

# **The History of Antony and Dorothea Gibbs & of the early years of Antony Gibbs and Sons**

**By John Arthur Gibbs - 1922**

## **CHAPTER VIII 1805-7- THE "HERMOSA MEXICANA," SPAIN, COWLEY, AND LONDON**

When Antony came home in 1805, driven by war from his business in Spain for the second time, his situation offered considerable points of contrast to that in which he returned in 1797 at the beginning of the previous war between Spain and England. Then, though his resources were most inadequate, he was free from commercial debts; now, though he might tide over even several years of war without coming under obligations to his relations, he was saddled with heavy debts to manufacturers. Then he had to pass the war time in idleness, but without the anxiety of unrealised concerns in Spain; now he had to bear the burden of the risks to which his great stock in Cadiz was exposed by the war, and to exert himself to the uttermost to liquidate it. The preservation of his credit was the all important, and at the same time, under the adverse circumstances, most difficult task before him. He had determined not to go back to Spain himself after the war, and a new business based on his Spanish connection had to be founded. After sixteen years of work in Spain he might well be dismayed, but he had been schooled by many disappointments, and his courage and energy were to prove equal to the task before him.

The marketing of imported goods lying in store in Cadiz had been greatly restricted by the danger of capture at sea by English ships going to or from America, but Antony had brought home with him a scheme which he and Vallarino had devised, which was that he should endeavour to procure an English Government license for a Spanish ship to carry the greater part of his stock of goods in Cadiz to South America, where it was expected they would meet with ready sale instead of remaining indefinitely in store in Cadiz. His brothers George and Vicary took the matter up keenly for him.

Vicary had been appointed Chief Justice of the Court of Session of the County Palatine of Chester in July 1804, and been elected M.P. for Totnes in December that year. He had, on constitutional grounds, resigned his judicial office on being made Solicitor-General to Pitt's last administration on 12 February 1805, and on 20 February he had been knighted.

Antony had hesitated to apply to Sir Vicary, but the latter wrote to George, who had sent him an outline of Antony's plan, that he was much mortified at Antony's reluctance to apply to him for help, adding that "the business which Antony has in contemplation is of the greatest importance and must not be neglected." Early in October 1805 Sir Vicary arranged for the application for the license to be presented, and Antony was with George in Bristol. Towards the middle of the month Antony and George both went to London to attend to the matter, staying at Hayes with

Sir Vicary. Antony was introduced by the latter to the necessary officials and remained in London till the middle of December, paying almost daily visits to Government offices about the license. On 15 October he had an interview with the Secretary of the Treasury, and on the 18th with the Duke of Montrose, President, and with George Rose, Vice-President of the Board of Trade. On the 30th Sir John Nicholl, King's Advocate, reported on the matter, and referred it to the Privy Council, who in the end (about 14 December) gave their assent to it. No one else had obtained such a license. In July in the next year Henry, who was then in London, discovered that the firm of Baring, Jackson, Gould, & Vicary, who also had large stocks at Cadiz, had been granted an English license to load a ship from Cadiz to South America, but were refused permission, which Antony had obtained, to employ a Spanish ship, so that they would have to pay heavy bribes to the Spanish Government for a license for a neutral vessel. Moreover, they were bound under forfeit of £10,000 to cause the ship to return to England, whereas Antony, though he had to engage to bring his ship back to England, was not put under any penalty. Antony was at one time doubtful whether to obtain the license to Lima, Vera Cruz, or Buenos Ayres, but eventually decided on Lima, thus unconsciously laying the grounds for direct business with Peru which was in after years to lead up to the establishment of Antony Gibbs & Sons' Houses in that country.

During this time in London George Gibbs offered Antony the management of his lately founded Liverpool house - Gibbs, Thompson, & Co. - when he should have settled his Cadiz affairs; but Antony now definitely made up his mind to start as a Spanish merchant in London as soon as he should have disposed of his Cadiz stock; and the cargo for which he had a license, he wrote, "will probably make the beginning of my London establishment, meaning that the sale in London of the return cargo from Lima would be his first business in London. Nearly three years were destined to elapse before his London house began business, but the prophecy about the return cargo only missed realization by the wrongful deviation of the ship on her return voyage.

The license was of course obtained on the ground that Antony's goods in Cadiz were English property held up there by the war, and the object was to enable the ship to avoid risk of detention and sale of her cargo as a prize of war if captured by British ships; without it she could probably scarcely get out of Cadiz harbour, for the blockade of Cadiz, begun by Sir John Orde in April, had been since continued on the strictest lines by Collingwood and Nelson. A license from the Spanish Government was still required to enable the ship to load and sail, but as the goods were nominally Vallarino's not much difficulty was expected on this score; it was not, however, till June 1806 that Vallarino was actually able to procure it. The English license was for 18 months, and provided that the ship should not exceed 300 tons, and should return to England with a cargo bought with the proceeds of the goods sent out in her. The goods sent out were to be Antony's, and of English origin except for a certain proportion which if not suitable for Lima might be bartered for Spanish goods. There is no actual copy of the license among the letters.

During his stay in London Antony had seen much more of his brother Vicary than for years past. On 4 December 1805 he wrote to his wife: "Vicary has been most exceedingly kind to me and let me into some truths of which I never had the least idea before. You know how I always loved and respected him but I never loved him so much as now."

At the end of December Antony and Henry, taking the license with them, went out to meet Vallarino. This was Antony's 12th and last expedition abroad. They arrived at Lisbon 6 January 1806. On the 13th they left by boat for Aldea la Gallega in the estuary of the Tagus; next day went by land thence to Ventos Novos; the following day they lost their way, and, the roads being almost impassable, they had to walk many miles each day beside their carriage and on 16th arrived at Begate; on 17th they reached Mertola; and on 18th went by boat down the Guadiana to the sea port of Villa Real on the frontier, where they had appointed to meet Vallarino. On the 21st Vallarino's brother Joachin arrived, and he reporting that they could safely proceed they all went by boat 60 miles to San Lucar, and thence arrived at Port St. Mary (close to Cadiz) on 24 January. Antony found that Vallarino had managed to sell about £1,000 of his goods. As to the cargo he wrote: "My situation is so critical that I must throw the whole risk on others and content myself with a very small share of the profit if one is made." Accordingly he arranged that Vallarino should pay for the Spanish license, which cost £2,000, and should take the whole risk of loss on the expedition to Lima on himself, Antony only retaining for himself a percentage in any profit there might be.

The season "for Lima" becoming too late, the Spanish license being delayed, and a suitable Spanish ship not having been found, it became advisable to get extended time for the English license; so in May Antony sent Henry home to negotiate it. Henry travelled overland via Salameda across the mountains, in company with some smugglers, and arrived at Lisbon on 22 May, only sleeping twice under a roof. Early in June he was in London staying with his uncle Vicary at 42 Bedford Square.

On 18 July Antony had got back to Lisbon, having travelled thither from Andalusia in nine days by the same route as Henry, and with similar rough experiences. In the interval he had been attending to more sales of his goods, and had also been taking some of them out of the hands of Vallarino, whom he did not trust though his credit was good, and had sent £2,000 worth to the care of friends in Seville; but this was a costly operation, and involved extra commissions as the arrangement with Vallarino was that he should charge 2½ per cent. on all sales of Antony's goods made by himself but still 2 per cent. when sales were made by others. (On advances he charged 10 per cent. interest.)

Henry was successful in getting the license extended to 24 months - that is, to December 1807. The extension was given on 25 or 26 June, and "signed by the King." He sent it out to his father, who received it on 18 July. His success was no doubt partly due to the fact that Sir Vicary introduced to him his friend William (Eden) Lord Auckland, whose acquaintance it will be remembered that Antony made in Madrid in 1788. Lord Auckland being now on the Privy Council and President of the Board of Trade (in place of the Duke of Montrose), his influence was most important. Though he admitted the extension of the license, he absolutely declined to make any other alteration in it, since many applications for similar licenses for a Spanish ship had been refused to others, and it was important to avoid the possible appearance of giving a new license; indeed some of the petitioners had asserted that Antony had already had two licenses and that one had been acted on, and Henry was therefore required to take oath before a magistrate that this was not the case. His uncle George Gibbs came up to London to help him, and Mr. Falkner was the official through whom he approached the Privy Council.

George Gibbs was as usual taking a great interest in Antony's affairs and constantly writing advice to him. Having in view Antony's intention to establish himself in London, he (6 July) urged Henry to cultivate friendship with Henry Townley Ward and with Charles Lyne, and he wished him to impress on his father the necessity of continuing to canvass his friends in Spain for the support of their consignments and orders. He suggested to Antony (3 July and 15 October) meanwhile to get some of his Lisbon friends to consign cotton to his Liverpool House, on which Antony would get half commission. He also (6 August) suggested that he should consider whether he could find a partner with capital to join him when he should found his House in London, but they afterwards agreed together that it would be better not to pursue this suggestion.

Antony's long absence abroad was sadly affecting Dorothea. She wrote to Henry on 6 July: "In the last 7½ years he has only been with me putting all the time together 2 years and 5 months," but Antony pointed out to her that it was essential to clear up the present Spanish business, otherwise he would be absolutely ruined, and his project of forming an establishment in London for their sons would become impossible.

The death had occurred in May, at Exwick, of John George Yonge (1786-1806), the 3rd son of Rev. Duke Yonge, vicar of Cornwood, who was a friend of Henry and William Gibbs. His loss was much felt by them and was made the occasion by their parents in letters to them of reflections calculated to bring home to them the precariousness of life.

Some appreciations of their sons at this period may be quoted. Sir Vicary said to Henry at Hayes in June 2:-

I am glad to see you have not that disagreeable hesitation when you speak which your grandfather and father and almost all the Gibbises have so much of.

Lady Gibbs wrote:-

Henry is a most amiable young man and his uncle is as much pleased with him as I am, indeed I congratulate you on having such a son.

Dorothea in a letter to Antony quoted a letter from George Gibbs (junr.) to his aunt Sibella Gibbs saying:-

I think she [Mrs. Antony Gibbs] is very much blessed in her children and particularly in their affection for her; ... William's feelings for her are stronger than I have ever experienced in a boy for his mother; he is a good fellow, has an excellent memory, great quickness, and above all the best disposition I ever met with. I sometimes wish almost that it were not quite so good, for he is so little discomposed by censure on trifling subjects that he is too indifferent about giving occasion for it. ... William and I go on very comfortably together: the most I have to complain of in him is his being sometimes a little homesick.... She will not be very lavish of her censure on this account.

On this Dorothea commented to Antony :

I don't know how you may feel upon reading this. I could not help shedding tears, but they were tears of joy, though the dear fellow has his faults, but his good heart is what delights me. His love for you is quite as great as what he feels for me for in all his letters he is wishing himself with you again. . . . Everyone considers us blessed in our children.

In the early part of September Henry sailed from Falmouth. In five days he rejoined his father at Lisbon, who had been waiting for him to complete the license before the British Consul there. Antony was attending his friend General Simcoe, who was at Lisbon on a special mission to the Portuguese Government but was seriously ill. They both accompanied his staff to see him off back to England in a battleship on 28 September. He died at Exeter in the following month. There had been no fever in Andalusia this summer, and at the end of October Antony and Henry went to Seville, travelling, by the same route as that by which they went to Andalusia in January, via Mertola, then by boat to Villa Real, and on by boat to San Lucar. Both of them were able to visit Cadiz. A few sales of the goods had taken place, but the management of the business by Antonio Vallarino, who was inexperienced in this line, had been far from good.

Now at last after more than a year's negotiations the shipment of Antony's goods intended for Lima could be taken in hand, and Antony wrote that the Spanish ship chartered for the purpose, named

the "Hermosa Mexicana," sailed on 24 December (1806] with an excellent recommendation and a letter from me to Lord Collingwood who was only a few leagues off and who it is believed here put the vessel in consequence under the care and convoy of a frigate going to Buenos Ayres which would be able to accompany the vessel for many days out of the reach of French privateers. Everyone is giving me joy, for no one supposes that I have kept so little share to myself.

The ship was consigned by Vallarino, as agent (nominally) for Antony, to Antonio Baras, a Spanish merchant trading in Lima. As supercargoes on board of her were Joachin Vallarino, brother of Antonio Vallarino, and Joseph O'Ryan, representing respectively the interests of Antonio Vallarino and Antony Gibbs. The value of Antony's goods shipped in her must have been at least £15,000, but his interest in them had been limited to 12 per cent. of what profit there might be on the sale of the goods in Lima and on the sale of the return cargo which the ship would bring home, and to a commission of 1 per cent. on the return cargo which was to be his remuneration for selling it in England, while Vallarino took the whole risk of loss. Vallarino must have paid Antony the value of the goods shipped to Lima (and the cost of insuring them). The letters preserved do not disclose this in so many words, but it is certain that it was so, otherwise there would unquestionably have remained some reference to the matter in subsequent letters dealing with Antony's financial position, whereas, beyond his interest in the profits of the cargo and his commission, there is in future no reference to any money to come in except from the goods still left in Andalusia. The proceeds of the goods sold were of course not available for Antony's own use, but must have been almost wholly employed in reducing his indebtedness. The value of the goods still left was at least £10,000. Antony's labours to bring about the expedition to Lima had been fully justified, for he had by this means effected a sale of three-fifths of his great stock of goods during a period (still to endure for several years) in which wars had cut off the regular demand for such goods in Spain and prevented any export in the normal manner to the Spanish colonies.

Antony's attention was then at once turned to London. On 27 January 1807 he wrote from Cadiz:

I have been able to place what remain of my goods in such hands as will make it unnecessary for me ever to return to this country. The expedition will return before the end of the year and comes addressed to Antony Gibbs & Son [this is the first reference to the style the firm was to bear], and we shall have to contrive about sending abroad our circulars from thence soon after our arrival in England so as to have the House known before the arrival of the consignment. I find very much beyond my expectations the desire of my friends here to forward my London establishment.

His friends had also been urging him to establish a Buenos Ayres branch of his London House, and there was some talk of Henry going there at once on its capture by the English (June 1806), but that plan was given up on its recapture by the Spaniards. Antony hoped now finally to wind up his old Spanish business with £2,000 or £3,000 to the good.

There is a letter to Antony from his brother George of 10 September 1806, which shows with what enthusiasm Antony already looked forward to his London business, and also how George found it necessary to caution him against his tendency to over-confidence, and to warn him against encouraging Henry to marry under present conditions, and against giving Henry too great a share in the proposed London partnership.

But, though the expedition had sailed, there were still anxieties with regard to it. The insurance of Antony's goods in the ship was being done through George Gibbs by Lyne Hathorne & Roberts of London, and was eventually all carried through for £20,000, at 10 guineas per cent against all risks (a cost, including stamps, and 1 per cent. for guaranteeing the solvency of the underwriters, of £2,500). The risks covered included all irregularity, or want of papers, or any plea of illegality from the nature of the voyage. In case of capture or detention the loss was to be paid in two months without waiting for condemnation or restitution. But it was found by George Gibbs that others in London were insuring (£1,500 by Baring Mair & Co., £5,000 by another, and further amounts by others) goods by the same ship, so it was evident that, contrary to the terms of Antony's license, Vallarino had embarked goods of other people's in her which might vitiate the license in the event of capture. Moreover, to quote George's letter to Antony of 11 February 1807:-

the enormous amount of the invoice, so far exceeding the idea you gave of your property in Spain, would, if called for, excite suspicion. For your sanctioning this excess you could I think give some plausible account from the situation in which you stood with your agents, who had your property, and to some extent your person, at their mercy, and that in this dilemma you were suddenly called on to ratify the invoice on their solemn assurance that there was no property on board but your own. I am satisfied you had a most difficult and painful task to manage the business with your agents whose conduct I fear has been very rapacious and unprincipled, the consequences of which may fall back with ruin upon themselves. [Further] it has been discovered that Sir William Scott (and Sir John Nichol who sanctioned the license) made a mistake in putting in the condition that the ship should return to England, as this rendered the whole voyage illegal, being in the teeth of the Navigation Acts. Sir Vicary has conferred with Sir W. Scott and Lord Auckland about it, and the Privy Council will do all they can to ward off evil consequence to you by this mistake of the law officers of the Crown: the ship would by law be liable to confiscation on arrival.

As will be seen below, no harm came from these irregularities.

In April 1807 Antony and Henry got back to Lisbon. They travelled from Seville on this occasion direct in nine days to Aldea la Gallega, near Lisbon, in a carriage with seven mules, and with four soldiers for protection, and were glad to get away safely from Spain in view of the fact that Napoleon's Berlin decree of November 1806, which established his "Continental system", was to be put in force in Spain. During this visit to Andalusia Antony had stayed with his friend Juan Kiddell in Seville, "who endeared himself to me most exceedingly by the choice attention he showed me." Mardon left Andalusia with them, of whom Antony wrote that he is plain but sterling and attentive, and "I believe it would break his heart to part with Henry who is also very fond of him."

With regard to their stay in Spain Henry wrote to his brother William (7 May):-

You can have no idea what trouble and anxiety we had to go through on this last trip to Andalusia, first in examining and putting in order the goods remaining, then in removing such a large stock out of Vallarino's hands without letting him suspect the cause, in such times as these when we were almost afraid to show our faces in the street, and then, what was more difficult of all, the managing of the business of the license [i.e. of getting the Hermosa Mexicana loaded under the license]. I never had my mind in such a constant state of anxiety before as I had these six months, and as to bodily fatigue I had to pass the road from Cadiz to Seville and Seville to Cadiz seven times in post since I last left Lisbon. To a young man this is all nothing, but I have often wondered how my father has been able to bear up against the many reverses and changes of fortune he has had. It is very happy to think that he has such resolution, for very few at his age could go on exerting themselves as he does after so many disappointments. He is determined never to go to Spain again.

The whole remaining stock of goods had now been taken out of Vallarino's hands, the bulk of them being placed with William Lonergan in Cadiz, and Juan Kiddell in Seville, but some were also with Gavino de Nagera in Seville, and Billeri & Co. in Malaga. Vallarino was still entitled to a commission on the whole.

To lessen the risk of both of them being captured at sea, Henry went home to England first, leaving his father to conclude his business and receive papers through one Pisetas, a friendly smuggler whom he often employed for the transmission of letters. Henry arrived home 9 June 1807 (in fifteen days), Antony and Mardon 4 July. Mardon was despatched back via Lisbon to Cadiz in September to be employed now in the House of Antony's friends Viuda de R. Boom é Hijos, but also to watch Antony's interests, and to correspond with him as to the progress of his affairs. It was already decided in June that Henry also was, if possible, to return to Spain at the end of the year to collect remittances of proceeds of goods sold, so as to help Antony start his London House.

Antony's return to England this year after an absence of nineteen months marks the end of his career abroad. It may be recalled that his first recorded visit to Spain was in 1788, and that from 1789 he and his family were three whole years absent from England. In the succeeding fifteen years he had voyaged ten times to the Peninsula, each visit involving on the average nearly twelve months' absence from England and from his wife. His son Henry, between January 1801 and June 1807, had already paid six visits to the Peninsula, each of a duration of from six to ten months, and William, between September 1802 and April 1805, had paid two, each of nine months.

Shortly before Antony's and Henry's return Dorothea's mother, Eleanor Hucks, who had lived with her so many years, had died, in May, at Cowley Cottage, at the age of 78. She had been ailing for some time, but her loss was severely felt by Dorothea as well as by Antony and their children. William wrote to his mother on 29 April: "I may truly and from my heart aver that after you and my dearest Father there is no one on earth for whom I have a sincerer love, affection, and respect." Letters of condolence exist from H. T. Ward, Sarah Hucks of Dulwich, and Susan Gibbs, to Dorothea, and from Joanna Gibbs to William. Eleanor Hucks left £500 to Dorothea, and some other money to Dorothea's children and to H. Townley Ward, but the bulk of her fortune (chiefly her property in Knaresborough), which turned out to be worth £6,000, to her son John Hucks. Her estate was not distributed till 1809. Dorothea wrote:-

I wish my dearest mother had left what she has kindly given me to Mr. Gibbs [Antony] but I am well convinced that she did what she thought for the best, and I have the comfort of knowing that she had the highest opinion and love for him, and that what she has done was meant for the future benefit of both.

There were other family troubles about this time. John Hucks was in financial difficulties again. His wife, Matilda, had been dying as it was thought, but she happily recovered. Antony's sister Catherine Gibbs had been giving great anxiety by her behaviour.

Antony and Henry went to Bristol on 15 July. Thence to London, where Henry remained alone in August, Antony returning to Cowley. They were now trying to get a Government license for a ship to bring dollars from Spanish America to England, a business proposed by Vallarino, who promised Antony £1,000, 10 per cent. of profits, and the consignment of the cargo, should he be successful; but Henry found that the English Government would now only give licenses to ships to trade with the Spanish Colonies if they sailed direct from England with three fourths of the cargo in British goods and returned to England.

Sir Vicary had resigned his office of Solicitor-General on Pitt's death in January 1806, but on 1 April 1807 had been appointed Attorney-General in the Duke of Portland's administration, a post which he was to retain for five years. In the same month he was elected M.P. for Great Bedwyn, but at the General Election in May was returned one of the members for Cambridge University, defeating the late Chancellor of the Exchequer Lord Henry Petty and Lord Palmerston.

During his visits to London and Hayes Henry had become very much at home in Sir Vicary and Lady Gibbs' family party (which generally included some of the latter's relations), and was particularly friendly with Maria, their only child (aged 22 in November 1807). Indeed his intimacy with her had frequently been the subject of correspondence between Antony and Dorothea, though it seems that to him they said nothing about it at this time. In October 1807 letters on the matter passed between Antony and Sir Vicary, and in November they talked it over together, and concluded that, as Henry had as yet no means of supporting a family, and as Sir Vicary, though at present in receipt of a large income, objected that when he retired he would not have enough to justify him in running the risk of having a second establishment at his charge, it would be better not to encourage the attachment. In January 1808 Lady Gibbs, having ascertained from Maria that there was no thought of an engagement on her part, suggested to her that she should check the correspondence which she had for some time carried on with Henry. In the



following March, while Henry was in Spain, Maria became engaged to marry Major Pilkington, and Antony felt mortified on his son's account, thinking that his affections might be deeply engaged, but "as soon as he got easy on that point he was likewise soon convinced by mature reflection that Henry's marriage with her would not have been best for the comfort of both families on account of the difference in station, habits, and opinions."

Maria was married in May that year, but before the end of it she and her husband had agreed to separate owing to incompatibility of temper, and she returned to live with her parents. They remained apart till about 1820. At the end of 1809 Antony, finding that the matter of his correspondence with Sir Vicary two years before had leaked out in the family through Lady Gibbs, thought right to send copies of the letters to Henry, who was in Spain, so that he might know what had actually occurred.

During the latter half of 1807 and the early part of 1808 the Gibbs family at Cowley saw much of some of Lady Gibbs' relations. Colin Mackenzie 5 and his wife, the former a nephew of General Alexander Mackenzie Fraser, were then living at Lympton (near Topsham), and with them the General's daughters Marianne and Helen, and sometimes Lady Gibbs' unmarried sister Elizabeth Mackenzie. The General's wife, Helen, another sister of Lady Gibbs, was dead. Visits between the families at Cowley and Lympton were frequent. Helen Fraser often went to stay at Cowley Cottage during this time and was very popular there. In particular she formed a close friendship with Harriett Gibbs which continued throughout her life. (General Fraser, returning from Portugal in January 1808, met Henry Gibbs at Portsmouth going out to Gibraltar and gave him letters to army men there, which when Antony heard he took occasion to warn Henry against the "hard drinking with which the place abounds among the military, but I know you will see how much it interests your health and well being to avoid this pernicious custom." The General died at Sir Vicary's house at Hayes in September 1809 of illness contracted in the Walcherin Expedition that year, and thenceforth his daughters Marianne and Helen, who had even before lived much at Sir Vicary's, made their permanent home there.)

In October 1807 began a dispute between Antony and his brother-in-law Samuel Banfill which considerably disturbed the relations between the two families of Exwick and Cowley. The question was whether a sum of £1,800, the proceeds of cloth goods belonging to Antony sold by Granger & Banfill for his account, should be treated as a set-off against Antony's debt to them, or as cash which he could use to hand to his other creditors. Antony took the latter view, and the difference was settled in December in his favour by an arbitration held in Bristol by his brother George Gibbs and a Mr. Brooke. The result was at once cheerfully accepted by Edmund Granger, but Banfill, though he did not dispute it, was very slow to make friends again.

News came in October that the *Hermosa Mexicana* had arrived at Lima on 27 April. As already stated her orders were to bring her return cargo to England and to consign it to Antony Gibbs & Son, but the House not having been yet opened, Antony appointed Lyne Hathorne & Roberts of London to receive the ship on her arrival.

The question then arose of how to deal with her in view of the illegality of the license discovered in February. Henry was in London attending to it while his father remained at Cowley. It was thought better that Lyne's House should approach the Privy Council rather than either Antony or Sir Vicary, but on 2 November Sir Vicary advised that the Government should be left to apply the necessary remedy on the ship's arrival; an order in Council would be sent to

release her, and he as Attorney General would be ordered to stop all prosecution; but he doubted if the remedy would be effective if the ship were seized by any very bold and intelligent Revenue Officer. The great danger was that an informer might show the matter up.

In November both Antony and Henry were in London waiting news of the ship, and in the middle of the month heard with astonishment that she had been taken into Vigo instead of coming to England. The excuse given for this divergence from orders was stress of weather, but Antony believed that it was the deliberate action of Joachin Vallarino, who was on board. Mardon, in Spain, on his own responsibility protested against it on Antony's behalf, insisting that the ship should re-sail for England, but Antonio Vallarino declared (possibly with reason) that the Spanish Government would not allow it. Relieved though Antony was from one source of anxiety by the ship not coming to England, he had to face other difficulties. The English Government were aware of the arrival of the ship at Vigo, "and my brother [Sir Vicary] and I," he wrote to A. Vallarino, "are in the greatest uncertainty as to what they may determine for they will certainly lay the blame on us and say that we and you had arranged it." On 20 December he wrote him that he expected to have to pay false dues to the Government and feared that he would lose his influence with them as well. But the Government eventually passed the matter over. A far more serious matter it was that at Vigo the cargo, consisting of cocoa, bark, silver, wool, and tin, was under Vallarino's control, instead of being in Antony's hands as it would have been in England. The latter therefore had no means of enforcing payment by Vallarino of his 12 per cent. share of the profits of the round voyage, or of his commission on the sale of the cargo. He had confidently hoped that these sources of gain would have enabled him to pay off the manufacturers to whom he owed money, leaving his remaining goods in Spain free of debt. His past experience of Vallarino had given him cause to suspect his honesty, and his present fears were enhanced by hearing towards the end of December that he had failed to give J. O'Ryan the remuneration due to him for the voyage, which it had been agreed that he should pay as an advance against Antony's share of the profit. But Vallarino did subsequently pay it.

The profit on the expedition would be all the greater because all the insurance home had been saved, Antony, who had been commissioned to do it, having decided that, as underwriters asked 12 per cent. for partial insurance only, refusing to insure at all against all risks, it was better for the interested parties to run the risk themselves. On 31 December Antony wrote to Charles Lyne that his share ought to be over £10,000, "a most exorbitant profit," but, though he received some accounts from Vallarino, repeated letters to him failed to extract any remittances on account of his share. Even when, in April 1808, Antony was placed in grave difficulties, owing to Juan Kiddell's bankruptcy, and Mardon begged of him for some payment to help Antony, he still refused, and only tried to pick a quarrel with Antony on the ground that the latter had placed the sale of his remaining goods in Spain in other hands. Eventually a settlement was come to in August 1808 as will be related.