

## ABSTRACT

James Richard Wils. "IN BEHALF OF THE CONTINENT": PRIVATEERING AND IRREGULAR NAVAL WARFARE IN EARLY REVOLUTIONARY AMERICA, 1775-1777. (Under the direction of Dr. Carl E. Swanson) Department of History, July 2012.

The goal of this thesis is to demonstrate the vital importance of American privateers during the early years of the Revolutionary War and their impact on the achievement of American independence. Most Revolutionary War historians have glossed over the naval aspects of the Revolutionary War, and have virtually ignored privateers. Naval historians have long debated on the importance of privateers to a nation's maritime operations, with some of the most prominent scholars arguing that privateers were secondary and ineffective. In fact, privateering and prize capture often contributed greatly to national war efforts, and in the case of the Revolutionary War, privateers were the single most effective American force in the first three years of warfare.

At the siege of Boston beginning in the summer of 1775, George Washington recognized the necessity of a naval force to prevent resupply of the British garrison by sea. Tasking several of his army officers with procuring and arming private vessels for this purpose, Washington essentially commissioned the first American privateer fleet. While these vessels were eventually absorbed into the Continental Navy upon its formation, they were privateers by all but the legal definition, lacking only letters of marque, and Washington himself referred to them as such. This fleet was instrumental in bringing about the evacuation of British troops from Boston, at the same time emphasizing the need for a national navy.

Following the successes of Washington's fleet in New England, many of the colonies and eventually the Continental Congress began issuing letters of marque to owners of private vessels, and able seamen took up the endeavor with great enthusiasm. Whether driven by patriotism or

profit, nearly 1,700 privateers cruised on behalf of the United States in the Revolutionary War. While the Continental Army labored to overcome British military might, and the Continental Navy struggled to stay afloat, American privateers preyed on British merchantmen and supply vessels with relative ease and great success. The Royal Navy, hampered with blockade or convoy duties, had little success in discouraging privateering operations. With the arrival of French forces in 1778, privateers were left nearly unchecked to continue harassing British merchant and supply lines, dealing a greater economic blow to Britain than it was prepared for.

In this thesis, I have outlined the history of Revolutionary War privateering from its inception, its impact on public sentiment and the British war effort, and its role in winning support for the American cause from France and other European allies. Where necessary, I have provided an overview of eighteenth-century prize law, as well as the problems privateering presented for the American government and military. Government correspondence and newspapers of the day provided many reports of privateering successes, demonstrating that American privateers carried the Revolution through the early years of warfare, despite failures by the army and navy. While insufficient for any significant military victory over Britain's naval superiority, privateers ultimately undermined Britain's ability to fight an effective campaign in North America, thereby influencing the outcome of the American Revolution.



“IN BEHALF OF THE CONTINENT”:  
PRIVATEERING AND IRREGULAR NAVAL WARFARE IN  
EARLY REVOLUTIONARY AMERICA, 1775-1777

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“IN BEHALF OF THE CONTINENT”:  
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EARLY REVOLUTIONARY AMERICA, 1775-1777

By  
James Richard Wils

APPROVED BY:

DIRECTOR OF THESIS \_\_\_\_\_  
Dr. Carl E. Swanson, Ph.D.

COMMITTEE MEMBER \_\_\_\_\_  
Dr. Wade G. Dudley, Ph.D.

COMMITTEE MEMBER \_\_\_\_\_  
Dr. John Tilley, Ph.D.

COMMITTEE MEMBER \_\_\_\_\_  
Dr. Charles Ewen, Ph.D.

CHAIRMAN OF THE DEPARTMENT OF HISTORY  
\_\_\_\_\_  
Dr. Gerald Prokopowicz, Ph.D.

DEAN OF THE GRADUATE SCHOOL  
\_\_\_\_\_  
Dr. Paul Gemperline, Ph.D.

## DEDICATION

To my wife, who made this possible,  
And to my daughters, who made it necessary.

And to my brothers, by oath or by blood,  
*Bráithreachas thar gach ní.*

## ACKNOWLEDGEMENTS

In many ways, this is the hardest page to write, because there are so many to thank, and I will invariably forget someone who deserves not to be forgotten. Nevertheless, I must mention a few, without whom I would not have come this far. First, I must thank Dr. Carl Swanson for his time and unwavering enthusiasm for my work. The meetings we had always left me with the feeling that my work was as important to him as it was to me. I enjoyed our conversations about anything and everything that came to our minds, and I will cherish his advice throughout my remaining scholarly pursuits. I also thank Dr. Wade Dudley, who imparted wisdom in and out of the classroom, as a mentor and as a friend, and who taught me that it's okay to laugh once in a while. Thanks also to Dr. John Tilley, who has been central in the last seven years of my education, as my teacher and advisor, my supervisor, and my friend. He reignited the passion for history that I had somehow lost along the way, and his classroom anecdotes will be with me for a lifetime. And thanks to Dr. Charles Ewen for agreeing, with little notice, to serve on my thesis committee. Though we are not well acquainted, he has my deep and heartfelt appreciation for his service and for his encouraging words about my work.

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## CONTENTS

Prologue	A Private Rebel Navy	vii
Chapter I	Historiography of Privateering in Colonial, Revolutionary, and Early Republican America	1
Chapter II	Revolutionary War Privateering in its Infancy: The Battle of Machias and Washington's Schooners	38
Chapter III	The Allure of Privateering and the Competition for Manpower	53
Chapter IV	The Impact of American Privateers on Public Sentiment and the British War Effort	75
Chapter V	American Privateering and Prize Capture in International Waters	93
Epilogue	A War in Two Theaters	106
Bibliography		116
Appendix A	Prizes Taken by Washington's Schooners, 1775-1777	124
Appendix B	Ordnance Stores Aboard HMS <i>Nancy</i> and HMS <i>Hope</i>	127
Appendix C	Types of British Merchant Vessels Captured as of 1777, and Their Total Values	128
Appendix D	Comparisons of Operational Strength Between Privateers and Continental Warships	129

## PROLGUE: A PRIVATE REBEL NAVY

Most studies of the American Revolution do not focus on the naval aspects of the war that established the United States. Many Revolution scholars concern themselves primarily with its political or military intricacies. For instance, some seek to answer questions dealing with the various land campaigns of the opposing armies, attempting to discern the manner in which the Continental Army held its own, despite overwhelming odds, against the British war machine and ultimately achieved liberty for the thirteen American colonies. Others examine the Revolution's political spectrum; they study legislation and colonial policy to determine why Britain and its American colonies came to an impasse that they could only resolve through military action. Still others eschew the military and political history of the Revolution, and look at economy as the conflict's cause and driving factor. While their approaches to historical study of the American Revolution differ substantially, these scholars possess one commonality: They virtually ignore the importance of the naval war.

Sadly, there is good reason for this neglect; the naval war simply was *not* overly important to the outcome of the Revolution, at least in tactical or strategic terms. John Tilley, one of the few historians writing about the Revolution's naval component, explains its scholarly neglect. "It is understandable that the two countries most interested in the Revolution, the United States and Great Britain, should have paid so little attention to this aspect of the subject, for the former participated in the naval war only inconsequentially and the latter lost it."<sup>1</sup>

Writing specifically about the Royal Navy during the Revolution, Tilley laments such indifference, arguing that "the British navy was intimately involved in the fighting from the very

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<sup>1</sup> John Tilley, *The British Navy and the American Revolution* (Columbia, SC: University of South Carolina Press, 1987), xiv.

day of Lexington and Concord, and in more than one instance naval affairs exerted a decisive influence on great events.”<sup>2</sup>

In the decade from its inception in October 1775 until 1785, when its final vessel, the 36-gun frigate *Alliance*, was auctioned off to a private buyer, the Continental Navy only commissioned sixty-four ships. Such a small fleet could not hope to stave off the might of the greatest navy the world had known including, at the time, the largest naval expeditionary force ever launched. The sheer number of British ships-of-the-line was enough to overwhelm even the best efforts by continental warships, and the practical experience of British commanders far exceeded that of their American counterparts in most cases. The Continental Navy’s formation was, therefore, a generally futile gesture.

For the most part, the Continental Navy was a mere symbol of American independence from Great Britain. Only independent nations can commission navies. Therefore, by commissioning the Continental Navy, the Continental Congress moved a step further toward affirming the colonies’ status as a collective of sovereign nations a full nine months before the Declaration of Independence. This is not to say that the Continental Navy did nothing throughout the course of the war. The naval commanders strove to build an effective force to meet the British on the open sea, just as George Washington and his generals endeavored to field a professional, efficient, European-style army. The American vessels participated in some engagements with British warships, though in almost all cases they suffered capture or destruction. The Continental Navy’s major accomplishments came in the form of commerce raiding and prize capture.

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<sup>2</sup> Ibid.

Prize capture was an attractive form of warfare, both for the belligerent nations in general, and for the commanders of naval vessels. Capturing a prize – an enemy ship carrying various types of cargo, from textiles to munitions – offered potential monetary gain to ship captains and their crews, and undermined the economic stability of the enemy nation. In time, commerce raiding could even weaken the resolve of the enemy civilian sector, who would call for an end to hostilities through political channels in order to preserve the national economy and dignity. The American naval officer John Paul Jones put this concept to the test as he cruised in various vessels against British merchant shipping, enjoying much success even in British waters. Not only did Jones and his crew inflict damage upon the British economy; they also terrorized the rural populations along the British coastline by lighting ships afire in sight of coastal towns. Jones and other Continental captains committed many of the same acts for which pirates were notorious, and indeed, the British often accused American naval commanders of piracy. The Continental Congress, however, argued that its captains were legitimate commissioned naval officers, and were acting on behalf of and in the best interests of an independent nation. For his part, Jones resented the accusations, and made a point of distinguishing himself and his class from those who, he believed, were the actual “pirates” of the American Revolution.

Privateering, and piracy in general, had long been American traditions. Francis Drake, Henry Morgan, William Kidd, and even Blackbeard have found their way into American history books as legendary heroic – or antiheroic – figures. It is difficult, in the present day, to imagine or understand the circumstances that led sailors to live a life of thievery at sea, and it is harder still to make the distinction between privateers and pirates, though a distinction did and does exist, particularly in a legal context. Unlike pirates, who operated completely outside the law, privateers carried letters of marque, which were specific legal documents from a sovereign

nation that authorized privateering activity. From the modern perspective, however, this particular nuance does little to explain the real difference between pirates and privateers. As historian Carl Swanson states,

Privateering looks like a curious and disreputable enterprise from the perspective of the twentieth century. Privateering seems but one small step away from the infamous act of piracy. Indeed, the difference between piracy and privateering is not often made clear, and the legal activity blurs into the illegal until there is no difference at all.<sup>3</sup>

Although privateers did not necessarily live by the accepted code of naval conduct, they were hardly the bloodthirsty murderers of the latter seventeenth and early eighteenth centuries, glorified in the modern day by Hollywood. Privateers' motivation lay in capital, not carnage, and they adapted to a code of rules that was somewhat less dogmatic than typical naval ethics and strategy. *Ruses de guerre* were acceptable, if not honorable. For instance, privateers kept falsified documents and several national flags with them at all times. They exaggerated their operational strength when approaching enemy ships. Most privateers, however, treated noncombatants with a greater degree of gentility than did pirates, who were notorious for more hostile actions, occasionally including rape and murder.<sup>4</sup>

American privateers operated throughout the Revolutionary War, beginning just weeks after the first shots erupted at Lexington Green in April 1775. Their design was never to engage the Royal Navy in traditional sea battles, but to harass British merchant shipping and the supply ships sailing to the armies in the colonies. By inflicting significant damage on the British economy, privateers, like Continental commerce raiders, could effectively stifle the British armies in the colonies, and turn British popular sentiment against the war, thereby winning a

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<sup>3</sup> Carl E. Swanson, *Predators and Prizes: American Privateering and Imperial Warfare, 1739-1748* (Columbia, SC: University of South Carolina, 1991), 2.

<sup>4</sup> Donald A. Petrie, *The Prize Game: Lawful Looting on the High Seas in the Days of Fighting Sail* (Annapolis, MD: Naval Institute Press, 1999), 69.

conflict of attrition and, ultimately, American independence. To meet this end, colonial governments and the Continental Congress issued hundreds of letters of marque to enterprising businessmen willing to outfit their ships, at their own expense, for raiding the British merchant and supply vessels. The British government and military, naturally, denounced American privateers as common pirates, and treated them accordingly if captured. Nevertheless, privateering became an extremely popular endeavor during the Revolution, and was a backbone upon which liberty came to America.

The following chapters will examine the early Revolutionary War privateering enterprise. A historiographical chapter will set the stage by discussing extant scholarship on American privateers, both during the American Revolution, and the periods preceding and following it. A brief narrative of privateering in its infancy will cover some of the important early events around which this study is centered. The remaining chapters will concern the benefits of privateering to its participants and to the American war effort, privateering's effect on the British war effort, and the impact of international cooperation with the American effort on both the increase of privateering activity in the later years of the war and the eventual decline of its importance as the momentum of the conflict swung in favor of the Americans. This thesis will demonstrate clearly that privateering in the American Revolution was vital to the achievement of American liberty.

## CHAPTER I: HISTORIOGRAPHY OF PRIVATERING IN COLONIAL, REVOLUTIONARY, AND EARLY REPUBLICAN AMERICA

A full understanding and assessment of the effect of American privateering during the American Revolution necessitates thorough examination of privateering in North America throughout the history of its relationship with British economic shipping and with the Royal Navy. Privateering had become a well-established American tradition by the outbreak of the Revolution, but it had its roots in the English privateering enterprises of the sixteenth and seventeenth centuries. By the eighteenth century, American colonists were heavily involved in all aspects of British privateer efforts. Americans outfitted merchant vessels with munitions, served aboard the vessels, and often provided the necessary capital to fund the various cruises. Naturally, during the colonial period, American privateers operated on behalf of the British Empire, and earned substantial profits by attacking and capturing vessels belonging to the empire's enemies. This is evident particularly during the colonial wars of the eighteenth century, when American privateers inflicted heavy damages upon Spanish and French shipping in North America, contributing to the decline of Spanish influence in the New World and the eventual defeat and removal of French forces from the continent.

As this study will demonstrate, American privateers became so adept in their practice that, when it came time to turn their expertise on their former British masters, they met the challenge with confident expectations of wealth and success and achieved far more than anyone at the time could have conceived. While it would be unrealistic to claim that American privateers cemented victory in the face of insurmountable odds – indeed, the concept plays too much into the American mythos of minutemen bringing down an empire – it can be confidently asserted that American privateers contributed greatly to the declining will of the British Empire

to continue waging a war to retain its North American colonies. Privateers did not achieve this by gaining the strategic or tactical advantage on the sea, but by systematically chipping away at British merchant and supply shipping until the empire's armies on the continent were unable to conduct their campaigns efficiently, and British business began to see the wisdom of supporting Whig opposition to the conflict.

Immediately following the American Revolution, as the new republic struggled to gain a foothold in global society, the Continental Navy that had been created for the Revolutionary War ceased to exist. There were no plans or provisions for the creation of an official American navy until 1789, when the United States Constitution replaced the Articles of Confederation. On the other hand, Congress had the power under the Articles to issue letters of marque to privateers, a power which they maintained under the Constitution. This turned out to be beneficial to the United States as it found itself embroiled in another war with Great Britain in 1812. During the War of 1812, American privateers once again outnumbered and outperformed the few warships that Congress officially commissioned as naval vessels. Over five hundred privateers operated in the Atlantic during the war, capturing nearly thirteen hundred British vessels and inflicting nearly forty million dollars' worth of damage upon British trade. American privateers proved to be such a threat to the British war effort that an assault was launched on Essex, Connecticut, for the single purpose of crippling the privateer industry.

Substantial scholarship examines these three periods and, with the exception of the American Revolutionary period, much of that literature concerns the naval aspect of war and society. The subject of privateering enters into most good studies of Anglo-American relations in the early national period, but it is usually a small component of a larger theme, e.g. commerce-raiding. This is not to say that there are no books devoted entirely to privateering. Indeed, the

subject has become quite popular in recent years, and some important monographs have appeared that focus entirely on the practice, even in the American Revolution. In the larger picture of naval scholarship, however, privateering is practically a footnote.

This chapter will discuss scholarship that offers significant examination of privateering. Though studies of American privateering are generally broken down into the three dominant eras discussed previously, several books do not fall neatly into these three categorical eras, but rather present a larger overview of American naval history, including sections about privateering. Thus, this chapter will begin with a discussion of these general histories, then move on to the three eras in chronological order. Two general schools of thought concerning privateers have emerged. Initially, naval historians believed that privateering was an insignificant part of a nation's naval operations. Over time, however, that view has given way to the theory that privateers were vital to success in any naval war, particularly in the case of the American Revolution and the War of 1812, when the American navy was so piteously underdeveloped. Within the overall debate lie a number of smaller thematic questions regarding the somewhat dubious nature of privateering. The first concerns the practices employed by privateers. Were they legitimate combatants in a declared war, or were they little more than legalized pirates? Second, why was privateering so preferable to service in a national navy, and was the resentment felt by commissioned naval officers toward privateers founded in morality or competition? Historians have largely reached a consensus on these first two matters. The third is a bit more ambiguous, and the debate continues. It concerns the motives behind privateering. Did greed drive privateers and their investors to action, or was such service grounded in a sense of patriotic duty? Did they have any real idea of the impact their actions had on the wars in which they

operated? This study will address these questions in addition to building a case for the important contribution privateers provided to the revolutionary cause.

Any proper historiographical study of naval topics must begin with Alfred Thayer Mahan. *The Influence of Sea Power Upon History, 1660-1783* is the quintessential starting point for all modern studies of naval history, and upon its publication in 1889, it instantly became a bestseller, read by naval and military planners, students of naval history, and even the political leaders of world naval powers. It shaped the theories and opinions of most naval histories of the era. Given Mahan's almost complete dismissal of privateering's importance, it is of little wonder that the topic received such scant attention in naval history for so long. Mahan viewed privateering, which he referred to as commerce-destroying, as a secondary and insignificant part of a nation's naval operations. Harkening to England's use of privateers and commerce raiders during the Second Anglo-Dutch War (1664-1667), Mahan argued that, while the damage done to enemy prosperity was indeed great, the practice was not only embarrassing to the commissioning government, but also could not succeed without the nearby presence of a base or a strong fleet.<sup>1</sup> He contended that Oliver Cromwell's powerful fleet of ships-of-the-line was the reason for success in the First Anglo-Dutch War (1652-1654), and the reliance on privateers in the second was indirectly linked to England's less satisfactory performance.<sup>2</sup>

Mahan continued that a nation would be delusional to believe that it could defeat its enemy through commerce-destroying alone.<sup>3</sup> Conversely, Mahan asserted throughout the book that wasting men and munitions on the pursuit of commerce destroyers would be detrimental to naval operations. Writing specifically about the American Revolution, he cited Washington's

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<sup>1</sup> Alfred Thayer Mahan, *The Influence of Sea Power Upon History, 1660-1783* (London: Low, 1889), 132.

<sup>2</sup> *Ibid.*, 132-133.

<sup>3</sup> *Ibid.*, 329n.

correspondence with his subordinates and allies in 1781, in which Washington lamented his own lack of a powerful fleet and implored the French naval commander, François-Joseph Paul, comte de Grasse, to continue his fervent efforts against the Royal Navy in order to successfully conclude the campaign. Washington wrote to the marquis de Lafayette, on November 15, 1781, “No land force can act decisively unless accompanied by a maritime superiority.”<sup>4</sup> Mahan argued that the American cause relied heavily on the successes of the powerful French fleet, which, in his estimation, proved the impracticality of privateer warfare. “This fact, and the small results from the general war, dominated as it was by the idea of commerce-destroying, show strongly the secondary and indecisive effect of such a policy upon the greatest issues of war.”<sup>5</sup> He went on to say that while many saw commerce-destroying as a very important secondary aspect of naval warfare, one that was “not likely to be abandoned till war itself shall cease,” the idea that the practice alone could defeat an enemy was “probably a delusion.”<sup>6</sup>

It is indicative of Mahan’s opinion of privateering as a legitimate form of naval warfare that his work focusing solely on the naval aspect of the American Revolution included almost no mention of privateers outside of very basic background material.<sup>7</sup> Recognized as the preeminent naval historian of his time, Mahan influenced most naval scholarship in the late nineteenth and early twentieth centuries. Despite such influence, however, Edgar Stanton Maclay’s 1899 study, *A History of American Privateers*, demonstrates that not all naval historians considered privateering such an unimportant topic. Maclay’s book, though largely a narrative of various

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<sup>4</sup> Washington to Lafayette, November 15, 1781, quoted in Mahan, *Influence of Sea Power*, 400.

<sup>5</sup> Mahan, *Influence of Sea Power*, 400.

<sup>6</sup> *Ibid.*, 539.

<sup>7</sup> Alfred Thayer Mahan, *The Major Operations of the Navies in the War of American Independence* (Boston, MA: Little, Brown, and Co., 1913).

privateer actions, is one of the few comprehensive studies of privateering throughout early American history.

In the opening sentence of his preface, Maclay stated, “The history of the United States Navy is so intimately connected with that of privateers that the story of one would be incomplete without a full record of the other.”<sup>8</sup> He went on to say that his earlier study concerning the history of the United States Navy demonstrated that maritime forces were crucial to establishing and maintaining American independence, and that “a few general statements” from the current work “will show that in both wars with England privateers were a most important if not dominating feature of early sea power.”<sup>9</sup> This is different from Mahan’s assertion that privateering was secondary and insignificant to a nation’s ability to fight wars at sea. Maclay also included in his preface a table listing the yearly comparative strength of the continental and privateer fleets during the American Revolution. In all cases, the number of operational privateers was larger by at least fifty percent than the number of vessels in the Continental Navy.<sup>10</sup> Unfortunately, Maclay did not cite his sources for those numbers, but the table shows that privateering was more significant, at least during the Revolution, than the prevailing scholarship suggested.

In the third chapter, Maclay briefly discussed colonial privateers, including a discussion of the lack of distinction between early privateers and pirates in the collective social cognizance. Even privateers themselves seemed unaware of the laws that distinguished them from pirates. Maclay asserted that the colonial era was “a period in which, on the high seas, might was right; and when their home Governments were at war with each other – and sometimes when at peace

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<sup>8</sup> Edgar Stanton Maclay, *A History of American Privateers* (New York: D. Appleton and Co., 1899), vii.

<sup>9</sup> *Ibid.*, viii.

<sup>10</sup> *Ibid.*

– the colonial seaman seized what he could, whether he was a pirate, privateersman, or a king’s officer.”<sup>11</sup> Indeed, as Maclay explained, the colonists tended to turn a blind eye toward piratical deeds of all kinds, so long as they were directed at outsiders. When seamen concentrated their plundering efforts to the colonies themselves, however, serious measures were undertaken to punish piracy in all its forms. It was at this point that the demarcation between pirates and privateers became more clearly defined, as “American privateers first began to seriously assert themselves as a distinctive sea force,” particularly when the eighteenth-century European wars spilled over into North America.<sup>12</sup>

In his discussion of the privateers of the American Revolution, Maclay declared that it was “on water – not on land, as has been so generally believed, that the first overt act of resistance to British authority in the North American colonies was made.”<sup>13</sup> In 1764, to curb the colonists’ illegal trade, British vessels patrolled along the American coast. One of these, the *St. John*, cruised near Rhode Island, where colonists outfitted an armed sloop to destroy the British warship, only ceasing in their antagonistic efforts upon the arrival of HMS *Squirrel*. Though they were outgunned, the angry colonists landed on nearby Goat Island and fired defiantly upon the British vessel. This was the first in a long series of such incidents, including the attack upon the *Gaspée* in Narragansett Bay, Rhode Island, in the spring of 1772.<sup>14</sup> Maclay even considered the Boston Tea Party in 1773 as “somewhat in the nature of a private maritime enterprise,” and indeed it was, when one considers that the Sons of Liberty essentially seized the British vessels in Boston Harbor and their cargo, the tea, was left to the captors’ devices.<sup>15</sup>

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<sup>11</sup> Ibid., 30.

<sup>12</sup> Ibid., 30-39.

<sup>13</sup> Ibid., 43.

<sup>14</sup> Ibid., 43-50.

<sup>15</sup> Ibid., 50.

Maclay discussed many privateer operations – though certainly not all of them – throughout the Revolutionary War, beginning with lengthy account of the Battle of Machias (discussed at greater length in chapter II), the first naval engagement after the actual outbreak of hostilities in the spring of 1775.<sup>16</sup> He connected the early increase in privateering activity, particularly in New England, to British V. Adm. Samuel Graves’ decision to launch naval assaults on coastal towns to impress upon the colonists the dangers of resisting British military authority in North America.<sup>17</sup> Throughout these chapters, Maclay provided many examples – though little in the way of evidence – to support his contention that American privateers were extremely important to the war effort in the Revolution’s early years. He argued that the rapid increase in privateering activity throughout the war was evidence that the American government saw the value of the endeavor:

That our privateers were a powerful agency in bringing about the successful termination of the war for independence is seen in the marvelous development of that form of maritime warfare. While our Government war vessels steadily diminished in number and force, from thirty-one vessels, with five hundred and eighty-six guns in 1776, to seven ships, with one hundred and ninety-eight guns in 1782, our privateers increased at the following remarkable rate: one hundred and thirty-six vessels, with thirteen hundred and sixty guns, for the years 1775 and 1776; seventy-three vessels, with seven hundred and thirty guns, in 1777; one hundred and fifteen vessels, with eleven hundred and fifty guns, in 1778; one hundred and sixty-seven vessels, with two thousand five hundred and five guns, in 1779; two hundred and twenty-eight vessels, with three thousand four hundred and twenty guns, in 1780; four hundred and forty-nine vessels, with six thousand seven hundred and thirty-five guns, in 1781; and three hundred and twenty-three vessels, with four thousand eight hundred and forty guns, in 1782.<sup>18</sup>

Similarly, Maclay asserted that the improved size and efficiency of vessels used for privateering, as well as quality of the crews aboard such vessels, were further proof that the practice was of considerable importance to the war effort:

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<sup>16</sup> Ibid., 52.

<sup>17</sup> Ibid., 60.

<sup>18</sup> Ibid., 113.

As the war progressed, and as the profits from prizes enriched the owners of these craft, new, swifter, and better vessels were built expressly for this service, so that when, on the outbreak of hostilities, ten guns was considered a large armament for a privateer, and thirty to sixty men were deemed sufficient to man each, toward the latter part of the war, vessels mounting twenty, and even twenty-six guns, having a complement of one hundred and fifty to two hundred men, were the rule rather than the exception. As the Government cruisers one by one fell into the hands of the enemy, or were lost by shipwreck, or were blockaded in our ports, their number rapidly diminished, and Congress frequently called upon our privateers to perform missions of national importance.<sup>19</sup>

Unlike Mahan, Maclay clearly recognized the great value of privateering to the success of a national war effort, particularly for small, fledgling nations with weak state navies.

Concerning the War of 1812, Maclay pointed out that at the onset of the conflict, no American privateers existed. As news of the war reached the merchants, however, they strove to repeat the successful operations that helped to achieve liberty for the United States. Within a month of the first hostilities, more than one hundred American privateers had set sail from various ports and operated against British merchant and government vessels in the Atlantic.<sup>20</sup> In the war's first eight weeks, privateers captured nearly a hundred British merchant vessels; records document thirty-seven of these as prizes of privateers from Massachusetts alone. In that same time frame, official United States naval vessels captured only eight merchantmen.<sup>21</sup> As the war continued, American privateers became such a problem for the British war effort that the Royal Navy launched operations with the sole objective of damaging and dismantling the American privateer industry. This fact once again refutes the Mahanite notion of privateers being of secondary importance; not only could they greatly enhance the efforts of a national navy, private men-of-war could also pose such a threat to an enemy navy that there was little choice but to strike directly at them.

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<sup>19</sup> Ibid., 113-114.

<sup>20</sup> Ibid., 225-226.

<sup>21</sup> Ibid., 241.

More recently, Reuben Elmore Stivers published his work covering a broad expanse of American privateering. *Privateers & Volunteers: The Men and Women of Our Reserve Naval Forces, 1766-1866* once again challenged the notion that privateering was insignificant to a nation's naval operations. Indeed, as the title suggests, Stivers put privateers on a par with traditional reserve forces, much like a naval militia. Like Maclay, Stivers discussed the distinction between pirates and privateers as he made his case for privateers as the forerunner to the modern naval reserve. Unlike Maclay, however, the differentiation between pirates and privateers was not a central theme in *Privateers & Volunteers*. Stivers focused more on the balance between greed and patriotism. He asserted that privateersmen "were not one whit less patriotic than the 'regular' soldiers and sailors...they fought Great Britain as earnestly as other patriots."<sup>22</sup> Stivers did not discount monetary gain as a motivator for a privateersman, but he attributed a higher degree of honor to sailors aboard privateers than their own naval counterparts might have done. "For some, undoubtedly, prize money was a sole end in itself, worth any risk, but even they were usually aware of the broader purpose they served. Only fools and the green, inexperienced among them were wholly impractical in the anticipation of great and sudden riches. The vast majority knew quite well that the wheel of fortune could as readily stop on another number."<sup>23</sup>

Stivers argued that the seamen aboard privateers believed that they were effective against even the most well-trained British sailors, and they sought to meet the British on their own terms, by "most vigorously pursu[ing] their enemy when war finally materialized."<sup>24</sup> Unlike the press gangs that forced men into sea service in Britain, or the tavern recruiters who gathered

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<sup>22</sup> Reuben Elmore Stivers, *Privateers & Volunteers: The Men and Women of Our Reserve Naval Forces, 1766-1866* (Annapolis, MD: Naval Institute Press, 1975), 17.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid., 25.

manpower in the American militias, merchant sailors and fishermen actively sought work on board privateers. Once again, Stivers indicated that money, while certainly a motivator, was not the sole driving force for this phenomenon. “Prize money undoubtedly was a motivation, but then too the destruction of British commerce and military supply was a direct and effective way of ensuring life, liberty, and the pursuit of happiness.”<sup>25</sup>

Again, a naval historian disagreed with Mahan by calling privateers a “direct and effective” component of naval operations. Privateering had been so effective during the Revolutionary War, in fact, that in 1812, only eight days after the declaration of war against Britain, Congress once again authorized the granting of letters of marque, albeit with greater government control over privateering activities. For instance, aside from the centralized federal issuance of privateering commissions, Congress also laid out a code of sea conduct, including the means for naval courts martial of privateersmen, if necessary, and even implemented a pension system for privateersmen and their families, thereby bringing privateers closer into the fold as a legitimate naval reserve.<sup>26</sup>

A comprehensive study of any aspect of the American navy should take great care to recognize its pre-American origins. As Stivers said in the conclusion to *Privateers & Volunteers*, it would be remiss to neglect to pay homage “to the British navy and the British sailor at whose knee the American navy took its first lessons.”<sup>27</sup> Indeed, if not for British naval prowess, Americans may not have learned the skills necessary to establish a navy. Moreover, if not for British mastery of the sea, there might never have been English colonies in North America, and an American navy would have looked very different, if it existed at all. Through

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<sup>25</sup> Ibid.

<sup>26</sup> Ibid., 57, 58.

<sup>27</sup> Ibid., 394.

the early twentieth century, until the United States gained global naval superiority, nearly everything concerning the American navy was modeled on the British design, from rank structure to ship construction. This, of course, included privateering as a legitimate naval practice.

English privateering, as sanctioned by a national government, dates as far back as the Elizabethan era, during which Elizabeth's sea dogs, among them Sir Francis Drake, made a career of plundering enemy merchant vessels, particularly those of Spain. This was an era when national navies were small, and monarchs had to rely on privately-owned shipping to meet their needs upon the sea. Kenneth R. Andrews' *Elizabethan Privateering: English Privateering During the Spanish War, 1585-1603* and Wade G. Dudley's *Drake: For God, Queen, and Plunder* adeptly cover this period of privateering ventures and the most famous of Elizabethan privateersmen.<sup>28</sup> Andrews stated that "Trade and plunder were inseparable in the sixteenth century. The business of sea plunder attracted all kinds of men, from criminals to noble lords, and took forms which varied from uninhibited piracy to licensed privateering."<sup>29</sup> Andrews distinguished between privateers and pirates early on, incorporating the disparity between greed and patriotism into the explanation of the major differences between the two practices. He asserted that while piracy was a "serious social evil," if it was turned on the right prey in times of conflict, pirates could often become agents of the government. But it was the involvement of the gentry that first gave rise to licensed privateering, as patriotic supporters of the Protestant kingdom "transformed the petty Channel roving of the earlier years into the oceanic ventures of

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<sup>28</sup> Kenneth R. Andrews, *Elizabethan Privateering: English Privateering During the Spanish War, 1585-1603* (Cambridge: Cambridge University Press, 1964); Wade G. Dudley, *Drake: For God, Queen, and Plunder* (Washington, DC: Brassey's, Inc., 2003).

<sup>29</sup> Andrews, *Elizabethan Privateering*, 15.

the seventies and eighties, fusing into one diversified movement the ambitions of plunderers and traders.”<sup>30</sup>

Furthermore, Andrews connected privateering with the eventual expansion of the English empire. He provided in-depth discussion of the regulation and organization of privateers by the government, for use as a volunteer navy, and demonstrated that the practice naturally led plunderers and traders to the Spanish West Indies. There, though the English did not gain a significant foothold until over a century later, English privateers helped weaken Spanish influence in the New World, thus facilitating English access to the mainland.<sup>31</sup> In fact, aside from the promotion of a mercantile economy put forth by Richard Hakluyt in his *Discourse on Western Planting*, Walter Raleigh’s major intention for Virginia was to establish a privateering base from which to attack the West Indies and the Spanish treasure fleet.<sup>32</sup> This is clear evidence that the English considered privateering an extremely important and useful tactic, despite its origins in piracy.

Andrews paid considerable attention to discussing the men who helped make privateering so popular, most notably Francis Drake. Wade Dudley has crafted a character study of Drake and his dominance of the sea, as well as his importance to his queen. While Dudley never referred to Drake as a privateer, instead calling him a pirate throughout the book, the descriptions of Drake’s actions and his loyalty to Queen Elizabeth I painted a definitive picture of early privateering. Unlike many of his piratical successors, Drake was not a complete rogue. While he often knew that his actions were not entirely legal, he sailed on behalf of his Protestant country and sought to stamp out Catholic influence in the New World. This was, after all, the

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<sup>30</sup> Ibid., 16.

<sup>31</sup> Ibid., 159.

<sup>32</sup> Ibid., 163, 191.

fundamental difference between pirates and privateers. Pirates had no national loyalties and were as likely to prey on their own countrymen as they did against foreigners. Privateers had the blessings of their government and turned their attentions toward enemies of the state.

Dudley began with an account of how Drake came to hate Catholicism and how he turned that hatred against the Spanish in the West Indies. While under the tutelage of John Hawkins, Drake raided the Spanish islands and vessels and employed all the *ruses de guerre* that subsequent generations of privateers used in their operations, including the use of different national flags, deception of local and imperial authorities, and resorting to force only when other avenues had failed.<sup>33</sup> When Drake turned his attentions toward the Spanish treasure fleet, he no doubt hoped to gain considerable wealth, but not at the expense of his standing in England. Indeed, Drake sought to become wealthy to improve his social status, something that pirates were unlikely to achieve. Drake never intended to turn against England, and he recognized the importance of an English effort in damaging Spain's merchant shipping. "Drake knew that the massed galleons of the Spanish treasure fleets could only be defeated by a national effort."<sup>34</sup>

Dudley also demonstrated that, while the concept of privateering was not exactly what it became in the seventeenth and eighteenth centuries, Drake certainly did not consider himself a pirate. In fact, he knew the danger he faced if the queen suddenly decided that he was engaging in piracy for personal gain instead of in England's best interests. Therefore, he happily noted that the rift between Protestant England and Catholic Spain was ever widening, and that war between the two was imminent. "Though singing and dancing at the news of increasing European religious fratricide may seem strange, every man knew that a severe outbreak of peace would have branded the expedition[s] as pirates, to be despised, hunted, and happily executed by

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<sup>33</sup> Dudley, *Drake*, 21-27.

<sup>34</sup> *Ibid.*, 35.

all European nations.”<sup>35</sup> By remaining in the queen’s good graces, and by staunchly defending Protestantism, Drake retained the government’s sanctions for his expeditions. Indeed, when Spanish authorities seized English merchant ships in Vigo in 1585, Elizabeth “ordered Drake to sail immediately for Vigo, force the release of her loyal subjects and their property, then punish Spain by pillaging its ships and possessions in the West Indies.”<sup>36</sup> Here, the queen not only approved a privateering expedition; she was commanding it! This was a far cry from the notion that privateering was a secondary and unimportant venture in maritime warfare. In the case of Francis Drake, it was the backbone of the English offensive, culminating in the defeat of the Spanish Armada in 1588. Though the regular navy expanded and became a mighty force upon the sea during the seventeenth century, privateering remained an increasingly popular enterprise, particularly when English colonists in North America adopted it.

The blurred lines between piracy and privateering diminished near the end of the seventeenth century, as various national efforts actively hunted pirates and eliminated their operational bases. Privateers, on the other hand, prospered from the many conflicts that arose among European powers in the colonies.<sup>37</sup> English privateers gradually handed the reins to Americans, who adopted privateering with zeal. Colonial American privateering reached a high point during the War of Jenkins’ Ear (1739-1748) and King George’s War (1744-1748), both of which were components of the larger War of the Austrian Succession. This is the privateering era that Carl Swanson examined in *Predators and Prizes: American Privateering and Imperial Warfare, 1739-1748*. Immediately, in the book’s introduction, Swanson asserted that “far from

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<sup>35</sup> Ibid., 44.

<sup>36</sup> Ibid., 52.

<sup>37</sup> Carl Swanson, *Predators and Prizes: American Privateering and Imperial Warfare, 1739-1748* (Columbia, SC: University of South Carolina Press, 1991), 5.

being an insignificant activity of borderline legality, privateering represented a major and popular form of wartime endeavor.”<sup>38</sup>

With extensive use of colonial newspapers, Swanson painted a vivid picture of the attitudes toward privateering in the colonies. As he demonstrated in the first chapter, the War of Jenkins’ Ear gained popularity in the colonies largely because of its potential for extensive use of privateers that would enable colonial merchants and sailors to “get rich while they settled scores with the *guarda-costas* [Spanish coastal guard vessels].”<sup>39</sup> Port city newspapers from Boston to Charleston carried the government authorizations for privateering as well as the rules and regulations for the capture of prizes. Newspapers also published accounts praising the privateersmen’s bravery, heroism, and patriotism in their exploits against the Spanish and later French merchant fleets.<sup>40</sup> As the financing and fitting out of privateers did not bankrupt the imperial government, it is no wonder that the practice was as popular with the British authorities as it was with the colonial populace. Swanson asserted that the official support of privateering by the British government was representative of the eighteenth-century mercantile world. The chief naval concern was to destroy an enemy’s commerce, not its navy, and by doing so without depleting the government coffers, “privateering was perfectly attuned to the mercantilists’ world view.”<sup>41</sup> Thus, while Alfred Mahan viewed privateering as a secondary or even tertiary component of a nation’s naval operations, the mid-eighteenth-century impression was that privateering was of paramount importance.

Swanson’s book examined many important aspects of privateering, including the rules promulgated by the government concerning capture of prizes. Swanson also discussed the

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<sup>38</sup> Ibid., 2.

<sup>39</sup> Ibid.

<sup>40</sup> Ibid., 12-15.

<sup>41</sup> Ibid., 16.

peculiar problem of the competition for seamen that privateers presented to the Royal Navy, as well as to one another. This topic merits some discussion here, because it caused some debate among naval officers and politicians during the American Revolution. As Swanson states,

The shortage of hands [in American ports during the 1740s] seriously hampered the sailing operations of the navy, coast guard, and merchant marine. Private men-of-war were not immune to these difficulties and also experienced problems obtaining full complements. Wartime conditions improved the financial rewards for mariners as increased demand for maritime labor caused seamen's wages to escalate dramatically. Merchants paid more than double the peacetime rates to entice sailors, while the privateers held out the allure of Spanish gold and Caribbean plunder. The navy and the coast guard also tried hard to procure additional hands. Instead of higher wages, however, the public men-of-war relied on a legally questionable policy of coercion, and press-gangs swept waterfront taverns and lodgings to ensnare "recruits." Despite the commanders' attempts to solicit, coax, cajole, seduce, and even kidnap seamen, the manpower shortage hurt all forms of maritime enterprise throughout the decade of hostilities, though mariners lucky enough to avoid the navy or capture by the enemy probably benefitted from higher wartime wages."<sup>42</sup>

The Royal Navy's policy of impressment and its harsh regulations for conduct aboard public vessels became a deterrent for sailors, who "wisely preferred to serve aboard merchantmen or private men-of-war rather than in the king's ships or colonial coast guard vessels."<sup>43</sup>

Furthermore, the division of prize money for the capture of enemy vessels was unbalanced aboard government warships. Lower ranks received a much smaller proportion of the prize money than did captains and flag officers. Privateers offered a better payout to lower-deck seamen, and while unsuccessful privateers ran the same risk of desertion as the navy did, successful privateers were sure to deplete the navy's manpower.<sup>44</sup> These circumstances were mirrored during the American Revolution, engendering resentment and mistrust for privateers, particularly from officers of the Continental Navy, who likened privateersmen to common pirates.

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<sup>42</sup> Ibid., 77, 78.

<sup>43</sup> Ibid., 81.

<sup>44</sup> Ibid., 100-102.

Swanson also examined the subtopic of greed versus patriotism as the primary incentive for privateering. He argued that nationalism was as much a motivator for privateers as money. “The ‘universal Joy’ in Newport that greeted the 1739 proclamation authorizing letters of marque and the ‘Spirit of Privateering’ that prevailed in New York in 1744 owed much of their intensity to British nationalism and a desire to retaliate for ‘depredations’ against British shipping.”<sup>45</sup> Swanson explained that privateers in this era further demonstrated their patriotism by engaging enemy privateers, a practice that was not financially lucrative. While enemy privateers were viable bounty, according to the Prize Acts of 1740 and 1744, “the procedures for obtaining the bounty were cumbersome...and the payments were slow and difficult to collect.”<sup>46</sup> Despite some contention that engagements with enemy privateers were few and unintentional, Swanson indicated that British privateers captured sixty-eight enemy privateers and sunk fourteen others, earning the respect and gratitude of colonial commercial society.<sup>47</sup>

The French and Indian War (1754-1763) marked another peak in colonial American privateering activity. Extant scholarship concerning privateers of this conflict is important because not only did the French and Indian War almost directly lead to the American Revolution, but many American privateers who operated on behalf of the British in the 1750s and 1760s sailed against them in the 1770s and 1780s. Regrettably, such scholarship is sparse, as historians have thus far neglected to conduct a full length study of French and Indian War privateers. Nevertheless, some information is attainable from related sources. James G. Lydon’s *Pirates, Privateers, and Profits* is mostly an account of the differentiation between pirates and privateers

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<sup>45</sup> Ibid., 219.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid., 220.

in eighteenth-century New York. In fact, the book offers some helpful insight to the subtheme of privateering versus piracy, giving a basic etymology of the word *privateer*:

Before 1700, in referring to vessels, the [term] *privateer* [was] employed almost synonymously with the word *pirate*. With the passage of time, the name *privateer* lost its stigma of illegality. The word *corsair* originally described privateers sent out by Turkish and North African states, but through usage came to mean any pirate vessel. The author uses herein the term *privateer* only in speaking of a legally commissioned sea raider. The words *cruiser* and *raider* are used interchangeably with *privateer*. This study attempts to clear away the confusion...and to emphasize that there were honest seamen, called privateersmen, who ranged the sea in search of wealth, but who at the same time performed important services for their countries. They can fairly easily be distinguished from their illegitimate cousins because piracy was largely suppressed about the turn of the eighteenth century. In truth there were two eras, the Age of Piracy, and the Age of Privateering.<sup>48</sup>

It is this Age of Privateering that encompasses the three major eras of American civilian commerce-raiding.

Concerning the French and Indian War Lydon's work suggested that the prior successes of privateers in previous colonial wars had ignited a passion for privateering that was nearing a fever pitch by the summer of 1756. It was then that commerce-raiding licenses were first issued in New York, and the immense popularity of privateering necessitated stronger regulations from the colonial government. For instance, neutral vessels hauling goods to the French North American colonies were off limits to British American privateers, and if a privateer captain did attempt to ransom a neutral vessel, the punishment was death.<sup>49</sup> Despite these new stipulations, Lydon discussed a few accounts of privateersmen who went beyond the boundaries of the law, effectively reverting back to piracy. He argued that most New York privateers, however, remained in line.<sup>50</sup> Lydon also championed the notion that privateers contributed greatly to the war effort. "New York's raiders illustrate the military and economic importance of commerce

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<sup>48</sup> James G. Lydon, *Pirates, Privateers, and Profits* (Upper Saddle River, NJ: The Gregg Press, Inc., 1970), 25.

<sup>49</sup> *Ibid.*, 99-101.

<sup>50</sup> *Ibid.*, 101-103.

destruction during King George's War and the French and Indian War. True, piracy is gone...but the blood of privateersmen flowed just as red and often more copiously than did that of the pirates. Most important, they performed services necessary to the Empire."<sup>51</sup> New York raiders captured more than 400 enemy vessels in their first two years of operations, which negated the effects of the few illegal incidents. Lydon related the various duties privateers performed in addition to commerce-raiding, including acting as troop transports, scouts, convoys, and even blockade ships. Thus, the small setbacks "were very definitely minimized by [New York's] contributions in the war at sea."<sup>52</sup>

Richard Pares' *Colonial Blockade and Neutral Rights, 1739-1763* was similar to Lydon's work in that it generally characterized the eighteenth-century commercial wars, touching briefly on the era of the French and Indian War. While most of Pares' book dealt with procedure and legislation concerning eighteenth-century international commerce, the author made a case against privateers' contributions to the British war effort during the conflict. "The privateers, therefore, were less serviceable to the nation than they were supposed to be."<sup>53</sup> Pares' reason for this assertion was that boisterous privateers ignored the regulations regarding neutral shipping, and the problems they caused for the British outweighed the benefits they provided. He also claimed that wealth, not service, was the primary motivator for privateers to operate on behalf of the empire. "So far, then, as the privateers helped their country, it was by helping themselves; and perhaps they did not help their country quite so much as they helped themselves."<sup>54</sup> This was essentially all Pares had to say about the efficacy of privateering in terms of the French and

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<sup>51</sup> Ibid., 126

<sup>52</sup> Ibid., 132-149.

<sup>53</sup> Richard Pares, *Colonial Blockade and Neutral Rights, 1739-1763* (Oxford: Oxford University Press, 1938), 33.

<sup>54</sup> Ibid.

Indian War. It is likely that this book, published in 1938, reflected the late Mahanite era of historical thought regarding the importance and usefulness of privateers.

David J. Starkey's *British Privateering Enterprise in the Eighteenth Century* examined privateers on the other side of the Atlantic. Starkey devoted one chapter to the period from 1756-1763, referring to it as the Seven Years' War, rather than the French and Indian War as it was known in the colonies. According to Starkey, "British privateering enterprise flourished in the opening stages of the war, with large numbers of private men-of-war set forth to feed on a relatively abundant prey; this, in itself, reduced the long term prospects for the predatory force, and incentives diminished further as the close naval blockade and colonial losses further inhibited French overseas trade."<sup>55</sup> In other words, as was the case during the War of the Austrian Succession, privateers were extremely effective in the opening years of the war, but as the conflict raged on, the enterprise became harder to sustain. This makes sense when one considers Lydon's argument about privateers being used for duties other than commerce-raiding, though without the necessity for the privateers' primary modus operandi, and the money that came with it, the venture was likely to lessen in effect and popularity. Starkey stated that "the scale and character of this private enterprise was therefore inextricably linked with the fluctuating fortunes of the public war."<sup>56</sup> This phenomenon played a part during the American Revolution, when the arrival of French naval forces reduced the need for American privateers.

Of the few comprehensive studies concerning privateers in the American Revolutionary period, the authors' assertions were as diverse as the privateers themselves. Gardner Weld Allen's two-volume study, *A Naval History of the American Revolution*, had plenty to say about privateers during the Revolutionary War. While his work was not focused on privateers alone,

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<sup>55</sup> David J. Starkey, *British Privateering Enterprise in the Eighteenth Century* (Exeter, Eng: University of Exeter Press, 1990), 161, 162.

<sup>56</sup> *Ibid.*, 164.

Allen recognized the vast importance of privateering to the revolutionary cause and as the beginnings of an American navy. Privateering was so popular during the Revolution that Allen claimed only a rough estimate of the total number was possible, after taking into account vessels that sailed under more than one privateer commission. Nevertheless, his estimate was that two thousand or more private armed vessels served on the patriots' side, and that there were nearly as many loyalist privateers.<sup>57</sup>

Allen acknowledged some of the difficulties caused by relying on privateers, such as the unlawful capture of neutral vessels and the competition for manpower. He argued, however, that privateers provided valuable service to the cause, contributing "in a large degree to the naval defense, and so to the fortunate outcome of the war."<sup>58</sup> Despite this argument, Allen agreed with Mahan's notion that commerce-destroying was not vital to winning the war. The damage to Britain's economy was large, but not decisive. Allen asserted instead that it was the capture of troop transports and military supply ships that truly demonstrated the benefits of a privateer force, especially in the war's early years.<sup>59</sup> He also believed that American war planners might have allowed privateering to overdevelop, certainly detracting from the formal navy's success, but possibly lessening their own impact as well. Allen estimated that one half of the energy and resources that went into privateering could have been better spent on building a strong, well-organized navy.<sup>60</sup> These misgivings notwithstanding, it is evident that Allen understood the benefits of a private navy to the revolutionary war effort.

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<sup>57</sup> Gardner Weld Allen, *A Naval History of the American Revolution* (New York: Russell & Russell, Inc., 1913), 46, 47.

<sup>58</sup> *Ibid.*, 48-51.

<sup>59</sup> *Ibid.*, 662, 663.

<sup>60</sup> *Ibid.*, 663, 664.

William Fowler's *Rebels Under Sail: The American Navy During the Revolution* said little about privateers, but what it did say was reminiscent of Mahanite doctrine. Fowler did not believe that privateering had any real place in American naval history, any more than it had a place with the American navy. He described the dilemma that the Continental Congress faced regarding a navy, whether it was more practical to keep with tradition and commission privateers to destroy British commerce, or to create a legitimate naval force capable of meeting the Royal Navy in battle.<sup>61</sup> He opted for the latter, and criticized Congress for devoting so much attention to a private navy. "Privateering had its place, but not necessarily with the navy; it only tended to fragmentize and dilute naval strength. Privateering was better left to the privateers."<sup>62</sup> Fowler was hesitant to deny that privateers were an asset to the American war effort, but he vilified them as a chief detractor from the success of the Continental Navy because of the competition for manpower:

Losing men to [the state navies and the army] was more of a piddling nuisance than a critical affair. The real problem was the rush of men to privateering.... Regardless of whether privateering was an asset or a liability to the Revolutionary cause, one conclusion at least does seem inescapable; privateering occupied thousands of American sailors who might otherwise have signed on Continental vessels.... Almost all the Continental captains at one time or another, during interludes between public commands, took up privateering. The result was an incredible mishmash of confused accounts and conflicts of interest in which the Continent often came out on the short end.<sup>63</sup>

Finally, Fowler argued that money alone drove the privateers into service, not any sense of patriotism. "The prospect of a short and lucrative voyage aboard a privateer outweighed any patriotic notion of serving aboard one of the Congress's warships, especially when such service

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<sup>61</sup> William Fowler, *Rebels Under Sail: The American Navy During the Revolution* (New York: Scribner, 1976), 72.

<sup>62</sup> *Ibid.*, 95.

<sup>63</sup> *Ibid.*, 281.

would be for a longer period and might well involve a good deal of time spent in nonproductive enterprises.”<sup>64</sup>

A number of sources concerning revolutionary privateers focused on the peculiar phenomenon of George Washington’s schooner fleet that operated mainly in New England waters during the siege of Boston. The fleet was composed of privately-owned merchant vessels, fitted out with munitions, and commanded by several of Washington’s army officers. The schooners employed many of the *ruses de guerre* that ordinary privateers used, and since Washington had no formal authorization from Congress to build a navy, his vessels were, in essence, privateers themselves. Certainly, they helped ignite the fervor for privateering that erupted in the Revolutionary War’s early years.<sup>65</sup>

Three books that examine Washington’s fleet are William Bell Clark’s *George Washington’s Navy: Being an Account of His Excellency’s Fleet in New England Waters*, Chester G. Hearn’s *George Washington’s Schooners: The First American Navy*, James L. Nelson’s *George Washington’s Secret Navy: How the American Revolution Went to Sea*.<sup>66</sup> The first was extraordinary in that its author, William Clark, was, in his day, the foremost historical authority on naval warfare during the American Revolution, despite being a self-taught naval historian. His publications drew the attention of R. Adm. Ernest M. Eller, the Navy

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<sup>64</sup> Ibid., 282.

<sup>65</sup> The use of the terms “privateer” and “private navy” when referring to Washington’s fleet is confusing, perhaps. “Commerce-raiders” would be a more accurate description of the vessels, but the author has chosen to use the terms interchangeably, because Washington himself referred to the vessels as privateers, as did several newspaper accounts of the fleet’s actions. Without letters of marque issued by Congress, they were not privateers in the legal sense, but they were also not officially commissioned warships. Washington did not have Congressional authority to create a navy. Instead, he acted of his own volition, made purchases of privately-owned vessels, and had them fitted out for war. Benjamin Franklin later made the distinction between privateers and continental commerce-raiders (chapter IV, pg. 80).

<sup>66</sup> William Bell Clark, *George Washington’s Navy: Being an Account of His Excellency’s Fleet in New England Waters* (Baton Rouge, LA: Louisiana State University Press, 1960); Chester G. Hearn, *George Washington’s Schooners: The First American Navy* (Annapolis, MD: Naval Institute Press, 1995); James L. Nelson, *George Washington’s Secret Navy: How the American Revolution Went to Sea* (New York: McGraw-Hill, 2008).

Department's Director of Naval History, and eventually earned Clark the position as chief editor of the multi-volume *Naval Documents of the American Revolution*.<sup>67</sup> In *George Washington's Navy*, Clark suggested that the siege of Boston in the summer of 1775 would likely have failed if Washington had not recognized the need for armed vessels to "intercept some of the richly laden transports supplying the beleaguered British" in the city.<sup>68</sup> Thus, the first armed vessel in Washington's fleet, the merchant schooner *Hannah*, paved the way for the creation of a small navy.

But was it an official navy? Clark seemed to believe that it was, and that Washington acted under the auspices of the Continental Congress. Indeed, Clark was hesitant to refer to the vessels under Washington's command as privateers, and did so only when a letter from Washington himself referred to them as such. Clark pointed out that the commander-in-chief developed a distaste for them after a mutinous incident occurred on board the *Hannah*. This seems to contradict Clark's assertion that the fleet was of great value in the opening years of the Revolution, except that he also revealed that Washington continued his naval efforts despite the problems that had arisen.<sup>69</sup>

Most of Clark's book was biographical in nature; it is largely a narrative account of Washington and his officers and their naval exploits. Clark allocated much of his time and energy to recounting the various actions taken by several of the fleet's captains, most notably Nicholson Broughton and John Manley. In essence, Manley, became the first United States commodore when he commanded a squadron of four vessels in a sweep of Massachusetts Bay that resulted in the capture of several small British warships amidst the evacuation of Boston in

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<sup>67</sup> R.W. Daly, untitled review of *George Washington's Navy: Being an Account of His Excellency's Fleet in New England Waters* by William Bell Clark, *William and Mary Quarterly*, 3<sup>rd</sup> ser., 18, no. 1 (January, 1961): 146-148.

<sup>68</sup> Clark, *George Washington's Navy*, 3.

<sup>69</sup> *Ibid.*, 11.

March 1776, including the British transport *Hope*, a very valuable prize whose estimated worth was roughly £50,000.<sup>70</sup> Clark provided many examples of prize captures and skirmishes with British armed vessels that supported his contention of the fleet's immense value to the revolutionary cause, greatly contributing to the favorable conclusion to the siege of Boston. The New England schooners captured fifty-five British merchant and supply vessels before Washington relinquished control to Congress and its Marine Committee in September 1777, turning his full attention to the New York campaign.<sup>71</sup>

In *George Washington's Schooners: The First American Navy*, Chester G. Hearn provided another biographical sketch of the men involved with Washington's naval initiative. In the introduction, Hearn stated, more forcefully than Clark did, that Washington's vessels "were not privateers sailing under letters of marque."<sup>72</sup> The subtitle of the book is indicative of Hearn's view of the schooners; he asserted that the fleet was the first real navy operating on behalf of the United States, before the Declaration of Independence officially united the colonies under one cause. According to Hearn, the very existence of Washington's fleet made it clear that the creation of the Continental Navy was necessary.<sup>73</sup> Ultimately, Hearn's work is a repetition of Clark's, with few, if any, differences in information or interpretation.

James Nelson's *George Washington's Secret Navy: How the American Revolution Went to Sea* was very similar to Clark's and Hearn's earlier works concerning Washington's New England fleet. Formally an author of historical fiction, Nelson nevertheless wrote a good nonfiction study on the topic. Though the title of Nelson's work on Washington's fleet is misleading (Washington certainly made no "secret" that he was arming vessels for commerce-

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<sup>70</sup> Ibid., 146.

<sup>71</sup> Ibid., 185.

<sup>72</sup> Hearn, *Schooners*, 3.

<sup>73</sup> Ibid.

raiding in Massachusetts Bay), the book contributed valuable scholarship on an important topic concerning the beginning of privateering in the Revolutionary War.

While Clark's and Hearn's books covered the tenure of Washington's fleet from 1775 to 1777, Nelson focused his work much more closely on the effects the fleet exerted on the siege of Boston. Concerning the conditions that necessitated the creation of an impromptu navy, Nelson agreed with Clark that they were much more logistical than geographical. "It would take Washington some time to understand exactly what sort of war he was fighting. That was not the case with the British commanders in Boston, who had been under siege for about a month and a half before Washington's arrival. They understood already that the fight in the near term would not be for territory but for supplies and *materiel*."<sup>74</sup> That statement set the tone for the entire book, illustrating Nelson's argument that Washington's fleet, and by virtue of association, privateers in general, contributed more in the early years of the Revolutionary War than did either the army or the regular navy. And that contribution was realized not through any military prowess on the high seas, but by simple and persistent logistical disruption.

Nelson justified his strange title in chapter ten by demonstrating the actual limits of the virtually limitless authority vested in Washington by the Continental Congress. Though most congressional delegates supported a coastal defense force, they envisioned each colony providing adequate provisions for its own vessels, and like the army, the vessels were only to be used for defense. Even John Adams, for all his naval advocacy, was "not yet ready to authorize something as blatantly offensive as the pursuit and capture of British ships on the high seas."<sup>75</sup> Thus, when Washington reported to Congress, *after* work had begun to outfit the *Hannah* for his commerce-raiding purposes, he made no mention of the vessel, nor did he in correspondence

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<sup>74</sup> Nelson, *George Washington's Secret Navy*, 1.

<sup>75</sup> *Ibid.*, 86.

with his top military aides. Nelson stated that “secrecy was not the issue. Washington frequently discussed in his correspondence many top-secret issues.... But with regard to the arming of the *Hannah* and other plans for a fleet, he was silent.”<sup>76</sup> Nelson suggested that Washington may have been waiting for some success to come from his naval operations before bringing them to the attention of the Congress; whatever his motives, Washington waited a full month and a half before revealing his naval endeavors to his superiors.<sup>77</sup>

The rest of Nelson’s book detailed the actions of Washington’s fleet as well as its logistical and psychological effect on the British military garrisoned inside Boston proper. The fleet’s successes also had a morale-boosting effect on revolutionaries within the colonies, particularly those who saw the potential for large-scale privateering operations. Like Clark, Nelson did not go so far as to lump Washington’s vessels in with typical privateers – after all, they had received no letters of marque from any warring government – but he acknowledged that the revolutionaries, particularly those in charge of propaganda, did consider the fleet a privateer navy. Quoting a 1775 Massachusetts letter printed in the *Pennsylvania Packet*, Nelson revealed the manner in which privateering fever began in Massachusetts and soon spread throughout the colonies. “You have no doubt heard of Captain [John] Manly [*sic*], who goes in a privateer out of this harbour, because his name is famous, and as many towns contend for the honour of his birth as there did for that of Homer’s.”<sup>78</sup> In 1776, a broadside ballad about Manley appeared, enticing sailors to go privateering like the heroes of Washington’s fleet who were taking British

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<sup>76</sup> Ibid.

<sup>77</sup> Ibid., 87, 109; it is important to note that one reason for Washington’s hesitation to reveal his actions to Congress was that Congress was not in session when the fleet was first commissioned.

<sup>78</sup> Letter from Beverly, MA, 1775, William B. Clark et al., eds., *Naval Documents of the American Revolution* (Washington, DC: Government Printing Office, 11 volumes, 1964-), 3:145, quoted in Nelson, *George Washington’s Secret Navy*, 235.

vessels.<sup>79</sup> From that point on, privateers obtained provincial and later continental commissions, continuing to do so until the end of the war.

James M. Volo's *Blue Water Patriots: The American Revolution Afloat* examined privateers in less specialized fashion than either Clark or Nelson. Although a study of the American naval forces in general, Volo's book discussed privateers as a semi-important contingent of the naval war, though not as centrally significant as Continental warships. He was dubious in his assessment of privateer motives. "The annals of armchair seamanship and fictional accounts of daring single-ship encounters have reinforced the myth that privateers were all inspired by patriotic motives, but in most cases simple economic self-interest spurred these Patriots to serve by the hundreds in private warships from 1775 to 1783."<sup>80</sup> Volo was also skeptical of the effectiveness of privateers on the outcome of the war. "Unfortunately, the successes of the citizen soldier on land and the citizen sailor at sea took on an importance of legendary proportion in future American thinking that blocked out the realities of how they were accomplished. Privateers flourished only on the fringes of the naval war and kept to sea only as long as they were profitable to their owners."<sup>81</sup> While Volo's statements are not entirely misleading, it is clear that they represent thinking of a Mahanite nature in regards to the importance of privateering.

Privateers, like the pirates they often resembled, make for interesting and exciting reading material, and so it is no surprise that there should be an entry concerning Revolutionary War privateers in the popular history genre. This was the case with *Patriot Pirates: The Privateer War for Freedom and Fortune in the American Revolution* by Robert H. Patton, the grandson of

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<sup>79</sup> Nelson, *George Washington's Secret Navy*, 235.

<sup>80</sup> James M. Volo, *Blue Water Patriots: The American Revolution Afloat* (Westport, CT: Praeger, 2007), 45.

<sup>81</sup> *Ibid.*, 47.

George S. Patton, the American World War II general. While the book was a good and somewhat informative read overall, there were some problems with it. First, there was the title, *Patriot Pirates*, which suggested that the book was simply about maritime outlaws fighting on behalf of the revolutionary cause. Second, the first chapter dealt heavily with the burning of the *Gaspée* in Narragansett Bay, Rhode Island, in June 1772. The *Gaspée* Affair was, no doubt, an important event near the beginning of the Revolutionary War, but to devote a chapter to it in a book about privateers seems like a mistake, if only because no actual privateering occurred and it took place years before the American Revolution began. The incident did not involve sailors aboard a privately owned vessel cruising against British commerce, but a revolutionary mob attacking and burning a stranded ship. Admittedly, Edgar Maclay mentioned the affair in *A History of American Privateers*, but only as a form of maritime operation, not as an example of privateering.

Another quandary within this book is Patton's statement that "Washington... initiated the enterprise offhandedly."<sup>82</sup> There are three errors in this one statement, as both Clark and Nelson demonstrated. First, it is unlikely that Washington, in his later years, did *anything* offhandedly, and his commissioning of armed schooners for commerce-raiding was no exception. He took many factors into account before making his decision. Second, Washington did not arm his vessels with the intention of starting a privateering war. He wanted a successful conclusion to the siege of Boston, and to that end he needed a force on the sea to interrupt the British supply line into the city. Finally, privateering was not "initiated" by anyone in 1775. Privateering was clearly linked with the British and American navies since the sixteenth century. Assuredly,

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<sup>82</sup> Robert H. Patton, *Patriot Pirates: The Privateer War for Freedom and Fortune in the American Revolution* (New York: Vintage Books, 2008), xvi.

Patton did not mean to imply that Washington invented the concept of privateering, but some clarification was required.

The remainder of the book was, for the most part, engaging and well-written, and not only explored the basic features of Revolutionary War privateering; it also introduced many of the men responsible for encouraging the endeavor through lobbying and financing. Between chapters were short vignettes of individuals involved with privateers in one manner or another, from the first privateer engagement at Machias Bay, in what is now Maine, to Newfoundland, to the West Indies, and all points in between. Patton suggested the ease with which enthusiasm for privateering mounted by detailing the sheer number of merchant and other civilian seamen in the colonies, particularly Massachusetts. “Before the war, a huge proportion of Massachusetts men had participated in fishing, shipbuilding, or ocean trade. In the coastal towns, one in six owned or part-owned a trade vessel, and the number of fishing and whaling boats exceeded one thousand, employing thousands of men.”<sup>83</sup> The potential for privateering operations existed even before Washington commissioned his first private vessel. Many coastal townspeople felt outrage at what they considered British injustices on the sea, and on June 20, 1775, Massachusetts’ Provincial Congress decided to outfit its own navy. By the time Washington began his search for available vessels, Patton wrote, “Massachusetts skippers, armed with neither legal authority nor heavy weapons, had been converting their fishing cargo boats to bare-bones warships for several months.”<sup>84</sup>

Patton can be forgiven his choice of title, as he briefly discussed the passing and consequences of the Pirate Act of 1777, which was Prime Minister Lord North’s initial measure for combatting American privateers. Since the British authorities undoubtedly understood the

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<sup>83</sup> Ibid., 25.

<sup>84</sup> Ibid., 26.

vital differences between piracy and privateering, their motives for passing the act were somewhat ambiguous. Unfortunately, Patton made no attempt to examine those motives, and scholarship pertaining to the act was virtually nonexistent. The most likely reason the Pirate Act of 1777 came into existence was that Britain did not recognize the independent authority of the American government to commission privateers. Furthermore, putting the stigma of piracy on American privateers served as valuable propaganda in Britain. This topic will be explored in greater detail in chapter four. What Patton did say about the act was that it became controversial, both in Britain and in the colonies, because prisoners captured as pirates were ill-treated and often forced to join the Royal Navy as their only means of escaping execution. The antiwar opposition in Britain now had humanitarian reasons for its vehement search for a peaceful conclusion to the Revolutionary War.<sup>85</sup>

Christopher Magra, in *The Fisherman's Cause: Atlantic Commerce and Maritime Dimensions in the American Revolution*, also discussed New England fishermen and their role in privateering.<sup>86</sup> Again, while not a study of privateering at its core, the book mentioned and briefly discussed the relationship between the cod fishing industry and privateering. Magra explained that cod fishermen in the northeast suffered from the punitive economic sanctions that came with the Coercive Acts. The loss of the cod trade affected most of the American colonies, and fishermen and fish merchants were eager to join the revolutionary cause. Magra asserted that the fishermen's cause boosted the overall aims of the Revolution, and the fishermen's contributions were significant to its success. After all, it was fishing vessels that were converted into the armed schooners employed by Washington. Fishermen also served aboard these vessels, in addition to joining the Continental Army.

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<sup>85</sup> Ibid., 34, 143-144.

<sup>86</sup> Christopher P. Magra, *The Fisherman's Cause: Atlantic Commerce and Maritime Dimensions in the American Revolution* (New York: Cambridge University Press, 2009).

Magra rejected the notion, however, that the fishing vessels in Washington's employ were privateers. He took issue with the concept of converted fishing vessels as "profit-driven, commerce-raiding business ventures, and nothing more."<sup>87</sup> This statement paints a vivid picture of Magra's opinion of revolutionary privateers' motives. He separated privateers from the more noble fishermen who took to the Revolution in the name of liberty rather than money. Nevertheless, he conceded that plenty of fishing schooners did indeed serve as privateers throughout the course of the war and that evidence is clear on which vessels were privateers and which were Continental warships.<sup>88</sup>

Michael J. Crawford's article, "The Privateering Debate in Revolutionary America," rounds out the debate on revolutionary privateers. Crawford explained that the privateering debate that occurs today between historians is the same that took place among revolutionary contemporaries during the war, and that the important topics are the very same as those covered in this chapter. From the outset, Crawford forcefully asserted his contention regarding the confusion between privateers and pirates. "The greatest disservice to the understanding of privateering during the American Revolution is the frequently repeated piece of *nonsense* that privateering was licensed piracy."<sup>89</sup>

Throughout the article, Crawford drew upon newspaper articles, political correspondence, and the rare autobiographical sources regarding privateering to demonstrate the varying schools of thought concerning the practice. The perceived motives behind privateering proved a major division between contemporary supporters and opponents of the practice. Many opponents believed greed to be the sole factor in privateering ventures, while supporters argued that the

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<sup>87</sup> Ibid., 191.

<sup>88</sup> Ibid.

<sup>89</sup> Michael J. Crawford, "The Privateering Debate in Revolutionary America," *Northern Mariner/le marin du nord*, 21, no. 3 (July 2011): 221-222; emphasis added by author.

privateersmen were performing a great patriotic duty to their country. Crawford argued that both were true, and that the “admixture explains why privateersmen sometimes exposed themselves to great peril in engaging the enemy when the prospects of booty were minimal, and at other times sacrificed the public good for the sake of private pelf.”<sup>90</sup> Despite opposition from several military and political figures, however, the practice was never in any significant danger of ending. Of the fifty-six signatories of the Declaration of Independence, only twelve offered any real viewpoint of privateering, and of those twelve, only William Whipple wanted to see the venture ended. Others wished for stricter regulations upon privateers, but did not go so far as to push for its cessation.<sup>91</sup> Crawford ended his article by stating that “at no point during the war did opposition pose any real threat of putting a stop to privateering.”<sup>92</sup>

The privateers’ successes during the American Revolution (and their contribution to the American mythos of the citizen soldier or sailor defending liberty from oppression and tyranny) naturally led to continued support of the enterprise in the new United States. So prevalent was that support that one of the enumerated powers of Congress in Article I, Section 8 of the US Constitution is the issuance of letters of marque and reprisal to private vessels. When the United States next found itself entangled in a war with Great Britain in the War of 1812, Congress enthusiastically exercised that power. George Coggeshall was a privateer captain during the war and wrote of American privateer operations. *History of the American privateers, and letters-of-marque, during our war with England in the years 1812, '13, and '14* is a difficult work to include in a historiography, as it is nearly a primary source. By virtue of having written this book over forty years later, however, and including accounts from privateersmen other than

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<sup>90</sup> Ibid., 233.

<sup>91</sup> Ibid.

<sup>92</sup> Ibid., 234.

himself, Coggeshall provided the rare opportunity to examine the importance of privateers from a privateer's standpoint.

In his introduction, Coggeshall lamented the lack of recognition privateers received from the military and the government for the contributions to the War of 1812:

High places in the temple of fame have been justly awarded to very many, who, in national employment, have achieved exploits not more brilliant, displayed courage not more daring, seamanship not more masterly, coolness in danger not more remarkable than abound in the records of the private armed service.

But the brave and patriotic men who adorned that service, instead of being awarded a proud niche in that temple, have encountered neglect, and even obloquy. No testimonies of national gratitude have rewarded their blood-bought victories, and their invaluable services in crippling the resources of the common enemy. But their motives have been assailed, and cupidity and a desire for booty imputed to them as the impulses which led to their bold achievements.<sup>93</sup>

Before historians began to debate the motives behind privateering, Coggeshall reproached those who accused privateers of greed, rather than acknowledging their patriotism. The rest of the book provided little in the way of scholarly analysis, but offered some insight into the personal experiences of privateersmen on the hunt for prey. Coggeshall could not help but boast of privateer cunning in outmaneuvering the stronger British warships on blockade duty along the American coast. "Still, with all their force and vigilance, they could not prevent our privateers and letters-of-marque from entering and leaving our ports almost daily."<sup>94</sup>

For actual erudition about 1812 privateers, Jerome Garitee's *The Republic's Private Navy: The American Privateering Business as Practiced by Baltimore During the War of 1812* is a useful study; Garitee discussed Baltimore's rise to prominence as a center for privateering activity, beginning during the American Revolution and continuing into the War of 1812. He related that a significant number of privateers, estimated at between 198 and 248, operated out of

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<sup>93</sup> George Coggeshall, *History of the American privateers, and letters-of-marque, during our war with England in the years 1812, '13, and '14. Interspersed with several naval battles between American and British ships-of-war* (New York, n.p., 1856), v.

<sup>94</sup> *Ibid.*, 76.

Baltimore during the Revolution.<sup>95</sup> While not as prolific as Massachusetts or Rhode Island privateers, Baltimore nevertheless contributed a sizeable effort. Garitee also uses Baltimore as a model to explain how service in privateers created the shortage of men so lamented by the Continental Navy. “The port’s growth from 500 people in 1751 to 5,934 in 1776 may have been a record for urban development, but it could not meet the demands on it by its own vessels.”<sup>96</sup>

Garitee revisited the subtheme of patriotism versus profits during the War of 1812. He explained that the war hindered Baltimore’s peacetime prosperity, and merchants and investors had to seek recompense. Privateers offered the solution. Merchant ship owners could earn a profit by leasing their vessels, and successful voyages could comfortably line the pockets of the investors, not to mention the privateersmen themselves.<sup>97</sup> But monetary gain was not the only motivator, according to Garitee. He demonstrated that Baltimore strongly supported the Republican administration that sought war with Britain. Many privateering proponents argued that they were merely recovering materials that the British had seized from American merchant ships in the years between the American Revolution and the War of 1812, thus fulfilling a patriotic duty. “As a Republican community, Baltimore was pleased that its patriotic support of the administration provided it with an opportunity both to make money and to even a few old scores.”<sup>98</sup>

Privateering did not vanish after the War of 1812. Throughout the rest of the nineteenth century, though the practice was abandoned internationally, Americans continued to authorize the capture and salvage of enemy merchant shipping. During the Civil War, the Confederacy

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<sup>95</sup> Jerome Garitee, *The Republic’s Private Navy: The American Privateering Business as Practiced by Baltimore During the War of 1812* (Middletown, CT: Wesleyan University Press, 1977), 17.

<sup>96</sup> *Ibid.*, 19.

<sup>97</sup> *Ibid.*, 48.

<sup>98</sup> *Ibid.*, 49.

engaged heavily in commerce-raiding, both with government vessels and with privateers, though the most successful raiders were commissioned vessels such as Raphael Semmes' *Alabama*.<sup>99</sup> Furthermore, as mentioned previously, the congressional power to issue letters of marque still exists in the United States Constitution, and has not been amended.<sup>100</sup> While the United States has not officially licensed privateers since 1815, the ability to do so still resides with the American legislature.

This brief overview of early American privateering places Revolutionary War privateers in context against the backdrop of American naval history, and provides a selection of resources detailing the origins and traditions of the practice. Despite neglect by naval historians, privateering has always been an important component of American naval operations during wartime. Furthermore, given that privateering was more expansive and effective than the actions of the Continental Navy, it is a subject that deserves much more attention in Revolutionary War scholarship. Without the strategic use of privateers during the Revolution, the American cause may have sunk before ever truly setting sail. The foresight of a few men and the memory of a proud American maritime tradition, however, saved the Revolution in its early years and helped chart a course for independence.

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<sup>99</sup> William Morrison Robinson, Jr., *The Confederate Privateers* (New Haven, CT: Yale University Press, 1928); Stephen Fox, *Wolf of the Deep: Raphael Semmes and the Notorious Confederate Raider CSS Alabama* (New York: Vintage Books, 2007).

<sup>100</sup> U.S. Const., art. I, sec. 8, cl. 11.

## CHAPTER II: REVOLUTIONARY WAR PRIVATEERING IN ITS INFANCY: THE BATTLE OF MACHIAS AND WASHINGTON'S SCHOONERS

American privateers had a long history of plying their trade on behalf of the British Empire during the colonial wars of the seventeenth and eighteenth centuries. The French, Dutch, and Spanish all suffered commercial damage at the hands of American privateers, and many of those privateers earned a substantial profit by capturing enemy vessels and claiming them as prizes. Successful privateers could sell their prizes in the colonies or in Britain for the value of the supplies they were carrying as well as the vessels themselves. Privateering became quite a lucrative business in the American colonies in the eighteenth century, particularly during the War of Jenkins' Ear, King George's War, and the French and Indian War. In the years leading to the American Revolution, many colonial seamen saw the potential once again to arm their vessels and focus their efforts toward preying on their former British investors, thereby serving the dual purpose of undermining British authority in North America as well as creating latent wealth for a new generation of American privateers. Despite such anticipation, however, Revolutionary War privateering began, not in an organized build-up of privateering forces, but almost by accident, in reaction to the news of "the shot heard round the world."<sup>1</sup>

In late spring of 1775, Gen. Thomas Gage, the British military governor of Massachusetts Bay, sent HMS *Margaretta* to Machias, Maine, the farthest northern outpost within his jurisdiction, to acquire lumber for the fortification of the Boston garrison. The *Margaretta* was an armed schooner with four 3-pound cannon, fourteen swivel guns, and a complement of forty crewmen commanded by Midshipman James Moore.<sup>2</sup> Merchant captain Ichabod Jones

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<sup>1</sup> Ralph Waldo Emerson, "Concord Hymn," July 4, 1837, <<http://www.poetryfoundation.org/poem/175140>> (17 January 2012); Emerson wrote this poem for the completion of the Concord Battle Monument, and the famous line quoted above depicts the Battles of Lexington Green and Concord in April 1775.

<sup>2</sup> Edgar Stanton Maclay, *A History of American Privateers* (New York: D. Appleton and Co., 1899), 56.

accompanied Moore with two vessels, the *Unity* and the *Polly*, carrying food and other supplies for bargaining with the villagers of Machias for the needed lumber.<sup>3</sup>

Moore hoped that news of the outbreak of hostilities had not yet reached Machias, three hundred miles north of Boston, but the Machias colonists had heard rumors of the violence at Lexington and Concord and felt no desire to enter into any trading agreement with British merchants, particularly those accompanying an armed vessel.<sup>4</sup> To demonstrate their disapproval, they erected a Liberty Pole in the town square and formed a committee of public safety, akin to those already active in Boston and other colonial urban centers. Moore sailed into the mouth of the Machias River on June 2, 1775, and immediately ordered the Liberty Pole cut down and demanded that the villagers provide the required lumber, or face bombardment of the town.<sup>5</sup> Stephen Jones, a shop owner with considerable influence in the town, pleaded with Moore not to make good on his threat until after the villagers held a town meeting. Instead of discussing the removal of the Liberty Pole and cooperation with Moore and Ichabod Jones, however, the villagers formulated a plan to attack and capture the vessels and their commanders.<sup>6</sup>

On June 11, Moore, Jones, and the other officers, unaware of any plot to seize the vessels, attended religious services in the village, where a group of villagers attempted to capture them. Alarmed, the British officers fled to the woods and eventually back to the *Margaretta*. Once aboard, Moore threatened again to open fire on the town.<sup>7</sup> Several armed townsmen quickly boarded the unattended *Unity* and *Polly* and by evening had sailed to within musket range of the *Margaretta*, where a brief exchange of volleys ensued. The fight forced the men

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<sup>3</sup> Gardner Weld Allen, *A Naval History of the American Revolution* (New York: Russell & Russell, Inc., 1913), 1:7.

<sup>4</sup> Robert H. Patton, *Patriot Pirates: The Privateer War for Freedom and Fortune in the American Revolution* (New York: Vintage Press, 2008), 20.

<sup>5</sup> Maclay, *American Privateers*, 54.

<sup>6</sup> *Ibid.*, 55, and George Washington Drisko, *Narrative of the Town of Machias, the Old and the New, the Early and Late* (Machias, ME: The Press of the Republican, 1904), 36.

<sup>7</sup> Allen, *Naval History*, 8.

aboard the *Polly* to run aground and abandon the ship. The rest of the night passed in tense silence, but the next morning, June 12, “about forty men armed with guns, swords, axes & pick forks, went in Capt. Jones’s sloop [*Unity*], under the command of Capt Jeremiah OBrian: about Twenty, armed in the same manner, & under the command of Capt Benjamin Foster, went in a small Schooner [*Falmouth Packet*].”<sup>8</sup> The men quickly built wooden breastworks on the two small vessels, which served as defensive positions should the *Margaretta* fire on them, and set sail in pursuit of the British warship. The *Margaretta* had put to sea earlier in the morning, anchoring farther out in the harbor to avoid an assault from land, but Moore, observing the approach of the *Unity*, weighed anchor and came about to avoid a collision.<sup>9</sup> During the maneuver, the *Margaretta* suffered a broken boom, which slowed its progress considerably.<sup>10</sup>

The *Falmouth Packet* lagged behind, but the *Unity* took advantage of the *Margaretta*’s adversity and, after about two hours, caught and rammed the warship at its starboard bow. The men boarded the *Margaretta* and engaged in hand-to-hand combat with the British crew. A short time later, the *Falmouth Packet* joined the battle, coming alongside the warship’s port bow, its men also boarding the embattled *Margaretta*. During the fight, Moore sustained injuries from bladed weapons, and several other men, British and American, died. Demoralized by the loss of their commander, the rest of the *Margaretta*’s crew surrendered the ship to O’Brien, who towed it back into Machias Harbor and claimed it as his prize, including “four double fortified three pounders, & fourteen swivels, and a number of small arms, which we took with the Tender, besides a very small quantity of ammunition &c.”<sup>11</sup> After the battle, “they carried Mr. Moore

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<sup>8</sup> James Lyons, Chairman of the Machias Committee, to the Massachusetts Provincial Congress, June 14, 1775, William B. Clark et al., eds., *Naval Documents of the American Revolution* (Washington, DC: Government Printing Office, 11 volumes, 1964-), 1:677; hereafter cited as *NDAR*.

<sup>9</sup> Maclay, *American Privateers*, 57.

<sup>10</sup> Allen, *Naval History*, 10.

<sup>11</sup> Lyons to the Massachusetts Provincial Congress, *NDAR*, 1:677.

down into his Cabbin, & asked him why he did not strike when they hailed him, he look'd up and told them 'he preferred Death before yielding to such a sett of Villains.'"<sup>12</sup> Moore died of his injuries the next day, a prisoner of war.<sup>13</sup> The Battle of Machias was the first full-blown naval engagement of the American Revolution, resulting in the capture of British vessels and the deaths of British combatants, including officers. The colonial participants in the battle were, in essence, privateers, though lacking the proper documentation to legalize their activity. Nevertheless, propaganda throughout the war hailed the Machias patriots as heroes of the American cause.<sup>14</sup>

In the weeks following the Battle of Machias, the Massachusetts provincial government awarded the *Unity* to O'Brien. He fitted out the vessel with the guns captured from the *Margaretta*, improved its defensive breastworks, and renamed it the *Machias Liberty*.<sup>15</sup> O'Brien then proceeded to hunt British merchant vessels sailing between Boston and Nova Scotia.<sup>16</sup> On July 15, 1775, the *Machias Liberty* overwhelmed and captured the fifty or more sailors aboard two British warships, 8-gun HMS *Diligent* and 16-gun HMS *Tatamagouche*, near Bucks Harbor in Machias Bay.<sup>17</sup> The *Diligent*'s captain had gone ashore to reconnoiter when a small band of Americans captured him and sent him to Machias as a prisoner. O'Brien and Benjamin Foster, in the *Machias Liberty* and another small vessel, navigated up the Machias River and captured

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<sup>12</sup> Pilot Nathaniel Godfrey's Report of Action between the Schooner *Margueritta* and the Rebels at Machias, June 11, 1775, *NDAR*, 1:656.

<sup>13</sup> Drisko, *Narrative*, 47.

<sup>14</sup> The problem of referencing privateers in a discussion of the Battle of Machias is akin to referring to Washington's fleet as "privateers." The vessels in the Machias incident carried no letters of marque and were therefor not *legally* privateers, but their actions do not place them neatly into another category. Unlike in the *Gaspée* incident, the vessels were not destroyed but captured, refitted, and put to use on behalf of the Revolution.

<sup>15</sup> Several sources claim different vessels became the *Machias Liberty*, but the *Unity* is the name given most often, and seems the most likely candidate.

<sup>16</sup> Patton, *Patriot Pirates*, 20.

<sup>17</sup> Maclay, *American Privateers*, 59; Lieutenant John Knight, R.N. to Vice Admiral Samuel Graves, Cambridge, August 10, 1775, *NDAR*, 1:1108.

the *Diligent* and the *Tatamagouche* without firing a shot.<sup>18</sup> In August 1775, O'Brien and Foster petitioned Massachusetts to commission them into the provincial navy. The colonial government agreed, and appointed O'Brien to command the *Machias Liberty* and the *Diligent* under the auspices of the Massachusetts Provincial Congress, forming the core of the Massachusetts Navy.<sup>19</sup>

Upon learning of the events in Machias, British V. Adm. Samuel Graves, commander of the Royal Navy's North American fleet, was furious. In a September 4 communiqué to Capt. Edward Le Cras of HMS *Somerset*, Graves wrote, "I am informed the Congress have given an appointment of Admiral to a Mr OBrien at Mechias [*sic*], that this Admiral has increased his Squadron to six Sail including the *Diligent*, and that some Plan is certainly forming against Nova Scotia, but at what place he means to begin first is not yet known."<sup>20</sup> On October 6, 1775, Graves sent orders to Lt. Henry Mowat aboard the armed vessel *Canceaux*:

My Design is to chastize Marblehead, Salem, Newbury, Port, Cape Anne Harbour, Portsmouth, Ipswich, Saco, Falmouth in Casco Bay, and particularly Mechias [*sic*], where the *Margueritta* [*sic*] was taken, the Officer commanding her killed, and the People made Prisoners, and where the *Diligent* Schooner was seized and the Officers and Crew carried Prisoners up the Country, and where preparations I am informed are now making to invade the Province of Nova Scotia. You are to go to all or as many of the above named Places as you can, and make the most vigorous Efforts to burn the Towns, and destroy the Shipping in the Harbours.<sup>21</sup>

The Royal Navy's efforts to subdue the rebel centers of New England did not have the effect Graves anticipated. Mowat succeeded in burning Falmouth, Massachusetts, forcing women and children of the town to seek shelter in crude huts that provided little protection against the

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<sup>18</sup> Allen, *Naval History*, 12.

<sup>19</sup> *Ibid.*, 14.

<sup>20</sup> Vice Admiral Samuel Graves to Captain Edward Le Cras, HMS *Somerset*, Halifax, September 4, 1775, *NDAR*, 2:11.

<sup>21</sup> Vice Admiral Samuel Graves to Lieutenant Henry Mowat, HM Armed Vessel *Canceaux*, *ibid.*, 2:324.

oncoming winter.<sup>22</sup> Mowat also captured and sank a number of provincial warships, but the British effort to discourage the colonists only intensified the revolutionary sentiment, resulting in greater solidarity among the colonies.<sup>23</sup> For the remainder of the war, Machias remained a focal point for rebel activity and a key hunting area for American privateers. As one British commander, Sir George Collier of HMS *Rainbow*, remarked, “The dam’d rebels at Machias were a harder set than those at Bunker Hill.”<sup>24</sup>

Two months before events unfolded in Machias, three-hundred miles to the south, outside Boston, Gen. George Washington took command of an inexperienced, ill-equipped, and disorganized army. The siege of Boston began on April 19, 1775, as militia pursued Lt. Col. Francis Smith and his British Army regulars from Concord back to the city of Boston. Only the Boston Neck, a narrow isthmus between Boston and Roxbury, connected the then-peninsular city to the surrounding area. Once the British soldiers had reentered the city, the patriot militia cut off access to the Neck and trapped the British in Boston with no manner of resupply except by sea. The rebels then dug in, also blocking access to the Charlestown Neck, and waited. Despite expectations of violence in one form or another, the siege caught the British completely off guard. General Gage and Admiral Graves quickly realized the sort of contest that was unfolding; little concerned with the possibility of a frontal assault, the commanders worried more about the rebels’ potential to cut off resupply of *matériel* into Boston.<sup>25</sup> Gage and Graves may have overestimated the situation, however, at least in the beginning. The rebels were actually unprepared for either an assault by land or sea, or of disrupting maritime supply routes.

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<sup>22</sup> One of the children was fourteen-year-old Edward Preble, who became an American naval officer instrumental in the defeat of the Barbary Pirates in the early nineteenth century; see Maclay, *American Privateer*, 60.

<sup>23</sup> Maclay, *American Privateers*, 60; John A. Tilley, *The British Navy and the American Revolution* (Columbia, SC: University of South Carolina Press, 1987), 59, 60.

<sup>24</sup> Drisko, *Narrative*, 50.

<sup>25</sup> James L. Nelson, *George Washington’s Secret Navy: How the American Revolution Went to Sea* (New York: McGraw-Hill, 2008), 7.

When Washington arrived on June 15, 1775, to command the Americans besieging Boston, who Congress had declared the official Continental Army, he found an untrained, undisciplined group of amateur soldiers with no plan of action and no artillery. The disaster at Bunker Hill two days later demonstrated that without proper organization and sufficient weaponry, the rebels could not hope to defeat the British in the field, even with the advantages of greater numbers and higher ground. Furthermore, if the British continued to ship supplies into Boston by sea, the siege would have no effect, and it would only be a matter of time before British reinforcements arrived to break the siege. Washington had to prevent supplies from reaching the British garrison, but difficulties abounded. First, a proper navy would take a minimum of several months to assemble, and the Continental Army simply did not have that much time to act. Second, Congress had provided no funding or authorization even for the construction of troop transports, much less heavy warships. If he were to hinder British shipping into Boston, Washington would have to act of his own volition.

In August 1775, Washington, having learned of the incident in Machias, indicated that he wished to employ armed ships for harassing British merchantmen and supply vessels, with the potential to capture much needed ordnance for the siege.<sup>26</sup> John Glover, a Marblehead businessman who served as the colonel of the Massachusetts marine regiment, agreed to hire out his seventy-eight ton schooner, *Hannah*, for the sum of one dollar, per ton, per month.<sup>27</sup> Glover suggested that Capt. Nicholson Broughton receive command of the *Hannah*, and on September 2, 1775, Washington delivered orders to Broughton:

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<sup>26</sup> William Bell Clark, *George Washington's Navy: Being an Account of His Excellency's Fleet in new England Waters* (Baton Rouge, LA: Louisiana State University Press, 1960), 3.

<sup>27</sup> Donald W. Beattie and J. Richard Collins, *Washington's New England Fleet: Beverly's Role in its Origins, 1775-1777* (Salem, MA: Newsome & Gauss, Co., 1969), 4; David M. Miller, "The Logistical Impact of Prize Capture on Armies at the Siege of Boston, 1775-1776" (Master's thesis, East Carolina University, 2005), 87.

You being appointed a Captain in the Army of the United States of North America, are hereby directed to take Command of a Detachment of said Army and proceed on Board the Schooner [*Hannah*], at Beverly, lately fitted out & equipped with Arms, Ammunition and provisions at the Continental Expence. You are to proceed as Commander of Sd Schooner, immediately on a Cruize against such Vessels as may be found on the High Seas or elsewhere, bound inward and outward to or from Boston, in the service of the ministerial Army, and take and seize all such Vessels, laden with Soldiers, Arms, Ammunition, or Provisions for or from sd Army, or which you shall have good reason to suspect are in such Service. If you should be so successful as to take any of such Vessels, you are immediately to send them to the nearest and safest Port to this Camp, under a careful Prize-Master. For your own encouragement and that of other Officers and Men, to Activity, and Courage in this Service, over and above your Pay in the Continental Army, you shall be entitled to one third Part of the Cargo of every Vessel by you taken, and sent into Port.<sup>28</sup>

The *Hannah* set sail from the town of Beverly, near Marblehead, at ten o'clock on the morning of September 5, 1775, and two days later, it sailed into Cape Anne Harbor near Gloucester with its first capture, the *Unity*.<sup>29</sup> Regrettably for the crew of the *Hannah*, the *Unity* belonged to an American, and had been captured by HMS *Lively*, which put a prize crew aboard it. Because the *Unity* was a captured American vessel, Washington would not allow the *Hannah* to claim prize or salvage rights to it, and ordered its release to an agent of the vessel's owner, a fact met with much resentment.<sup>30</sup> Nevertheless, Broughton wrote to Washington with news of the capture:

I came up with her, hail'd & asked where she came from, was answer'd from Pescatuga, & bound to Boston, I told him he must bear away and go into Cape Ann, but being very loth I told him if he did not I should fire on him, on that he bore away and I have brought her safe into Cape Ann Harbor, and have deliver'd the ship and Prisoners into the hands & care of the Committee of Safety for this town of Glouster, and have desired them to send the Prisoners, under proper guard, to your Excellency for further orders

Also have sent the Captain of the ship we took for your Excellencys examination, and I shall proceed immediately in the further execution of your Excellencys orders<sup>31</sup>

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<sup>28</sup> Washington to Captain Nicholson Broughton, September 2, 1775, *NDAR*, 1:1288-1289.

<sup>29</sup> The *Unity* referred to here is not the same as the vessel sailed by Jeremiah O'Brien against HMS *Margaretta*. It belonged to John Langdon of Portsmouth, New Hampshire; see Clark, *George Washington's Navy*, 8.

<sup>30</sup> Clark, *George Washington's Navy*, 8, 9. Washington's reasoning for not allowing salvage rights to the *Unity* is a mystery. Though a precedent existed in colonial admiralty courts for claiming salvage rights on a recapture, Washington seems to have either been unaware of its legality or otherwise dismissed colonial maritime law in favor of his own authority. Whatever the reason, it is not recorded in detail.

<sup>31</sup> Captain Nicholson Broughton to George Washington, September 7, 1775, *NDAR*, 2:36.

Broughton did indeed return to his task at sea, but the crew, upset over the inability to claim the *Unity* as a prize, mutinied against the officers. The mutiny, while short-lived, disrupted the operational capacity of the *Hannah*, and the vessel enjoyed no further success.<sup>32</sup> The mutiny also irritated Washington, who wrote to his secretary, Col. Joseph Reed, “Our rascally privateersmen go on at the old rate, mutinying if they cannot do as they please. Those at Plymouth, Beverly, and Portsmouth, have done nothing worth mentioning in the prize way, and no accounts are yet received from those farther eastward.”<sup>33</sup> On October 10, 1775, HMS *Nautilus* pursued the *Hannah*, forcing the smaller vessel to run aground near Beverly. The town’s residents helped the crew strip the vessel of ordnance and supplies, and when the *Nautilus* came into the harbor, a brief engagement ensued. Though outgunned, the *Hannah* somehow survived the *Nautilus*’ bombardment, but a short time later, at the behest of the annoyed Washington, Glover decommissioned the vessel.<sup>34</sup>

Meanwhile, Washington had found more suitable vessels and officers to carry on the endeavor of starving the British out of Boston. John Manley and several other Continental Army officers procured vessels from merchant ship owners who saw the potential to make the war profitable, as John Glover had done. The new craft were to be fitted out for war at the owners’ expense, rather than that of the Continental Congress, but the army officers would command their operations with Manley as commodore. Thus, the *Lee*, the *Franklin*, and the *Hancock* became the nucleus of Washington’s New England fleet, which at its greatest strength consisted of seven armed schooners.<sup>35</sup>

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<sup>32</sup> Nelson, *Secret Navy*, 97-99.

<sup>33</sup> George Washington to Colonel Joseph Reed, November 20, 1775, *NDAR*, 2:1082.

<sup>34</sup> Nelson, *Secret Navy*, 116-120.

<sup>35</sup> Chester G. Hearn, *George Washington’s Schooners: The First American Navy* (Annapolis, MD: Naval Institute Press, 1995), 241, 242.

Washington's fleet received authorization to act as privateers. The schooners flew either British or neutral flags to conceal their identities and purposes, and Washington promised the crews shares of prize monies, as he had with Broughton and the *Hannah*. The capture of British shipping took on a new vigor. The *Lee*, commanded by Manley, saw the greatest success that autumn when it captured the *Nancy*, a military supply ship. Seeking congressional recognition of his fleet's contributions and the need for a navy, Washington wrote to John Hancock (the son of a colonial privateer and himself an investor in privateer voyages), "Last evening I received the agreeable account of the Schooner *Lee*, Commanded by Captain Manly [*sic*] having taken & carried in to Cape Ann a Large Brigantine bound from London to Boston Loaden with Military Stores, the inventory of which I have the pleasure to inclose you."<sup>36</sup> He wrote similarly to Joseph Reed, "I have a very singular pleasure in informing you that by express last night from Cape Ann, I received the glad tidings of the capture of the *Nancy* storeship from London, by Capt. Manley, contents as per the enclosed copy."<sup>37</sup> The ordnance aboard the *Nancy* included a large, brass 15-inch mortar, a number of smaller mortars, several brass and iron cannon ranging from 4-pounders to 24-pounders, twenty-five-hundred muskets, and forty tons of ammunition.<sup>38</sup> The other schooners in the New England fleet also performed admirably, capturing several other prizes and putting a strain on the British supply lines into Boston.

In December, Washington boasted of his fleet's success to Benedict Arnold, who was leading an expedition to take Quebec:

Nothing very material has happened in this Camp since you left it. Finding we were not likely to do much in the Land Way, I fitted out several Privateers, or rather armed Vessels, in behalf of the Continent, with which we have taken several Prizes to the amount, it is supposed, of £15,000 Sterling. One of them a valuable Store-Ship (but no

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<sup>36</sup> Washington to John Hancock, November 30, 1775, *NDAR*, 2:1199

<sup>37</sup> Washington to Reed, November 30, 1775, *ibid.*

<sup>38</sup> Edward Green to Joshua Green, December 3, 1775, *ibid.*, 2:1247; "Watertown, December 4," *The Newport Mercury*, December 11, 1775, iss. 901.

Powder in it) containing a fine Brass Mortar 13 Inch, 2000 Stands of Arms, Shot &c., &c.<sup>39</sup>

By the spring of 1776, Washington's privateers had made thirty-five significant prize captures, including the *Hope*, a 280-ton transport whose one thousand muskets, ten heavy cannon, and seventy-five tons of black powder made it the most valuable prize taken by either side in the Revolution.<sup>40</sup> The British encountered increasing difficulty in supplying Boston while American privateers patrolled the New England waterways. Moreover, with the capture of supply vessels destined for the British garrison, the Americans gained muskets, ammunition, and provisions for themselves, affording them the potential ability to launch an land assault on the city.<sup>41</sup> Worse still for the British, winter storms and disease had afflicted the garrison, and the soldiers and people in Boston began to starve. Admiral Graves, who had failed to put an end to the American Revolution and who had allowed the British army to starve nearly to death in the city, relinquished his command upon orders from the British Admiralty. On January 27, Graves resigned his command of the North American squadron and transferred power to V. Adm. Molyneux Shuldham. On February 1, 1776, he took his leave of North America.<sup>42</sup>

In late January, Henry Knox, Washington's chief artillery officer, returned from an expedition to Fort Ticonderoga with sixty tons of heavy artillery that the Continental Army expediently placed in fortifications around Boston, and on March 2, the Americans commenced bombardment of the city. With many of Knox's cannon placed on Dorchester Heights overlooking Boston, the British fleet came within range of American artillery, but the ships'

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<sup>39</sup> Washington to Arnold, December 5, 1775, *ibid.*, 2:1283.

<sup>40</sup> Hearn, *George Washington's Schooners*, 241, 242; Patton, *Patriot Pirates*, 44. By autumn 1777, Washington's fleet had captured a total of fifty-five British vessels, but by that time the British garrison in Boston had long since been evacuated.

<sup>41</sup> Allen R. Millet and Peter Maslowski, *For the Common Defense: A Military History of the United States* (New York: The Free Press, 1994), 79.

<sup>42</sup> Vice Admiral Samuel Graves to Vice Admiral Molyneux Shuldham, Boston, January 18, 1776 and Vice Admiral Samuel Graves to Philip Stephens, Boston, February 1, 1776, *NDAR*, 3:845, 1078; Tilley, *British Navy*, 66.

cannons could not reach the heights. Disregarding a plan to attack the American fortifications because of a storm, the British instead elected to evacuate the city. Prominent townspeople sent a letter to Washington, which he formally rejected because it did not address him by name or rank, stating that if the British were allowed to leave the city peacefully, they would not destroy Boston. Despite his rejection of the letter, Washington did not order any assault on the departing garrison.<sup>43</sup>

On March 17, once winds had turned favorable, over a hundred vessels carried the British garrison and several hundred Loyalist civilians out of Boston Harbor. Though he later advanced to higher rank and prestige, for the time being, Admiral Graves was disgraced in the eyes of the British government, albeit unfairly. It is unlikely that any other officer would have fared better in Graves' situation. As John Tilley concludes, "it was Graves's misfortune...to have placed in his hands an instrument ludicrously unsuited to the job he was expected to do with it."<sup>44</sup> Following the evacuation of Boston, Governor General Gage returned also to Britain in shame, never to receive another command.<sup>45</sup>

In October 1775, the Continental Congress officially authorized the creation of the Continental Navy, which eventually absorbed Washington's fleet, but not before the basis of revolutionary era privateering had been established. Businessmen in most of the colonies recognized the schooners' great success, and saw the possibility of earning a sizeable income by engaging in privateering of their own. While privateers from 1776 on never officially became part of the naval forces of the United States, it is clear that a unified American navy originated with privateering, and privateer tradition became an integral part of American naval policy.

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<sup>43</sup> David McCullough, *1776* (New York: Simon & Schuster, 2005), 94-99.

<sup>44</sup> Tilley, *British Navy*, 66.

<sup>45</sup> *Ibid.*, 57.

Taking a cue from the achievements of Washington's schooners, provincial American governments issued letters of marque to ship owners and sailors in their respective colonies who wished to cruise against the British merchant fleet. Hundreds of private merchantmen, outfitted for war, plied the waters of North America in a display of patriotism mingled with the desire for the prospective wealth available to successful privateers. Whatever their motivation, privateers were effective enough to harm the British maritime economy more than any other component of the American naval effort, as subsequent chapters will demonstrate.<sup>46</sup>

Massachusetts took the lead in administering privateer commissions. On November 1, 1775, the General Court of Massachusetts passed "An Act for Encouraging the Fixing Out of Armed Vessells, to defend the Sea Coast of America, and for Erecting a Court to Try and Condemn all Vessells that shall be found infesting the same."<sup>47</sup> Other provincial governments followed suit. The Continental Congress, on the other hand, despite support for privateering from leading patriots such as John Adams and Robert Morris, hesitated to sanction privateering on behalf of the unified colonies. Not having been recognized as an independent nation, the fledgling American government could not issue letters of marque with any validity. Without proper sovereign authority, American privateersmen could be captured and tried as pirates by any foreign nation. Indeed, this was especially likely if captured by the British. Such men would not be deemed prisoners of war, but rather criminals, and would probably be executed as such. Those not executed were detained under suspension of *habeus corpus* and held indefinitely in prison ships.<sup>48</sup> Nevertheless, on March 23, 1776, giving in to pressure from merchant seamen who had, for whatever reason, not received commissions from their provincial

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<sup>46</sup> Millet and Maslowski, *For the Common Defense*, 80.

<sup>47</sup> Allen, *Naval History*, 42.

<sup>48</sup> Jesse Lemisch, "Privateering, the American Revolution, and the Rules of War: The United States Was Born in 'Terrorism' and Piracy," *George Mason University's History News Network* (2002): accessed February 14, 2012, <http://hnn.us/articles/915.html>.

governments, Congress officially authorized the fitting out of privateers and the issuance of letters of marque. On April 3, 1776, Congress adopted a standard privateer commission and distributed blank copies, signed by the president of Congress, to the various colonial governments, along with specific guidelines for privateer commanders.<sup>49</sup> Congress thus laid the groundwork for the first American naval reserve force:<sup>50</sup>

Resolved, That blank Commissions for private Ships of War and Letters of Marque and Reprisal, signed by the president, be sent to the General Assemblies, Conventions, and Councils or Committees of Safety of the United Colonies, to be by them filled up and delivered to the Persons intending to fit out such private Ships of War for making Captures of British Vessels and Cargoes, who shall apply for the same, and execute the Bonds which shall be sent with the said Commissions, which Bonds shall be returned to Congress.<sup>51</sup>

The individual colonies chose whether to issue continental or colonial commissions, or both. Pennsylvania, for instance, sent out approximately 500 privateers using only continental commissions, while Massachusetts sent out 626 privateers under continental commissions and nearly a thousand under colonial commissions.<sup>52</sup> The reasons for the lack of colonial commissions coming out of Pennsylvania, while Massachusetts issued more colonial commissions than continental ones, are unclear. Perhaps the fervor for privateering was greater in New England, the hotbed of the Revolution, and less so in Pennsylvania, where Quaker leanings resulted in a slightly more peaceful populace. Or maybe the Pennsylvania government simply yielded in matters of war to the Continental Congress at Philadelphia. This is merely conjecture. What is important is that privateering had been accepted as a legitimate means of warfare by the American government, and was now open to anyone in any of the thirteen

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<sup>49</sup> Allen, *Naval History*, 45.

<sup>50</sup> Reuben Elmore Stivers, *Privateers & Volunteers: The Men and Women of Our Reserve Naval Forces, 1766-1866* (Annapolis, MD: Naval Institute Press, 1975), 25.

<sup>51</sup> W.C. Ford and Galliard Hunt, eds., *Journals of the Continental Congress* (Washington, DC: Government Printing Office, 1904-1912), 251.

<sup>52</sup> Allen, *Naval History*, 45, 46.

colonies. The exact number of vessels that sailed as privateers is ambiguous, as many sailed more than once with different commissions, but the Library of Congress estimates well over fifteen-hundred vessels mounting almost fifteen-thousand guns operated during the Revolution.<sup>53</sup>

The importance of revolutionary era privateers, while somewhat nebulous to the average student of the American Revolution, is most clearly seen during the first year of the Revolutionary War. The “privateers” at Machias served a threefold purpose to the American cause. First, the Machias incident marked the unofficial beginning of privateering during the Revolution, which would eventually ignite fervor for the practice that would become a thorn in Britain’s side. Second, the Battle of Machias, while not an important tactical victory for the Americans, was nevertheless of some strategic importance in that it provided the Revolution with its first victory and helped to stoke the fire of revolutionary sentiment. Finally, it drew the attention of America’s commanding general, George Washington, inspiring him to commission his own commerce-raiding vessels. Washington’s actions, of course, helped spread the desire for privateering, but it is possible that the endeavor would have died in its infancy had it not proved instrumental in the successful conclusion to the siege of Boston. It is important to note that privateers won no great battles with British ships-of-the-line, nor did they provide much in the way of coastal defense, as the provincial navies often did. Privateers’ contributions were the result of persistence, rather than military might. They undermined Britain’s ability to support its forces on the continent. This and similar threats to British maritime policy were at the center of American privateers’ great impact on the outcome of the American Revolution.

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<sup>53</sup> Ibid.

### CHAPTER III: THE ALLURE OF PRIVATEERING AND THE COMPETITION FOR MANPOWER

The Revolutionary War provided opportunities for colonists to fight the British in one of several different ways, some of which were far more beneficial to the individual, while also remaining advantageous to the war effort. Although Washington and his generals endeavored to field a professional army throughout the course of the war, militia companies provided much of the American firepower. Similarly, when Congress authorized the creation of the Continental Navy, it was intended to engage the Royal Navy in traditional battle settings. “A naval Force might be created which would do something. It would destroy Single Cutters and Cruisers. It might destroy small Corvets or Fleets of these.... It might oblige our Enemies to sail in Fleets.”<sup>1</sup> With only sixty-four vessels commissioned throughout the duration of the war, however, engagements with the much larger and more efficient Royal Navy were virtually impossible. Thus, the private navy contributed the greatest share of operational strength to the early naval war effort.

Why did Americans choose to serve aboard privateers? Certainly, it was not out of any belief that they could defeat the Royal Navy. For nearly a century, even the mightiest navies had found that the British were a more than worthy adversary upon the sea. Privateers, typically sloops and schooners, held little hope of survival against a British ship-of-the-line, much less the ability to overcome one. A privateer’s best chance of survival in battle was to prey on weaker vessels, strike fast and with the element of surprise, and flee if it came within operational range of a stronger vessel. Thus, privateering was, at best, an extremely dangerous enterprise to undertake. There must have been a number of advantages to serving aboard a privateer that were

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<sup>1</sup> John Adams to James Warren, Philadelphia, October 19, 1775, William B. Clark et al., eds., *Naval Documents of the American Revolution* (Washington, DC: Government Printing Office, 11 volumes, 1964-), 2:528; hereafter cited as *NDAR*.

not inherent in professional military service. Furthermore, such benefits must have been considerable for privateering to have so outweighed the effectiveness of the Continental Navy.

Like the militias, in which soldiers fought with people they knew and chose their own officers, privateers could often offer volunteers a more desirable life than was typical in the army or the navy.<sup>2</sup> Basing their knowledge of military life on the British system, potential soldiers knew that enlistment in a professional military outfit required a lengthy commitment, typically at least a year, and enlistees were subject to often strict military regulations. Punitive practices in the military were harsh and often cruel, particularly for desertion. The *Encyclopedia of the American Revolution* describes the most common military punishment of the era. “Flogging on the back with a nine-strand whip...was the most common punishment, performed...under the supervision of the regimental surgeon. It was intended both to punish bad behavior and deter future misbehavior, impressing the miscreant with the seriousness of his offense but not killing him.”<sup>3</sup> The entry goes on to say, “Colonial Americans generally found corporal punishment, as applied in the British army, to be excessive and distasteful, perhaps more because it ratified and emphasized the social gulf between officers and men than because of the severity itself.”<sup>4</sup> The rank structure was far more unbalanced than it is today, with enlisted men faring little better than servants, while the officer class vied to live as well as the gentry from which it came. Military pay, for both classes, was meager at best, and often nonexistent. British pay rates for soldiers had always been low, as soldiers came from the lowest echelons of the social hierarchy, and the elite believed them to be worth only the bare minimum of pay. While some of this attitude carried over into the American military, the low pay rates for soldiers in the colonies was much

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<sup>2</sup> Sheldon S. Cohen, *Commodore Abraham Whipple of the Continental Navy: Privateer, Patriot, Pioneer* (Gainesville, FL: University of Florida Press, 2010), 11.

<sup>3</sup> Harold E. Selesky, ed, *The Encyclopedia of the American Revolution* (New York: Thomson Gale, 2006), 947.

<sup>4</sup> Ibid.

more a reflection of lack of resources and the notion that service was not a career so much as a necessity for survival of the colony.<sup>5</sup> Furthermore, many citizens saw a standing army as a threat to liberty, having been accustomed to such forces being used as instruments of the monarch against the people.<sup>6</sup> In the navy, when one factored in the depressing and dangerous life aboard an eighteenth-century vessel, military life must have seemed little better than imprisonment.

Privateers could not necessarily claim to offer any less miserable working conditions than the navy, but certain aspects of service aboard a privateer could appeal to potential volunteers. Owners designed newspaper ads to entice men to sail with privateers, promising them a prosperous, patriotic, and even an enjoyable cruise. One such ad even emphasized the availability of alcohol to seamen aboard the privateer:

An Invitation to all brave Seamen and Marines, who have an inclination to serve their Country and make their Fortunes. The grand Privateer ship DEANE, commanded by ELISHA HINMAN, Esq; and prov'd to be a very capitol Sailor, will sail on a Cruise against the Enemies of the United States of America, by the 20<sup>th</sup> instant. The DEANE mounts thirty Carriage guns, and is excellently well calculated for Attacks, Defense and Pursuit – This therefore is to invite all those Jolly Fellows, who love their country, and want to make their fortunes at one Stroke, to repair immediately to the Rendezvous at the Head of his Excellency Governor Hancock's Wharf, where they will be received with a hearty Welcome by a Number of Brave Fellows there assembled, and treated with that excellent Liquor call'd GROG, which is allow'd by all true Seamen, to be the LIQUOR OF LIFE.<sup>7</sup>

A similar ad appeared a year earlier, recruiting Nova Scotia seamen for service aboard a British privateer:

All Gentlemen Volunteers: Seaman, and able bodied Landsman, who wish to acquire Riches and Honour are invited to repair on board the Revenge Privateer ship of war now laying in Halifax Harbour mounting Thirty Carriage Guns, with Carronades, swivels, &c. &c. bound on a Cruise to the Southward for four Months against the French, and all His Majesty's enemies, and then to return to this harbour. All volunteers will be received on board the said ship ~ or by Captain James Gandy at his Rendezvouse at Mr. Proud's

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<sup>5</sup> Ibid., 880.

<sup>6</sup> "The War Experience: Soldiers, Officers, and Civilians," U.S. History – Pre-Columbian to the New Millennium, accessed February 22, 2012, <http://www.ushistory.org/us/13.asp>.

<sup>7</sup> *Boston Gazette*, November 13, 1780.

Tavern near the Chandlery, where they will meet with all due Encouragement and the best treatment: Proper Advance will be given.<sup>8</sup>

In both ads, the language is similarly grandiose, meant to appeal to both the patriotic and the avaricious natures of their intended audiences. While we can see these ads for what they are today, amid the chaos of the situation in North America at that time, newspaper ads such as these were very likely to strike just the right chord. Patriotism was enough to drive many to service aboard privateers, as it did in Machias, but when it again became apparent that wealth was also available, Americans quickly realized the perquisites of private naval action, and privateering fever spread like wildfire.

As fortune was, indeed, an obvious draw for privateersmen, it is necessary to discuss, briefly, the concept of prize capture and how it played out during the American Revolution. Prize law is a broad topic with a long and complicated history, extending back, like so many aspects of American naval policy, to the first English admiralty courts. It is not within the scope of this thesis to discuss it in great detail. Nevertheless, an overview will help illustrate the disparity of potential monetary compensation between privateers and their naval counterparts, who also engaged in commerce raiding throughout the Revolutionary War.

For centuries before the American Revolution, sailing vessels of all kinds were permitted to sail with ordnance aboard, used for self-defense. In the course of an engagement, a vessel could capture an enemy vessel and hold it as a prize. All prizes captured under these circumstances were the sole property of the captor's nation or monarch, unless the owner of such vessel obtained written authority entitling him to a share of the prize money. In the case of a warship, the authority came in the form of a national naval commission, while a privately-owned

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<sup>8</sup> *Nova Scotia Gazette*, January 12, 1779.

vessel received a letter of marque and reprisal.<sup>9</sup> “The letter of marque served as a legal basis for an admiralty court to condemn the captured property, the prize, to the privateers who took it.”<sup>10</sup> In Britain, the High Court of Admiralty issued letters of marque and reprisal, or privateers’ commissions, on behalf of the monarch. In the United States, the thirteen state governments, and later, the Continental Congress issued such commissions. The governments also issued instructions to privateers intended to “limit the conduct of privateers to norms acceptable under the law of nations and to protect the sovereign from embarrassing claims by neutrals.”<sup>11</sup> The issuing governments required privateers to post bonds as a measure of compliance with the instructions and laws of their respective nations. Failure to adhere to the instructions could result not only in loss of the prize, but loss of bonds and commissions and payment of damages to the aggrieved entity.<sup>12</sup>

Medieval maritime law began on the French island of Oleron, and English mariners became well-versed in the usefulness of such a code. Recognizing that common law was ill-equipped to deal with the unique problems in maritime cases, many port towns adopted maritime law to replace the existing code. As more cases arose, however, the court at Oleron was overwhelmed. England needed courts of its own, especially once it went to war with France and use of the French court was no longer possible. Monarchs supervised these local maritime courts, but because of the sensitive nature of many maritime disputes, especially those that could affect foreign affairs, the authority to try such cases was transferred to the Lord High Admiral of England. Thus, in the mid-fourteenth century, the first English courts of admiralty were

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<sup>9</sup> Donald Petrie, *The Prize Game: Lawful Looting on the High Seas in the Days of Fighting Sail* (Annapolis, MD: Naval Institute Press, 1999), 2-3.

<sup>10</sup> Henry J. Bourguignon, *The First Federal Court: The Federal Appellate Prize Court of the American Revolution, 1775-1787* (Philadelphia: The American Philosophical Society, 1977), 3.

<sup>11</sup> Petrie, *Prize Game*, 9-10.

<sup>12</sup> *Ibid.*, 10.

established.<sup>13</sup> Initially exercising jurisdiction over cases of piracy and illegal captures, the admiralty courts' powers expanded to include "royal fish, obstructions on shores or rivers, spoil of wreck, and restitution of captured goods."<sup>14</sup> By the seventeenth century, admiralty courts were responsible for adjudicating all prize cases in England.<sup>15</sup>

In the British colonies, vice-admirals administered maritime justice under the auspices of the British Admiralty. Colonial governors were typically the vice-admirals of their respective colonies, appointed as such by the Lords Commissioners of the Admiralty. The vice-admirals appointed judges to preside over the colonial courts, and a vice-admiralty judge was the sole trial officer, holding complete power over his court. He fixed the time and place of a trial, moved the trial as he saw fit, and adjudicated the trial all without the assistance of a jury or fellow judges. By the end of the French and Indian War, there were eleven vice-admiralty courts in the North American colonies: one each existed in Newfoundland and Nova Scotia; the court in Massachusetts included New Hampshire in its territorial jurisdiction; one in Rhode Island; one in New York, with jurisdiction also over Connecticut and New Jersey; one each in the proprietary colonies of Maryland and Pennsylvania, which presided over Delaware; and one each in Virginia, Georgia, and North and South Carolina. By 1763, over one-third of the cases tried by American vice-admiralty courts were prize cases.<sup>16</sup> A prize case, or libel, was brought before the court in an attempt to obtain the legal seizure, or condemnation, of an enemy vessel and its cargo. The case was not tried against a person, as in a criminal or civil court, but against the

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<sup>13</sup> Timothy J. Runyan, "The Rolls of Oleron and the Admiralty Court in Fourteenth Century England," *American Journal of Legal History* 19, no. 2 (April 1975): 95-111.

<sup>14</sup> Petrie, *Prize Game*, 4-5.

<sup>15</sup> *Ibid.*, 6.

<sup>16</sup> Carl Ubbelohde, *The Vice-Admiralty Courts & the American Revolution* (Chapel Hill, NC: University of North Carolina Press, 1960), 3-5, 17.

prize itself, and thus, prize cases were referred to by the name of the chase.<sup>17</sup> Case lawyers called this process *in rem*, and it was extremely popular in the maritime courts, while unknown to the common law courts.<sup>18</sup>

In accordance with statutes adopted by the British Parliament and, later, the Continental Congress, shares of prizes captured by naval vessels were strictly apportioned by order of rank, from the squadron commander down to the lowest ranks.<sup>19</sup> In almost all cases, the captain received three-eighths of the money, unless he was under direct orders of an admiral, who would in that case receive an eighth share for himself, and the captain would receive two-eighths. One-eighth of the prize was divided among the lieutenants, sailing master, and captain of marines, if present. One-eighth was divided among the wardroom warrant officers (surgeon, purser, and chaplain), standing warrant officers (carpenter, boatswain, and gunner), lieutenant of marines, and master's mates. One-eighth was divided among the junior warrant officers, petty officers and their mates, sergeants of marines, captain's clerk, surgeon's mates, and midshipmen. The remaining two-eighths were divided among the rest of the crew, with specialists and able seamen earning larger amounts than ordinary seamen, landsmen, and boys.<sup>20</sup> Thus, depending on the monetary value of the prize, sold at auction by the court's authority, an officer stood to earn a substantial share of the proceeds, but a lowly seaman would almost certainly receive a mere pittance for his efforts in the capture. There were also often delays in receiving prize monies in regular naval service. On the other hand, the distribution of prize shares among privateersmen was subject to contractual articles of agreement signed before the privateering voyage.

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<sup>17</sup> Petrie, *Prize Game*, 9.

<sup>18</sup> Ubbelohde, *Vice-Admiralty Courts*, 20.

<sup>19</sup> Petrie, *Prize Game*, 5.

<sup>20</sup> N.A.M. Rodger, *The Command of the Ocean: A Naval History of Britain, 1649-1815* (New York: W.W. Norton, 2005), 522-524.

Following is an example of privateering articles of agreement that are indicative of those used during the Revolutionary War, though in this particular case, the articles are unsigned:

ARTICLES of AGREEMENT, made and concluded on in *New-London*, between the Owners, Captain, Officers and Mariners of the armed Sloop called the *REVENGE*, bound on a six Weeks Cruize against the Enemies of the United States of *America*.

We, the Owners of the said Sloop do covenant to fit for Sea the said Vessel, in a warlike Manner; and provide her with Cannon, Swivels, Small-Arms, Cutlasses, sufficient Ammunition, and Provisions, with a Box of Medicines, and every other Necessary at our own Expence, for a six Weeks Cruize against the Enemies of the Thirteen United States of AMERICA; and that the said Owners shall be entitled to receive the one Half of all Prizes, Effects and Things that shall be taken during the said Cruize; the other Half to be divided amongst the Sloops Company, in the following Proportions – Captain, eight Shares; First and Second Lieutenants, Master and Doctor, four Shares each; two Masters Mates, Boatswain, Gunner and Quarter-Masters, Officers Marines and Carpenter, two Shares each; Prize-Masters, three Shares each; all lesser Officer, not more than one and half Share; Privates, one Share; and Boys, Half a Share.

All Enterprizes at Sea or on Shore, shall be solely directed by the Captain. There shall be five dead Shares to be given to the most deserving Men, to be adjudged by the Committee.

If any one shall loose a Leg or an Arm, in time of Action, he shall receive Three Hundred Dollars, out of the whole Effects taken. If any Person shall mutiny, or raise any Disturbance on Board, game, steal, or embezzle on, or of, any Prize, whether at Sea or in Port, disobey his Officer, prove a Coward, desert his Quarters, absent himself without the Leave of his superior Officer for the Term of twelve Hours, exercise any Cruelty or Inhumanity in cold Blood, he shall forfeit his whole Share or Shares to the Company, and be liable to such corporal Punishment as the Committee shall think fit to inflict. The Committee shall consist of the chief Commanding Officer, first and second Lieutenant and master.

The Captain shall have full Power to displace any Officers as he shall think proper.

LASTLY, the said Commander, Officers and Men, hereby enter our selves on the Cruize for the Term of six Weeks, if the Cruize shall last so long, or unless sooner discharged.

Dated at New London, June 27, 1778.<sup>21</sup>

If there were no such contract, privateersmen might fare little better than naval personnel, but with a proper contract, a sailor might earn a significant amount of wealth. At the very least, a sailor not bound by enlistment in the navy could decide before he agreed to participate in the voyage whether or not the conditions were acceptable to him.

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<sup>21</sup> “HFM 198; Articles of agreement, 1778 – Revenge (Sloop),” Mystic Seaport: The Museum of America and the Sea, accessed February 22, 2012, <http://library.mysticseaport.org/initiative/PageImage.cfm?BibID=29756>; the *Revenge* referred to in this document is not the same vessel as the *Revenge* from the newspaper advertisement on page 54. That was a British vessel, while this one was an American vessel.

When war broke out between Britain and its American colonies, no vice-admiralty courts were established by the American governments, and those established by the British Admiralty had become a thorn in the colonists' collective side, thanks to a number of legislative maneuvers made by Parliament following the French and Indian War. Parliament gave the British colonial courts jurisdiction over an increasing number of laws intended to make revenue and excise tax laws more efficient. The judges' ability to move a trial, for example, to Nova Scotia or even England, however, coupled with the concept of a trial without a jury offended the American colonists' notions of equality with their fellow citizens in Britain. Without their own maritime courts, the American colonies initially had no procedures of their own for dealing with privateers and prize cases. Therefore, when the colonists at Machias seized the *Margaretta*, the *Unity*, and the *Polly*, the Massachusetts Provincial Congress, and not the vice-admiralty court, awarded the prizes to Jeremiah O'Brien and Benjamin Foster:

Resolved, That the thanks of the Congress be, and are hereby given to Captain Jeremiah Obrian [*sic*] and Captain Benjamin Foster, and the other brave men under their command, for their courage and good conduct in taking one of the Tenders belonging to our enemies, and two Sloops belonging to Ichabod Jones, and for preventing the Ministerial Troops being supplied with Lumber; and that the said Tenders, Sloops, their appurtenances and cargoes, remain in the hands of the said Captains Obrian and Foster and the men under their command, for them to use and improve as they shall think most for their and the publick's advantage, until the further order of this of some future Congress, or House of Representatives.<sup>22</sup>

Similarly, when Washington's New England fleet began operations in fall of 1775, it was Washington himself who provided the regulations for the distribution of prize money from captured enemy vessels. Government-appointed prize agents saw to the actual business of calculating and distributing prize shares, but as they stood to gain or lose money in the process, between commissions and loans, it was difficult for them to be efficient and unbiased in their

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<sup>22</sup> Journal of the Massachusetts Provincial Congress, Watertown, June 26, 1775, *NDAR*, 1:759.

proceedings.<sup>23</sup> Washington only allowed one-third of the value of the prize, excluding military stores (which were the exclusive property of the army), to be distributed among the officers and men, though Congress later increased the share to half for captures of warships.<sup>24</sup> In the *Hannah*'s case (see chapter II, page 41), probably because of his lack of knowledge for how to deal with recaptures of American ships from the enemy, Washington neglected to award any share of the prize to the crew, instead leaving the decision of compensation to the owner of the captured vessel, the *Unity*.<sup>25</sup> Meanwhile, on November 1, 1775, the Massachusetts provincial government authorized the commissioning of privateers and established the first American maritime courts at Plymouth, Essex, and Cumberland counties:

And be it further Enacted, that there shall be Erected, & constantly held in the town of Plymouth, in the County of Plymouth, [*torn*] Court of Justice, by such Able discreet Person as shall be Appointed & Commissioned by the Major part of the Council, for that purpose, whose business it shall be to take Cognizance of, and try, the Justice of any Capture, or Captures, of any Vessell, or Vessells, that may or shall be taken by any person, or Persons, whomsoever, & brought into either of the Counties of Plymouth, Barnstable, Bristol, Nantucket, or Dukes County ....

And be it further Enacted by the Authority aforesaid, that there shall be held in like Manner in the Town of Ipswich, in the County of Essex, one other Court of Justice ... in the Counties of Suffolk, Middlesex, or Essex ....

And be it further Enacted by the Authority aforesaid, that there shall be held in like manner in North Yarmouth in the County of Cumberland, one other Court of Justice ... in the Counties of York, Cumberland, or Lincoln.<sup>26</sup>

Following Massachusetts' example, and mindful of the difficulties he had encountered with various captures by his own fleet (including the mutiny resulting from his decision regarding the *Hannah*'s claim), Washington petitioned for the creation of a federal maritime court that would decide prize cases throughout the rebelling colonies. He tried a direct approach in letters to John

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<sup>23</sup> Robert H. Patton, *Patriot Pirates: The Privateer War for Freedom and Fortune in the American Revolution* (New York: Vintage Books, 2008), 36.

<sup>24</sup> Washington's Instructions to William Coit, October 22, 1775, *NDAR*, 2:567; James L. Nelson, *George Washington's Secret Navy: How the American Revolution Went to Sea* (New York: McGraw-Hill, 2008), 128.

<sup>25</sup> Washington to John Langdon, Cambridge, September 21, 1775, *NDAR*, 2:169.

<sup>26</sup> Massachusetts Act Authorizing Privateers and Creating Courts of Admiralty, Watertown, November 1, 1775, *NDAR*, 2:836-837.

Hancock and Congress. “These Accidents and Captures point out the Necessity of establishing proper Courts without Loss of Time for the Decision of Property, and the Legality of Seizures: otherwise I may be involved in inextricable Difficulties.”<sup>27</sup> He also tried a more indirect approach in a letter to his friend, Richard Henry Lee. “I should be very glad if the Congress would, without delay, appoint some mode by which an examination into the captures made by our armed vessels may be had, as we are rather groping in the dark till this happens.”<sup>28</sup> Washington had discovered that prize procedure was as important to naval warfare as men, ships, and supplies. He needed Congress to do the same.<sup>29</sup>

Congress appointed a committee to examine Washington’s suggestions, which reported back to Congress on November 25, 1775. Mindful of the recent practice of British ships illegally seizing American vessels and firing on American seaport towns, the committee recognized that Americans wished to seek some recompense by fitting out their own vessels to prey on British shipping. To protect innocent parties who might be affected by American retribution, however, laws had to be established that would govern the legality of prize capture throughout the colonies. Therefore, Congress made eight resolutions concerning privateering and prize capture.<sup>30</sup>

The first two resolves authorized the capture and condemnation of “all such ships of war, frigates, sloops, cutters, and armed vessels as are or shall be employed in the present cruel and unjust war against the United Colonies,” and “all transport vessels in the same service, having on board any troops, arms, ammunition, cloathing, provisions, or military or naval stores.”<sup>31</sup> The

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<sup>27</sup> Washington to Hancock, Cambridge, November 8, 1775, *ibid.*, 2:930.

<sup>28</sup> Washington to Richard Henry Lee, Cambridge, November 8, 1775, *ibid.*, 2:931; Nelson, *George Washington’s Secret Navy*, 184.

<sup>29</sup> Nelson, *George Washington’s Secret Navy*, 184.

<sup>30</sup> Bourguignon, *First Federal Court*, 45.

<sup>31</sup> *Ibid.*, 45; Journal of the Continental Congress, Philadelphia, November 25, 1775, *NDAR*, 2:1132.

third resolve required that any master or commander of an American ship making a capture must have obtained a commission from Congress. The fourth and fifth resolves recommended “to the several legislatures in the United Colonies, as soon as possible, to erect courts of Justice, or give jurisdiction to the courts [then] in being for the purpose of determining concerning the captures to be made as aforesaid.”<sup>32</sup> Congress insisted that the courts conduct trials by jury, a feature unique to American vice-admiralty courts, no doubt a reflection of the resentment felt toward colonial vice-admiralty courts, which conducted all trials without a jury.<sup>33</sup> The sixth resolve established the first federal appellate court, which allowed any person involved in a prize case to make an appeal to a congressional authority within a given timeframe.<sup>34</sup>

The seventh resolve, and the most significant to privateers, illustrated the proper distribution of prize shares to the parties involved in the capture:

That when any vessel or vessels shall be fitted out at the expence of any private person or persons, then the capture made shall be to the use of the owner or owners of said vessel or vessels; that where the vessels employed in the capture shall be fitted out at the expence of any of the United Colonies, then one-third of the prize taken shall be to the use of the captors, and the remaining two-thirds to the use of said colony, and where the vessels so employed shall be fitted out at the continental charge, then one-third shall go to the captors, and the remaining two-thirds to the use of the United Colonies; provided, nevertheless, that if the capture be a vessel of war, then the captors shall be intituled to one-half of the value, and the remainder shall go to the colony or continent as the case may be, the necessary charges of condemnation of all prizes, being deducted before any distribution is made.<sup>35</sup>

This resolve is the key to understanding why privateering was so much more popular than naval service. A privateer vessel, whose fitting out and voyage were the sole financial responsibility of its owner and investors, stood to earn quite a bit more from a capture than its counterparts in the colonial or federal navies. If the captain and crew aboard a privateer entered into favorable

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<sup>32</sup> Continental Congress, *ibid.*

<sup>33</sup> Ubbelohde, *Vice-Admiralty Courts*, 195.

<sup>34</sup> Bourguignon, *First Federal Court*, 46.

<sup>35</sup> Continental Congress, *NDAR*, 2:1133.

articles of agreement with the owner, one or two voyages, in theory, may be all they needed to earn a substantial amount of wealth. More often than not, this was not the case, but the potential for this kind of wealth was far more enticing to seamen than the greatly reduced prize shares that were available in the navy. Furthermore, the resolve left the engagement of British warships entirely up to the discretion of the privateersmen. More financial gain was to be had by engaging, but engagement was not obligatory.

The final resolve simply stated that all captures made prior to November 25, 1775, by vessels under Washington's command were justifiable and upheld Washington's decisions regarding the distribution of prize shares.<sup>36</sup> Indeed, Congress's regulations for naval distribution of prize shares closely mirrored Washington's own, a fact surely not lost on privateersmen remembering the *Hannah* affair.

Congressional restrictions on the amount of prize money potentially available to naval crews made privateering more attractive than naval service. A sailor could earn up to three times more by privateering than his counterpart in the navy. The fortunes promised by newspaper ads enticed sailors throughout New England to raid British merchant shipping on behalf of the American war effort. While Congress had thus far stopped short of actually commissioning privateers itself, it had paved the way for privateers to operate legally out of American ports. With the question of legality out of the way, privateering became a major faction of American operational strength in New England.

By mid-December 1775, reports of privateer successes were pouring into the colonies. One letter to John Adams reported, "Our privateers have made so many Captures that, it is impossible for me to be particular, most of those from Europe I am informed have considerable

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<sup>36</sup> Ibid.

quantities of Coal in them.”<sup>37</sup> James Warren, president of the Massachusetts Provincial Congress and paymaster general of the Continental Army, also wrote to Adams about the effect privateers were beginning to have. “Several Prizes have been taken in the week past, & among the rest a fine Ship from London, with coal, Porter Cheese Live Hoggs &c &c and a large Brig from Antigua with Rum Sugar &c all the Country are now Engaged in preparing to make salt Petre fixing Privateers, or Reinforceing the army.”<sup>38</sup> Joseph Hawley wrote, “The Surprising Success of the Privateers this way we hope will animate the whole continent to the like practice.”<sup>39</sup> Newspapers also began to run articles, detailing the successes of privateers, particularly in Massachusetts. The *Constitutional Gazette* read, “A letter in town from Machias informs us, that a privateer from that place had taken a brig at St. John’s bound to Boston, with nineteen head of cattle, seventy sheep, besides hogs, poultry, &c.”<sup>40</sup> The *Connecticut Gazette* ran the following: “Wednesday last Captain Robbins, bound from Ireland for Boston, in a Schooner, laden with Beef, Tongues, Butter, Potatoes and Eggs (all much wanted, for the Butchering Assassins there) was taken by a Privateer from Beverly and carried in there – .”<sup>41</sup> The *Pennsylvania Evening Post* ran a story referring to a privateer under Washington’s command, specifically that infamous schooner captained by Nicholson Broughton, the *Hannah*.

Two gentlemen, who arrived this day from the Continental camp, which they left the thirtieth ult. inform that a store ship, bound to Boston, was taken off and brought into Cape Ann, from whence she was to be carried into Beverly. She had on board twenty-five hundred stand of arms, one thirteen inch brass mortar, and two of a smaller size, thirty tons of shot, between two and three hundred carcasses, several hundred cannon cartridges, a great number of handgrenadoes, and some brass cannon. They do not

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<sup>37</sup> Benjamin Hichborn to John Adams, Lexington, December 10, 1775, *NDAR*, 3:34.

<sup>38</sup> James Warren to John Adams, Watertown, December 11, 1775, *ibid.*, 3:49.

<sup>39</sup> Joseph Hawley to John Adams, Watertown, December 18, 1775, *ibid.*, 3:149.

<sup>40</sup> *Constitutional Gazette* (New York), October 14, 1775.

<sup>41</sup> “God Save the King,” *Connecticut Gazette* (New Haven), November 17, 1775.

remember the name of the privateer, but say the Captain's name is Broughton, and the Lieutenant's Glover.<sup>42</sup>

Dozens of these types of articles ran weekly, informing the American populace that at least one small portion of the war effort was making gains, and often convincing more men to sign aboard privateers.

Perhaps most indicative of the successes American privateers enjoyed by the end of 1775 and into 1776 was reluctant British recognition of their inability to deal with the privateers. Samuel Graves had already ordered the suppression of many coastal towns in retaliation for the events at Machias and subsequent actions by Washington's fleet around Boston (see chapter 2, page 43), but this was not having the effect he had hoped for. Maj. Gen. William Howe, the commander-in-chief of all British forces in America, wrote to his government, "I am also concerned to observe the Uncertainty of defenceless Vessels getting into this Harbour is rendered more precarious by the Rebel Privateers infesting the bay, who can take advantage of many Inlets on the Coast, where His Majesty's Ships cannot pursue them, and from whence they can safely avail themselves of any Opportunities that offer."<sup>43</sup> Admiral Graves responded, "Yet it is impossible to entirely prevent [the capture of merchant vessels] with the Men of War alone at this Season."<sup>44</sup> In a letter to First Secretary of the Admiralty Philip Stephens, Graves wrote, "Notwithstanding the utmost Endeavors of the Cruizers to protect Vessels arriving with Supplies, the Rebels watch the opportunity of the Kings Ships and Vessels being off the Coast, slip out in light good going Vessels full of Men, seize a defenceless Merchant Ship and push immediately for the nearest Port the Wind will carry them to."<sup>45</sup> Though lamenting his inability to prevent

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<sup>42</sup> *Pennsylvania Evening Post* (Philadelphia), December 9, 1775.

<sup>43</sup> Major General William Howe to Lord Dartmouth, Boston, December 13, 1775, *NDAR*, 3:82.

<sup>44</sup> Vice Admiral Samuel Graves to Major General William Howe, Boston, December 13, 1775, *ibid.*

<sup>45</sup> Vice Admiral Samuel Graves to Philip Stephens, Boston, December 8, 1775, *ibid.*, 3:276.

British losses, Graves was hesitant to give the American privateers any credit for his failures. Instead, he blamed the “Badness of the Weather this Fall, on a very dangerous Coast,” or “the Treachery of the Master of Pilot” of captured British vessels.<sup>46</sup> Commodore Marriot Arbuthnot, also writing to the first secretary, did not attempt to lay the blame on others, but simply stated the facts as they were. In his letter, he wrote:

I am sorry to inform their Lordships, that I have it from pretty good Authority that the Rebels have many Armed Vessels & it is said One ship of 22 guns fitted from Philladelphia, but of this I am not so certain but I have great reason to believe their Orders are to interrupt the trade of this Country, by preventing them from sending lumber & other Necessary's to the West Indies, or Great Britain, & particularly to stop all supplies for Boston.<sup>47</sup>

This last detail contributed to the first major setback for British forces: their evacuation of the Boston garrison.

Congress did not fail to recognize the impact of its efforts to authorize American privateering. It certainly did not see the returns it had hoped for from the Continental Navy. The accomplishments of Washington's fleet notwithstanding, the fledgling navy had manpower troubles from its inception. Recruitment was difficult and the expense, often laid upon the recruiting officer, was high. Officers had to search for willing seaman, and often had to give money in advance, which meant out of pocket. Congress may or may not have reimbursed the recruiting officers for their troubles.<sup>48</sup> Congress also set strict guidelines outlining eligibility for naval service. Slaves and indentured servants were not eligible, nor were apprentices without the consent of their masters, or deserters from the army. Most recruiters ignored these guidelines, however, desperate to fill their crews. Still, it was not enough.<sup>49</sup> Recognizing that volunteers for

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<sup>46</sup> Ibid.

<sup>47</sup> Commodore Marriot Arbuthnot to Philip Stephens, Halifax Yard, December 26, 1775, *ibid.*, 3:251.

<sup>48</sup> William M. Fowler, Jr., *Rebels Under Sail: The American Navy During the Revolution* (New York: Charles Scribner's Sons, 1976), 285.

<sup>49</sup> *Ibid.*, 286.

naval service were hard to find, Congress authorized less genteel means of manning the navy. Press gangs frequented coastal communities. Though Congress laid regulations on who could and could not be pressed into service, officers were known to be unscrupulous at times in overlooking mistakes, though American press gangs were not as unsavory as their British counterparts.<sup>50</sup>

Prisoners of war could also be offered naval service in exchange for internment, and nearly every American crew consisted partly of British prisoners. These proved troublesome in that they were more likely to mutiny than to fight alongside Americans.<sup>51</sup> Even with these less-than-savory means of recruiting sailors employed, desertion proved to be the biggest difficulty of them all. In the early years of the war, the average desertion rate was near 25 per cent, and likely increased as the war raged on. No method for curtailing desertion or for capturing deserters was very effective, and the best way that most captains came up with was to stay at sea, away from ports with privateers, until supplies ran out.<sup>52</sup> Assuredly, this was no way to fight a naval war.

After the British evacuated Boston in March 1776, Congress made its boldest move yet toward declaring independence, at least in terms of military operations. By adopting its own standard privateering commission and establishing federal guidelines for the legality of prize captures (see chapter II, pages 51-52), Congress set the stage for privateering to expand out of New England and into the rest of the thirteen American states. Those states that had already established privateering as part of their naval operations – namely, Massachusetts, New Hampshire, and Rhode Island – could now use continental commissions, while the remaining states now had a federal mandate to do so.<sup>53</sup> Examination of existing privateer bonds in state

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<sup>50</sup> Ibid., 286-287.

<sup>51</sup> Ibid., 289.

<sup>52</sup> Ibid., 295.

<sup>53</sup> Sidney G. Morse, "State or Continental Privateers?" *American Historical Review* 52, no. 1 (October 1946): 68-73.

records showed that only Massachusetts issued a significant number of state commissions. The high numbers of Revolutionary War privateers, then, largely resulted from federal support of the endeavor.<sup>54</sup>

The downside to congressional support for privateering was that it created another hurdle for naval recruiters and officers, who were already mired in the seemingly impossible task of filling and keeping full complements of able seamen aboard their ships. By August 1776, reports of a manpower shortage reached Congress. “As to the Massachusetts raising more Men – would say the sea ports are drained very much by those going a privateering &c. and the late success of One belonging here.”<sup>55</sup> Such competition had been a feature of privateering in the past, and the American Revolution was no exception.<sup>56</sup> Inevitably, this caused some resentment among naval officers and recruiters. The lack of men available for naval service caused great delays in getting continental warships underway, compounding the anger of the officers. James Warren wrote to John Adams, “This delay disgusts the officers, and occasions them to repent entering the service.”<sup>57</sup>

It is likely that, aside from the problem with manpower, naval personnel were also disdainful of the monetary compensation available to privateers that was not available to the navy. Whether this derision was borne out of concern for the national reputation or financial envy is anyone’s guess. Probably it was both. Cdre. Esek Hopkins called attention to both the manpower crisis and the imbalance of prize shares in two letters to the Continent Marine Committee in September 1776, concerning the preparation of the continental frigates in his

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<sup>54</sup> Ibid., 70.

<sup>55</sup> Militia Officer Isaac Smith to John Adams, Salem, August 6, 1776, *NDAR*, 6:77.

<sup>56</sup> Carl Swanson, *Predators and Prizes: American Privateering and Imperial Warfare, 1739-1748* (Columbia, SC: University of South Carolina Press, 1991), 77-78; Gardner Weld Allen, *A Naval History of the United States* (New York: Russell & Russell, Inc., 1913), 48-51.

<sup>57</sup> James Warren to John Adams, Boston, August 11, 1776, *NDAR*, 6:143.

squadron. He wrote on September 23, “The two Frigates here [*Alfred* and *Hampden*] will be ready for Sea in a week or 10 days, but it will be very difficult to man any of them without you will make the Chance of Prize Money as good as they get in the Privateers.”<sup>58</sup> After trying for another week to get men aboard the frigates, Hopkins wrote again, “The new Ships [*Providence* and *Warren*] are down the River with about One hundred Men each, but as there are so many Privateers a fitting out which give more encouragement as to Shares; it makes it difficult to man the Continental Vessels.”<sup>59</sup> To compound this shortage of manpower for the continental fleet, privateers’ owners often offered enough incentive for continental sailors to desert the navy and serve aboard privateer vessels. Congressional committees attempted to combat desertion by ordering deserters’ prize shares be turned over to the United States.<sup>60</sup> This did little to limit desertion, however, as privateers’ shares were sufficient to encourage desertion, especially when compared to the smaller shares available to the navy. Furthermore, the sheer numbers of deserters to privateers – Hopkins estimated that one-third of enlisted continental sailors had deserted to privateers by 1779 – made it difficult to seize all such prize shares.<sup>61</sup>

John Paul Jones, the Revolution’s primary naval war hero and himself a successful commerce-raider in British waters, was most notable in his contempt of privateering. He wrote to Robert Morris, the chairman of the Continental Congress’s Secret Committee of Trade:

It is to the last degree distressing to Contemplate the State and Establishment of our Navy. – The common Class of Mankind are Actuated by no nobler principle than that of Self Intrest – this and this Only determines all Adventurers in Privateers; the Owners as well as those whom they Employ. And While this is the Case Unless the Paltry Emolument of individuals in our Navy is made Superiour to that in Privateers it can never become respectable – it will never become formidable. – And without a Respectable

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<sup>58</sup> Commodore Esek Hopkins to the Continental Marine Committee, Providence, September 23, 1776, *NDAR*, 6:949.

<sup>59</sup> Commodore Esek Hopkins to the Continental Marine Committee, Providence, September 30, *ibid.*, 6:1056.

<sup>60</sup> Journal of the Committee Appointed to Build Two Continental Frigates in Rhode Island, Providence, September 30, *ibid.*

<sup>61</sup> Reuben Elmore Stivers, *Privateers & Volunteers: The Men and Women of Our Reserve Naval Forces, 1766-1866* (Annapolis, MD: Naval Institute Press, 1975), 40.

Navy – Alas America! – In the Present Critical Situation of Affairs human Wisdom can Suggest no more than one infallible expedient. – Enlist the Seamen during Pleasure and give them all the Prizes – What is the Paltry emolument of two thirds of Prizes to the Finances of this Vast Continent! – If so poor a Resourse is essential to its Independency, in sober sadness we are involved in a Woeful Predicament, and our ruin is fast Approaching -.<sup>62</sup>

While Jones may have exaggerated the health of the “Finances of this Vast Continent,” his words to Morris had the intended effect. Congress raised the prize shares for continental ships to one-half if the prize was an enemy merchantman (even if it was destroyed, rather than captured), and full shares for the capture or destruction of an enemy privateer or warship.<sup>63</sup> The navy even began running ads closely resembling those used by privateers for recruiting purposes:

ALL GENTLEMEN SEAMEN and able-bodied LANDSMEN who have a mind to distinguish themselves in the GLORIOUS CAUSE of their Country, and make their Fortunes, an Opportunity now offers on board the Ship RANGER, of Twenty Guns, (for France) now laying in Portsmouth, in the State of NEW HAMPSHIRE, commanded by JOHN PAUL JONES, Esq.; let them repair to the Ship’s Rendezvous in PORTSMOUTH, or at the Sign of Commodore [John] MANLEY, in SALEM, where they will be kindly entertained, and receive the greatest Encouragement. – The Ship RANGER, in the Opinion of every Person who has seen her is looked upon to be one of the best Cruisers in AMERICA. – She will always be able to Fight her Guns under a most excellent Cover; and no Vessel yet built was ever calculated for sailing faster, and making good Weather.<sup>64</sup>

These measures were not enough, however, to reduce the competition for manpower. Privateers still promised higher shares for the capture of an enemy merchantman, a much easier task than the capture or destruction of a warship. Jones noted that privateers persistently drew men away from naval service, continuing to encourage the desertion of continental sailors.<sup>65</sup>

Better prize shares were not the only draw for potential privateersmen. Life aboard a privateer, while generally less dangerous, was also more relaxed than aboard continental vessels.

Continental officers and marines were issued uniforms, the cost of which often came out of their

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<sup>62</sup> Captain John Paul Jones to Robert Morris, Newport, RI, October 17, 1776, *NDAR*, 6:1303.

<sup>63</sup> Stivers, *Privateers & Volunteers*, 38.

<sup>64</sup> “Great Encouragement for Seamen,” *Freeman’s Journal* (Portsmouth, NH), July 26, 1777.

<sup>65</sup> Captain John Paul Jones to Joseph Hewes, Rhode Island, October 31, 1776, *NDAR*, 6:1474.

pay, while privateersmen wore whatever they normally would wear in a non-military capacity. The clothes they already owned were perfectly sufficient for privateer service. Furthermore, there was greater leniency aboard a privateer in terms of a code of conduct than aboard a naval vessel. Continental sailors had to attend religious services twice a day, and cursing and blasphemy were not tolerated. This was not the case aboard privateers.<sup>66</sup> Civilian seamen, drawn largely from fishing communities and harbor districts, retained their rough exteriors and abrasive practices, unconcerned with their reputation so long as they reaped the benefits of their labors. Gambling, drinking, and cursing were the order of the day for most privateers. One such sailor, Andrew Sherburne, offers an example of the type of behavior that was typical aboard privateers: "I soon began to improve in boxing, and to indulge in swearing. At first this practice occasioned some remorse of conscience. I however endeavored to persuade myself that there was a necessity for it. I at length became a proficient in this abominable practice. To counterbalance my guilt in this, I at the same time became more constant in praying; heretofore I had only prayed occasionally; now I prayed continually when I turned in at night, and vainly imagined that I prayed enough by night to atone for the sins of the day."<sup>67</sup>

The popularity of privateering, owing to the advantages laid out in this chapter, was at the center of its success during the Revolutionary War. Had men not been available for the voyages, the enterprise would have failed. Perhaps if more men had entered and remained in naval service, the Continental Navy might have evolved into an effective weapon upon the sea, capable of meeting the Royal Navy on more even terms, if not able to overcome its superiority. This was not the case, however. Danger was a constant in any aspect of the Revolutionary War, but privateering, while risky, was simply a more attractive opportunity for the average American

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<sup>66</sup> Patton, *Patriot Pirates*, 78.

<sup>67</sup> Andrew Sherburne, *The Memoirs of Andrew Sherburne, Patriot and Privateer of the American Revolution*, Karen Zeinart and Seymour Fleishman, eds. (Hamden, CT: Linnet Books, 1993), 19-20.

seaman. The potential for profit was greater, and the lifestyle was less strenuous, in terms of regulations and of combat action. The efficiency with which privateers were able to cripple the British merchant fleet and, ultimately, the British wartime economy owes much to the popularity of the endeavor and to the sheer numbers of privateers that sailed throughout the war. The next chapter will demonstrate the effects that American privateering had on British shipping, the British economy, and popular sentiment, laying the groundwork for an American victory, years before General Washington's triumph over Gen. Charles Cornwallis at Yorktown.

## CHAPTER IV: THE IMPACT OF AMERICAN PRIVATEERING ON PUBLIC SENTIMENT AND THE BRITISH WAR EFFORT

The British army was fighting a war thousands of miles from England, in territory less familiar to British soldiers than to their enemy. While many high-ranking British officers had indeed been in America during the French and Indian War, most of the soldiers, excluding the provincial regiments, had never set foot on the continent before the Revolutionary War. The commanders received their orders directly from London politicians who had also likely not been in America, and who misjudged the nature of the war they were fighting. The Royal Navy, mightiest in the world, was an almost useless weapon against a colonial rebellion that had no naval force capable of the great sea battles touted by Alfred Thayer Mahan as the salient feature of any important war. The tactical key to a favorable outcome for Great Britain was threefold: stay well-supplied in order to keep American forces pinned down under superior firepower. The supply lines, in turn, relied heavily on British naval supremacy and Britain's strong trade-based economy, which could justify the continual flow of men and provisions into the colonies. If these two logistical factors could be eliminated, the Americans would simply have to stand their ground, and the British would eventually yield. Standing ground meant that American public opinion of the war needed to remain steadfast. Furthermore, if British public sentiment were to falter, the Americans could win a psychological victory, potentially forcing the British government to halt aggressions to keep its own people content. This is the manner in which American privateers, in the early years of the Revolutionary War, established the basis for American victory.

As we have seen, the commerce-raiding tactics employed by Washington's fleet were imperative to retaking Boston from the British garrison besieged within the town. An

examination of privateer interaction with British shipping illustrates why this was the case. The first real success, despite the scandal that followed regarding prize shares, was the *Hannah's* capture of the *Unity* on September 7, 1775. Though the *Unity* was an American vessel, it had been captured by HMS *Lively* and put to service as a British merchantman. The recapture of the *Unity* from the British bolstered the notion that privately owned vessels could influence the war effort. Newspapers lost no time recounting the recapture, denouncing the British for their initial taking of the vessel. "A ship which sailed from Portsmouth last Tuesday bound for the West Indies was taken by one of the *piratical* ships of war, viz. the *Lively*: and yesterday morning was retook by a Schooner from Marblehead, with a midshipman and six sailors on board."<sup>1</sup> Furthermore, though the *Hannah* and other vessels in Washington's fleet were, in the general's mind, official vessels of the continental military forces, news reports of the capture of the *Unity* instead referred to the *Hannah* as a privateer. "A large Ship of about 300 Tons...was on Friday last retaken by a Privateer from Beverly, and carried into Cape Ann."<sup>2</sup>

As previously mentioned, the mutiny aboard the *Hannah* stemmed from Washington's decision to allow the *Unity's* owner to decide upon compensation for the recapture. The crew, many of them enlistees or civilians, believed themselves deserving of their shares according to the traditions of privateering. It is important to note, however, that while Washington's fleet acted as privateers (and indeed, he referred to them as such on several occasions), the commander-in-chief was a professional military man, and his military nature influenced every aspect of his command, including dealing with a private navy. Following the mutiny aboard the *Hannah*, Washington allowed the officers to seek recompense from the *Unity's* owner, even offering his endorsement, but ordered the crew punished for their actions:

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<sup>1</sup> *Essex Journal* (Newburyport, MA), September 8, 1775; emphasis added by author.

<sup>2</sup> *Boston Gazette*, September 11, 1775.

E'er this you must have heard of the taking, and retaking of your Ship; and of my ordering it to be delivered up to your Agent. – I have promised the Officers, to wit. Capt'n Broughton, Liet Glover, & another Subaltern whose name I cannot recollect that I would recommend them to your notice & compensation. – I should have done the same thing in behalf of the Men (for you must know the Vessell which retook yours was fitted out at the Publick expence, & manned with Soldiers for a particular Expedition) but for their exceeding ill behaviour upon that occasion – I was obliged to send for, and bring them here Prisoners instead of persecuting a different scheme I had in view with the People of Hallifax, & I hope to bestow a reward of a different kind upon them for their Mutinous behaviour.<sup>3</sup>

While this was certainly not the most pleasant episode in privateering's history, it reconfirmed two very important realities: George Washington was determined to build a professional American military that would conduct warfare honorably; and an American naval force was essential to the revolutionary war effort. As it happens, the successes of Washington's fleet, following so closely on the heels of the episode in Machias, suggested that a private navy was perfectly sufficient to meet the needs of the war effort.

Between September 1775 and October 1777, Washington's fleet captured fifty-five British vessels. (See Appendix A.) The fleet later released eleven of those fifty-five, lost two to the enemy, and four were recaptured, netting a total of thirty-eight significant prizes.<sup>4</sup> Of these, twenty-five were bound either to or from Boston, many of which came into range of Washington's fleet months after the British evacuation.<sup>5</sup> Among the captures were the 250-ton brig *Nancy*, from London, laden with ordnance stores, and the 280-ton ship *Hope* out of Cork, Ireland, carrying a large quantity of weapons and black powder. (See Appendix B.) The size and nature of the cargo aboard these two ships made them among the most valuable prizes taken

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<sup>3</sup> Washington to John Langdon, Cambridge, September 21, 1775, William B. Clark et al., eds., *Naval Documents of the American Revolution* (Washington, DC: Government Printing Office, 11 volumes, 1964-), 2:169; hereafter cited as *NDAR*.

<sup>4</sup> William Bell Clark, *George Washington's Navy: Being an Account of His Excellency's Fleet in New England Waters* (Baton Rouge, LA: Louisiana State University Press, 1960), 229-236.

<sup>5</sup> Likely, ships sailing from Europe had already put to sea before the siege of Boston ended, and had not yet received the news of the evacuation.

during the siege of Boston, and indeed, throughout the entire war, with prize value estimates nearing £80,000.<sup>6</sup> Maj. Gen. Artemas Ward, second in command of the Continental Army, reported to Washington:

I have the pleasure to inform your Excellency that the Armed Schooner *Franklin*, Captain [James] Mugford this day took and bro't into this Harbour a large Ship from Cork, Several other armed Schooners were in company. A Bill of Lading I have inclosed, by which you will see that she is a very valuable Prize; she carried four three pounders, and is about three hundred tons burthen. She came out the fourth of April with nine Sail of transports under convoy of a Frigate; I cannot learn any important intelligence by her; the Master says there are but about one hundred Soldiers on board these transports, and that they are laden with provision and warlike Stores for the Kings troops.<sup>7</sup>

The military effect that the captures of these ordnance ships had on the British army in the northeast is obvious; in the best-case scenario, morale was sure to decline. Moreover, the British had lost a substantial supply of powder and munitions, which were now in the hands of the American rebels. Even the lesser officers understood the gravity of the losses. One officer in Nova Scotia wrote to his friend in Scotland, “We have been unlucky in the loss of our ordnance ships: One was taken the other day by the rebels, with no less than 1500 whole barrels of powder, 200 stand of arms, and 2000 clothing.”<sup>8</sup>

The economic effect of Washington’s commerce-raiding fleet on the British war effort was no less obvious. Ever a mercantile empire, Britain looked to the colonies as a source of revenue. Many British authorities decided that economic interests were sufficient motivators for fighting to retain the colonies. Historian Piers Mackesy wrote, “There were many who believed that their own prosperity or the nation’s depended on the political control of the colonies.

Mercantile protectionists feared the development of American manufactures and the repudiation

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<sup>6</sup> Robert H. Patton, *Patriot Pirates: The Privateer War for Freedom and Fortune in the American Revolution* (New York: Vintage Books, 2008), 35-39, 44; Chester G. Hearn, *George Washington’s Schooners: The First American Navy* (Annapolis, MD: Naval Institute Press, 1995), 95, 165.

<sup>7</sup> Major General Artemas Ward to Washington, Boston, May 17, 1776, *NDAR*, 5:134; cargo manifest included in Appendix B.

<sup>8</sup> Extract of a Letter from an Officer in Halifax to His Friend in Edinburgh, Halifax, June 8, 1776, *ibid.*, 5:421.

of their London debts; country gentlemen irrationally feared a higher land tax if the fiscal resources of America were lost.”<sup>9</sup> In light of these economic concerns, it must have been frustrating to learn of the loss of £80,000 from the captures of the *Hope* and the *Nancy*. The several hundred thousand pounds lost with the thirty-six other captures made by Washington’s fleet could only have added to that frustration. In retrospect, Britain would have done well to heed the warnings of economists such as Adam Smith, who argued that letting the colonies go would work to the empire’s fiscal advantage.<sup>10</sup> Nevertheless, Britain did indeed fight to hold the colonies, and it remained a very popular war.

Militarily, Britain still held a decided advantage, even after evacuating Boston. The Continental Army never gained a solid foothold in New York or New Jersey in 1776. Maj. Gen. William Howe and his brother, Adm. Richard, Lord Howe, were far more than a match for Washington, and the Continental Navy was practically useless. American privateers, however, proved to be determined adversaries. Despite its successes, Washington’s fleet consisted of only eight ships, commanded by twelve Continental Army officers, and envisioned by a general who had never been to sea in a military capacity.<sup>11</sup> After the congressional resolution of April 3, 1776, authorizing the issuance of colonial or continental letters of marque to private vessels, privateering escalated to a level beyond what the Royal Navy could easily contain. John Adams commented to his wife, Abigail, on the future of American privateering:

Thousands of Schemes for Privateering are afloat in American Imaginations. Some are for taking the Hull ships, with Woolens for Amsterdam and Rotterdam – some are for the Tin ships – some for the Irish Linnen ships – some for outward Bound and others for Inward Bound India Men – some for the Hudsons Bay ships – and many for West India

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<sup>9</sup> Piers Mackesy, *The War for America, 1775-1783* (Cambridge, MA: Harvard University Press, 1964), 37.

<sup>10</sup> *Ibid.*

<sup>11</sup> Hearn, *George Washington’s Schooners*, 239.

sugar ships. Out of these Speculations many fruitless and some profitable Projects will grow.<sup>12</sup>

Benjamin Franklin, on behalf of the Committee of Secret Correspondence, saw the potential to discourage the British public by depriving merchants of their profits. In a report to Silas Deane, one of the congressional commissioners to France, he wrote:

Our small Privateers and Continental arm'd Vessels have Already had great success as the papers will shew you: and by abstaining from Trade ourselves while we distress that of our enemy's, we expect to Make their Men of war weary of their unprofitable and hopeless Cruises, and their Merchants Sick of a Contest in which so much is Risk'd and Nothing gained.<sup>13</sup>

The French, long-time enemies of Great Britain and already interested in the American land campaign, also speculated on the effect of privateering on British trade. A French diplomat in London wrote to the French foreign minister:

You know, My lord, that until now the Americans cruised only against the transport ships belonging to the Government, but since Congress received the Prohibition Act which authorizes the seizure of all American Ships, it authorized in return the capture of any English Ship wherever they may be encountered, except those which would bring war ammunition to the Colonies. This bait should cause the Privateers to multiply and should be detrimental to the trade of Great Britain in the West Indies.<sup>14</sup>

Most importantly, the British public took notice of the plight of merchant shipping in American waters. English newspapers carried reports about the status of merchantmen in the colonies. "All the Ships at Barbadoes, homeward bound, wait there for the Arrival of Men of War from England to convoy them home, they not daring to stir on account of the Multiplicity of American Privateers."<sup>15</sup> It would be several more years and many more such reports before the public

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<sup>12</sup> John Adams to Abigail Adams, Philadelphia, August 12, 1776, *NDAR*, 6:158.

<sup>13</sup> Committee of Secret Correspondence of the Continental Congress to Silas Deane, Philadelphia, August 7, 1776, *ibid.*, 6:103.

<sup>14</sup> Charles-Jean Garnier to French Foreign Minister Charles Gravier, comte de Vergennes, London, June 11, 1776, *ibid.*, 6:416.

<sup>15</sup> *Public Advertiser* (London), July 10, 1776.

sentiment turned firmly against the war, but this type of journalism eventually had the effect Franklin anticipated.

In the first several months after Congress sanctioned the use of privateering commissions, privateers hunted British merchantmen vigorously, capturing an average of seven for every American vessel lost.<sup>16</sup> While Congress issued only thirty-four continental commissions in 1776, privateers sailing under various colonial commissions – mostly out of Massachusetts – numbered in the hundreds. The average privateer did not capture enough prizes after only one voyage to meet the financial desires of its crew, and many vessels sailed under more than one commission, but collectively, privateers dealt considerable damage to British trade and supply lines.<sup>17</sup> Reports of captures by American privateers were startling to the British public, particularly when people realized how relatively easy it was for the privateers to prey on merchant vessels. The press carried stories of the privateers *Revenge* and *Montgomery* and the captures of nine British merchantmen:

The nine English Ships...were all taken by two Provincial Privateers, with the greatest Ease, after they had been convoyed 150 Leagues from the Ports they respectively sailed from, and left by the Men of War under a Supposition that they were totally out of Danger. The privateers which took them were but thinly manned, and weakly armed. One carried ten and the other twelve Guns. Several of the Ships had a greater Number, but...no Powder on board, the Governors of the Places they sailed from not allowing any to be shipped for fear enough should not remain with them to defend their Situations in Case of an Attack, which was something more than probable.

A petition is preparing by the West India Merchants, to be laid before the Admiralty, praying their Lordships to appoint Cruizers and Convoys for the better Protection of their Trade.

The certain advice received on Friday of nine sail of ships being taken by the American privateers, have raised insurance on all Jamaica ships, and ships from the West-India islands 20 per cent. more than it was before; and many of the underwriters refuse to enter their names on a policy; for they look upon it a very hazardous venture, as

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<sup>16</sup> Reuben Elmore Stivers, *Privateers & Volunteers: The Men and Women of Our Reserve Naval Forces, 1766-1866* (Annapolis, MD: Naval Institute Press, 1975), 25.

<sup>17</sup> Gardner Weld Allen, *A Naval History of the American Revolution* (New York: Russell & Russell, Inc., 1913), 149, 180.

there are a vast number of privateers out to intercept our homeward-bound West-India ships.<sup>18</sup>

Aside from the captures themselves, the above article contains two other pieces of information disturbing to the British public. First, the possibility of armed convoys for merchant shipping meant that fewer warships would be available for coastal defense – crucial to a wartime nation – and other such wartime necessities. Second, the increase in insurance rates, and the reluctance of insurance providers to underwrite policies in light of the privateer threat, were sure to concern merchants looking to turn a profit from overseas trade. During the French and Indian War, insurance rates had gone no higher than 6 per cent of the cost of replacing cargo. During the first year and a half of the Revolutionary War, rates climbed to 30 per cent.<sup>19</sup> This became a central issue in a financial panic that eventually gripped British citizens, turning sentiment against the American war.

By the end of 1776, American vessels had made 342 captures (44 of these were recaptures, 18 were released, and 5 were destroyed). The Continental Navy had made only 60 of these captures; the rest were the work of privateers. In comparison, the Royal Navy, augmented by British and Loyalist privateers, had only captured 140 American vessels, mostly small traders. Although assuredly a setback for American trade, British commerce had suffered a greater – and more humiliating – defeat, largely at the hands of non-naval operatives. Aside from the economic impact this had on the British, they also lost personnel and military stores. The most recognizable effect privateers had in 1776, however, was the bolstering of American confidence in the war effort, even when all else seemed hopeless. Newspapers continued to print reports of captures by privateers. Often, the reports featured incendiary language that incited Americans to

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<sup>18</sup> *Public Advertiser*, July 29, 1776.

<sup>19</sup> Patton, *Patriot Pirates*, 135.

cheer for the heroic privateers. As one newspaper reported, “The two prizes, accompanied by the privateer, were the same day safely carried into Lynn, and properly secured. . . . The masters of these vessels, not knowing the British army had been obliged to evacuate this place, were bound hither, in order to dispose of their cargoes, for the benefit of our *unnatural and cruel* enemies.”<sup>20</sup> Other papers preferred to report the manner in which privateers lured their prey. “The Scotchman being a stranger to their Coast desired the Prize Master to Pilot him in, which he agreed to, and conducted him almost into Cape Ann, when he observing two of our Privateers appearing in sight, discovered the Trap, and being considerably to the Windward, made the best of his way off.”<sup>21</sup> Some papers simply opted to report the nature of the captures, demonstrating to the American public that privateers were indeed becoming a nuisance to the British merchant fleet:

Sunday last the Montgomery privateer, Capt. Daniel Bucklin, of this port, returned from a cruise, during which she took three valuable prizes, also two other in company with a privateer belonging to Salem: She brought in with her a snow of 180 tons, Capt. Goodwin, bound from Nevis to London, having on board [*sic*] 119 hogsheads, 137 tierces and 20 barrels of sugar, 62 hogsheads of rum, &c.

On Monday arrived a brig, taken by the Diamond privateer, Capt. William Chace, of this port; her cargo consists of 195 hogsheads, and some barrels of sugar, 65 bales of cotton, 25 tons of [faded], and a quantity of staves and heading she was bound from Tortola to Liverpool.<sup>22</sup>

While privateers could not hope to win the physical war by themselves, they were helping to win American support for the cause even before any major military victories occurred.

In contrast, the land war was not going well for the Americans. In fact, the future of the Revolution looked bleak from the army’s point of view. Though Congress declared independence in July 1776, it did not have more than mere symbolic meaning so long as the

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<sup>20</sup> *New York Journal*, May 16, 1776, emphasis added by author.

<sup>21</sup> *Connecticut Gazette*, June 14, 1776.

<sup>22</sup> *Norwich Packet*, August 5-12, 1776.

British military remained poised to crush the rebellion. Washington had won an important victory in forcing the evacuation of Boston, but the British army was far from defeated. General Howe had long formulated a much publicized plan to separate New England, the hotbed of the Revolution, from the lower colonies by controlling the Hudson River and Lake Champlain in New York.<sup>23</sup> While still occupied with the siege of Boston, Washington sent Charles Lee to prepare a defense of New York City. Lee informed Washington that such a task would be difficult, particularly without command of the sea.<sup>24</sup> Nevertheless, Lee set to work fortifying the city and the waterways around it, realizing that it would be impossible to hold New York forever against a British assault. He hoped, rather, to put up such a fight that even upon taking the city, the British would lose the will to continue the war, and reconciliation – the desired outcome in early 1776 – could occur on American terms.<sup>25</sup> This was not to be the case. British naval supremacy allowed the invasion of New York to proceed almost unhindered. The British army outnumbered the Continentals that Washington brought with him from Boston. The city fell to the British in September 1776, and remained in their possession for the war’s duration.<sup>26</sup>

Following his failure to hold New York, Washington retreated to Harlem Heights, where his forces embedded behind ramparts to await further attacks by the British. The American forces had dwindled to about ten thousand, and it was only a matter of time before the British crushed the rebellion once and for all. Fortunately, Howe was in no hurry.<sup>27</sup> The Continental Army had time to dig in, while Washington reflected on his prospects for continuing the war. He

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<sup>23</sup> A.J. Langguth, *Patriots: The Men Who Started the American Revolution* (New York: Simon & Schuster, 1988), 373.

<sup>24</sup> John Ferling, *Almost a Miracle: The American Victory in the War of Independence* (Oxford: Oxford University Press, 2007), 120.

<sup>25</sup> *Ibid.*, 122.

<sup>26</sup> Robert Middlekauff, *The Glorious Cause: The American Revolution, 1763-1789* (Oxford: Oxford University Press, 1982), 558.

<sup>27</sup> Langguth, *Patriots*, 395.

felt defeated, and in a letter to his brother he expressed his displeasure at having to conduct a land war with militia:

The Dependence which the Congress has placed upon the Militia, has already greatly injured - & I fear will totally ruin, our Cause – Being subject to no controul themselves they introduce disorder among the Troops you have attempted to discipline while the change in their living brings on sickness – this makes them Impatient to get home, which spreads universally & introduces abominable Desertions – In short, it is not in the power of Words to describe the task I have to Act. £50,000 Should not induce me again to undergo what I have done – Our Numbers by Sickness, desertion, &ca is greatly reduced – I have been trying these 4 or 5 days to get a return but have not yet succeeded – I am sure however we have not more than 12 or 14,000 Men fit for duty, whilst the Enemy (who it is said are very healthy) cannot have less than near 25,000.<sup>28</sup>

To John Hancock, Washington lamented the imminent disbanding of the army:

We are now as it were, upon the eve of another dissolution of our Army—the remembrance of the difficulties wch happened upon that occasion last year—the consequences which might have followed the change, if proper advantages had been taken by the Enemy—added to a knowledge of the present temper and Situation of the Troops, reflect but a very gloomy prospect upon the appearance of things now and satisfie me, beyond the possibility of doubt, that unless some speedy, and effectual measures are adopted by Congress; our cause will be lost.<sup>29</sup>

Howe allowed the Americans to remain at Harlem Heights until mid-October, when he effectively chased Washington out of the state of New York entirely. The Continental Army retreated through northeastern New Jersey and across the Delaware River into Pennsylvania, pursued by Howe and Gen. Lord Charles Cornwallis. The American forces were disintegrating – from enlistment expirations, desertions, and casualties – and citizens by the hundreds declared their allegiance to King George. By the time Washington crossed into Pennsylvania, only about five thousand men were left.<sup>30</sup> In a panic, as Howe and Cornwallis moved south out of New

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<sup>28</sup> George Washington to John Augustine Washington, Harlem Heights, September 22, 1776, W.W. Abbott, et al, eds., *The Papers of George Washington* (Charlottesville, VA: University of Virginia Press, Rotunda, 1987-), Revolutionary War Series, 6:371-374.

<sup>29</sup> George Washington to John Hancock, Harlem Heights, September 25, 1776, *ibid.*, 6:394.

<sup>30</sup> Langguth, *Patriots*, 399-400.

York, the Continental Congress had abandoned Philadelphia on December 12, 1776.<sup>31</sup>

Furthermore, despite the continued enthusiasm for privateering, American popular opinion of the war was rapidly declining by the end of 1776.<sup>32</sup> Had it not been for the successes of American privateers, hope might have perished completely. As it was, it took inspiring words from Thomas Paine and a daring Christmas night attack on Trenton to restore any real confidence in the American cause.

Throughout the army's disastrous period through the end of 1776, however, American privateers continued to make trouble for the British. In January 1777, British estimates of the value of their losses to American privateers totaled over £1.5 million, two-thirds of which resulted from the capture of merchantmen bound to or from the West Indies.<sup>33</sup> The British Admiralty saw little alternative but to use warships to intercept American privateers and protect British trade. The merchant petitions following the *Revenge* and *Montgomery* episode had not fallen on deaf ears. Orders from the Admiralty went to a number of Royal Navy captains, directing them to cruise on patrol between Cape Ortegal, Spain, and the Rock of Lisbon, Portugal, and into the Bay of Biscay for the "Protection of the Trade of His Majesty's Subjects, and to intercept, seize, or destroy any Cruizers or Vessels belonging to the Rebellious Colonies of No America, which you may be able to come up with."<sup>34</sup>

While British warships were certainly capable of engaging and defeating single privateers in most instances, two problems arose from the decision to use warships for convoys. As previously mentioned, the first problem came from Britain's own shortage of resources. The

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<sup>31</sup> Michael Stephenson, *Patriot Battles: How the War of Independence Was Fought* (New York: Harper Perennial, 2007), 251-253.

<sup>32</sup> Ferling, *Miracle*, 168.

<sup>33</sup> *Continental Journal* (London), June 5, 1777.

<sup>34</sup> Lords Commissioners, Admiralty, to Lord Mulgrave; to Captain Samuel Marshall, R.N., London, January 2, 1777; to Captain John Brooks, R.N.; to Captain Francis Reynolds, R.N., London, February 1, 1777, *NDAR*, 8:503, 558.

coastal cruisers in British ports were already straining to meet the needs of the war effort, and cruisers accompanying the army in North America were attempting to blockade American ports. Thus, the battle fleet had to fill in on convoy duty.<sup>35</sup> In addition, the Royal Navy, while obviously much larger and more well established than its American counterpart, had many of the same manpower difficulties as the Continental Navy. The demand for more ships for convoy duty necessitated more men. Similarly, in March 1777, when Britain authorized the use of privateers to retaliate against American merchantmen, sailors deserted the Royal Navy to try their hands at privateering.<sup>36</sup> Britain turned once again to press gangs to fill its ships, and the effect on Englishmen was the same as on Americans. The public outcry against impressment was often severe, particularly during war, and posed major problems for the Royal Navy.<sup>37</sup>

The second problem with overextending the Royal Navy to protect commerce was that privateers often cruised in squadrons of three or more vessels. A frigate could easily dispatch a privateer schooner in a one-on-one fight, but three or four schooners might have the advantage.<sup>38</sup> Following the capture of the frigate HMS *Fox*, privateer squadrons, often in support of continental vessels engaging in their own commerce raiding, were among the chief concerns for the Lords Commissioners of the Admiralty in 1777. A British naval officer, Sir Hugh Palliser, wrote to the First Lord of the Admiralty, Lord Sandwich:

I am of the opinion the American fleet will cruise in small squads of sufficient strength to overmatch our single cruising frigates, first about the coast of Newfoundland to do all the mischief they can, then will look out for the West India convoys. ... I am in fear for [Lord Howe's] single cruisers, and when reinforcements arrive the enemy will be gone.

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<sup>35</sup> Mackesy, *War for America*, 172; John Tilley, *The British Navy and the American Revolution* (Columbia, SC: University of South Carolina Press, 1987), 103.

<sup>36</sup> Patton, *Patriot Pirates*, 145.

<sup>37</sup> N.A.M. Rodger, *The Wooden World: An Anatomy of the Georgian Navy* (Annapolis, MD: Naval Institute Press, 1986), 164.

<sup>38</sup> Mackesy, *War for America*, 173.

The escape of so many privateers of force from so great a fleet as we have in America to watch them, and the taking of the *Fox* is very mortifying and disgraceful.<sup>39</sup>

The assistance of ships-of-the-line, however, left the battle fleet at a disadvantage against possible attack by the heavily armed fleets of Britain's traditional enemies, namely France and Spain. Though such an occurrence was not a primary concern in 1777, the British would later lament to find themselves in just such a conundrum.

Meanwhile, privateers continued to chip away at British public sentiment for the war, especially among the merchant class. By the summer of 1777, the value of prizes captured in the West Indies alone exceeded £2 million.<sup>40</sup> Benjamin Franklin's predictions of the effects of American privateers were beginning to prove accurate. This is not to say that privateers were single-handedly winning the naval war for the Americans. They were far from it. Economic historian Richard Buel Jr., highlighted the actual combative effect that American privateers had on British naval power:

However, seizing merchant vessels, whether they were of comparable or inferior strength, did not have much effect on the overall balance of naval power. The insurer, Lloyds of London, released statistics about the number of merchant vessels and privateers captured by both sides during the war. These showed a loss of 2,208 British merchant vessels to the belligerents (the United States, France, Spain, and eventually the Netherlands) balanced by the capture of 1,106 enemy merchant vessels. While Lloyds's lists are not wholly accurate, they allow one to get a sense of comparative recapture rates. They suggest that the British recaptured 39 percent of the vessels they lost while the allies recaptured only 2.5 percent of the merchant vessels Britain seized. American and allied commerce raiding took its toll, but Britain continued to rule the seas.<sup>41</sup>

Privateering did take its toll, but did not strike a decisive blow to British naval supremacy at any point during the war. It had much more of a psychological effect on the British than a physical one. The threat of privateers in the West Indies and on the Atlantic had grown ten-fold since

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<sup>39</sup> Sir Hugh Palliser to Lord Sandwich, London, July 22, 1777, *NDAR*, 9:520.

<sup>40</sup> Patton, *Patriot Pirates*, 135.

<sup>41</sup> Richard Buel, Jr., *In Irons: British Naval Supremacy and the American Revolutionary Economy* (New Haven, CT: Yale University Press, 1998), 96.

Washington's schooners cruised the New England waterways. Despite convoy precautions, merchants feared privateers and often gave up their vessels without a struggle if they found themselves in a privateer's crosshairs. Attempting to protect the merchant fleet, the Royal Navy was overextended and in disarray. British privateers often avoided battle with their American foils, and even occasionally signed on with the Americans in their own quest for fortune.<sup>42</sup> Despite these developments, the Admiralty provided less-than-accurate reports on the situation in North America, assuring the government and the people of Britain that the war was well in hand.

As privateers and continental commerce raiders extended operations into British waters, citizens of coastal towns began to show some concern as well. That concern quickly turned to anger and mistrust of the British government in late spring of 1777. Gustavus Conyngham, captain of the continental vessel *Surprize*, sailed into the English Channel, "piratically" capturing the *Prince of Orange* packet.<sup>43</sup> He then sailed the *Prince of Orange* into Dunkirk, on the northern French coast, under the assumption that the French would welcome an American commerce raider. Lord Stormont, the British ambassador to France, was infuriated. The French government, wishing to avoid (for the time being) war with Britain, ordered Conyngham arrested, the *Surprize* confiscated, and all prizes restored to Britain, though not before pecuniary damage had been done vis-à-vis increasing insurance rates another 10 percent in the English Channel.<sup>44</sup> The American diplomats in Paris publicly decried Conyngham's actions, but recognized the potential to turn the debacle in their favor. Conyngham's arrest pleased Stormont and King George III, who felt that the actions taken against the *Surprize* were proof that France meant to

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<sup>42</sup> Patton, *Patriot Pirates*, 175.

<sup>43</sup> Lords Commissioners, Admiralty, to Captain Samuel Warren, R.N., London, May 7, 1777, *NDAR*, 8:829.

<sup>44</sup> Benjamin Franklin to Richard Bache, Passy, May 22, 1777, *ibid.*, 8:861.

remain neutral. Most British citizens, however, saw the entire episode as a political show, meant to divert attention away from French complicity with perceived American war crimes.<sup>45</sup>

The British press was uncompromising in its criticism of the Admiralty, which had been untruthful about the direction of the American war, and which was now seemingly ignoring French connivance. Scathing reports appeared in British newspapers, accusing the Admiralty of encouraging the French to throw their lots in with the Americans:

The Capture of the *Orange Packet* is a complete Refutation of what we have been so often told concerning the reduced State of the Americans. They have hitherto kept us in sufficient Play on their *own* Coasts, and now, in their Turn, they even venture to assail *ours*. Old *Twitchee* [Lord Sandwich] may blush *for once* at having suffered such an *Insult* so near our very Doors, after such *repeated* but *impudent* Boasts about the Number and Readiness of his Ships. But his Fleets seem to be *Fleets of Observation* only.

The Imprisonment and Detention of the Crew of the *Surprize* Privateer at Dunkirk, is so far from being true, that we are assured by Letters received from thence Yesterday, that the greatest Encouragement is given not only there, but all over France, to the fitting out Privateers against the English; that no less than Thirty are now equipping in different Ports of that Kingdom, and that they want only a sufficient Number of American Captains to send them all out. These Letters add, that Dr. Franklin is permitted to grant Letters of Marque to every Ship that is commanded by a Native of his own Continent. As to the Crews, they are suffered to be composed of French, Scotch, Irish, English, or any that will enter; but among them are said to be a Number of our best Seamen, who enter readily, allured by the Prospect of getting a great Deal of Prize Money.<sup>46</sup>

Benjamin Franklin, ever the consummate politician, acted somewhat as a double agent. On the surface, he was remorseful and apologetic when British privateers began making reprisals against French merchantmen in retaliation for suspected French involvement with American privateers. Secretly, however, he rejoiced in every capture of a French vessel, which might “occasion the two powers to stumble on a War whether either really intends it or not.”<sup>47</sup>

Similarly, Franklin pressed the French government for Conyngham’s release following the

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<sup>45</sup> George III to Lord North, St. James’s, May 14, 1777, *ibid.*, 8:844; Lord Stormont to Lord Weymouth, Paris, May 14, 1777, *ibid.*, 8:846.

<sup>46</sup> *Public Advertiser*, May 15, 1777.

<sup>47</sup> Continental Navy Commercial Agent Jonathan Williams Jr. to the American Commissioners in France, Nantes, February 22, 1777, *NDAR*, 8:604; Patton, *Patriot Pirates*, 176.

*Prince of Orange* affair, claiming that the latter's crimes were only an error in judgment. Franklin secretly wrote to Congress, however, that if French officials agreed to Conyngham's release, it would be "so notorious an Act & so contrary to Treaties, that if suffered must occasion an immediate War."<sup>48</sup> While the release did not ignite the war Franklin anticipated, he and the other ambassadors continued to ply their words on a French audience eager to profit from the American Revolution. As it turns out, the British were more than justified in their concern over French involvement with American privateers.

Uncertainty overshadowed the first three years of the war for the Americans. The cause was nearly lost in 1776, and despite some small tactical victories with lasting strategic repercussions, much of 1777 was spent in a desperate attempt to revive the Revolution. Though Washington's victories at Trenton and Princeton had indeed saved the Revolution in terms of morale, privateers embodied the only significant operational successes in 1776. The Continental Army had nearly crumbled, and the Continental Navy had thus far amounted to nearly nothing. Only privateers persevered in the name of the Revolution, continuing to lay the groundwork for victory when all else was failing. They continued to harass and deal damage to British merchantmen, pushing insurance rates ever higher and necessitating the use of convoys for protection of overseas trade, thus stretching the Royal Navy's resources farther than the British government anticipated. American privateers became a cause for concern among the British public, whose livelihoods often depended on the very trade that was being hampered, and whose safety along the British coastline was suddenly threatened. Perhaps most importantly, privateers provided the last breath of life support that American public sentiment needed to push through

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<sup>48</sup> American Commissioners in France to the Committee of Secret Correspondence, Paris, May 25, 1777, *NDAR*, 8:864; the "Treaties" Franklin spoke of referred to the the 1713 Treaty of Utrecht, which ended the War of the Spanish Succession, and in which Britain and France each agreed not to harbor the privateers of one another's enemies. By sailing his prize into a French port, Conyngham was acting, essentially, in violation of that treaty, and if the French did not take legal action against him, they too would be in violation.

the disasters of 1776, when the new United States struggled for independence and reconciliation was no longer an option. Privateers could not carry the Revolution entirely on their own, but they were an essential backbone of the American war effort, and the single most effective and successful entity of American combative forces until a miraculous triumph in Saratoga County, New York, signaled a decisive turning point in the war.

## CHAPTER V: AMERICAN PRIVATEERING AND PRIZE CAPTURE IN INTERNATIONAL WATERS

“Revolutions characteristically develop a dynamism and outward thrust leading them to expand and export their product,” wrote historian William Fowler.<sup>1</sup> The American Revolution was no exception, though, as Fowler noted, the search for allies abroad began before the actual fighting did.<sup>2</sup> There was little question in the minds of politicians and commanders that for the American cause to achieve a successful conclusion, a united international effort was necessary. Great Britain, after all, had the largest empire in the world, and with good reason. The British army was among the most well-trained and disciplined in Europe, and the Royal Navy was second to none. If the British could manage to keep the American Revolution contained on the American continent, the suppression of the rebellion was likely, if not a certainty. A relatively weak blockade of American ports, however, coupled with the necessity of British warships chasing privateers in the West Indies, provided opportunities for American shipping to extend into the Atlantic. Privateers were generally free to come and go out of American harbors as they needed, and British merchantmen were continually under threat. Only one obstacle stood in the way of unchecked American privateering: The Declaration of Independence had thus far not been officially recognized by any international power. Without legitimate recognition of American sovereignty, privateers were subject to trial and prosecution for piracy.<sup>3</sup> The United States of America needed an ally.

The primary catalysts by which American privateers could expand operations into international waters were Britain’s traditional European rivals, especially France. The

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<sup>1</sup> William M. Fowler Jr., *Rebels Under Sail: The American Navy During the Revolution* (New York: Charles Scribner’s Sons, 1976), 127.

<sup>2</sup> Ibid.

<sup>3</sup> Robert H. Patton, *Patriot Pirates: The Privateer War for Freedom and Fortune in the American Revolution* (New York: Vintage Books, 2008), 56.

Continental Congress, in 1776, appointed Benjamin Franklin, Silas Deane, and Arthur Lee as commissioners to the French court of King Louis XVI, directed to negotiate wartime aid and a military alliance with Britain's oldest and most consistent adversary. A French alliance could lead to military and naval stores, additional armies for the field, and ships-of-the-line to compensate for the ineffectual Continental Navy. The commissioners also looked toward Spain, Britain's other major European enemy. Through negotiations with France, the commissioners hoped also to gain Spanish recognition of the independent United States of America. Regarding American privateering enterprise, gaining such acknowledgment would negate the threat of piracy accusations, lowering the risk and attracting more seamen to privateers. It would also open international waterways to American privateers, who could strike at Britain's trade network directly at the source. In 1776, Caron de Beaumarchais, a French diplomat, embraced the American cause with zeal. Through correspondence with King Louis XVI and members of the French government, Beaumarchais procured a million francs to aid the Americans and another million from Spain for the same purpose.<sup>4</sup>

In October 1776, after capturing five British vessels and detaining a number of the crew members as prisoners, Capt. John Lee sailed the privateer *Hawke* into the Spanish port of Bilbao to put the prisoners ashore. Upon learning of this, the British government demanded an investigation of Lee's actions, and wished him turned over as a pirate. Silas Deane, the first American commissioner to arrive in Europe in 1776, believed Spain's response to the British demands would prove crucial to the direction the war would take. If the Spanish validated Lee's privateering commission, it would be on a par with a formal recognition of United States

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<sup>4</sup> Gardner Weld Allen, *A Naval History of the American Revolution* (New York: Russell & Russell, Inc., 1913), 253.

sovereignty.<sup>5</sup> Deane appealed to Charles Gravier, comte de Vergennes, the French foreign minister, for assistance:

As the Congress have no Agent at present, at the Court of Madrid, I am apprehensive that the British Ambassador will endeavor to take advantage of this Circumstance ... – The Facts are indisputably these, that the Shipp was Commissioned by the Congress of the United Colonies or States of North America, – That in her passage to Europe, She made several prizes of Shippes belonging to Great Brittain, with which sd States are in open Warr – That depending, on the supposed Neutrality, of his most Catholic Majesty [King Charles III], the Captain peaceably entered, one of his Ports, And that the Agents of Great Brittain laying a Charge of Piracy to the charge of the Captain & having procured a detention of the Vessel, are laboring to have her proceeded against & confiscated – ... when so much depends on this determination should it be unfavorable to the Captain, I can but be anxious to have everything Necessary, and prudent done, and I conceive my Application to Your Excellency is not improper, for advice and direction, for which would have done myself the honor of waiting on You, in person, but for Prudential motives, and that probably, a Line from Your Excellency, might give Me all the Direction Necessary – meantime I beg leave to suggest, that as the line of Conduct Towards The United Colonies or States of N. America, will undoubtedly be uniformly the same by this Court & that of Spain, and as the Eyes, & Hopes of the united Colonies are on those Two Kingdoms, as their most Natural Freinds, & Allies, it might be extremely prejudicial, to take so discouraging a measure, as that of excluding American Cruisers entirely from these ports, at so Critical a Period of their Affairs, and that undoubtedly, the Court of Spain will not proceed in this Affair, without a previous Consultation with the Court of France.<sup>6</sup>

Beaumarchais also wrote to Vergennes, warning of the consequences regarding Franco-American relations if Lee were turned over to British justice:

It would be very serious if it were to be known in America that the Court of Madrid had ill-treated one of their privateers. Then they would think it very certain that they had nothing to hope for from France and Spain, a view which the English do all in their power to propagate, and that alone would be capable of making them accept either a truce or an open negotiation, and perhaps an entire reconciliation with England, which, profiting by such a gross fault on the part of Spain, would not fail to magnify still more its consequences, and make all sorts of concessions to the Americans, to re-unite them to the mother-country. The remedy for this evil is to promptly send a courier to Madrid, and there to recommend that, without any regard to the reason, just or unjust, which may have caused this vessel to be detained, the Court should release it, or at least should not give

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<sup>5</sup> Patton, *Patriot Pirates*, 56.

<sup>6</sup> Silas Deane to Vergennes, Paris, October 13, 1776, William B. Clark et al., eds., *Naval Documents of the American Revolution* (Washington, DC: Government Printing Office, 11 volumes, 1964-), 7:687-688; hereafter cited as *NDAR*.

any decision against it, until a complete success of the Americans at New York shall teach the Court that it can without risk offer its help to a brave nation.<sup>7</sup>

The situation in America, of course, was already more desperate than either Silas Deane or Beaumarchais were yet aware. By the time of their correspondences with Vergennes, Washington had already lost New York and was preparing his retreat from Harlem Heights. Nevertheless, Vergennes, naturally acting in the best interests of his own country, appealed to the Spanish court for Lee's release. Not yet ready for a French declaration of war against Britain, Vergennes knew that Spanish support of Lee would open European ports to greater numbers of anti-British privateers, American or otherwise. Further disruption of British trade was always good news for France.<sup>8</sup> This was, however, as far as Vergennes was prepared to go. He knew that France was underprepared for sustained warfare with the Royal Navy, and while he almost certainly expected a war eventually, he did not wish to alarm Louis XVI before it was inevitable. Instead, Vergennes preferred to provide limited aid to the Americans, conceiving of the possibility that they could win their independence without full French support.<sup>9</sup>

French officials opened their ports to American privateers, arguing that they simply could not turn away a vessel in distress. Thus, American captains claiming distress could refit and resupply in Europe and in French colonial ports.<sup>10</sup> The captains recruited sailors and sold cargoes in secret, however, away from the eyes of the British and French governments. The French did their utmost to conceal their interest in American privateering and prize capture. This sated the British public, at least temporarily:

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<sup>7</sup> Beaumarchais to Vergennes, October 14, 1776, *ibid.*, 7:689.

<sup>8</sup> Patton, *Patriot Pirates*, 57.

<sup>9</sup> Jonathan Dull, *The French Navy and American Independence: A Study of Arms and Diplomacy, 1774-1787* (Princeton, NJ: Princeton University Press, 1975), 35.

<sup>10</sup> Reuben Elmore Stivers, *Privateers & Volunteers: The Men and Women of Our Reserve Naval Forces, 1766-1866* (Annapolis, MD: Naval Institute Press, 1975), 26.

The Proclamation just published by the French King, says a Correspondent, prohibiting the Sale of any English Vessels or their Cargoes brought into any of the Ports of France by the Americans, under the Denomination of Prizes, is a clear, undeniable evidence of the Sincerity of the Court of Versailles, in their constant Declarations that they are resolved to continue at Peace with Great Britain. All Reports to the contrary, we may be assured, are manufactured here, by interested Stockjobbers, or by disappointed Statesmen and their Journeymen.<sup>11</sup>

This report was obviously vastly dissimilar from the one made by the same newspaper less than four months later, after Gustavus Conyngham captured the *Prince of Orange* in the English Channel. Nevertheless, there is evidence that suggests awareness, or at least suspicion, of a Franco-American conspiracy as early as January 1777. The British ambassador, Lord Stormont, received intelligence to that effect, though he seemingly ignored it, to his discredit:

I have intelligence from America, which says, that Franklin is come with his Pocket full of Letters of Marque, and that his Intention is to engage french Ships, fitt those Ships with Men of this Country, and by putting an American or two on board, and giving Lettres de Marque try to make these Vessels pass for American Privateers. I spoke of this as a wild, and Extravagant Idea, the Execution of which, would never be suffered here, M de Vergennes answered with great seeming openness, that what Franklin had, or had not brought, He could not pretend to say. Je n'ai pas fouille dans ses Portefeuilles [*I did not search through his papers*], But this I can Say, that if he has such Letters, he will never make use of them here.<sup>12</sup>

For his part, Vergennes was a cautious man. Until victory over Britain was likely, he would not throw his full weight behind any American conspiracy. While he certainly knew about Franklin's designs concerning Franco-American privateers, he dared not publicly endorse them.<sup>13</sup>

While American privateers now seemed safe, if not exactly welcome, in the ports of Britain's enemies, Congress wanted to ensure that continental warships would also be protected, and that prizes could be sold to foreign allies. This would entice even more men into commerce

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<sup>11</sup> *Public Advertise* (London), January 30, 1777.

<sup>12</sup> Lord Stormont to Lord Weymouth, Paris, January 8, 1777, *NDAR*, 8:514.

<sup>13</sup> Robert Middlekauff, *The Glorious Cause: The American Revolution, 1763-1789* (Oxford: Oxford University Press, 1982), 403-405.

raiding service, and would also further tie France's interests to America's. The Committee of Secret Correspondence directed the American commissioners to pursue this policy:

We desire you to make immediate application to the Court of France to grant the protection of their ports to American Men of War and their prizes, Shew them the British Men of War under Sanction of an Act of Parliament are daily capturing American Ships and Cargoes, Show them the Resolves of Congress for Making Reprisals on British and West India property, and that our Continental Men of War and Numerous private Ships of War are most successfully employed in executing those resolutions of the Congress, Shew them the Justice and equity of this proceeding and Surely they cannot, they will not refuse the protection of their ports to American Ships of war, Privateers and their Prizes. If your application on this head is crowned with Success, try an other which it is their Interest to grant , that is to obtain leave to make Sale of those prizes and their Cargoes or any part thereof that may be Suitable for that Country.<sup>14</sup>

When continental prizes first began arriving at Nantes, Stormont protested to Vergennes, calling the act a clear violation of the 1713 Treaty of Utrecht.<sup>15</sup> Vergennes publicly agreed to uphold the treaty, and declared that all prizes brought by Americans into French ports would be restored to their rightful owners. In the case of the *Reprisal*, the first continental vessel to put into a French port, its prizes were indeed restored, as promised. The American commissioners immediately denied any responsibility:

We have ordered no Prizes into the Ports of France, nor do we know of any that have entered, for any other purpose, than to provide themselves, with necessaries, untill they could sail for America, or for some Port in Europe, for a Market. We were informed this was not inconsistent with the Treaty, between France and Great Brittain, and that it would not be disagreeable to this Court; & further than this we have not thought of proceeding. The *Reprisal* had orders to cruise in the open Sea, and by no means near the Coast of France, tho' we are well assured, that a number of British men of War, are at this instant, cruising near the Coast of France for intercepting the Commerce of America. Yet if the *Reprisal* has taken a Station offensive to the Commerce of France, it is without our Orders or Knowledge, and we shall advise the Captain of his Error.<sup>16</sup>

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<sup>14</sup> Committee of Secret Correspondence to American Commissioners in France, Philadelphia, October 24, 1776, *NDAR*, 6:1406.

<sup>15</sup> Allen, *Naval History*, 257.

<sup>16</sup> Memorandum by the American Commissioners in France Concerning Prizes, Paris, February 20, 1777, *NDAR*., 8:601.

The *Reprisal* refitted and prepared to sail again in February 1777 on a cruise in the Bay of Biscay, where it captured five more prizes. When the *Reprisal* returned to France, harboring at L'Orient, Stormont demanded that Vergennes uphold his promises. Vergennes declared that the American vessel had been ordered out of port, with its prizes, and they were probably already gone. Stormont argued that the *Reprisal* was still at L'Orient, and that prizes were sold to French buyers, but Vergennes continued to deny it.<sup>17</sup> He conceded that if any of the prizes sailed under French colors, the British might legally take them, but an investigation never produced satisfactory evidence of the condemnation and sale of the *Reprisal's* prizes. The American commissioners proceeded to inform the Committee of Secret Correspondence that the practice of bringing prizes into French ports was causing trouble, and should not be conducted more than absolutely necessary.<sup>18</sup>

Meanwhile, French ports in the West Indies were more than willing to accommodate American privateers without regard to treaties. In late summer of 1776, American commercial agent William Bingham asked Gen. Robert, comte d'Argout, the French military governor of Martinique, whether American privateers could berth in Saint-Pierre and sell cargoes there. Bingham reported that d'Argout responded with far less apprehension than Vergennes might have done:

From the Reception I have met with from the General, I have the greatest Reason to believe that France is very favorably disposed towards Americans. He has informed me that by a Frigate which had just arrived, he had received some Dispatches of a very important Nature from his Court. That his Orders were to favor the Americans throughout all their Ports protect their Commerce at Sea, whenever & wherever they should find an opportunity.<sup>19</sup>

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<sup>17</sup> Memorandum from Lord Stormont to Vergennes, Paris, March 18, 1777, *ibid.*, 8:687.

<sup>18</sup> Allen, *Naval History*, 256-261.

<sup>19</sup> William Bingham to Silas Deane, Saint-Pierre, August 5, 1776, *NDAR*, 6:76-77.

Bingham immediately set about commissioning privateers in Martinique. He did not care much for the details pertaining to American identity; if one crewmember aboard a privateer was an American citizen, Bingham awarded the vessel a commission. In his estimation, if the Royal Navy captured the privateer on grounds of piracy, the privateer's captain could produce the commission, proving its legitimacy. If, on the other hand, the vessel was stopped for routine inspection, it could provide its French papers and escape further scrutiny because of France's public neutrality. Of course, Stormont learned of Bingham's actions and was incensed:

What they have hitherto only attempted in Europe, they have executed in the West Indies, and that in such a manner, as loudly calls for Redress. There is one Bingham an Agent from the Rebels who resides at Martinico, and who gives Commissions to Ships fitted out there, which are manned by French Men and have at most one American on board; if these Ships meet with any trading Vessel of ours, they take her, and carry her into some one of your Islands, where the Ship and Cargo are sold: if on the contrary they are boarded by any of our Cruizers, the Men all speak French, and shew French Papers.<sup>20</sup>

As a conciliatory gesture, the French government transferred d'Argout to Santo Domingo and replaced him with a new governor in Martinique, François Claude Amour, marquis de Bouillé.<sup>21</sup>

This move did not satisfy Stormont, who believed that the treachery in Martinique would continue, only with more caution. When he supplied a list of privateers operating out of Martinique, Vergennes feigned surprise at the numbers.<sup>22</sup> Stormont, however, had cause to distrust his French colleague. His belief in Vergennes's commitment to the Treaty of Utrecht was waning by the end of 1776:

I am very secretly and, I am afraid, authentically informed that a Treaty or Convention is not only agreed upon by M. de Vergennes and Mr Deane, but is actually drawn out Article by Article ...

Indeed, My Lord, after all we know of the present Insidious Policy of this Court, it is impossible to place the least Dependence upon their Friendship or Good Faith We

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<sup>20</sup> Lord Stormont to Lord Weymouth, Paris, June 11, 1777, *ibid.*, 9:392.

<sup>21</sup> Margaret L. Brown, "William Bingham, Agent of the Continental Congress in Martinique," *Pennsylvania Magazine of History and Biography* 61, no. 1 (January 1937): 67-68.

<sup>22</sup> Patton, *Patriot Pirates*, 70-71.

can operate upon Nothing but their Fears, and trust to Nothing but our own Vigilance and superior Naval Strength.<sup>23</sup>

Why Stormont took Vergennes at his word in January 1777, regarding the matter of French privateers commissioned by Franklin, is a mystery, but it proved to be a grievous error on his part.

While negotiations continued in France, American diplomats attempted to interest additional European powers in the naval war against Britain. If American privateers and continental commerce raiders were allowed to enter the ports of more of Britain's rivals to refit and sell prizes, containment of privateering would be nearly impossible for the Royal Navy, already overworked in American waters and in the West Indies. Arthur Lee appealed to the Spanish and Prussian courts. While on the surface, like France, they wished to maintain peaceful relations with the British, they were not averse to allowing American privateers into their ports.<sup>24</sup> John Adams delighted in this development, writing "that all Europe wish Us well, excepting only Portugal and Russia; that all the Ports of France and Spain and Italy and all the Ports in the Mediterranean, excepting Portugal, are open to our Privateers and Merchant Ships."<sup>25</sup> In May 1777, Spain authorized American privateers to sail their prizes into New Orleans, thereby providing another privateering base on the American continent:

The Purport of this that the Governor of this Place is ready to open Trade with you, and you may depend will receive and protect all your Vessels, so that they have your Papers, further I can assure you that your Cruizers and Privateers may bring in their Prizes here, and they will be condemned and Sold for the Good of our Cause as your Laws in those Cases may direct; which in my Opinion may turn out very advantageous at this Port.<sup>26</sup>

As a result of the opening of Spanish ports, American privateering activity increased in the West Indies and the Bay of Biscay. While the Spanish and French actively refrained from war for the

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<sup>23</sup> Lord Stormont to Lord Weymouth, Paris, November 20, 1776, *NDAR*, 7:750.

<sup>24</sup> Allen, *Naval History*, 286.

<sup>25</sup> John Adams to James Warren, Philadelphia, March 31, 1777, *NDAR*, 8:235-236.

<sup>26</sup> Oliver Pollock to Andrew Allen and Robert Morris, New Orleans, May 4, 1777, *ibid.*, 8:912.

time being, they did little to prevent American attacks on British commerce. The harboring of American privateers was, if not a formal alliance, at least a tacit recognition of the sovereignty of the United States of America.

Now that European waters were virtually open to Americans, Gustavus Conyngham, the continental officer jailed after the *Prince of Orange* affair, prepared to sail again:

Though Lord North assured the House of Commons on 14<sup>th</sup> May, that Capt. Cunningham, who carried the Harwich packet into Dunkirk, and at the instance of Lord Stormont was confined for a breach of treaty respecting that port, would be treated in France as a pirate, it is now certain, that he and his crew are released, and that he was soon to sail on another cruise, in a ship of 130 tons, and 20 guns, a prime sailer.<sup>27</sup>

William Hodge, an American investor in privateers, readied a transport vessel, the *Greyhound*, for departure from Dunkirk with Conyngham in command. Hidden in the *Greyhound*'s hold were fourteen cannon and twenty-two swivel guns. Satisfied that no Frenchmen were aboard the vessel, French authorities approved of its departure, but British officials protested because of Hodge's connection to Conyngham:

We have received further Intelligence, that Cunningham ... hath been within these few past days (together with the Crew) released from his confinement at that place, that a large Cutter called the *Greyhound* of 130 Tons burthen, painted blue & yellow & carrying 12 Carriage & 30 Swivel Guns, is now fitting out at that Port by one [William] Hodge, an American by Birth ..., that Cunningham is to command the said Cutter & very shortly to proceed to Sea with her ... with intention, as there is great reason to suppose, to commit further Acts of Piracy.<sup>28</sup>

To circumvent this difficulty, Hodge immediately sold the vessel to a theretofore unheard-of English sea captain named Richard Allen. The American commissioners then ordered the vessel, with a crew of forty, to sail straight back to America, but to capture prizes if necessary for obtaining provisions or making reprisals. Once offshore, the crew mounted the guns hidden in

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<sup>27</sup> *Pennsylvania Journal* (Philadelphia), September 17, 1777.

<sup>28</sup> Lords Commissioners, Admiralty, to Commanders of Four Cruisers, London, June 19, 1777, *NDAR*, 9:409; William Hodge was also the owner of the *Surprize*, the vessel Conyngham commanded when capturing the *Prince of Orange*.

the hold, and sixty-six French mercenaries came aboard. The captain (Conyngham, posing as the imaginary Richard Allen) renamed the vessel *Revenge*. Upon hearing the orders from the commissioners, the crew took them as an invitation to plunder British merchantmen, to which Conyngham agreed. Clearly, his chosen name for the new vessel and the impressive *ruse de guerre* he had pulled off were reflections of Conyngham's intentions toward his British adversaries.<sup>29</sup> During the *Revenge*'s fourteen-month cruise, it captured twenty prizes, burning or sinking an additional twenty-four vessels, and ransoming several others.<sup>30</sup> In public opinion, Conyngham became "the terror of all the Eastern Coast of England & Scotland, and [was] more dreaded than [François] Thurot was in the last War."<sup>31</sup> In the British press, Conyngham became known as the "Dunkirk Pirate," further eliciting the British public's concern over American privateers in European waters.<sup>32</sup>

By the end of 1777, the consequences of American privateering in international waters were plain. While the Continental Navy arduously struggled to make a significant impact on the Royal Navy's military power, small cruisers and privateers dealt a tangible blow to British commerce. Moreover, American privateers in French ports were of sufficient concern to the British war effort that even the king took notice, writing to the prime minister of his own fears regarding French complicity:

Lord North – The intelligence given by Mr [Paul] Wentworth if founded is very material, and is certainly very agreeable; if timidity actuates the French Court to delay taking an open hostile part, some good Success in North America is likely to make Her the more cautiously avoid taking up a losing game; whatever may be the real motives of this determination, the delaying if possible having more on our hands at present is the natural

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<sup>29</sup> Patton, *Patriot Pirates*, 176-177.

<sup>30</sup> *Ibid.*, 178.

<sup>31</sup> Silas Deane to Robert Morris, Paris, August 23, 1777, *NDAR*, 9:597-598; François Thurot was a French privateer who preyed heavily on British shipping during the French and Indian War. By contrast, Conyngham was still an American naval officer, but his voyage in the *Revenge* was indistinguishable from a typical privateering endeavor.

<sup>32</sup> Patton, *Patriot Pirates*, 178.

suggestion of a dispassionate mind; but then France must wound us by aiding and protecting the Rebel Ships which harrass our Trade.<sup>33</sup>

The British lost 464 vessels to capture by Americans in 1777, of which only about 60 were taken by continental warships.<sup>34</sup> Britain could little afford to continue sending its merchantmen out in light of these numbers. On the grand scale, British economy remained stable, sustaining only slight damage as a result of the Revolution. On the microeconomic level, however, the war did a great deal of damage to British economy, particularly in terms of transatlantic trade. Privateers were taking more of a toll than British military planners had initially anticipated.<sup>35</sup> British privateers offset the effects of the Americans to a degree. Early in 1777, the Admiralty had begun issuing letters of marque to private vessels from Britain, and by June had extended the practice to the West Indies.<sup>36</sup> While these vessels captured over 300 American merchantmen themselves, the impact it had on the American economy was not as recognizable.<sup>37</sup> Furthermore, British privateering activity, regardless of its successes, did not come with the threat of a naval alliance against the United States.

The bearing that American privateers had on the British war effort was irrefutable. British economy remained intact into 1778, but the attacks on it showed no signs of stopping or even slowing. In fact, privateering continued to gain momentum, and the captures of British merchantmen increased over the next few years.<sup>38</sup> A war fought over policies meant to bolster

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<sup>33</sup> George III to Lord North, Kew, July 16, 1777, *NDAR*, 9:501; Paul Wentworth was a Loyalist living in New Hampshire, from whom the British government received intelligence. In the winter of 1777-1778, Lord North appointed Wentworth as a secret agent to Paris to open talks with the American commissioners there.

<sup>34</sup> Allen, *Naval History*, 289-290.

<sup>35</sup> Stephen Conway, *The British Isles and the War of American Independence* (Oxford: Oxford University Press, 2000), 46-47.

<sup>36</sup> Richard Buel, Jr., *In Irons: British Naval Supremacy and the American Revolutionary Economy* (New Haven, CT: Yale University Press, 1998), 56.

<sup>37</sup> Allen, *Naval History*, 289-290; W. Laird Clowes, *The Royal Navy: A History from the Earliest Times to the Present* (London: St. Dunstan's House, 1898), 3:396 table. According to Allen, Clowes's data are incomplete.

<sup>38</sup> Clowes, *Royal Navy*, 3:396 table.

British economy following the French and Indian War was now costing even more, and the Royal Navy was continually stretched for resources as convoys became more necessary than ever. British merchants grew weary of seeing their profits lost at sea, and quickly tired of the skyrocketing cost of maritime insurance. Public anxiety over zealous American “pirates,” fed by an increasingly sardonic British press, gave way to a growing mistrust of the government’s ability to protect British interests. Furthermore, France and Spain, ever more congenial to the American cause, were waiting for the land campaign to turn in favor of the Americans so that they could force Britain into a two-front war. What had begun as a colonial rebellion was rapidly becoming a calamity for Great Britain. By the end of 1777, the commerce and public relations wars undeniably belonged to America, thanks in no small part to privateers.

## EPILOGUE: A WAR IN TWO THEATERS

For over two years, the Americans fought the British on land and sea in a desperate strike for liberty. For the most part, they did so alone. The land campaign went poorly, save for a few small instances of luck. Following the British evacuation of Boston in the spring of 1776, George Washington endeavored to field a professional army, able to fight in the European tradition against a veteran war machine.<sup>1</sup> While he envisioned an eventual place for a federally organized state militia system, akin to the modern National Guard system, Washington had little use for the colonial and state militias during the Revolutionary War, notorious for fleeing in the face of defeat.<sup>2</sup> Despite his disdain for non-professional military institutions, however, it was the commander-in-chief himself who had set in motion the events which would eventually lead to an immensely popular and effective privateering enterprise. While the Continental Army dealt with the problems of low morale, poor training, and continual defeat on the field, and the Continental Navy suffered severe shortages of manpower, privateers flourished and posed a substantial problem for the British.

Following the privateers' successes, Continental Navy cutters embarked on commerce raiding voyages of their own, further impeding British trade and economy. Often, it was nearly impossible to distinguish between privateers and continental vessels, particularly in international waters. The Royal Navy was virtually powerless to halt American privateering and commerce raiding activity, and as the war raged on, the British public began to question the government's ability to contain the rebellion in an economically sound manner. While it goes too far to suggest that privateers ended or even threatened British naval supremacy in the Atlantic, what is

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<sup>1</sup> Don Higginbotham, *George Washington and the American Military Tradition* (Athens, GA: University of Georgia Press, 1985), 47-49.

<sup>2</sup> *Ibid.*, 59, 124-125.

clear is that they undermined and destabilized it for the duration of the Revolutionary War. While the tiny and ineffectual Continental Navy did little to hamper Britain's naval strength, privateers were consistent in their efforts to damage British trade. Without the essential military stores carried by British merchantmen, it was often difficult for the British army to conduct campaigns effectively, though they retained the military advantage throughout much of the war. The loss of financial assets, on the other hand, helped turn public sentiment in Britain against the war, while the stories of privateering successes encouraged American and international support.

The land campaign was still not going particularly well for the Americans, despite improved morale and retention of enlistments following the victories at Trenton and Princeton in the winter of 1776-1777, and better training at the hands of Gilbert de Motier, marquis de Lafayette. During the fall of 1777, General Howe engaged Washington at the hard-fought Battles of Brandywine and Germantown, and captured Philadelphia. Howe believed taking the American capital would undermine the United States' greatest strength and demoralize the rebellion.<sup>3</sup> On September 19 and October 7, 1777, however, the Continental Army engaged in two battles that changed the fate of the American cause. The Battles of Freeman's Farm and Bemis Heights in Saratoga County, New York, were key victories for the Americans, forcing Gen. John Burgoyne to surrender an entire British army to Maj. Gen. Horatio Gates.<sup>4</sup> Part of the terms of surrender were that the British would be allowed to retreat and return to Great Britain.<sup>5</sup> Newspapers printed news of the surrender, and readers rejoiced at this turn of events:

In consequence of receiving confirmation various ways of the surrender of Gen. Burgoyne, a number of the sons of liberty in this town, met on the common and

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<sup>3</sup> Richard M. Ketchum, *Saratoga: Turning Point of America's Revolutionary War* (New York: Henry Holt, 1997), 81.

<sup>4</sup> John Ferling, *Almost a Miracle: The American Victory in the War of Independence* (Oxford: Oxford University Press, 2007), 239-241.

<sup>5</sup> Articles of Convention Between Lieutenant General Burgoyne and Major General Gates, *Royal American Gazette* (New York), November 13, 1777.

expressed their joy by thirteen discharges of cannon, and drinking several toasts. The whole was conducted with a decency suitable to the occasion, and truly characteristic of the supporters of the glorious cause in which we are engaged.<sup>6</sup>

Also printed were copies of the letter from Gates to John Hancock, the president of the Continental Congress at the time of Burgoyne's surrender. Gates wrote, "Sir – I have the satisfaction to acquaint your Excellency with the great success of the arms of the United States in this department."<sup>7</sup> With Burgoyne's surrender came the resignations of several British commanders in America, including the Howe brothers. Saratoga also ignited a series of feuds between the British government and its military commanders that continued throughout the war.<sup>8</sup> The news of Burgoyne's surrender distressed the prime minister, Frederick, Lord North, and he appeared ready to resign his office. The Whig political party in Britain adamantly called for an end to hostilities and a repeal of some of the offensive American policies. North stayed in office at the insistence of George III, who remained steadfast that the war should continue, but North began looking toward a new policy of negotiation and reconciliation with what he still considered Britain's colonies.<sup>9</sup> Though the struggle was far from over, the Revolutionary War had finally turned in favor of the United States. The victory at Saratoga launched the war onto the international stage.<sup>10</sup>

The comte de Vergennes was still waiting for the right opportunity – and authority from Louis XVI – to declare war on Great Britain. Vergennes had long watched the American situation unfold with great interest. He had made it clear through his actions – or rather, his feigned ignorance of French complicity – that the United States had France's implicit recognition

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<sup>6</sup> *Massachusetts Spy* (Boston), October 23, 1777.

<sup>7</sup> Horatio Gates to John Hancock, Saratoga, *New-England Chronicle* (Cambridge, MA), October 30, 1777.

<sup>8</sup> Piers Mackesy, *The War for America, 1775-1783* (Cambridge, MA: Harvard University Press, 1964), 147.

<sup>9</sup> Ferling, *Miracle*, 259-260.

<sup>10</sup> Ketchum, *Saratoga*, 405-448.

but he remained cautious. In truth, Vergennes had long viewed the spring of 1778 as the proper time for overt alliance, but as yet, Spain had remained less than committed. The Spanish foreign minister, the conde de Floridablanca, viewed an alliance against Britain as a detriment to Spain's interests in North America. He believed that local American government would hinder Spanish interests more than a distant British government would. Furthermore, he objected to supporting rebels in any colonial uprising, lest Spain's own colonies follow suit.<sup>11</sup> Floridablanca vowed to do nothing until it knew the details of France's proposed alliance with the United States.<sup>12</sup>

Vergennes, inconsiderate of Spain's American interests and contemptuous of its noncompliance, was nevertheless wary of entering a European war alone against Britain.<sup>13</sup> Meanwhile, Lord North had sent an envoy, Paul Wentworth, to the American commissioners to seek a possible avenue of reconciliation. Benjamin Franklin let it be known to Vergennes that these negotiations were taking place, and Vergennes began to fear a possible Anglo-American reconciliation and alliance that could potentially be turned against France. He desperately appealed to Louis XVI and his ministers who had initially opposed a Franco-American alliance. He convinced the king, who permitted him to open official negotiations with the commissioners, and he appointed Conrad-Alexandre Gérard to conduct them. On January 18, 1778, Gérard produced a draft of a treaty of commerce and military alliance between France and the United States, the former formally recognizing the latter's sovereignty. The treaty stipulated that neither the French nor the Americans would agree to a separate truce with Great Britain and that neither would lay down arms until a formal treaty ended the war and granted independence to the United

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<sup>11</sup> William C. Stinchcombe, *The American Revolution and the French Alliance* (Syracuse, NY: Syracuse University Press, 1969), 35-36.

<sup>12</sup> Jonathan Dull, *The French Navy and American Independence: A Study of Arms and Diplomacy, 1774-1787* (Princeton, NJ: Princeton University Press, 1975), 101.

<sup>13</sup> Ferling, *Miracle*, 261.

States. The American commissioners and the French king signed the treaty on February 6, 1778.<sup>14</sup>

Following the Franco-American treaty, further problems arose for the British, both in Europe and North America. The already overtaxed Royal Navy underwent a dynamic shift in strategy as the Admiralty decided to treat the American theater as secondary to a new one in Europe.<sup>15</sup> The French had prepared two fleets: a fleet at Brest, commanded by Louis Guillouet, comte d'Orvilliers, to cruise the English Channel; and another at Toulon, under Charles Hector, comte d'Estaing, destined for North American waters. To counter the French fleets, the British readied two additional fleets of their own. Adm. John Byron was appointed to pursue d'Estaing, and Adm. Augustus Keppel was entrusted with the defense of the Channel.<sup>16</sup> In July 1778, Keppel's fleet encountered d'Orvilliers's west of the island of Ushant. Keppel's ships outnumbered d'Orvilliers's, but the French utilized the technique of firing into the masts and riggings of the British ships. The French suffered greater casualties and escaped during the night. Because of the damaged rigging, the British were demobilized and unable to pursue d'Orvilliers. The battle was indecisive, but it kept the French from being able to launch an invasion of Britain, justifying the decision to place a higher priority on the European theater.<sup>17</sup> The government's focus on the American front lessened to a great degree.

Meanwhile, d'Estaing had arrived in North America. Following the Battle of Monmouth in July 1778, where Washington had fought Gen. Henry Clinton to a draw in New Jersey, the former hoped to pursue his enemy back into New York, where he would meet d'Estaing's fleet

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<sup>14</sup> Ibid., 260-263; Dull, *French Navy*, 101; Stinchcombe, *French Alliance*, 11.

<sup>15</sup> John Tilley, *The British Navy and the American Revolution* (Columbia, SC: University of South Carolina Press, 1987), 127.

<sup>16</sup> Ibid.

<sup>17</sup> Mackesy, *War for America*, 210.

to strike a decisive blow to Clinton's army and the remains of Admiral Howe's scattered fleet.<sup>18</sup> Naval historian N.A.M. Rodger argued that "a bold attack might have changed the course of the war, but d'Estaing was not bold."<sup>19</sup> D'Estaing's pilots argued that New York waters were too shallow for the heavy French warships, and the fleet withdrew. Washington's hopes to retake New York did not materialize, but he set his sights elsewhere. In August 1778, d'Estaing's fleet supported American forces at the Battle of Rhode Island, where the British were encamped at Newport. Because of disagreements between the cooperating forces, and poor command decisions by some of the American officers, the battle was tactically indecisive, but the British drove the Americans off and retained Newport.<sup>20</sup>

By the following summer, d'Estaing had relocated his fleet to the West Indies, capturing St. Vincent and Grenada. In July, Admiral Byron's fleet arrived and engaged d'Estaing at Grenada, but was unable to retake the island. The Admiralty, believing that America was a secondary consideration to the mounting troubles in Europe, had kept Byron at home for too long, thereby risking the loss of the colonies.<sup>21</sup> The French won Grenada handily, but allowed Byron to escape. In September and October, d'Estaing supported American forces at the siege of British-held Savannah, Georgia, but again, the Americans were unable to drive the British from their position. Following the campaign, d'Estaing returned to France, leaving two squadrons of his fleet in the Caribbean under Adms. de Grasse and Toussaint-Guillaume Picquet de la Motte. The French squadrons spent the remainder of 1779 and the first part of 1780 protecting convoys

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<sup>18</sup> Howe had already resigned his command, but had not yet left his post before the French declared war and d'Estaing arrived. His fleet was scattered in part because of the need for convoy ships and privateer hunters.

<sup>19</sup> N.A.M. Rodger, *The Insatiable Earl: A Life of John Montagu, Fourth Earl of Sandwich, 1718-1792* (New York: W.W. Norton, 1993), 277.

<sup>20</sup> Ferling, *Miracle*, 309-312.

<sup>21</sup> Rodger, *Insatiable Earl*, 277.

and defending territory in the Caribbean.<sup>22</sup> Spanish squadrons also arrived in the Caribbean to take part in the conflict. With the arrivals of these international naval forces arrayed against the Royal Navy, privateers were much freer to harass British merchant shipping in the Caribbean. While their efforts continued to prove successful, their vital importance to the American war effort greatly declined.

The fight in the Caribbean continued between the French and Spanish and the British for the next several years. Meanwhile, in July 1780, a sizeable French force under General Jean-Baptiste Donatien de Vimeur, comte de Rochambeau, supported by French ships-of-the-line, landed in Rhode Island and joined the Continental Army. With the French now fully invested in the American war effort, the British found themselves embroiled in a two-front war. Though they continued to meet the challenges of fighting a renewed American cause, it was not long before the problems in Europe took precedence. Britain was not yet defeated, but the significant upper hand it had held throughout the early years of the war was rapidly diminishing.

In early summer of 1781, the British army under General Cornwallis occupied the tidewater area of Virginia, at the mouth of the Chesapeake Bay. He was preparing to send part of his army northward to reinforce the British in New York, under orders from General Clinton. Cornwallis feared that his position in Virginia would be indefensible, and wished to march his entire army to New York. Clinton, however, felt that the Chesapeake would be strategically important, and changed his orders, telling Cornwallis to keep his army together and to fortify Williamsburg and Yorktown. Cornwallis's army worked through the summer months to strengthen its position, though Cornwallis himself was never fully satisfied with its defensibility. He was right to be concerned. On August 30, 1781, Admiral de Grasse sailed his fleet into

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<sup>22</sup> James M. Volo, *Blue Water Patriots: The American Revolution Afloat* (Westport, CT: Praeger, 2007), 102-103.

Chesapeake Bay, blocking Cornwallis from escape by sea. Admiral Thomas Graves, the cousin of Samuel Graves, had sailed his ships south from New York, but he and his fellow British commanders had underestimated the situation. When he arrived in Virginia, he found himself outnumbered by the French fleet, and the ensuing Battle of the Chesapeake – though it ended in a tactical draw – became the greatest strategic victory for the Franco-American alliance. Graves fled from the Chesapeake, leaving Cornwallis to his own devices. Near the end of September, Washington and Rochambeau’s combined army besieged Cornwallis at Yorktown. On October 19, 1781, Cornwallis capitulated. He surrendered to George Washington at Yorktown, and the North American land campaign of the American Revolution was over.<sup>23</sup> Though the naval war continued for two more years in Europe and the West Indies, Great Britain had lost its American colonies, and lacked the resources for a sustained war with France. The Whigs in Parliament, weary of eight years of warfare, took over the government, sued for peace, and the American Revolution formally ended on September 3, 1783. The United States of America emerged, a free nation.

After the French entry into the Revolutionary War, privateering was no longer as crucial to American victory as it had been during the first two years of hostilities. The addition of European naval forces to the American cause had necessitated a fundamental shift in strategy for the Royal Navy, which turned its attentions away from American privateers. The navies of America’s allies – the French, joined finally by the Spanish as well as the Dutch – engaged in their own commerce raiding, continuing to harass British trade in the Atlantic. Privateers, once the single most effective component of American naval operations, were now but one of many components operating in unison. They had fulfilled their purpose satisfactorily, and could now

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<sup>23</sup> Mackesy, *War for America*, 410-428.

continue operations solely for profit, which many did. Indeed, the largest numbers of American privateers in the Revolutionary War cruised in 1781, three years after France entered the war (see Appendix D). Privateering remained popular through the end of the Revolution.

Privateering did not disappear following the Revolutionary War. The Constitution of the United States included a privateer clause, allowing Congress to grant letters of marque in time of war. When the United States next found itself in conflict with Great Britain in 1812, privateers were again a major component of American naval strength. In fact, privateers so harassed the British trade network that British commanders planned a major operation to suppress American coastal areas believed to be epicenters of privateering activity. The British attacked Essex, Connecticut, and burned many ships in the harbor in the greatest American financial loss during the War of 1812.<sup>24</sup> In 1856, the Paris Declaration Respecting Maritime Law abolished privateering internationally, but the United States did not sign the document. Five years later, when civil war erupted in America, the Confederate States Constitution adopted a privateer clause of its own, and authorized privateer actions against the United States. In response, the United States agreed to adopt the terms of the Paris Declaration – though continuing to refrain from actually signing it – which enabled the branding of Confederate privateers as pirates. Since the nineteenth century, the United States has not authorized privateers for any purpose, though the power to do so remains a valid and non-amended clause in the United States Constitution.<sup>25</sup>

Revolutionary War privateering is an oft-forgotten or overlooked aspect of the war that achieved American liberty, but its legacy is indisputable. It gave the American cause a

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<sup>24</sup> Jerome Garitte, *The Republic's Private Navy: The American Privateering Business as Practiced by Baltimore During the War of 1812* (Middletown, CT: Wesleyan University Press, 1977); George Coggeshall, *History of the American privateers, and letters-of-marque, during our war with England in the years 1812, '13, and '14. Interspersed with several naval battles between American and British ships-of-war* (New York, n.p., 1856).

<sup>25</sup> William Morrison Robinson, Jr., *The Confederate Privateers* (New Haven, CT: Yale University Press, 1928); Stephen Fox, *Wolf of the Deep: Raphael Semmes and the Notorious Confederate Raider CSS Alabama* (New York: Vintage Books, 2007); U.S. Const., art. I, sec. 8, cl. 11.

counterbalance to British naval superiority, not by engaging the Royal Navy directly, but by undermining its ability to conduct a naval campaign effectively. A wartime belligerent requires money and military stores to operate efficiently. American privateers robbed the British of both. Furthermore, they embodied the iron will of the American spirit. The Royal Navy remained the strength in the Atlantic for many years to come, but privateers found ways to circumvent that strength, and even use it against the British. Without privateers operating, first in New England waters and eventually across the entire Atlantic, the United States had little chance of surviving past the first two years of warfare, much less of achieving their independence. Privateers were no less than integral to the establishment of a free American nation.

## BIBLIOGRAPHY

### PRIMARY SOURCES:

- Abbot, W.W. et al., eds. *The Papers of George Washington*. Charlottesville, VA: University of Virginia Press, 1987-.
- Allen, Gardner Weld, ed. *Massachusetts Privateers of the Revolution*. Boston, MA: Massachusetts Historical Society, 1927.
- Bartlett, John Russell. *A History of the Destruction of His Britannic Majesty's Schooner Gaspée In Narragansett Bay on the 10<sup>th</sup> of June, 1772*. Providence, RI: A.C. Greene, 1861.
- Clark, William Bell, William James Morgan et al., eds. *Naval Documents of the American Revolution*. 11 vols. Washington, DC: Naval History Division, Dept. of the Navy, 1964.
- Drowne, Solomon and Henry T. Drowne, eds. *Journal of a Cruise in the Fall of 1780 in the Private-Sloop of War, Hope*. New York: C.L. Moreau, 1872.
- Fairbanks, John. *John Fairbanks, His Journal: The Privateer WASP Journal, 1782*. Edited by Herbert Harris. Portland, ME: Maine Historical Society, 1855.
- Ford, W.C. and Gallihard Hunt, eds. *Journals of the Continental Congress*. Washington, DC: Government Printing Office, 1904-1925.
- Hough, Charles Merrill, ed. *Reports of Cases in the Vice Admiralty of the Province of New York And in the Court of Admiralty in the State of New York, 1715-1788*. New Haven, CT: n.p., 1925.
- Lincoln, Charles Henry, ed. *Naval Records of the American Revolution*. Washington, DC: Government Printing Office, 1906.
- Neeser, Robert Wilden, ed. *Letters and Papers Relating the Cruises of Gustavus Conyngham, A Captain of the Continental Navy, 1777-1779*. London: Kennikat, 1970.
- Pennsylvania Court of Admiralty. *The Case of the Sloop Active: Including the Whole of the Evidence Adduced on the Trial, the Proceedings in the Court of Admiralty and Before the Court of Appeals, and Other Authentic Documents Connected with the Case*. Philadelphia: C&A Conrad, 1809.
- Prince, Christopher. *The Autobiography of a Yankee Mariner: Christopher Prince and the American Revolution*. Edited by Michael J. Crawford. Washington, DC: Brassey's, Inc., 2002.

Sviberly, William J. and Dorothy M. Sviberly, eds. *Captain James Campbell: A Chronicle of the First Maryland Privateer Captain Commissioned by the Continental Congress During The American Revolution*. Walkersville, MD: n.p., 1989.

Zeinart, Karen and Seymour Fleishman, eds. *The Memoirs of Andrew Sherburne, Patriot and Privateer of the American Revolution*. Hamden, CT: Linnet Books, 1993.

#### NEWSPAPERS:

*Boston Evening-Post*, 1775.

*Boston Gazette*, 1775-1780.

*Connecticut Courant* (Hartford), 1775-1778.

*Connecticut Gazette* (New Haven), 1775-1776.

*Constitutional Gazette* (New York), 1775.

*Continental Journal* (London), 1777.

*Essex Journal* (Newburyport, MA), 1775.

*Freeman's Journal* (Portsmouth, NH), 1777.

*Massachusetts Spy* (Boston), 1777.

*New York Journal*, 1776.

*New-England Chronicle* (Cambridge, MA), 1777.

*Newport Mercury* (Newport, RI), 1775.

*Norwich Packet* (Norwich, CT), 1776.

*Nova Scotia Gazette* (Halifax), 1779.

*Pennsylvania Evening Post* (Philadelphia), 1775.

*Pennsylvania Journal* (Philadelphia), 1777.

*Public Advertiser* (London), 1776-1777.

*Royal American Gazette* (New York), 1777.

*Virginia Gazette* (Williamsburg), 1778.

SECONDARY SOURCES:

Allen, Gardner Weld. *A Naval History of the American Revolution*. 2 vols. New York: Houghton & Mifflin Co., 1913.

Andrews, Kenneth R. *Elizabethan Privateering: English Privateering During the Spanish War, 1585-1603*. Cambridge: Cambridge University Press, 1964.

Augur, Helen. *The Secret War of Independence*. New York: Duell, Sloan & Pierce, 1955.

Beattie, Donald W. and J. Richard Collins. *Washington's New England Fleet: Beverly's Role in Its Origins, 1775-77*. Salem, MA: Newsome & Gauss Co., 1969.

Boatner, Mark M., III. *Encyclopedia of the American Revolution*. New York: Van Rees, 1966.

Bough, Daniel A. "The Politics of British Naval Failure, 1775-1777." *American Neptune* 52 (Fall 1992): 221-246.

Bourguignon, Henry J. *The First Federal Court: The Federal Appellate Prize Court of the American Revolution, 1775-1787*. Philadelphia: The American Philosophical Society, 1977.

Bowen-Hassell, E. Gordon et al. *Sea Raiders of the American Revolution: The Continental Navy in European Waters*. Washington, DC: Naval Historical Center, 2003.

Brown, Margaret L. "William Bingham, Agent of the Continental Congress in Martinique." *Pennsylvania Magazine of History and Biography* 61:1 (January 1937): 54-87.

Buell Jr., Richard. *In Irons: Britain's Naval Supremacy and the American Revolutionary Economy*. New Haven, CT: Yale University Press, 1998.

Casay, Michael S. *Rebel Privateers: The Winners of American Independence*. Fort Leavenworth, KS: US Army Command and General Staff College, 1990.

Clark, William Bell. *Ben Franklin's Privateers: A Naval Epic of the American Revolution*. Baton Rouge, LA: Louisiana State University Press, 1956.

———. *George Washington's Navy: Being an Account of His Excellency's Fleet in New England Waters*. Baton Rouge, LA: Louisiana State University Press, 1960.

Clowes, W. Laird. *The Royal Navy: A History from the Earliest Times to the Present*. 7 vols. London: St. Dunstan's House, 1898.

- Chadwick, Bruce. *George Washington's War: The Forging of a Revolutionary Leader and the American Presidency*. Naperville, IL: Sourcebooks, Inc., 2004.
- Coggeshall, George. *History of the American privateers, and letters-of-marque, during our war with England in the years 1812, '13, and '14. Interspersed with several naval battles between American and British ships-of-war*. New York: n.p., 1856.
- Coggins, Jack. *Ships and Seamen of the American Revolution*. Harrisburg, PA: Stackpole, 1969.
- Cohen, Sheldon S. *Commodore Abraham Whipple of the Continental Navy: Privateer, Patriot, Pioneer*. Gainesville, FL: University Press of Florida, 2010.
- Conway, Stephen. *The British Isles and the War of American Independence*. Oxford: Oxford University Press, 2000.
- Crawford, Michael J. "The Privateering Debate in Revolutionary America." *Northern Mariner/Le marin du nord* 21:3 (July 2011): 219-234.
- Daly, R.W. Untitled Review of *George Washington's Navy: Being an Account of His Excellency's Fleet in New England Waters* by William Bell Clark. *William and Mary Quarterly*, Third Series 18:1 (January 1961): 146-148.
- Drisko, George Washington. *Narrative of the Town of Machias, the Old and the New, the Early and Late*. Machias, ME: The Press of the Republican, 1904.
- Dudley, Wade G. *Splintering the Wooden Wall: The British Blockade of the United States, 1812-1815*. Annapolis, MD: Naval Institute Press, 2003.
- . *Drake: For God, Queen, and Plunder*. Washington, DC: Brassey's, Inc., 2003.
- Dull, Jonathan. *The French Navy and American Independence: A Study of Arms and Diplomacy, 1774-1787*. Princeton, NJ: Princeton University Press, 1975.
- Duncan, Roger F. *Coastal Maine: A Maritime History*. New York: W.W. Norton & Co., 1992.
- Ferling, John. *Almost a Miracle: The American Victory in the War of Independence*. Oxford: Oxford University Press, 2007.
- Fowler, William M. *Rebels Under Sail: The American Navy During the Revolution*. New York: Scribner, 1976.
- Fox, Stephen. *Wolf of the Deep: Raphael Semmes and the Notorious Confederate Raider CSS Alabama*. New York: Vintage Books, 2007.
- Frye, Barry E. "Privateers and Letters of Marque in North Carolina During the American Revolution." Master's thesis, East Carolina University, 1980.

- Garitee, Jerome. *The Republic's Private Navy: The American Privateering Business as Practiced by Baltimore During the War of 1812*. Middletown, CT: Wesleyan University Press, 1977.
- Garland, Joseph E. *The Fish and the Falcon: Gloucester's Resolute Role in America's Fight for Freedom*. Charleston, SC: History Press, 2006.
- Harding, Richard. *Seapower and Naval Warfare, 1650-1830*. Annapolis, MD: Naval Institute Press, 1999.
- Hearn, Chester G. *George Washington's Schooners: The First American Navy*. Annapolis, MD: Naval Institute Press, 1995.
- Hessel, Mary Stanley and Ann Ward Little. *Profile of a Patriot: The Story of John Wright Stanly, Revolutionary War Privateer*. New Bern, NC: Tryon Palace Commission, 1983.
- Higginbotham, Don. *George Washington and the American Military Tradition*. Athens, GA: University of Georgia Press, 1985.
- Howard, Joshua B. "The Most Abandoned Sett of Wretches': North Carolina's Privateering Efforts During the American Revolution, 1776-1783." Master's thesis, East Carolina University, 2004.
- Kert, Faye. *Prize and Prejudice: Privateering and Naval Prize in Atlantic Canada in the War of 1812*. St. John's, Newfoundland, Canada: International Maritime Economic History Association, 1997.
- Ketchum, Richard M. *Saratoga: Turning Point in America's Revolutionary War*. New York: Henry Holt, 1997.
- Knox, Dudley W. *The Naval Genius of George Washington*. Boston: Houghton Mifflin, 1932.
- Konstam, Angus and Angus McBride. *Privateers and Pirates: 1730-1830*. Oxford: Osprey, 2001.
- Langguth, A.J. *Patriots: The Men Who Started the American Revolution*. New York: Simon & Schuster, 1988.
- Leamon, James S. *The Revolution Downeast: The War for American Independence in Maine*. Amherst, MA: University of Massachusetts Press, 1993.
- Lemisch, Jesse. "Privateering, the American Revolution, and the Rules of War: The United States Was Born in 'Terrorism' and Piracy." *George Mason's History News Network* (2002), <http://hnn.us/articles/915.html> [accessed February 14, 2012].

- Lydon, James G. *Pirates, Privateers, and Profits*. Upper Saddle River, NJ: The Gregg Press, Inc., 1970.
- McCullough, David. *1776: America and Britain at War*. New York: Simon & Schuster, 2005.
- Mackesy, Piers. *The War for America, 1775-1783*. Cambridge, MA: Harvard University Press, 1964.
- Maclay, Edgar Stanton. *A History of American Privateers*. New York: D. Appleton and Co., 1899.
- Magra, Christopher Paul. *The Fisherman's Cause: Atlantic Commerce and Maritime Dimensions of the American Revolution*. Cambridge: Cambridge University Press, 2009.
- Mahan, Alfred Thayer. *The Influence of Sea Power Upon History, 1660-1783*. London: Low, 1889.
- . *The Major Operations of the Navies in the War of American Independence*. Boston: Little, Brown, and Co., 1913.
- Middlekauff, Robert. *The Glorious Cause: The American Revolution, 1763-1789*. Oxford: Oxford University Press, 1982.
- Miller, David M. "The Logistical Impact of Prize Capture on Armies at the Siege of Boston, 1775-1776." Master's thesis, East Carolina University, 2005.
- Millett, Allan R. and Peter Maslowski. *For the Common Defense: A Military History of the United States*. New York: The Free Press, 1994.
- Morison, Samuel Eliot. *John Paul Jones: A Sailor's Biography*. Boston: Little, Brown, and Co., 1959.
- Morse, Sidney G. "State or Continental Privateers?" *American Historical Review*, 52:1 (October 1946): 68-73.
- Mystic Seaport: The Museum of America and the Sea. "HFM 198; Articles of agreement, 1778 – Revenge (Sloop)." <http://library.mysticseaport.org/initiative/PageImage.cfm?BibID=29756> [accessed February 22, 2012].
- Nelson, James. *George Washington's Secret Navy: How the American Revolution Went to Sea*. New York: McGraw-Hill, 2008.
- Paine, Ralph D. *The Ships and Sailors of Old Salem*. Westminster, MD: Heritage Books, 1924.

- Patton, Robert H. *Patriot Pirates: The Privateer War for Freedom and Fortune in the American Revolution*. New York: Vintage Press, 2008.
- Pares, Richard. *Colonial Blockade and Neutral Rights, 1739-1763*. Oxford: The Clarendon Press, 1938.
- Petrie, Donald A. *The Prize Game: Lawful Looting on the High Seas in the Days of Fighting Sail*. Annapolis, MD: Naval Institute Press, 1999.
- Robinson, William Morrison. *The Confederate Privateers*. New Haven, CT: Yale University Press, 1928.
- Rodger, N.A.M. *The Command of the Ocean: A Naval History of Britain, 1649-1815*. New York: W.W. Norton, 2005.
- . *The Insatiable Earl: A Life of John Montagu, Fourth Earl of Sandwich, 1718-1792*. New York: W.W. Norton, 1993.
- . *The Wooden World: An Anatomy of the Georgian Navy*. Annapolis, MD: Naval Institute Press, 1986.
- Royster, Charles. *A Revolutionary People at War: The Continental Army and American Character, 1775-1783*. New York: Norton, 1981 (paperback edition).
- Runyan, Timothy J. "The Rolls of Oleron and the Admiralty Court in Fourteenth Century England." *American Journal of Legal History* 19:3 (April 1975): 95-111.
- Selesky, Harold, ed. *The Encyclopedia of the American Revolution*. 2 volumes. New York: Thomson Gale, 2006.
- Starkey, David A. *British Privateering Enterprise in the Eighteenth Century*. Exeter, Eng.: University of Exeter Press, 1990.
- , ES van Eyck van Heslinga, JA de Moor, eds. *Pirates and Privateers: New Perspectives on the War on Trade in the Eighteenth and Nineteenth Centuries*. Exeter, Eng.: University of Exeter Press, 1997.
- Stephenson, Michael. *Patriot Battles: How the War of Independence Was Fought*. New York: Harper Perennial, 2007.
- Stinchcombe, William C. *The American Revolution and the French Alliance*. Syracuse, NY: Syracuse University Press, 1969.
- Stivers, Reuben Elmore. *Privateers & Volunteers: The Men and Women of Our Reserve Naval Forces, 1766-1866*. Annapolis, MD: Naval Institute Press, 1975.

- Swanson, Carl E. *Predators and Prizes: American Privateering and Imperial Warfare, 1739-1748*. Columbia, SC: University of South Carolina Press, 1991.
- Syrett, David. "The Failure of the British War Effort in North America, 1777." In *The British Navy and the Use of Naval Power in the Eighteenth Century*, edited by Jeremy Block and Philip Woodfine, 171-190. Atlantic Highlands, NJ: Humanities Press International, 1989.
- . *The Royal Navy in American Waters*. Brookfield, VT: Gower Publishing Co., 1989.
- Tilley, John A. *The British Navy and the American Revolution*. Columbia, SC: University of South Carolina Press, 1987.
- Ubbelohde, Carl. *The Vice-Admiralty Courts and the American Revolution*. Chapel Hill, NC: University of North Carolina Press, 1960.
- United States Merchant Marine. "Privateers and Mariners in the Revolutionary War." American Merchant Marine at War, <http://www.usmm.org/revolution.html> [accessed March 14, 2011].
- U.S. History – Pre-Columbian to the New Millennium. "The War Experience: Soldiers, Officers, and Civilians." <http://www.ushistory.org/us/13.asp> [accessed February 22, 2012].
- Volo, James. *Blue Water Patriots: The American Revolution Afloat*. Westport, CT: Praeger Publishers, 2007.
- Wilbur, C. Keith. *Pirates & Patriots of the Revolution*. Philadelphia: Chelsea House, 1973.
- Wood, Gordon S. *The American Revolution: A History*. New York: Vintage Books, 1993.

APPENDIX A: PRIZES TAKEN BY WASHINGTON'S FLEET, 1775-1777<sup>1</sup>

No.	Date	Captor	Prize	Type
1 <sup>+</sup>	Sept. 7, 1775	<i>Hannah</i> (Broughton)	<i>Unity</i>	Ship
2 <sup>++</sup>	Oct. 29, 1775	<i>Hancock</i> (Broughton) <i>Franklin</i> (Selman)	<i>Prince William</i>	Schooner
3 <sup>++</sup>	Oct. 29, 1775	<i>Hancock</i> (Broughton) <i>Franklin</i> (Selman)	<i>Mary</i>	Schooner
4 <sup>++</sup>	Oct. 31, 1775	<i>Hancock</i> (Broughton) <i>Franklin</i> (Selman)	<i>Phoebe</i>	Sloop
5 <sup>++</sup>	Nov. 5, 1775	<i>Hancock</i> (Broughton) <i>Franklin</i> (Selman)	<i>Warren</i>	Sloop
6	Nov. 5, 1775	<i>Harrison</i> (Coit)	<i>Polly</i> (1)	Sloop
7	Nov. 5, 1775	<i>Harrison</i> (Coit)	<i>Industry</i> (1)	Schooner
8 <sup>++</sup>	Nov. 6, 1775	<i>Warren</i> (Adams)	-----	Sloop
9 <sup>+</sup>	Nov. 7, 1775	<i>Lee</i> (Manley)	<i>Ranger</i>	Sloop
10	Nov. 8, 1775	<i>Lee</i> (Manley)	<i>Two Sisters</i>	Schooner
11 <sup>++</sup>	Nov. 10, 1775	<i>Lee</i> (Manley)	-----	Schooner
12 <sup>++</sup>	Nov. 13, 1775	<i>Hancock</i> (Broughton) <i>Franklin</i> (Selman)	<i>Speedwell</i>	Sloop
13 <sup>++</sup>	Nov. 20, 1775	<i>Hancock</i> (Broughton) <i>Franklin</i> (Selman)	-----	Schooner
14	Nov. 25, 1775	<i>Warren</i> (Adams)	<i>Rainbow</i> (1)	Schooner
15 <sup>++</sup>	Nov. 26, 1775	<i>Hancock</i> (Broughton) <i>Franklin</i> (Selman)	<i>Kingston Packet</i>	Brig
16	Nov. 27, 1775	<i>Washington</i> (Martindale)	<i>Britannia</i>	Sloop
17	Nov. 28, 1775	<i>Lee</i> (Manley)	<i>Polly</i> (2)	Sloop
18	Nov. 28, 1775	<i>Lee</i> (Manley)	<i>Nancy</i>	Brig
19 <sup>++</sup>	Nov. 29, 1775	<i>Harrison</i> (Coit)	<i>Thomas</i>	Schooner
20	Nov. 29, 1775	<i>Harrison</i> (Coit)	-----	Fishing schooner
21	Dec. 3, 1775	<i>Lee</i> (Manley)	<i>Concord</i>	Ship
22	Dec. 8, 1775	<i>Lee</i> (Manley)	<i>Jenny</i>	Ship
23	Dec. 8, 1775	<i>Lee</i> (Manley)	<i>Little Hannah</i>	Brig
24	Dec. 17, 1775	<i>Lee</i> (Manley)	<i>Betsey</i> (1)	Sloop
25 <sup>+</sup>	Dec. 24, 1775	<i>Warren</i> (Adams)	<i>Sally</i> (1)	Sloop
26	Jan. 25, 1776	<i>Hancock</i> (Manley)	<i>Happy Return</i>	Ship
27	Jan. 25, 1776	<i>Hancock</i> (Manley)	<i>Norfolk</i>	Ship
28 <sup>++</sup>	Jan. 29, 1776	<i>Franklin</i> (Tucker) <i>Lee</i> (Waters)	<i>Rainbow</i> (2)	Sloop
29	Jan. 29, 1776	<i>Franklin</i> (Tucker) <i>Lee</i> (Waters)	<i>Henry and Esther</i>	Brig

<sup>1</sup> William Bell Clark, *George Washington's Navy: Being an Account of His Excellency's Fleet in New England Waters* (Baton Rouge, LA: Louisiana State University, 1960), 229-236.

No.	Date	Captor	Prize	Type
30	Mar. 6, 1776	<i>Hancock</i> (Manley) <i>Franklin</i> (Tucker) <i>Lee</i> (Waters) <i>Lynch</i> (Ayres)	<i>Susannah</i>	Ship
31	Mar. 10, 1776	<i>Hancock</i> (Manley) <i>Franklin</i> (Tucker) <i>Lee</i> (Waters) <i>Lynch</i> (Ayres)	<i>Stakesby</i>	Ship
32	Apr. 2, 1776	<i>Hancock</i> (Manley) <i>Lee</i> (Waters) <i>Lynch</i> (Ayres)	<i>Elizabeth</i> (1)	Brig
33	May 7, 1776	<i>Hancock</i> (Tucker)	<i>Jane</i>	Brig
34	May 7, 1776	<i>Hancock</i> (Tucker)	<i>William</i>	Brig
35	May 17, 1776	<i>Franklin</i> (Mugford)	<i>Hope</i>	Ship
36	Jun. 6, 1776	<i>Lee</i> (Waters) <i>Warren</i> (Burke) <i>Lynch</i> (Ayres)	<i>Anne</i>	Ship
37	Jun. 16, 1776	<i>Hancock</i> (Manley) <i>Lee</i> (Waters) <i>Warren</i> (Burke) <i>Lynch</i> (Ayres) <i>Franklin</i> (Skimmer)	<i>George</i>	Ship
38	Jun. 16, 1776	<i>Hancock</i> (Manley) <i>Lee</i> (Waters) <i>Warren</i> (Burke) <i>Lynch</i> (Ayres) <i>Franklin</i> (Skimmer)	<i>Annabelle</i>	Brig
39	Jun. 18, 1776	<i>Hancock</i> (Manley) <i>Lee</i> (Waters) <i>Warren</i> (Burke) <i>Lynch</i> (Ayres) <i>Franklin</i> (Skimmer)	<i>Lord Howe</i>	Ship
40	Jun. 27, 1776	<i>Hancock</i> (Tucker) <i>Franklin</i> (Skimmer)	<i>Peggy</i>	Ship
41	Aug. 4, 1776	<i>Hancock</i> (Tucker) <i>Franklin</i> (Skimmer)	<i>Perkins</i>	Brig
42	Aug. 6, 1776	<i>Hancock</i> (Tucker) <i>Franklin</i> (Skimmer)	<i>Nelly Frigate</i>	Ship
43 <sup>+</sup>	Sept. 7, 1776	<i>Lee</i> (Waters)	<i>Betsey</i> (2)	Sloop
44	Oct. 3, 1776	<i>Lee</i> (Waters)	<i>Sally</i> (2)	Schooner
45	----	<i>Lee</i> (Waters)	<i>Elizabeth</i> (2)	Brig
46	----	<i>Hancock</i> (Tucker) <i>Franklin</i> (Skimmer)	<i>Triton</i>	Brig

No.	Date	Captor	Prize	Type
47	Oct. 29, 1776	<i>Hancock</i> (Tucker) <i>Franklin</i> (Skimmer)	<i>Lively</i> (1)	Brig
48	Apr. 13, 1777	<i>Lee</i> (Skimmer)	<i>Hawke</i>	Schooner
49	May 3, 1777	<i>Lee</i> (Skimmer)	<i>Betsey</i> (3)	Sloop
50 <sup>+++</sup>	May 11, 1777	<i>Lee</i> (Skimmer)	<i>Charles</i>	Brig
51	May 31, 1777	<i>Lee</i> (Skimmer)	<i>Capelin</i>	Brig
52	May 31, 1777	<i>Lee</i> (Skimmer)	<i>Industry</i> (2)	Brig
53	Aug. 29, 1777	<i>Lee</i> (Skimmer)	<i>Industrious Bee</i>	Brig
54 <sup>+++</sup>	Aug. 30, 1777	<i>Lee</i> (Skimmer)	<i>Lively</i> (2)	Brig
55	Oct. 1, 1777	<i>Lee</i> (Skimmer)	<i>Dolphin</i>	Brig

Vessels	1775	1776	1777	Total
Ships	3	10	0	13
Brigs	3	9	6	18
Sloops	9	4	1	14
Schooners	8	1	1	10
Totals	23	24	8	55
	<i>Recaptured</i>	4		
	<i>Released</i>	11		
	<i>Retaken by enemy</i>	2		-17
			<b>Net gain</b>	38

+ *Recaptured*

++ *Released*

+++ *Retaken by enemy*

APPENDIX B: ORDNANCE STORES ABOARD HMS *NANCY* AND HMS *HOPE*

HMS *Nancy*<sup>1</sup>

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1 Large brass 15 Inch Mortar already fixd for service

A Number of smaller ditto fixd

A Number of Brass	Cannon	from	24 lb down	to	4 lb	} With carriages &c already
A number of Iron	ditto	from	Do	to	Do	

---

HMS *Hope*<sup>2</sup>

---

Carbine Compleat, 1000 in 40 Chests ---

Traveling Carriages, 24 Pds heavy --- 1 --

12 Pds Light --- 4 --

sand bags, bushels 5000 -- }  
 ½ bushel 50000 -- 0 } In 20 Bales

Coils white Rope 3½ Inch -- 1 --  
 2 -- 1 --  
 1½ -- 2 --

Tann'd hides -- 5 --

Powder...barrels, Cooper hoop'd 1497 --  
 Short dld from the Ship 3.

The remainder of the Stores are dld to }  
 Thos Chas Esqr A.Q.M. General }  
 500 bbls of the above mentioned powder is at Cambridge

500 do at Roxbury

497 do at Boston which is to go to Watertown immediately

Errors Excepted

Nathl<sup>r</sup> Barber Jun<sup>r</sup>

Dpy Commy Artillery

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<sup>1</sup> Edward Green to Joshua Green, Cambridge, December 3, 1775, *NDAR*, 2:1247

<sup>2</sup> Major General Artemas Ward to Washington, May 17, 1776, *ibid.*, 5:134.

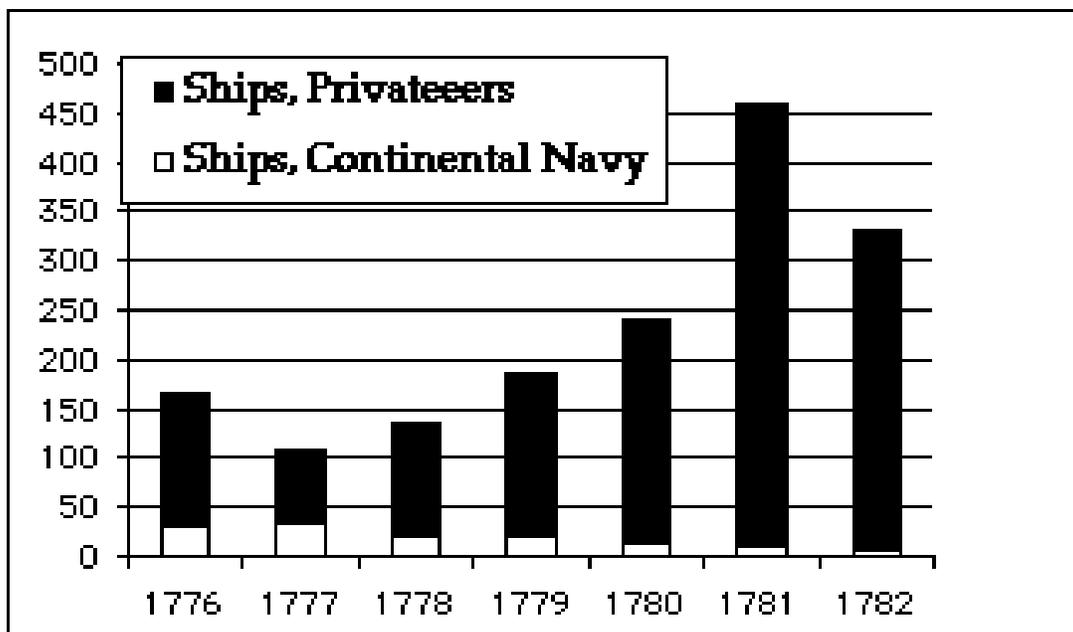
APPENDIX C: TYPES OF BRITISH MERCHANT VESSELS CAPTURED  
AS OF 1777, AND THEIR TOTAL VALUES<sup>1</sup>

<b>Type of merchant vessel</b>	<b>Value</b>
West India ships	£1,069,000
Newfoundland ships	58,500
African ships	187,000
Canada and Nova Scotia ships	16,500
Irish ships	3,500
Mediterranean ships	14,000
Transports, victuallers, and storeships	167,000
Sundry traders	60,000
<b>Total</b>	<b>£1,575,500</b>

<sup>1</sup> *Continental Journal*, Boston, June 5, 1777

APPENDIX D: COMPARISONS OF OPERATIONAL STRENGTH BETWEEN  
PRIVATEERS AND CONTINENTAL WARSHIPS<sup>1</sup>

	Continental Navy	Privateers
Total Ships	64	1,697
Total Guns	1,242	14,872
Captures	196	2,283
Losses (captured)	?	1,323



<sup>1</sup> United States Merchant Marine, "Privateers and Mariners in the Revolutionary War," American Merchant Marine at War, <http://www.usmm.org/revolution.html> [accessed March 14, 2011].