairs doubtless occupied Mr. Scarsbrook's mind during his business hours, but had intended to do himself the honour of presenting his letter later on, &c.

This at once impressed the D.A.A.C.G., who asked him to dinner that

evening.

“A most intelligent young man, my dear,” he told Dolly shortly after. “His attention to business before all else has given me a very favourable impression of him.”

Dolly tossed her head. “I hope I shall not be disappointed in him. Is he young?” she asked indifferently.

“Quite; and in manners and appearance much above his position.”

Dolly did like him very much—'much more than she cared to confess to herself—and their first meeting at dinner led to many of a less formal character, and ere a week had passed Captain Charles Foster was very much in love with his host's daughter, and not being a man who wasted time, was only awaiting an opportunity to tell her so.

Now Dolly, who had first flirted with and then flouted every one of the bachelor officials in Sydney, military or civilian, who visited the Commissary's abode, was, to do her justice, a girl of sense at heart, and she felt that Captain Foster meant to ask her an all-important question—to every woman—and that her answer would be “Yes.” For not only was he young, handsome, and highly thought of by his owners, but he came of a good family, and had such prospects for his future as seldom came in the way of men in the merchant service even in those days of lucky South-Seamen and East India traders, who made fortunes rapidly. And then 'twas evident he was very much in love with her, and this latter fact considerably and naturally influenced her.

The first week passed pleasantly enough, then, to his anger and disgust, Foster found he had a rival; and before the end of the second week he realised, or imagined so, that he was beaten in the field of love—by a Dutchman!

Sergeant Harry Burt was the first to give him warning, for he was often on duty at or near the Commissary's quarters, and, indeed, had often taken notes from Foster to the fair Dolly. He showed a warm interest in the matter, for Foster was always polite to the sergeant, and did not turn up his nose at “soldier men,” as other masters of ships were but too ready to do.

It had so happened that the work of discharging his ship had kept Foster very busy during the second week of his stay, and he had paid but one evening visit to Dolly and her father, and was hurrying the cargo ashore with feverish eagerness. Once that was accomplished, he meant to devote himself (1) to proposing to the young lady, (2) gaining her father's consent, and (3) getting to sea again as soon as possible, making a good cruise at the whale fishery, and returning to Sydney within two years as master and owner of a ship of his own. Consequently, Burt's

news gave him considerable disquietude.

“Who did you say he was, Sergeant?” he asked gloomily; “a Dutchman?”

“Yes, sir; he's the master of that Dutch Batavian ship that has brought stores from Batavia. Mr. Scarsbrook seems to make a lot of him of late, and he's always coming up to the Commissary's place. And if he sees Miss Scarsbrook out in the garden he swaggers in after her as if he were an admiral of the fleet Portveldt's his name, and—and——”

“And what, Sergeant?”

“Well, I think Miss Scarsbrook rather likes him, that's all. You see, sir, you haven't been there for a week, and this young Dutchman is by no means bad-looking, and even our Major says he's a jolly fine fellow—and all that goes a long way with women, you know. Then you only visit the house once in a week; the Dutchman goes there every day, and every time he comes he brings his boatswain with him—a big, greasy-faced chap. Last night he followed his master, carrying a cheese—a present for the Commissary, I suppose.”

“Well, I shall soon see how the land lies, Sergeant I'm going ashore presently, and I can promise you it won't be my fault if I let this fellow get to windward of me.”

But Miss Dolly was not to be seen that day, nor yet on the following one. She was vexed at Foster having thought of his work before herself, and she had determined to punish him by not meeting him for some little time, and amuse herself with the handsome young Dutch sailor meanwhile. So, in no very amiable mood, Foster went back to his ship, finished discharging, and delighted his old mate by telling him to get ready for sea as quickly as possible. And on this particular evening when our story opens the *Policy* only waited for her captain—who had gone ashore—so he told Stevenson—to say goodbye to the Commissary, with parting instructions to the mate to begin to heave up as soon as he saw his (Foster's) boat leave the Cove.

After spending half an hour with the Commissary, Foster asked to see Miss Dorothy, and was soon ushered into the sitting-room, where the young lady welcomed him effusively, and her manner soon drove all suspicious thoughts of his rival out of his mind. Her mother, a placid lady, who was absolutely ruled by Dolly and her father, smiled approval when Foster asked her daughter to accompany him to the garden and take a look at the harbour. She liked him, and had previously given him much assistance by getting out of the way whenever she suspected he wanted to see Dolly alone.

As soon as they had gained the screen of the shaded path leading to the water's

edge, Foster came to the point at once.

“Dolly,” he said, “you know why I have asked you to come with me here. My ship is ready for sea, and it may be quite two years before I shall have the happiness of seeing you again.”

“’Tis very kind of you to pay me so pretty a compliment, Captain Foster—or I should say Mr. Foster,” said Dolly, concealing a smile; “but surely you need not have brought me out to the garden to tell me this.”

Her pretended forgetfulness of some past passages in their brief acquaintance, as her speech implied, ruffled him.

“You are very particular with your *Mr.* Foster, Miss Dolly; and why not ‘Captain’?”

Dolly raised her eyebrows in surprise.

“Captains hold the King’s commission and fight for their country,” she said demurely. “The master of a horrid ship that goes catching whales has no right to the title.” Then she laughed and shook her long, fair curls.

“Upon my word, young lady, you are very complimentary; but, Dolly, no more of this banter. My boat is waiting, and I have but a few minutes to ask you to give me your answer. In all seriousness remember that my future depends upon it. Will you marry me? Will you try to love me? May I go away with the hope that you will look forward to my return, and——”

“In all seriousness, Mr. Foster, I will not.”

“Why, what have I done to offend you? I thought you—I thought that I——” and then, getting somewhat confused and angry at the same time at Dolly’s nonchalant manner, he wound up with, “I believe that damned Dutchman has come between us!”

“How dare you swear at me, sir? I suppose, though, it is the custom for captains in the merchant service to swear at ladies. And what right have you to assume that I should marry you? Because I rather liked to talk to you when I felt dull, is that any reason why you should be so very rude to me? And once for all, sir, I shall never marry a mere merchant sailor—a common whaling master. I shall marry, when I do marry, an officer and a gentleman in the King’s service.”

“Ah!” Foster snapped, “and what about the Dutchman?”

Now up to this point Dolly had been making mere pretence. She honestly loved the young seaman, and meant to tell him so plainly before he left the garden, but at this last question the merriment he had failed to see in her eyes gave place to an angry sparkle, and she quickly retorted—

“Mr. Portveldt, sir, is a Dutch gentleman, and he would never talk to me in such a way as you have done. How dare you, sir!”

Foster was really angry now, and smiled sarcastically. “He's but the master of a merchantman, and an infernal Dutchman at that.”

“He is a gentleman, which you are not!” snapped Dolly fiercely; “and if he is but a merchant skipper, he commands his own ship. He is a shipowner, and a well-known Batavian merchant as well, sir; so there!”

“So I believe,” said Foster wrathfully; “sells Dutch cheeses and brings them ashore with him.”

“You're a spy,” said Dolly contemptuously.

“Very well, Miss Scarsbrook, call me what you please. I can see your cheese merchant waddling this way now, attended by his ugly pirate of a boatswain. Doubtless he has some stock-fish on this occasion, and as stock-fish are very much like Dutchmen in one respect and I like neither, I wish you joy of him. Goodbye!” And Captain Foster swung on his heel and walked quickly out of the garden gate. As he strode down the narrow path he brushed past the Batavian merchant, who was on his way to the Commissary's office.

“Goot tay to you, Captain Foster,” said Port-veldt, grinning amiably.

“Go to the devil!” replied the Englishman promptly, turning round and facing the Dutchman to give due emphasis to his remark.

Portveldt, a tall, well-made fellow, and handsomely dressed, stared at Foster's retreating figure in angry astonishment, then changing his mind about first visiting the Commissary, he opened the garden gate, and came suddenly upon Dorothy Scarsbrook seated upon a rustic bench, weeping bitterly.

“My tear yong lady, vat is de matter? I beg you to led me gomfort you.”

“There is nothing the matter, Mr. Portveldt I thank you, but you cannot be of any service to me,” and Dolly buried her face in her handkerchief again.

“I am sorry ferry mooch to hear you say dat, Mees Dorotee, vor it vas mein hop dot you would dake kindly to me.”

Dolly made no answer, and then Captain Portveldt sat down beside her, his huge figure quite filling up all the remaining space.

“Mees Dorotee,” he began ponderously, “de trood is dot I vas goming to see you to dell you I vas ferry mooch in loaf mid you, und to ask you to be mein vifes; but now dot you do veep so mooch, I——”

“Say no more if you please, Mr. Portveldt,” said Dolly, hastily drying her eyes. Then, rising with great dignity, she bowed and went on: “Of course I am

deeply sensible of the great honour that you do me, but I can never be your wife." And then to herself: "I fancy that I have replied in a very proper manner."

"Vy, vat vas der wrong about me, Mees Dorotee?" pleaded Portveldt "I vas feery yoyful in mein mind tinkin dot you did loaf me some liddle bid. I have mooch money; mein haus in Batavia is mosd peautiful, und you shall have plendy servands to do all dot you vish. Oh, Mees Dorotee! vat can be wrong mid me?"

"There is nothing that I object to in you, sir, except that I do not love you. Really you cannot expect me to marry you because I have seen you half a dozen times and have treated you with politeness."

"I do hobe, Mees Dorotee, dot id is not because of dot yong mans who vas so oncivil to me yoost now dot you vill not haf me. He vas dell me to go to der tuyvel ven I did say 'goot morning' yoost now."

"It is no young man, sir. Mr. Foster is a person for whom I have a great regard, but I do not intend to marry him. I will only marry a gentleman.

"Oh, bud, Mees Dorotee, am I not a yentle-mans?"

"I do not consider masters of merchantmen gentlemen," replied Dolly with a slight sniff. "My father is an officer in the King's service, and I have been taught to——"

"Ha, ha! Mees Dorotee," laughed Portveldt good-humouredly, "dot is nod so. Your baba is but a gommissary who puyts de goots vich I bring me from Batavia to sell."

"How dare you talk like that, sir? My father is a King's officer, and before he came here he fought for his country."

"Veil, Mees Dorotee, I do beg your pardon mooch, and I vill vight vor mein country if you vil learn to loaf me on dot account."

But Miss Dolly would listen no more, and, with a ceremonious bow, walked away. Then the Dutch merchant went to the Commissary's office to talk the matter over with her father, who told him that he would not interfere in his daughter's choice; if he could not make himself agreeable to her, neither her father nor mother could help him.

Just after sunrise next morning, Dolly, who had spent the night in tears and repentance, woke, feeling very miserable. From her opened window she could see the morning mists hanging over the placid waters of the harbour disappearing before the first breaths of the coming south-easter. The *Policy*, she thought, could not have sailed yet, and she meant to send her lover a note, asking

him to come and see her again before he left. Then she gave a little cry and sob, and her eyes filled with tears. Far down the harbour she could see the sails of the *Policy* just disappearing round a wooded headland.

An hour or so after breakfast, as Dolly was at work among her flowers, the tall figure of Sergeant Burt stood before her, and saluted—

“The *Policy* has sailed, Miss Scarsbrook,” said the Sergeant, “and I have brought you a letter.”

“Indeed!” said Dolly, with an air of icy indifference, turning her back upon the soldier, and digging her trowel into a little heap of soil. “I do not take any interest in merchant ships, and do not want the letter.” When she glanced round again she was just in time to see Sergeant Burt standing in the roadway with a lot of tiny pieces of paper fluttering about his feet.

Something impelled her to ask: “What are you doing, Burt?”

“Mr. Foster's orders, Miss. Told me if you would not take the letter I was to destroy it.”

Dolly laid her trowel down and slowly went to her room “with a bad headache,” as she told her mother.

II

Nearly two years went by, and then one morning the look-out at the South Head of Sydney Harbour signalled a vessel to the north-east, and a few hours later the *Policy* was again at anchor in Sydney Cove, and Captain Foster was being warmly welcomed by the residents generally and Dolly's father in particular, who pressed him to come ashore that evening to dinner.

Among the first to board the *Policy* was Sergeant Burt, who, as soon as the others had left, was in deep converse with Captain Foster. "I'm sure she meant to take your letter, Mr. Foster," he said finally, "and that I was too quick in tearing it up."

"I'll soon know, Burt; I'll try again this evening."

At the Commissary's dinner that evening Dolly met him with a charming smile and cheeks suffused; and then, after Captain Foster had narrated the incidents of his successful whaling voyage, her parents discreetly left them to themselves in the garden.

"Dolly! I am a rough, uncultured sailor. Will you therefore forgive me my rudeness when we last parted?"

"Of course. I have forgotten it long ago, and I am very sorry we parted bad friends."

"You make me very happy, Dolly. I have been speaking to your mother, and she has told me that she thinks you do care for me, Is it so? May I again——"

"Now, Captain Foster, why cannot we be friends without—without anything else. I will not pretend that I do not understand your meaning, but I tell you, once and for all, I don't want to be married. Really," and she smiled brightly, "you are as bad as Mr. Portveldt."

"Very well, Miss Dorothy," said Foster with annoying equanimity, "I won't allude to the subject again. But what has the Dutchman been doing? Where is he now?"

Dolly laughed merrily. "Oh, Captain Foster, I really have no right to show you this letter, but it is so very amusing that I cannot help doing so," and she took a letter from her pocket.

"Oh, he has been writing to you, has he?"

"Now don't speak in that bullying manner, sir, or I shall not let you hear its

contents.”

“Very well, Dolly; but how came you to get the letter? We are at war with the Dutch Settlements now, you know.”

“That is the amusing part of it. Now listen, and I will read it to you;” and Dolly spread out a large sheet of paper, and read aloud in mimicking tones—

“Mein dear Mees Dolly,—You did vant ein loafer who could vight vor his coundry, and vould haf no man who vas yoost ein merchant. Very goot. I mineself now command the privateer *Swift*, vich vas used to be sailing in gompany mit *La Brave* und *La Mouche* in der service of der French Republic, und did den vight und beat all der Anglische ships in der Anglische Channel. Id is drue dot your *La Minerve* did by shance von tay capture der *Swift*, and sold her to the American beoples, but our Batavian merchants did buy her from them, und now I haf god de command. Und now dot your goundrymens do annoys der Deutsche Settlements in our Easd Indies, ve do mean to beat dem every dimes ve cadgh dem in dese zees. Und I do send mein ledder to you, mein tear Mees Dorotee, by der greasy old vale-ship *Mary Ann*, yoost to led you know dot I haf not vorgotten you mid your bride eye. Und ven I haf gaptured all der Anglische ships in der East Indies I vill sail mein *Swift* to Sydney and claim you vor mein vrau, und do you nod be vrightened. I vill dake care dot you und your beople shall not be hurt, because I do loaf you ferry mooch. Der master of der *Mary Ann* vill dell you I vas ferry goot to him for your sake. I did but take his gargo, and did give him und his grew liberdy to go to Sydney und dake this letter to you, mein vrau, in der dime to gom, as I did dell him.—I remain your loafing Richard Portveldt.”

Foster jumped to his feet “The rascally Dutch swab, to dare to——”

“To dare to write to me,” said Dolly laughingly.

“To dare to write to you! To suppose for one moment that you—oh, d—— the fellow! If I come across him, I’ll——”

“But all the same, he’s very brave,” said Dolly demurely; “he is fighting for his country, you know.”

“The boasting fool!” ejaculated Foster contemptuously.

“But he *is* captain of the *Swift*, and the *Swift did* beat some of the English ships. I have heard my father say that.”

“Oh, yes. Three privateers did manage to cut off some of our little despatch vessels in the Channel; but this fat Dutchman, Portveldt, had no hand in it.”

“But this ‘fat Duchman, Portveldt, *did* capture the *Mary Ann*, and her master

did give me this letter, and—and I was so angry.”

“The master of the *Mary Ann* must have been a fool.”

“Why so—for merely executing a commission? But wait, there is a postscript that will interest you particularly. Now listen while I read it,” and Dolly, again mimicking Portveldt's English, read—

“Dell dot oncivil yong mans Voster who vas dell me to go to ter tuyvel, dot I vill sendt der *Bolicy* und her master mit der grew to der tuyvel if he gomes mein vay mit his zeep.”

“Now, Captain Foster, what do you think of that, pray?”

“Very pretty talk; what do *you* think of it?”

“Well, I'm only a poor little woman; but if I were a man I would——”

“Exactly so, Dolly. Well, I am a man, and the *Policy* has brought a letter of marque with her from England this time, and so I may meet——”

“Oh, Captain Foster!” and Dolly's eyes brightened, “I *am* glad; but—but—*please*, for my sake, don't get killed.”

A fortnight later, when Foster bade Dolly goodbye for another six months, she told him softly that she would be glad—oh, so very glad!—to hear news of him. A whaling voyage was so very dangerous, and he might get hurt or killed.

And this time, as the *Policy* sailed and Foster saw Dolly waving to him from the steps of the Commissary's office, he felt pretty sure that the letter of marque had advanced his suit considerably.

Fourteen days out from Sydney the *Policy* took her first whale, greatly to the delight of old Stevenson and the crew, who looked upon such early luck as a certain indication of a good cruise. After “trying-out” Foster kept on to the northward to the sperm-whaling grounds in the Moluccas. Three days later they spoke the *Endicott*, of Nantucket, whose captain gave Foster a kindly warning not to go cruising further north, for there were several Batavian privateers looking out for the English whalers that were then due on the cruising ground. Then the American wished him luck and goodbye.

Old Stevenson's face fell; then he swore. “I suppose we have to turn tail, sir, and try what we can do to the southward and I believe we'd be a full ship in three months or less up in the Moluccas.”

“So do I, and I'm going there.”

“But it's dangerous waters, sir; we don't want to lose the ship and rot in prison in Batavia.”

“Mr. Stevenson, I am an Englishman, and Hurry Brothers did not get a letter of marque for this ship for nothing. You ought to know that to turn back means an empty ship. It is our duty to go to our proper cruising ground and cruise till we are a full ship; and all the infernal Dutchmen in the world mustn't frighten us.”

“Very good, sir,” said the old mate cheerfully, “but, all the same, I don't want us to get served like that fellow Portveldt served the old *Mary Ann*.”

Another five weeks passed. So far, “greasy” luck had attended the *Policy* for she had taken sixteen more sperm whales, the last of which was killed in about 8° S. and 120° E., in the Flores Sea. But misfortune had come upon the ship in other respects, and Foster was in no small anxiety about his crew, nearly all of whom were ill from lead-poisoning. This had been brought about by drinking water from leaden tanks in which oil had once been stored.

A bright look-out was kept, for the ship was now right in the spot where it was likely she might meet with the Dutch privateers.

It was Stevenson's watch, and as he walked the poop he stopped suddenly, for the look-out reported a sail to the W.S.W. Foster came on deck at once and went aloft. In a quarter of an hour it was evident that the stranger bore towards them. The wind was south-east, and very little of it.

“What are you going to do?” asked the mate. “I fancy this is one of the Dutchmen who are on the look-out for us.”

“So do I,” answered Foster, “I'll tell you what I am going to do: brace sharp up on the larboard tack and run down to her. I am not going to run away from *one* infernal Dutchman, and I can only see one of 'em.”

“You're captain of the ship, and you can do as you please; but I am hanged if I think you'll pull it off this time. Half the crew are sick, and this fellow looks as if he meant fighting.”

“All hands on deck; starboard forebrace!” was all the answer Foster made. Then he went to the signal locker, and getting out the American ensign, with his own hands ran it up to the peak, hoping by this means to get close enough to the other ship to prevent *her* from running away from a fight, if the captain should turn out not one of the fighting sort.

As soon as the sails were trimmed the skipper walked to the break of the poop, and, with the air of a captain of a seventy-four, gave the order, “Clear ship for action!”

Then the mate ventured to remark that half of the guns were down below on

the 'tween decks, where they had been put out of the way for the generally peaceful occupation of whaling.

“Well, get 'm up. What the devil do you think I mean by clearing for action?”

Accordingly, the six-pounders were hoisted upon deck and quickly mounted, what little powder and shot the *Policy* carried was brought into a handy place, and the mate, with something of a smile, reported, “Ship cleared for action, sir.”

“Very good, Mr. Stevenson. Now, my lads, I reckon this ship is one of the Dutch fleet sent to clear us whalers out of these seas. Well, as he seems to be alone, I think we have a fair chance of turning the tables upon him. Anyhow, I am going to try. I know some of you are pretty sick, but I am sure that a crew of English sailors, even when they are sick, can lick twice their number of muddle-headed Dutchmen any day.”

In those days, British ships were manned by British seaman, and Captain Foster could talk like this without saying anything offensive to the British merchant service. Nowadays such an observation about “Dutchmen” would be a personal insult to four-fifths of the crew of a British merchant ship.

The men, including the mate, received the speech with a cheer, and one of them sang out “Haul down the Stars and Stripes. We don't want to fight under that.”

To which Captain Foster, who knew what he was about, merely replied, “I am not a fool!”

Towards the close of the afternoon the ships were within gunshot of each other, and the Dutchman ran up his colours. As they drew closer, the foreign skipper's glass showed him the nationality of the *Policy* and he at once opened fire upon her with one of his six eighteen-pounders.

As the shot hummed overhead between the *Policy's* fore and main masts, down came the American colours and up went the British ensign, and at the same moment Foster fired such of his guns as bore upon the enemy.

As soon as the report of the guns had died away, Foster sprang into one of his quarter-boats and hailed the other ship.

“Ship ahoy!” he roared “why do you fire at me?”

“Ha, ha! I know you,” came back in mocking tones. “Now vill I sendt you to der tuyvel, you greasy valer mans. I am Captain Portveldt, und dis is der *Swift*. Vill you surrunder, or vill I smash you to beices?”

For answer, Foster, who had now come very close to his enemy, fired his tiny broadside, his men, sick as they were running cheerfully from the guns to the

braces to manoeuvre the *Policy* clear of the privateer's fire, and then back again to the guns.

The sun had now set, but far into the darkness of the tropical night the running fight continued, Foster always out-manoeuvring the Dutchman, and the crews of both vessels, when they closed near enough to be heard, cursing and mocking at each other. Owing to the darkness and the extremely bad gunnery on both sides, little blood was spilt, and the damage done was mostly confined to the sails and rigging. Now and then a eighteen-pound shot hulled the *Policy*, and one went clean through her amidships. Suddenly, for some cause or other, about midnight, a light was shown in the privateer's stern, and Foster's second mate at once sent a lucky shot at it, with the result that the six-pound ball so damaged the *Swift's* rudder that she became unmanageable. And then, a few minutes later, another shot dismounted one of her guns by striking it on the muzzle, and ere the Dutchman's crew knew what was happening, a final broadside from the whaler brought down her two topsails and did other damage aloft. That practically ended the battle.

So thought Captain Portveldt, who now hailed the *Policy* in not quite so boastful a voice as when the vessels met earlier in the day.

“Captain Voster, I haf hauled down mein flag. Mein grew will vight no more, and I must surrender.”

A cheer broke from the whaler's crew.

“Very well, Captain Portveldt,” called out Foster; “lower a boat, and come on board with half your crew. But don't try on any boarding tricks, or you will be the worse for it.”

The meeting between the two skippers, notwithstanding the cause, was good-humoured enough, for Portveldt, apart from his boastfulness, was not a bad fellow.

“Veil, Captain Voster,” he said as he stepped on board the *Policy's* deck, followed by his big boatswain (who was wounded in the face by a splinter) and half his crew, “you haf broved der besd mans; und now I suppose you vill lead me like a liddle dog mit a sdring, und dake me to Sydney und make vun mit der young lady about me.”

“No, no,” answered Foster, “I am not so bad as all that Come below and have a glass of grog.”

At daylight one morning some weeks later two ships appeared in sight off Sydney Heads. Those who were on the look-out were alarmed, for it was seen

that both vessels were armed, and it was conjectured that the ships must be part of an enemy's squadron which had determined to make an attack upon the settlement of Port Jackson.

In a very short time an excited crowd gathered together along the line of cliffs of the outer South Head, each one asking his fellow what was to be done. Horsemen carried the news into Sydney, and every moment fresh numbers arrived to swell the crowd of spectators on the cliffs. A strange sight they must have presented, comprising, as they did, all sorts and conditions of men—settlers, naval and military officers, soldiers of the New South Wales Regiment, and a number of the better class of convicts.

Of course the Deputy Acting Assistant Commissary-General was among the officers anxiously watching the ships from the heights that overlooked the harbour, and with him were Dolly and her mother.

Presently Dolly, catching sight of her father's anxious face, began to cry, and turned to her mother. "Ah!" she said "it has all come true, and he has come to destroy the settlement!"

"What has come true, and who is going to destroy the settlement?" said her father sharply. And then Dolly, feeling very frightened and miserable, told him of Portveldt's letter, the receipt of which she had concealed from every one but Foster. The D.A.A.C.G. laughed at first, but then added, "but all the same, though 'twas but empty bluster, I had better tell his Excellency about it; it is just possible that the Dutch have planned an expedition against us."

At half-past ten, in response to a signal made from the look-out at South Head by the officer in charge there, his Excellency Governor King sent Lieutenant Houston, of his Majesty's ship *Investigator*, then anchored in Sydney Cove, to the naval officer in command at South Head.

The *Investigator* was Flinders' ship, the gallant old tub of 334 tons which surveyed a great part of the northern coast, and was at the time of which we write lying rotting in Sydney, condemned after completing her second voyage of discovery in June, 1803.

Then the Governor was told of Dolly's letter, but he was not the man to take fright at the approach of the enemy, although he had no defence force as it is now understood in New South Wales, nor had he a gold-laced staff of officers with elaborate "defence schemes" against possible raids of Japanese or Russians by way of Exmouth Gulf or Port Darwin.

In that year Governor King's force did not take long to be marshalled. The drums beat to arms, and the New South Wales Corps and the Loyal Association

immediately formed into line on the shores of the Cove.

At eleven o'clock a trooper arrived at Government House with intelligence that one of the vessels appeared under British colours, and the other was flying a Union Jack triumphant over a Dutch Jack. Following this message there soon came another, bringing the certain intelligence that one of the ships was an English whaler bringing into port her Batavian prize. So on receipt of this news, and just as the word to march was about to be given, the officer in command ordered his force to return to barracks.

At two in the afternoon, with the whole of the settlement agog with excitement, the two vessels sailed slowly up the harbour before a light northeast breeze, and came to anchor in Sydney Cove, close to the *Investigator*, on board of which ship the Governor and a number of naval officers awaited their arrival. For once discipline was relaxed, and Captain King had good-naturedly permitted the townspeople to throng on board to learn all the news about the *Policy's* prize. As Captain Foster made his way to the quarter-deck, he saw that behind the Governor and his staff were Dolly and her parents and several ladies.

In a very few minutes he made his report, and the Governor again shook his hand warmly; but the look in Dolly's eyes and the pressure of her hand were the young seaman's sweetest reward, for it told him that she had surrendered.

Then, returning to his own ship, he was warmly greeted by Sergeant Burt, and for a few moments the two remained talking in the whaler's cabin. Then, just as Foster was ready to go ashore, Mr. Scarsbrook, who had been inspecting the captured privateer, came on board, bringing Dolly with him.

Whilst they were all chatting merrily together Captain Portveldt made his appearance, and with the most perfect *sang-froid* saluted Dolly and her father.

“Veil, Mees Dorotee, you see I have come back, at der blessing invidadion of mein goot friendt, Captain Voster here, und I do vish him mit you blendy of habbiness.”

And Dolly, who at first meant to meet him with a sarcastic little speech, felt her eyes fill with tears at the manly way in which he bore his misfortune, and could only falter out some few words of consolation. Then there was a Prize Court, and—

“Mr. Charles Sparrow Foster, commander of the whaler and letter of marque called the *Policy*, presented to the Court a memorial stating his capture of the *Swift* on the 12th day of September, off the island of Flores, she being under Dutch colours... and the property of subjects of a Power at war with his Britannic Majesty, and praying also that the Court would be pleased to grant an award of

condemnation in his favour in order that the said prize should be for the advantage of himself, his owners, and his ship's company.”

and the Court having heard confirmatory evidence from Richard Portveldt, a subject of the Batavian Republic, to the effect—

“That he commanded the *Swift*; that everything on board of her was Dutch property, and she belonged to Messrs. Winy and Talman, of Batavia, and himself, all of whom were residents of Batavia, who purchased her for the sum of 18,000 dols.: that she was taken up by the Dutch East India Company at Batavia; and was on her way thither when she was captured by the *Policy*, &c.”—

accordingly condemned the prize, which was advertised in the *Sydney Gazette* for sale by auction, Mr. Lord, the auctioneer, setting forth that he would sell—

“At his warehouse, Sydney, at noon precisely, the 3rd of November, the good ship *Swift*, prize to *Policy*, Charles Foster, commander. French built in the year 1800. Was condemned a prize to his Majesty's ship *La Minerva*, and sold in 1801 to the Americans, as appears by the bill of sale, and by them sold to the Dutch at Batavia, where she was examined, copper-bolted, and new coppered in August, 1802. It is unnecessary to say anything respecting the properties of the *Swift* further than that she was the companion of *La Brave* and *La Mouche*, which so very much harassed the British in Europe, and set all our cruisers at defiance until her capture, prior to which she was justly celebrated as the fastest sailing-vessel the French Republic had.”

The prize was knocked down for £3,000, and Captain Foster's share was spent in a handsome wedding present for Dolly, which, at her particular request, took the form of a passage to Batavia and a hundred guineas delivered to Captain Portveldt immediately after the marriage ceremony.

End of Project Gutenberg's Foster's Letter Of Marque, by Louis Becke

*** END OF THIS PROJECT GUTENBERG EBOOK FOSTER'S LETTER OF MARQUE ***

***** This file should be named 25058-h.htm or 25058-h.zip *****
This and all associated files of various formats will be found in:
<http://www.gutenberg.org/2/5/0/5/25058/>

Produced by David Widger

Updated editions will replace the previous one--the old editions will be renamed.

Creating the works from public domain print editions means that no one owns a United States copyright in these works, so the Foundation (and you!) can copy and distribute it in the United States without permission and without paying copyright royalties. Special rules, set forth in the General Terms of Use part of this license, apply to copying and distributing Project Gutenberg-tm electronic works to protect the PROJECT GUTENBERG-tm concept and trademark. Project Gutenberg is a registered trademark, and may not be used if you charge for the eBooks, unless you receive specific permission. If you do not charge anything for copies of this eBook, complying with the rules is very easy. You may use this eBook for nearly any purpose such as creation of derivative works, reports, performances and research. They may be modified and printed and given away--you may do practically ANYTHING with public domain eBooks. Redistribution is subject to the trademark license, especially commercial redistribution.

*** START: FULL LICENSE ***

THE FULL PROJECT GUTENBERG LICENSE
PLEASE READ THIS BEFORE YOU DISTRIBUTE OR USE THIS WORK

To protect the Project Gutenberg-tm mission of promoting the free distribution of electronic works, by using or distributing this work (or any other work associated in any way with the phrase "Project Gutenberg"), you agree to comply with all the terms of the Full Project Gutenberg-tm License (available with this file or online at <http://gutenberg.org/license>).

Section 1. General Terms of Use and Redistributing Project Gutenberg-tm electronic works

1.A. By reading or using any part of this Project Gutenberg-tm electronic work, you indicate that you have read, understand, agree to and accept all the terms of this license and intellectual property (trademark/copyright) agreement. If you do not agree to abide by all the terms of this agreement, you must cease using and return or destroy all copies of Project Gutenberg-tm electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project Gutenberg-tm electronic work and you do not agree to be bound by the terms of this agreement, you may obtain a refund from the person or entity to whom you paid the fee as set forth in paragraph 1.E.8.

1.B. "Project Gutenberg" is a registered trademark. It may only be used on or associated in any way with an electronic work by people who agree to be bound by the terms of this agreement. There are a few things that you can do with most Project Gutenberg-tm electronic works even without complying with the full terms of this agreement. See paragraph 1.C below. There are a lot of things you can do with Project Gutenberg-tm electronic works if you follow the terms of this agreement and help preserve free future access to Project Gutenberg-tm electronic works. See paragraph 1.E below.

1.C. The Project Gutenberg Literary Archive Foundation ("the Foundation" or PGLAF), owns a compilation copyright in the collection of Project Gutenberg-tm electronic works. Nearly all the individual works in the collection are in the public domain in the United States. If an individual work is in the public domain in the United States and you are

located in the United States, we do not claim a right to prevent you from copying, distributing, performing, displaying or creating derivative works based on the work as long as all references to Project Gutenberg are removed. Of course, we hope that you will support the Project Gutenberg-tm mission of promoting free access to electronic works by freely sharing Project Gutenberg-tm works in compliance with the terms of this agreement for keeping the Project Gutenberg-tm name associated with the work. You can easily comply with the terms of this agreement by keeping this work in the same format with its attached full Project Gutenberg-tm License when you share it without charge with others.

1.D. The copyright laws of the place where you are located also govern what you can do with this work. Copyright laws in most countries are in a constant state of change. If you are outside the United States, check the laws of your country in addition to the terms of this agreement before downloading, copying, displaying, performing, distributing or creating derivative works based on this work or any other Project Gutenberg-tm work. The Foundation makes no representations concerning the copyright status of any work in any country outside the United States.

1.E. Unless you have removed all references to Project Gutenberg:

1.E.1. The following sentence, with active links to, or other immediate access to, the full Project Gutenberg-tm License must appear prominently whenever any copy of a Project Gutenberg-tm work (any work on which the phrase "Project Gutenberg" appears, or with which the phrase "Project Gutenberg" is associated) is accessed, displayed, performed, viewed, copied or distributed:

This eBook is for the use of anyone anywhere at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this eBook or online at www.gutenberg.org

1.E.2. If an individual Project Gutenberg-tm electronic work is derived from the public domain (does not contain a notice indicating that it is posted with permission of the copyright holder), the work can be copied and distributed to anyone in the United States without paying any fees or charges. If you are redistributing or providing access to a work with the phrase "Project Gutenberg" associated with or appearing on the work, you must comply either with the requirements of paragraphs 1.E.1 through 1.E.7 or obtain permission for the use of the work and the Project Gutenberg-tm trademark as set forth in paragraphs 1.E.8 or 1.E.9.

1.E.3. If an individual Project Gutenberg-tm electronic work is posted with the permission of the copyright holder, your use and distribution must comply with both paragraphs 1.E.1 through 1.E.7 and any additional terms imposed by the copyright holder. Additional terms will be linked to the Project Gutenberg-tm License for all works posted with the permission of the copyright holder found at the beginning of this work.

1.E.4. Do not unlink or detach or remove the full Project Gutenberg-tm License terms from this work, or any files containing a part of this work or any other work associated with Project Gutenberg-tm.

1.E.5. Do not copy, display, perform, distribute or redistribute this electronic work, or any part of this electronic work, without prominently displaying the sentence set forth in paragraph 1.E.1 with active links or immediate access to the full terms of the Project Gutenberg-tm License.

1.E.6. You may convert to and distribute this work in any binary,

compressed, marked up, nonproprietary or proprietary form, including any word processing or hypertext form. However, if you provide access to or distribute copies of a Project Gutenberg-tm work in a format other than "Plain Vanilla ASCII" or other format used in the official version posted on the official Project Gutenberg-tm web site (www.gutenberg.org), you must, at no additional cost, fee or expense to the user, provide a copy, a means of exporting a copy, or a means of obtaining a copy upon request, of the work in its original "Plain Vanilla ASCII" or other form. Any alternate format must include the full Project Gutenberg-tm License as specified in paragraph 1.E.1.

1.E.7. Do not charge a fee for access to, viewing, displaying, performing, copying or distributing any Project Gutenberg-tm works unless you comply with paragraph 1.E.8 or 1.E.9.

1.E.8. You may charge a reasonable fee for copies of or providing access to or distributing Project Gutenberg-tm electronic works provided that

- You pay a royalty fee of 20% of the gross profits you derive from the use of Project Gutenberg-tm works calculated using the method you already use to calculate your applicable taxes. The fee is owed to the owner of the Project Gutenberg-tm trademark, but he has agreed to donate royalties under this paragraph to the Project Gutenberg Literary Archive Foundation. Royalty payments must be paid within 60 days following each date on which you prepare (or are legally required to prepare) your periodic tax returns. Royalty payments should be clearly marked as such and sent to the Project Gutenberg Literary Archive Foundation at the address specified in Section 4, "Information about donations to the Project Gutenberg Literary Archive Foundation."
- You provide a full refund of any money paid by a user who notifies you in writing (or by e-mail) within 30 days of receipt that s/he does not agree to the terms of the full Project Gutenberg-tm License. You must require such a user to return or destroy all copies of the works possessed in a physical medium and discontinue all use of and all access to other copies of Project Gutenberg-tm works.
- You provide, in accordance with paragraph 1.F.3, a full refund of any money paid for a work or a replacement copy, if a defect in the electronic work is discovered and reported to you within 90 days of receipt of the work.
- You comply with all other terms of this agreement for free distribution of Project Gutenberg-tm works.

1.E.9. If you wish to charge a fee or distribute a Project Gutenberg-tm electronic work or group of works on different terms than are set forth in this agreement, you must obtain permission in writing from both the Project Gutenberg Literary Archive Foundation and Michael Hart, the owner of the Project Gutenberg-tm trademark. Contact the Foundation as set forth in Section 3 below.

1.F.

1.F.1. Project Gutenberg volunteers and employees expend considerable effort to identify, do copyright research on, transcribe and proofread public domain works in creating the Project Gutenberg-tm collection. Despite these efforts, Project Gutenberg-tm electronic works, and the medium on which they may be stored, may contain "Defects," such as, but not limited to, incomplete, inaccurate or corrupt data, transcription errors, a copyright or other intellectual

property infringement, a defective or damaged disk or other medium, a computer virus, or computer codes that damage or cannot be read by your equipment.

1.F.2. LIMITED WARRANTY, DISCLAIMER OF DAMAGES - Except for the "Right of Replacement or Refund" described in paragraph 1.F.3, the Project Gutenberg Literary Archive Foundation, the owner of the Project Gutenberg-tm trademark, and any other party distributing a Project Gutenberg-tm electronic work under this agreement, disclaim all liability to you for damages, costs and expenses, including legal fees. YOU AGREE THAT YOU HAVE NO REMEDIES FOR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTY OR BREACH OF CONTRACT EXCEPT THOSE PROVIDED IN PARAGRAPH F3. YOU AGREE THAT THE FOUNDATION, THE TRADEMARK OWNER, AND ANY DISTRIBUTOR UNDER THIS AGREEMENT WILL NOT BE LIABLE TO YOU FOR ACTUAL, DIRECT, INDIRECT, CONSEQUENTIAL, PUNITIVE OR INCIDENTAL DAMAGES EVEN IF YOU GIVE NOTICE OF THE POSSIBILITY OF SUCH DAMAGE.

1.F.3. LIMITED RIGHT OF REPLACEMENT OR REFUND - If you discover a defect in this electronic work within 90 days of receiving it, you can receive a refund of the money (if any) you paid for it by sending a written explanation to the person you received the work from. If you received the work on a physical medium, you must return the medium with your written explanation. The person or entity that provided you with the defective work may elect to provide a replacement copy in lieu of a refund. If you received the work electronically, the person or entity providing it to you may choose to give you a second opportunity to receive the work electronically in lieu of a refund. If the second copy is also defective, you may demand a refund in writing without further opportunities to fix the problem.

1.F.4. Except for the limited right of replacement or refund set forth in paragraph 1.F.3, this work is provided to you 'AS-IS' WITH NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR ANY PURPOSE.

1.F.5. Some states do not allow disclaimers of certain implied warranties or the exclusion or limitation of certain types of damages. If any disclaimer or limitation set forth in this agreement violates the law of the state applicable to this agreement, the agreement shall be interpreted to make the maximum disclaimer or limitation permitted by the applicable state law. The invalidity or unenforceability of any provision of this agreement shall not void the remaining provisions.

1.F.6. INDEMNITY - You agree to indemnify and hold the Foundation, the trademark owner, any agent or employee of the Foundation, anyone providing copies of Project Gutenberg-tm electronic works in accordance with this agreement, and any volunteers associated with the production, promotion and distribution of Project Gutenberg-tm electronic works, harmless from all liability, costs and expenses, including legal fees, that arise directly or indirectly from any of the following which you do or cause to occur: (a) distribution of this or any Project Gutenberg-tm work, (b) alteration, modification, or additions or deletions to any Project Gutenberg-tm work, and (c) any Defect you cause.

Section 2. Information about the Mission of Project Gutenberg-tm

Project Gutenberg-tm is synonymous with the free distribution of electronic works in formats readable by the widest variety of computers including obsolete, old, middle-aged and new computers. It exists because of the efforts of hundreds of volunteers and donations from people in all walks of life.

Volunteers and financial support to provide volunteers with the assistance they need, is critical to reaching Project Gutenberg-tm's goals and ensuring that the Project Gutenberg-tm collection will remain freely available for generations to come. In 2001, the Project Gutenberg Literary Archive Foundation was created to provide a secure and permanent future for Project Gutenberg-tm and future generations. To learn more about the Project Gutenberg Literary Archive Foundation and how your efforts and donations can help, see Sections 3 and 4 and the Foundation web page at <http://www.pgla.org>.

Section 3. Information about the Project Gutenberg Literary Archive Foundation

The Project Gutenberg Literary Archive Foundation is a non profit 501(c)(3) educational corporation organized under the laws of the state of Mississippi and granted tax exempt status by the Internal Revenue Service. The Foundation's EIN or federal tax identification number is 64-6221541. Its 501(c)(3) letter is posted at <http://pglaf.org/fundraising>. Contributions to the Project Gutenberg Literary Archive Foundation are tax deductible to the full extent permitted by U.S. federal laws and your state's laws.

The Foundation's principal office is located at 4557 Melan Dr. S. Fairbanks, AK, 99712., but its volunteers and employees are scattered throughout numerous locations. Its business office is located at 809 North 1500 West, Salt Lake City, UT 84116, (801) 596-1887, email business@pglaf.org. Email contact links and up to date contact information can be found at the Foundation's web site and official page at <http://pglaf.org>

For additional contact information:

Dr. Gregory B. Newby
Chief Executive and Director
gbnewby@pglaf.org

Section 4. Information about Donations to the Project Gutenberg Literary Archive Foundation

Project Gutenberg-tm depends upon and cannot survive without wide spread public support and donations to carry out its mission of increasing the number of public domain and licensed works that can be freely distributed in machine readable form accessible by the widest array of equipment including outdated equipment. Many small donations (\$1 to \$5,000) are particularly important to maintaining tax exempt status with the IRS.

The Foundation is committed to complying with the laws regulating charities and charitable donations in all 50 states of the United States. Compliance requirements are not uniform and it takes a considerable effort, much paperwork and many fees to meet and keep up with these requirements. We do not solicit donations in locations where we have not received written confirmation of compliance. To SEND DONATIONS or determine the status of compliance for any particular state visit <http://pglaf.org>

While we cannot and do not solicit contributions from states where we have not met the solicitation requirements, we know of no prohibition against accepting unsolicited donations from donors in such states who approach us with offers to donate.

International donations are gratefully accepted, but we cannot make any statements concerning tax treatment of donations received from

outside the United States. U.S. laws alone swamp our small staff.

Please check the Project Gutenberg Web pages for current donation methods and addresses. Donations are accepted in a number of other ways including checks, online payments and credit card donations. To donate, please visit: <http://pglaf.org/donate>

Section 5. General Information About Project Gutenberg-tm electronic works.

Professor Michael S. Hart is the originator of the Project Gutenberg-tm concept of a library of electronic works that could be freely shared with anyone. For thirty years, he produced and distributed Project Gutenberg-tm eBooks with only a loose network of volunteer support.

Project Gutenberg-tm eBooks are often created from several printed editions, all of which are confirmed as Public Domain in the U.S. unless a copyright notice is included. Thus, we do not necessarily keep eBooks in compliance with any particular paper edition.

Most people start at our Web site which has the main PG search facility:

<http://www.gutenberg.org>

This Web site includes information about Project Gutenberg-tm, including how to make donations to the Project Gutenberg Literary Archive Foundation, how to help produce our new eBooks, and how to subscribe to our email newsletter to hear about new eBooks.