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PRIVATEERS AND LETTERS OF MARQUE
IN NORTH CAROLINA
DURING THE AMERICAN REVOLUTION

A Thesis
Presented to
the Faculty of the Department of History
East Carolina University

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts in History

by
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" "
November 1980

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Barry E. Frye. PRIVATEERS AND LETTERS OF MARQUE IN NORTH CAROLINA DURING THE AMERICAN REVOLUTION. (Under the direction of William N. Still, Jr.) Department of History, November 1980.

The purpose of this study is to determine if there existed in North Carolina during the American Revolution significant privateering activity. If such activity did take place, it is then necessary to learn how their presence affected North Carolina during the war.

North Carolina did have many privateers and perhaps should be considered as one of the more active centers for privateering in the country. Blessed with geographic advantages and neglect from the British, North Carolina offered a deposit site for privateers from other states as well as its own.

The development of the state's privateering forces coincided and was greatly affected by its wartime trade. Due to its commercial opportunities, the variation of privateer known as a letter of marque dominated in North Carolina. This type of vessel not only had a license to raid the commerce of the enemy but was also involved in trade.

As both wartime trade and privateering activity began to peak during the early years of the war, large numbers of British privateers, often loyalists, descended upon the coastline. Their presence became so threatening that privateering in North Carolina never quite recovered.

The effects of the large numbers of privateers were almost completely economic. Militarily, they were never a threat to the British navy. However, in terms of the merchandise that was brought into the state, the privateers were a factor in preventing a complete paralysis of the economy of the state.

ACKNOWLEDGMENT

Grateful acknowledgment is made to Professor William N. Still, Jr., of the East Carolina University faculty for his unlimited patience in supervising this thesis. His advice and encouragement have made the completion of this thesis possible.

Acknowledgment is also made to Dwight Whitesell for his work in putting together the map and sketches of eighteenth century sailing vessels.

Finally my thanks to my wife, Beverly, for her continuous encouragement and patient without which this thesis would never have been finished.

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THE LURE OF PRIVATEERING

In an age when naval expenditures comprise one of the largest single items in the national budget, the privateers of the eighteenth century are looked upon as objects of curiosity. This attitude is understandable when one contrasts these vessels, commonly under 200 tons and manned by a handful of men, with the dreadnoughts of more recent years. Not only was the difference in size significant but the tactics employed also varied greatly. They were far more likely to resort to trickery such as using wooden guns to bluff an enemy or running up an enemy's flag than to rely upon powerful cannon or large fighting crews.¹ However, just as today's navy represents the near deification of technology in twentieth century, the privateers must be seen as a product of their time.

The privateersman of the American Revolution was a participant in an era of changing ideas and attitudes. Farmers and artisans were becoming increasingly involved in military matters during this period. Previously armies had been small professional forces officered almost exclusively by men of nobility.² In the American Revolution the minutemen and the very unprofessional state militias fought in many of the crucial battles of the war. Even the Continental army lacked the professionalism of the British and other European units.

On the sea the nonprofessionals found that the privateers offered

¹An example of this sort of ruse can be found in Charles Biddle's The Autobiography of Charles Biddle (Philadelphia, 1883), 96-146, hereinafter cited as Biddle, Autobiography.

²One of the best studies on the changing military attitudes during this period is Willard Wallace, Appeal to Arms (New York, 1950), passim.

the same alternative that militias did on the land. Life aboard a privateer was seldom near the rigorous and harsh standards on the Continental or state vessels. Considering the possibility of prize money with this factor, it is little wonder that such large numbers flocked to sign on for privateering cruises.

The privateersman of the eighteenth century reflected important changes in economic thought that were taking place at that time. Attitudes towards money and profits were changing to a degree which led to an increased individual aggressiveness to acquire material wealth. A capitalistic spirit grew ever more perceptible during this time as the desire for freedom from government interference in the affairs of business increased. This feeling was strengthened in 1763-1764 with the new attitude of the English government toward the colonists as reflected in the Stamp Act. From the standpoint of the colonies these changes were interpreted as infringements upon their political rights and as shackles on their economic ambitions.

This desire for profit and the increasing estrangement from a strong central government were also factors in the large numbers of privateers in the Revolutionary period. Privateering represented one of the most feasible ways to attain immediate wealth. Even crew members receiving small shares of each prize were at times able to return to port with handsome profits after a successful voyage. Privateering was the get-rich-quick scheme of its day.

Freedom from government interference was also available aboard a privateer. After the initial regulations were met, bonds paid, and license received, the captain and his crew enjoyed a large degree of

independence from government directives. Even when regulations were not closely observed, government officials often allowed condemnation proceedings to continue on course.¹

Achieving an understanding of the purpose and motivations of the large number of men going to sea aboard privateers requires an examination of not only these changing attitudes towards military service and pursuit of wealth but should also include the colonies' earlier experiences with privateering. Privateering was well known to Americans long before the American Revolution. During the long series of wars between England and France in the eighteenth century, the colonists experienced a firsthand taste of the profits associated with privateering.² However, with the fighting being heavily concentrated in the New England and Middle colonies, privateering did not reach the levels of the Revolutionary years.

Privateering during the Revolution proved to be distinctive in several different ways from not only previous American experiences, but also from that of other countries as well. The intensity of the search for prizes in the Revolution had few parallels in history prior to that time. Throughout the Revolution privateers operated at such a fever pitch as to cause even the most conservative businessmen to invest in syndicates that financed privateering. Estimates and studies

¹The Revolutionary War Prize Cases: Record of the Court of Appeals in Cases of Capture, 1776-1787, National Archives, Washington, D.C., M/162, Roll 2, Case 2, hereinafter cited as Revolutionary War Prize Cases.

²Donald Barr Chidsey, The American Privateers (New York, 1962), 14-15, hereinafter cited as Chidsey, American Privateers.

which consider it a phenomenon restricted to the New England area seriously underestimate the full impact of this enterprise.¹ In the Southern colonies, and in North Carolina in particular, there were large numbers of privateers operating out of their ports with a great degree of success. Men were so inspired by this desire for profit and revenge that they even used row boats to attack unsuspecting merchant vessels.² Quotas for militia forces could not be met in some areas adjacent to ports due to large numbers of men signing up for cruises on privateers. [An example of this situation occurred in Cartaret County in North Carolina where citizens were finally forced to send a petition to the governor of the state requesting that no further levies be drawn from the area since most of the able-bodied men had gone to sea. It was further stated that any additional drain upon the male population would leave them open to the depredations of the enemy.]³ This draining away of experienced seamen that were needed aboard Continental navy vessels reached such proportions throughout the colonies that the Continental Congress eventually adopted measures requiring that the crews

¹The best example of this exaggeration of New England prominence concerning this particular phase of the Revolution is found in Gardner W. Allen, A Naval History of the American Revolution (Boston, 1913), 716. This list shows Massachusetts with 626 letters of marque compared to one for South Carolina and none for North Carolina.

²Letter from Abner Nash to General George Washington, December 4, 1780, Walter Clark (ed.), The State Records of North Carolina (Winston and Goldsboro, 16 volumes, 1890-1906), XV, 176-177, hereinafter cited as Clark, State Records.

³Petition of Certain Inhabitants of Cartaret County to Governor Richard Caswell, November, 1780, Clark, State Records, XV, 146.

of all privateers be comprised of at least one-third landsmen.¹ /

The impact of these large numbers of vessels engaged in privateering in the American Revolution has often been interpreted only in a very limited perspective. Traditionally experts and scholars have looked upon commerce raiding as only a strategic weapon. As a result of this narrow perspective, privateers have correctly been judged to be of secondary value in any prolonged military campaign.

This classical school of thought is well represented in Alfred Mahan's The Influence of Seapower Upon History. Mahan levels scathing criticism at anyone who would consider privateering as a major contributor to the failure of the British navy in the Revolution and insists that privateering represents an irregular secondary operation of war.² Mahan explains that the only way to consider privateering as a successful primary operation is through the control of a strategic location by a large fleet of these raiders. Mahan felt that in order to be a factor during a war privateers must fight in large numbers as a unit.

America's experience in no way adheres to Mahan's formula for success. There were no great fleets, nor were there any strategic centers of trade focused on by Americans. Diffusion of effort was the rule. Privateers flourished from Massachusetts to the Antilles. Rather than a concentrated effort against the enemy in cooperation with the Continental navy or one of the various state navies, there was

¹Nathan Miller, Sea of Glory, The Continental Navy Fights for Independence (New York, 1974), 258, hereinafter cited as Miller, Sea of Glory.

²Alfred T. Mahan, The Influence of Seapower Upon History (New York, 1890), 328-329, hereinafter cited as Mahan, Seapower.

an air of competition among these forces. The danger of losing an experienced captain to a privateer was a daily problem faced by many of the ships of the regular navy.¹ After several years of war, Congress was forced to increase prize quotas for vessels captured by Continental ships in order to stem the growing attraction to privateers and the profits they seemed able to obtain.²

Considered solely as a strategic weapon to be utilized against the British, the importance of privateers must be seriously questioned. No doubt they provided a serious blow to the morale of the British merchants. Petitions complaining of the heavy losses inflicted by American privateers kept members of Parliament informed of the activities of these ships and very aware of the growing disenchantment among the merchants with the war.

Despite contributions such as this, the privateers of the Revolution did not serve as a major military weapon in the American arsenal. There is no evidence that privateers were used to give support to troops or to make major offensive thrusts against the British navy. Instead they served a limited function that could be more accurately called harassment of the enemy.

Even during the time of the Revolution, however, there were military

¹William N. Still, Jr., North Carolina's Revolutionary War Navy (Raleigh, 1976), 17, hereinafter cited as Still, Revolutionary Navy.

²For information concerning the bureaucratic organization of the committees dealing with naval policy and their actions in such problems, see Charles O. Paullin (ed.), Out-Letters of the Continental Marine Committee and Board of Admiralty (New York, 1914), passim.

experts that recognized the broad implications of the type of economic warfare that privateers could bring. Some of these tacticians believed that a war designed to strike at the enemy's commercial wealth and power could prove more beneficial than a victory with the enemy's warships. Ramateulle, an officer in the French navy during the Revolution, clearly expresses the idea of destroying the enemy's commercial power as an effective tool of war:

The French navy has always preferred the glory of assuring or preserving a conquest to that, more brilliant perhaps, but actually less real, of taking a few ships; and in that it has approached more nearly the true end proposed in war. What in fact would the loss of a few ships matter to the English? The essential point is to attack them in their possessions, the immediate source of their commercial wealth and of their maritime power. The war of 1778 furnishes examples which prove the¹ devotion of the French admirals to the true interests of the country.

Although this argument was advanced primarily to explain French naval policy in relation to English colonies, it may be applied to the American experience as well.

The flow of captured goods brought in by the privateers contributed more to the overall war effort of the Americans than any strategic or military importance that they might have had. Commodities ranging from salt and military hardware to luxury items were brought into an economy that had been severely disrupted by the war.

This growing economic use of privateers would prove to be instrumental in attracting more than the usual "band of robbers."² The men most responsible for the prevalence of these commerce raiders were the

¹Mahan, Seapower, 355.

²Biddle, Autobiography, 101.

owners, and they did not fit the stereotype of the sailor of the eighteenth century. In fact, the owners of these vessels were frequently the leaders of the colonies. These men were a part of the aggressive merchant class which played such an influential role throughout the Revolution. Benjamin Franklin was heavily involved in the promotion of this activity, particularly from his post in France.¹ Many of the delegates to Congress had investments in privateers in their home states. Cornelius Harnett, one of the most powerful figures in North Carolina politics, was a partner in a syndicate which owned the privateer brig Resolution.² The image of privateersman being chronic law breakers and generally rowdies can only be used after separating the owners from the crews. The men most responsible for putting these vessels to sea, the owners, were educated and well versed on the political issues of the day. Above all else they were businessmen who saw in privateering a chance to realize a great profit and to serve the patriot cause at the same time.

¹Ralph D. Paine, Privateers of '76 (Philadelphia, 1925), passim.

²Bond for privateer Resolution, June 6, 1777, found in Treasurers' and Comptrollers' Papers, Port Records, Box 25, North Carolina Division of Archives and History, Raleigh.

NORTH CAROLINA: A STRATEGIC BLESSING

The Outer Banks of North Carolina have formed a natural barrier which has hampered the passage of vessels of consequential size seeking to reach the mainland. These sand bars, which dominate the entire North Carolina coast, are separated from the mainland by shallow sounds and are pierced by inlets which are continually opening and closing. This peculiar formation not only served as a natural breakwater for the mainland area but also handicapped the development of a large merchant fleet during peacetime.

North Carolina's coastline and its relationship to the state's commercial patterns is the key to understanding the state's experience with privateering. Superficially, it might be difficult but not inconceivable to imagine a state with a limited maritime trade becoming an important area for privateering. The explanations for this transformation lie in the advantages offered by these geographical peculiarities and the wartime trade that flourished in the state.

Many travelers in colonial North Carolina took notice of the absence of a vigorous and enterprising merchant class. John Lawson commented that there were a surprisingly small number of merchants, "Nor have those few there . . . apply'd themselves to the European trade."¹ Over thirty years later Captain George Burrington in a report sent to offices in London states that the people of the state

¹John Lawson, Lawson's History of North Carolina (Richmond, 1937), 88-89.

were forced to trade with New England and Virginia merchants.¹

This problem arose because of the colony's inability to accommodate properly the large vessels capable of crossing the Atlantic Ocean. The shallow sounds and narrow inlets allowed only the smaller ships engaged in the coastal and West Indies trade to enter North Carolina waters in safety.

North Carolina, like the other colonies, found itself hampered by several currency acts passed by Parliament. Because exchange rates at times were being legally established as high as £ 133.6.6 colonial paper currency for a real debt of £ 100 sterling, North Carolina's merchants were victims of Gresham's Law, bad money was rapidly spent and good money held. Sources of specie were limited, and the effect was an inflationary one for the colonies during this period.²

Faced with overwhelming natural barriers, North Carolina merchants found that they could not cope with any adverse economic conditions under mercantilism to develop a thriving overseas trade. With high insurance rates and the additional risk placed on them by the dangerous shoreline, these merchants were confronted with formidable obstacles. The economy of North Carolina during the middle eighteenth century appeared to be little beyond the barter stage in certain areas due largely to this particular inadequacy. Newspaper advertisements

¹Captain George Burrington to Board of Trade and Plantations, January 1, 1733, William L. Saunders (ed.), Colonial Records of North Carolina (Winston and Goldsboro, 10 volumes, 1886-1890), III, 429-433, hereinafter cited as Saunders, Colonial Records.

²Act on Emission of Paper Currency, 1754, North Carolina Assembly, Saunders, Colonial Records, IV, 844; VI, 16-17.

reveal merchants being forced to accept commodities in exchange for goods to prevent total losses.¹

Despite these handicaps, North Carolina was able to establish a trade of some importance. Christopher Crittenden suggests that by taking advantage of its own limitations, North Carolina used its sloops and schooners to carry on a fairly profitable trade with the West Indies. In his work, The Commerce of North Carolina, Crittenden explains that observers and scholars of the period have laid too much emphasis on North Carolina's handicaps and paid very little attention to its successes in spite of these disadvantages.² Using the single- and two-masted vessels which were often under fifty tons, some merchants were able to secure a moderately profitable business.

For those few merchants that did manage, their key to success was diversification. The most successful merchants, such as Hogg and Campbell, of Wilmington, and the Blount, Hewes, and Blair firm, of Edenton, were involved in business activities such as money lending, exporting, importing, shipbuilding, and even cultivating land. The Glasgow firm of John Hamilton and Company operated a cooperage works, a hatters' shop, a blacksmith shop, and owned several plantations as well as being involved in various trade activities.³ Unable to

¹Wesley Wallace, "Main Themes of Early North Carolina Newspaper Advertisements," North Carolina Historical Review, XXXII, (October, 1955), 471.

²Charles C. Crittenden, The Commerce of North Carolina, 1763-1789 (New Haven, 1936), 9, hereinafter cited as Crittenden, Commerce of North Carolina.

³Hugh T. Lefler and A. R. Newsome, The History of a Southern State North Carolina (Chapel Hill, 1974), 11.

either import or export goods on a scale comparable to the New Englanders, North Carolina's merchants were forced to invest in various enterprises to achieve any degree of prosperity.

Although North Carolina's trade patterns were altered by the Revolution, the state found itself with expanded trade. While other colonies suffered from military campaigns and from prolonged occupations by British troops, North Carolina during the larger part of the war was left entirely alone by the hostile forces. Throughout the early years of the war, British strategy, particularly under the Howe brothers, focused on military campaigns in the New England and Mid-Atlantic states, with naval strategy limited to support for troops in these same areas.

The lack of a strong navy was a deficiency which might have proved fatal to the American colonies' war effort. The colonies were heavily dependent upon the commerce carried on by its major ports for large quantities of goods that it either did not manufacture or produce. However, the war proved that most ports were susceptible to British blockade. North Carolina's awareness of this condition is reflected in its efforts to establish a navy of its own, including war galleys which were to be built with the cooperation of Virginia.¹ Mahan noted in his The Influence of Seapower upon History that numerous and deep harbors "are a source of strength and wealth, and doubly so if they are the outlets of navigable streams, which facilitates the

¹Complete information concerning the efforts between the two states concerning the building of vessels for defense can be found in Still, Revolutionary Navy, passim.

concentration in them of a country's internal trade; but by their very accessibility they become a source of weakness in war if not defended."¹

Using the inverse of Mahan's observation, it might be judged that North Carolina's relative inaccessibility would become a source of strength during the war. The dangers of the North Carolina coast, which in time of peace had proved a serious handicap to trade, during the war became a valuable asset. In fact, when the ships of the Royal Navy did patrol the North Carolina coast, they found it almost impossible to check the commerce carried on by the numerous small vessels, American and foreign, which sailed through the shallow inlets and shifting channels. Not only were the major inlets, such as Ocracoke, used but minor inlets such as New Currituck and Roanoke took on a new importance. Ocracoke proved to be a particularly well suited to the wartime trade, for even when the British men of war and privateers made their occasional raids over the bar, the smaller American vessels found it possible to escape up rivers or creeks, thus evading any pursuit. Blockades did not prove to be the answer due to the dangerous storms that strike the coast, due to the lack of an adequate base of supplies, and due to an insufficient number of ships available. Because of these difficulties, the British made not sustained effort to check the wartime trade that was to flow through the North Carolina sounds and inlets.

Instead of suffering during this period, North Carolina merchants

¹Mahan, Seapower, 28.

experienced a boom in trade. Trade with the non-British possessions of the West Indies began to flourish as competition from the larger commercial states subsided. Their decline was caused by a British naval presence off nearly all of the major ports in the colonies. This British effort directed through most of the war by Lord Richard Howe did not stop all trade but was sufficient to curtail activity.

North Carolina's merchants found the ports of Curacao, Port au Prince, and St. Eustasia relatively open and free throughout most of the war. In addition, merchants from other states and countries began to utilize North Carolina as a trading point to these same West Indian ports, as well as an entry point into the colonies themselves. One merchant of Philadelphia in 1777 wrote to a fellow tradesman, "North Carolina appears to us a safe and proper port to push for We shall probably get better prices for Imports and procure goods for Exportation upon easier Terms North Carolina seems far the most eligible."¹ Patrick Henry, then governor of Virginia, spoke often of the importance of Ocracoke Inlet to the outcome of the war.

Another merchant from the New England area reported to his brother: "I recommend . . . you continue the former track say to Edenton, Baltimore, or Philadelphia. The last two places being in the hands of the English, Edenton will be the port all will

¹Letter from John Wilcocks to Isaac Gouverneur, March 31, 1777, High Court of Admiralty Records of New York, Public Records Office, London, England, copies of which can be found in British Records Collection, North Carolina Division of Archives and History, Raleigh, H.C.A. 32/283, File 76.581, hereinafter cited as British Collection

steer to."¹

It was Edenton which realized the greatest increase in trade activity. Located on the Albemarle Sound with entry through New Currituck, Roanoke, or New Inlet (Chickinacommock), Edenton benefited greatly, particularly due to its close proximity to Virginia and routes on to the Mid-Atlantic states where much of the fighting was taking place. Although the lack of port records prevents an exact calculation of activity, correspondence bears out the fact that Edenton commerce increased during the war years beyond anything experienced before that time.²

A turning point in the wartime trade of North Carolina came with the signing of the Treaty of Amity and Commerce between France and the United States in February, 1778. With this recognition came French ships carrying needed supplies, such as drugs and salt.³

British admiralty courts in New York and Jamaica were jammed with captured French vessels engaging in commerce with North Carolina shortly after this. These French ships were on the average larger than their American counterparts. The polacre Le Hardy, captured making runs

¹Letter from Benjamin Rhodes to Captain Daniel Rhodes, September, 1778, British Collection, H.C.A. 32/459, File 76.1308.

²Letter from Benjamin Rhodes to Captain Daniel Rhodes, October, 1782, British Collection, H.C.A. 32/459; Letter from Michael Payne to Governor Richard Caswell, May 16, 1777, Clark, State Records, XI, 473; North Carolina Gazette, May 15, 1778.

³North Carolina Gazette, March 6, July 10, September 18, 1778.

between Marseilles and Edenton, weighed more than 200 tons.¹ The Le Charmont was captured by a British privateer when the French vessel was carrying a cargo of salt to North Carolina. When the vessel was condemned in New York at a British admiralty court, it was listed as a vessel of 167 tons.² The brigantine L'Este, a 130-ton vessel, was captured lying at anchor.³ The French vessels, designed and built to withstand the trans-Atlantic voyage, were not very suitable for the North Carolina waters. Too large to flee up the shallow waterways, the French were, nevertheless, successful in finding a market for their goods in North Carolina. Inventories of captured French merchant vessels reveal a wide array of commodities and a surprising number of luxury items on board. Salt and drugs were the two most common necessity items while the luxury items included brandy, various wines, fine linen, and silver.⁴ Not surprisingly vessels departing from North Carolina were usually loaded with tobacco or pitch and tar.

In addition to France, several other nations were represented and involved in the North Carolina trade. Often either vessels owned by citizens of other countries or crews comprised of various nationalities could be found actively trading with North Carolina's merchants.

¹Proceedings of the condemnation of the polacre Le Hardy, June 10, 1779, British Collection, H.C.A. 32/348, Bundle 6.

²Proceedings of the condemnation of the Le Charmont, March, 1779, British Collection, H.C.A. 32/292, Bundle 16.

³Proceedings of the condemnation of the L'Este, October, 1778, British Collection, H.C.A. 32/325, Bundle 1.

⁴Inventories of condemned vessels of the New York Court of Admiralty, 1778-1779, British Collection, H.C.A. 32/302; 32/311; 32/267.

Admiral Peter Parker, who was stationed off the Carolina coast for a period, recorded in his journal the capture of several Dutch vessels, as well as the sighting of others in North Carolina ports in late 1776.¹ As late as 1782, the vessel De Goed Hoop, commanded by Lourens Steljes, also from the Netherlands, was captured in North Carolina waters by British privateers.² From Sweden came the snow Diana, a 150-ton vessel that would also be captured and condemned by the British.³

As opportunities in trade became more apparent, North Carolina experienced an increase in shipbuilding. The state's merchants and shipbuilders were successful in building a number of small vessels which could be adapted to the waterways of North Carolina and the nearby ports. The majority of these ships were schooners and brigantines. In design these two vessels were quite similar in that both used fore-and-aft rigging, both utilized only two masts, and both were usually under 100 tons, at least in the North Carolina variety. The fore-and-aft rigging proved to be particularly well suited to North Carolina's more treacherous inlets and winds. This feature allowed greater maneuverability than the square rigging. These vessels were able to lie close to the wind and tack quickly through North Carolina's narrow waters by utilizing

¹Journal of the Proceedings of His Majesty's Sloop Falcon, March, 1777, Admiralty Papers, Public Records Office, London, England, copies of which can be found in the English Collection, North Carolina Division of Archives and History, Raleigh, hereinafter cited as English Records.

²Answers of Lourens Steljes, master of De Goed Hoop, to interrogatories before High Court of Admiralty in New York, British Collection, H.C.A. 32/343

³Proceedings of the condemnation of the snow Diana, 1780, British Collection, H.C.A. 32/307, File 76.661.

sails abaft the masts. The basic difference between the brigantine and the schooner was that the brigantine utilized square rigging on its foremast for more speed on the open seas and was slightly larger.

The schooner was the forerunner of the clipper ships of the nineteenth century which is today considered one of the few original American designs.¹

In addition to these two, sloops were used. This vessel, a fore-and-aft rigged ship of one mast, was used primarily in the Albemarle Sound region and usually averaged less than fifty tons.²

Whatever the purpose of the vessel, the requirements for success in North Carolina waters were the same. The vessel would have to be well armed and designed to achieve maximum speed in and around the inlets of the Outer Banks. Not only were the same standards required of both the privateer and merchant vessel but in North Carolina one ship was often used for both purposes. Nathan Miller, in Sea of Glory, has described this arrangement as a letter of marque.³ Although the license that was granted to the vessel was called a letter of marque and reprisal, Miller points out that in the Revolutionary War there were two different classes of privateers.⁴ An armed merchant vessel whose primary task was to carry cargo but also had a commission to

¹Alan Villiers, Men, Ships, and the Sea (Washington, 1962), 245-246.

²Charles C. Crittenden, "Ships and Shipping in North Carolina," North Carolina Historical Review, III (January, 1931), 6-7, hereinafter cited as Crittenden, "Ships and Shipping."

³Miller, Sea of Glory, 255.

⁴Miller, Sea of Glory, 256-257.

attack enemy shipping if she chose was known as a letter of marque. ✓
Miller's second class was called a privateer, and this vessel was ✓
interested exclusively in raiding the shipping of an enemy nation.
These vessels, unlike the letter of marque, were not involved in
carrying goods of their own; they were concerned only with legally
raiding the trade of the British merchants.

The correspondence of North Carolina merchants involved in commerce
raiding reveals a practice of using both letters of marque and
privateers during the war. For instance, Richard Ellis, of New Bern,
wrote to Governor Richard Caswell, complaining that he had received no
commissions for "privateer Bellona and his letter of marque, the
Chatham." ¹ In his reply to Ellis, the governor explained that he
was unable to comply with Ellis' wishes since he had received neither
commissions nor letters of marque and reprisal. Such a distinction
between the type of legal document granted to either of these vessels
gives a clue as to the origin of the name letter of marque. A commission
or license was granted to privateers. However, those vessels interested
both in raiding British commerce and participating in the West Indian
or European trade were granted letters of marque, hence the name. ✓
This dual existence is reflected in the instructions sent to commanders
and captains of private armed vessels by the Continental Congress. ✓
Obedience to these rules was expected of any vessels which had

¹Letter from Richard Ellis to Governor Richard Caswell, June 28,
1778, Clark, State Records, XIII, 174-175.

"Commissions, or Letters of Marque and Reprisal."¹

Determining accurately the number of ships being employed as letters of marque in North Carolina poses a problem due to the lack of sufficient records. With commissions and letters being granted by provisional state governments, as well as the Continental Congress, no single record exists which will accurately reveal the number of either of these types of privateering vessels.² However, there are factors which permit a reasonable estimate. One of these is the average size of the crews. In the years immediately before the war, the average number of men on vessels leaving the ports of the Albemarle region was between four and seven, depending on the type of ship. The sloops coming out of these ports carried a complement of four on the average, and the larger brigantine usually carried a crew of seven.³

During the war years the complements of North Carolina vessels increased dramatically. As in any of the other areas actively involved in commerce raiding, large numbers of able-bodied and knowledgeable seamen were a necessity for the success of these vessels. Stories of depleted crews of privateers becoming victims themselves are common from this time period.

¹Instructions to commanders and captains of private armed vessels from the Continental Congress, October 7, 1780, British Collection, H.C.A. 32/328, File 76.709.

²Examples of this inadequacy of lists compiled is the one found in Appendix VII, of Gardner W. Allen, A Naval History of the American Revolution (Boston, 1913). This list makes no distinction between privateers and letters of marque. Miller, in Sea of Glory, appears to have been one of the first to make the distinction accurately.

³Crittenden, "Ships and Shipping," 2.

In addition to the vessels with privateering commissions, which would naturally show considerable increases, a number of vessels captured by the British while trading in the West Indies also showed the same increased crew size. The figures would seem to indicate a significant number of letters of marque being sent to sea.

The brigantine Jenny was an example of a letter of marque and its activities. When captured by the British in 1780, this vessel's papers revealed that she had been actively involved in trade with St. Eustasius.¹ On the voyage which resulted in her capture, the Jenny had on board eighty-five hogsheads of North Carolina tobacco. In addition to this, the brigantine carried a letter of marque and reprisal from the Continental Congress and a rather large crew of twenty-five men, at least triple the complement of vessels its size before the war. The letter of marque Vengeance carried a crew of twenty-six men.² Vessels engaged as letters of marque averaged nearly twenty-one men. The majority of the commercial vessels of the time share a similar complement, leading one to believe that many of these also carried their letters but decided to dispose of them before capture. This would have been done to avoid being prosecuted and condemned as pirates by the British.

North Carolina's merchants found it easier to sustain these large complements if their vessels carried a letter of marque. There was

¹Letter of marque and reprisal for brigantine Jenny, 1780, British Collection, H.C.A. 32/366, Bundle 12.

²Proceedings in the condemnation of the polacre Vengeance, 1781, British Collection, H.C.A. 32/348, File 76.764.

generally no shortage of seamen to fill a berth aboard a vessel which at least promised the possibility of prize money. Therefore, the merchants of North Carolina relied more and more on the letter of marque and less on the privateer for the sake of convenience in obtaining crew members and for the greater opportunity for profit.

In quantity alone, the number of vessels employed as letters of marque easily exceeded those used solely as privateers in North Carolina. The letters of marque also seemed to have a greater impact on the economy of the state as they brought in prizes, as well as the merchandise from the West Indies received through regular trading channels. Due to their success throughout the war, the letters of marque were one key to the economic survival of the state.

In addition to the geographic advantages for privateering, North Carolina also profited from British war strategy. The grand strategy of the British relegated North Carolina to a secondary status until the defeat at Saratoga. During part of 1775 and 1776 there was a British presence with which to contend. Known as the Cape Fear Plan, the British strategists planned to send a small army to Wilmington from Boston. Once there, it was to be met by a fleet of transports from Ireland. A large number of loyalists were expected to join the British forces. Numerous weather delays and the outcome of the Battle of Moore's Creek Bridge doomed the Plan. This failure was primarily responsible for the neglect of the South for the most part during the next several years.

North Carolina also benefited greatly from the decision making process of the British, which was riddled with factions and cliques.

The dominant characters in the scenario were the newly appointed Secretary of State for the American Department, Lord George Germain; the First Lord of Admiralty, John Montagu, Fourth Earl of Sandwich; and the Howe brothers, Richard and William. The decisions of these men and those around them would be absolutely crucial to the development of North Carolina's commercial and privateering interests.

— The greatest conflict within the British high command was between the Earl of Sandwich and Lord Richard Howe. The personal animosity between these two men would prove invaluable to North Carolina, particularly after Howe was appointed commander of the North American Squadron. Although Sandwich agreed that General William Howe needed the close support of the American Squadron to be effective, he was not willing to agree to any requests for additional ships at the expense of a strong fleet at home.¹

Lord Richard Howe had his own opinion as to the solution for the American problem. Unlike his patron in the ministry, Lord Germain, who proposed a vigorous prosecution of the war, Howe felt that strong coercive measures would only serve to alienate the colonists.² Instead, Howe planned to use the Atlantic Ocean as a cloak for implementing his own plans, which were to encircle and strangle resistance in the New England area, with no attention given to North Carolina. As the hopelessness of the situation became apparent to the colonists, Howe would be able to extend conciliatory measures successfully and gain

¹Ira D. Gruber, The Howe Brothers and the American Revolution (New York, 1972), 155-164, hereinafter cited as Gruber, Howe Brothers.

²Gruber, Howe Brothers, 136.

a springboard to a successful political career.

Although the Howes were confronted with a ministry which did not agree with their hope for a peaceful settlement, they were able to put their ideas into effect because the government lacked a comprehensive plan of its own. The Howes utilized the ships and men at their disposal to pursue a gradual reconquest of the middle colonies, at the same time convincing the rebels of the inevitability of British victory. Although the numerical sufficiency of the North American Squadron to support the army and to combat rebel privateers at sea is questionable, Howe showed very little inclination to pursue this strategy. Instead he chose to concentrate on the New York to Boston area. Disposition of his fleet shows forty-four out of a squadron of seventy-four ships in New York waters with most of the remainder split between British bases in Halifax and Bermuda.¹ After the failure of the Cape Fear Plan, there was often not a single British naval vessel off the North Carolina coast during the years 1776-1778.

Due to the animosity of Sandwich and the ambition of Lord Richard Howe, the British were neither able nor willing to guard the ports of North Carolina. Aside from Wilmington, North Carolina was free from the threat of British warships. At this early stage, the British might have been capable of subduing the revolt with a unified effort and a comprehensive plan. However, the British had neither, and once the French presence became a reality the war was allowed to escalate from

¹Gruber, Howe Brothers, 136.

a series of skirmishes and riots within the empire to one of world-wide proportions.

As it became more apparent that the war would not be resolved in a few short months, North Carolina's merchants found themselves freed from the threats of British naval might and with an opportunity to reap considerable profits. They discovered they had numerous advantages that could be used toward achieving success in privateering and commercial ventures. The North Carolina coastline and the vessels already deployed from peacetime trade were tailor-made for the demands to be faced in the war. The British policymakers chose to ignore North Carolina for the greater part of the war leaving the only real threats to the merchants in the form of British privateers and small warships sailing to and from the West Indies. Using letters of marque primarily, as well as some privateers, these men helped North Carolina gain significantly in maritime importance during the war.

PREPARATIONS AND LEGALITIES

During the American Revolution the North Carolina merchant interested in preparing a vessel for raids upon British ocean-borne commerce would find that there were a number of practical and legal requirements that must be fulfilled to insure success. Among these were the constructing and fitting out a vessel, choosing and purchasing armament, selecting a captain, posting bonds and procuring licenses, and obtaining a crew. Although occasionally the greedier individuals decided to forgo much of the careful planning and going through paperwork, it was more common for the owners to spend the necessary time and money to enter this enterprise legitimately.¹

Invariably, the most important consideration in assuring success was the construction of the vessel itself. A privateering vessel would need to take on as much rigging and sail as possible to reach maximum speed. However, speed was not as essential as maneuverability. The ability to utilize fully the shifting sand bars and shallow inlets was necessary for survival, particularly in North Carolina's waters.

Much of the design of vessels for privateering activities was a matter of compromise between conflicting demands. The mixing of these factors always depended upon the ship's particular task. For example, considerations had to be made relative to requirements of speed,

¹ The residents of the Outer Banks appear to have been particularly notorious for their raids upon vessels without the benefit of licenses from a government body. For particular instances of this see David Stick, The Outer Banks of North Carolina (Chapel Hill, 1958), 45-65, hereinafter cited as Stick, Outer Banks.

seaworthiness, carrying capacity, strength, maneuverability, and armament. Broad bows and sterns were best for carrying large amounts of cargo and also provided additional buoyancy for carrying these heavier weights. This conflict of needs was particularly acute in North Carolina since so many vessels were being used as letters of marque, vessels requiring speed and carrying capabilities.

Shallow draft was also a requirement which caused compromise in design. Ships with such features severely lessened a ship's ability to sail to windward, but this was necessary in order to take full advantage of all escape routes available in North Carolina waters. For a sailing ship the ability to come about and tack quickly was even more important than sailing speed. Generally a vessel with this ability could escape from a fundamentally faster vessel.

As to armament, North Carolina's merchants were no different than owners of privateers throughout North America and Europe. Essentially privateers needed as much ordnance as possible without unnecessarily weighing down the ship. North Carolina privateers would usually carry no heavier guns than those classified as four pounders, which meant the gun fired a four-pound shot. These were also called carriage guns in the correspondence of the day due to the mounting mechanism that the guns utilized. Often these carriage guns were complemented with swivel guns, which were weapons that fell between cannons and muskets and fired a half-pound shot. They were not fired on carriages but rather were used on top of wooden uprights mounted with swivels. They were much easier to obtain and were valued for close-in fighting.

Their psychological value in frightening merchant vessels was also a factor in their wide use during this period, since to look well armed was as important as the ability to throw shot.

As the war neared its end, a few of the better-equipped vessels were carrying carronades. Originally called a smasher, a carronade was much shorter than an ordinary four-pounder and somewhat lighter than a twelve-pounder. These figures are misleading since this cannon was able to fire a sixty-eight pound shot. This was possible by using a small charge in a short barrel and relying on the weight of the shot fired rather than its velocity to damage enemy vessels. This piece was so easy to use that often only two men were required to man it. Its obvious advantage was that a vessel could increase its armament without adding significant weight. The British navy made significant additions of carronades to their fleet by the end of the war and was the only navy to make a conscious effort to convert to them. North Carolina's privateers which carried carronades were very rare and probably obtained them largely through captured British ships or through private contacts in Europe.

The other vital consideration in achieving success in privateering was the choice of a captain. Such men were similar to any qualified commander on an eighteenth century vessel. The captain would find that discipline, although thought to be lax by regular navy standards, was necessary with the large complements and the great expectations of the crew members. The greed which enabled a privateer to fill up its



complement with such ease also gave their crews a reputation of being little better than thieves and common criminals.¹ Commanders of naval vessels lying on patrol and letters of marque involved in trading found their crews easily growing restless in anticipation of searching for prizes and obtaining the prize money which came with a successful hunt. Therefore, the eagerness of crews to search for lucrative merchant vessels was a problem of all commanders of vessels during this period, not solely of the captains of letters of marque.²

Competition existed for able captains among owners of all types of vessels during this period. Continual efforts were made to lure the commanders away from their ships. Charles Biddle, of Philadelphia, wrote in his autobiography of the efforts by North Carolina merchants to lure him away from the command of a merchant vessel to that of a privateer.³ The North Carolina State Navy, beset by many problems, also felt the brunt of the competitive market for able and knowledgeable captains.⁴ The enticement of a privateering profits were often enough to convince the better commanders to throw in their lot with the commerce raiders.

In choosing a captain, an owner searched for an individual who possessed a familiarity with the treacherous waters of the North Carolina coast. For this purpose, a few privateering vessels supplemented their

¹Biddle, Autobiography, 116.

²Letter from Commissioners of the King Tammany to Joseph Hewes, Clark, State Records, XI, 441-442.

³Biddle, Autobiography, 119.

⁴Still, Revolutionary Navy, 17.

officers with a sailing master, a position totally distinct from the captain. This individual was primarily responsible for the actual mechanics of sailing and specialized in the matters of navigation. This position was a carryover from the British and French systems, where historically an administrative body, such as the Board of Admiralty of England, appointed individuals to this position. Although neither North Carolina nor the Congress used the formal system as practiced in Europe, the position of master was often filled aboard ship until the middle years of the war. By that time the duties of captain and master were combined to avoid any conflicts of command.¹

Once a vessel had reached this point in its preparations, the owners of the vessel would have to procure all necessary licenses and post all bonds required by law. Regulations concerning privateering reflected the dual sphere of jurisdiction which existed in connection with this kind of wartime activity. Although the British navy would not officially recognize privateering licenses from any source, most captains preferred carrying papers granted by the Continental Congress. In North Carolina the problem of jurisdiction was compounded because of the vagueness as to the responsible governmental body. Governors Richard Caswell and Abner Nash both received requests for blank commissions throughout

¹This distinction between master and captain can be seen by examining the transcripts of condemnation proceedings of vessels and the answers of crew members to these questions. See Condemnation of L'Amite, British Collection, H.C.A. 32/267, Bundle 13, January 22, 1779; and Answers of Nathan Cheesebrough in condemnation of Friendship, April 14, 1779, British Collection, H.C.A. 32/337, File 76.723. 1-5.

the war.¹ However, the principal power to grant these letters resided in the state's Council of Safety.² This body was created at the beginning of the war from the Committee of Correspondence which existed in the state and operated as the most important administrative body during the war years. Among its responsibilities was the procurement of men, money, and military supplies. It effectively established and exercised one of the few centralized governmental authorities in the state, along with the Provincial Congress.

Upon receiving their commission or letter of marque, the owners were required to post a bond, in case of damages sought against their vessel in subsequent law suits. These bonds were based on the tonnage of the vessel, \$5000 for vessels under a hundred tons and \$10,000 for those over it.³ Most of the North Carolina vessels easily fell under the hundred-ton limit. The relative steepness of the bonds were also designed to limit the number of individuals engaged in privateering to those with substantial financial resources. Such an action would seemingly allow only the wealthier citizen to enter privateering.

After taking care of any other expenses, the owner of a privateer

¹Letter from Thomas Ogden to Governor Richard Caswell, February 23, 1780, Clark, State Records, XV, 342; Richard Ellis to Governor Caswell, May 16, 1777, Clark, State Records, XI, 473-474.

²For additional information concerning the structure of the Council of Safety, see Bessie Whitaker, "The Provincial Council and Committees of Safety in North Carolina," James Sprunt Studies in History and Political Science, VIII (January, 1908).

³Miller, Sea of Glory, 259.

would find that obtaining a crew was the least formidable task faced. ✓
Stories circulated quickly as to the riches that could be won aboard a privateer, and there was little additional need for incentive. The need for experienced sailors was usually advertised through handbills or in newspapers. The North Carolina Gazette printed notices concerning the activities of private commerce raiders and the prizes that were brought in.¹

North Carolina's vessels, sailing south from any of the state's ✓
inlets, concentrated on the lucrative trade in the West Indies. Merchants interested in either commerce with friendly islands or privateering against enemy ones found the islands of St. Eustasius, St. Kitts, and Jamaica convenient and profitable. This voyage was not considered a difficult one, as it took only four to five days with favorable winds. Rich cargoes of rum and molasses, as well as European manufactured ✓
goods not otherwise attainable, awaited those willing to take the chance.

As the war continued the British presence in the major ports of South Carolina and on the Lower Cape Fear in North Carolina seriously deterred the use of these areas as deposit sites for prizes. In order to obtain the proceeds legally from any prizes captured, a privateer ✓
was required to bring the prize into port and have it condemned at a hearing in an admiralty court. The proceedings were usually handled by the owners of the vessels working closely with a prize agent. Once

¹Wallace, "Themes of Newspaper Advertisements," 471.

the vessel had been legally condemned, vessel and cargo would then be sold at a public auction. Responsibility for conducting the sale fell primarily on the prize agent. After bringing in the prize, the ship's captain and crew had little to do with the legal proceedings and concentrated on preparations for the next voyage. Occasionally, the captain or crew members might be called upon to answer questions concerning the behavior of the privateer's crew or other factors which could be in violation of rules established by the Continental Congress.

North Carolina had several ports which regularly held admiralty court sessions. Among these were Bath, Beaufort, Edenton, New Bern, Wilmington, Brunswick, and Washington. Interestingly, sessions were held in seven different ports in the less commercially viable northern sounds. This was due to their narrow inlets and shallow sounds which often prevented British vessels from pursuing North Carolina privateers into the ports themselves. Ranging as far inland as Washington, the majority of the admiralty court judges appointed between 1776-1786 were chosen to serve at these traditionally smaller ports in the north.¹

Records relating to the appointment of the admiralty court judges are relatively scarce. Although there were at least twenty different judges appointed during the war years in North Carolina, very little is known as to their competence or their caseload. There were nearly

¹John Cheney, Jr. (ed.), North Carolina Government, A Narrative and Statistical History (Raleigh, 1975), 359, hereinafter cited as Cheney, Statistical History.

as many routes to becoming a judge as there were judges during this period. The recognized procedure was to be elected by the legislative body of the state during one of its regular sessions. However, records show that due to the irregular meetings of the Provincial Congress temporary measures were often employed in order to fill vacant posts. Jasper Carlton, Christopher Neale, and Thomas Respass, Jr., were appointed judges by the Council of Safety until the next meeting of the Provincial Congress.¹ Likewise, Richard Cogdell was appointed in December, 1776, by the Congress temporarily. Governor Richard Caswell also named temporary judges on two occasions.²

Scant records which are available show only one instance of suspicion of corruption among these judges. William Tisdale, of Craven County, who was elected to serve at the port of Beaufort, was suspended on July 12, 1781, on charges of bribery and corruption. After an examination of the charges, the suspension was removed on May 5, 1782, and Tisdale resumed his duties as judge. Records reveal that he continued to hold his position until four years after the war.³

These trials were customarily very predictable in their procedural format. Admiralty court judges were usually assisted by a jury which was usually comprised of the leading citizens of the area. Incidentally, many of the jurors were owners of privateers themselves. Usually the

¹Cheney, Statistical History, 359-360.

²Cheney, Statistical History, 360.

³Cheney, Statistical History, 361.

point contested was that requirements for the license may or may not have been fulfilled or completely fulfilled or followed. Instructions which were binding on privateers included requirements of humane treatment of captured sailors and the prohibition against ransoming of any prisoners. The one article most often used as a defense against the condemnation of a vessel was the one involving the expressly neutral status of vessels from Bermuda. This favored relationship between the American colonies and the island of Bermuda was often used to prevent the seizure of vessels as legal prizes. Frequently enterprising merchants from the southern states were suspected of conspiring with citizens of Bermuda to operate as fronts or paper owners, thus enjoying the benefits of trading with both sides during the war with a degree of immunity.¹

In admiralty cases in North Carolina, proceeds were distributed, as in other states, according to a system of lots or shares drawn before the beginning of the voyage. Since the owners of the vessel were burdened with heavy initial capital outlay and administrative costs, they usually received the bulk of the prize money, ranging from one half to two thirds of the total. The remaining portion went to the captain, his officers, and crew members. On occasion, additional lots were allotted to sailors and their families in cases which involved the maiming or death of a sailor.

After condemnation hearings were completed, it was up to the

¹Palmer v. Hussey (1777), Revolutionary War Prize Cases, M/162, Roll 2, Case 17.

prize agent to see that a good price was received from the ship's tackle, merchandise, and the vessel itself. In North Carolina there were three Continental prize agents appointed by Congress and charged with the responsibility of handling the sales of prizes brought in and condemned by Continental warships and for procuring arms and supplies for the Continental army. Correspondence between the agent in New Bern and the Board of Admiralty reveals some of the areas in which these prize agents functioned. The acquisition of salt became a high priority for the Congress; therefore, when a prize was brought into a port loaded with such a valuable commodity as this, the agent usually had orders to purchase for the government as much as possible at the lowest possible price and quickly arrange for shipping to areas most in need of it.¹ Word was usually received rather quickly concerning such a shipment, and any lack of haste was inquired into immediately by a letter or personal visit.

The Board of Admiralty, the administrative arm of the Continental Congress dealing with naval matters, carefully scrutinized the activities of the prize agents. These men, who were appointed by the Board and then approved by Congress, were required to report directly to the Board on all money which passed through their hands.² Whenever sales for condemned vessels and equipment appeared to be below market value, these officials were quick to question the agents concerning any extenuating circumstances

¹Paullin, Out-Letters, I, 246.

²Paullin, Out-Letters, I, 27-29.

which might have caused a reduction in proceeds. Reasons for this interest ranged from a desire to prevent unscrupulous men from taking advantage of their position to their own vulnerability.

An example of this concern on the part of the Board of Admiralty can be seen in correspondence with prize agents in North Carolina concerning the Tryall. Over the signature of the secretary of the Board of Admiralty, these letters expressed surprise at receiving only £ 269 for the "two thirds of the net sale of the Prize sloop Tryall taken by the Continental sloop Providence" ¹ Records are incomplete as to whether any adjustments were forthcoming from the agents involved.

In addition to their other duties, prize agents were to supply ✓ vessels in the Continental service with all necessities. They were also instructed to make monetary advances to Continental navy officers whenever they felt it was in the best interests of the country to do so. ²

On April 23, 1776, North Carolina had the distinction of being the only state to have more than two prize agents appointed and approved by Congress. Although these men were officially delegated as "agents for prizes in the several colonies," their designated ports were Wilmington, Edenton, and New Bern.

Final appellate jurisdiction on prize cases in North Carolina lay with the Court of Appeals, a national court. A forerunner of the Supreme

¹Paullin, Out-Letters, I, 230-231.

²Frank C. Mevers, "Naval Policy of the Continental Congress," Maritime Dimensions of the American Revolution (Washington, 1977), 5, hereinafter cited as Mevers, "Naval Policy."

Court, this court dealt almost exclusively with prize cases. In order to appeal a case, the appellants were required to post securities with money received from the sale of the vessel to be held by the marshall of the court until the appeal was handled. Bonds which were posted had to be sufficient to pay the full value of the vessel and cargo, as well as the costs to the appellants in case the sentence was reversed.

In North Carolina there were numerous cases that were successfully appealed. In Fowkes v. the Rosanna, Hussey, 1778, the question of whether or not the vessel Rosanna was a legal prize was the central issue. The majority of the cases reaching this point in the judicial process revolved around similar questions. Paul Hussey, the master of the vessel, stood accused of having traded with subjects of King George III contrary to the nonexportation agreements of the United States. In addition, he was accused of traitorously aiding and abetting the King's subjects in order to subdue the good people of the United States. Such accusations were often sufficient condemnation against a suspicious merchant vessel to secure a favorable ruling from a jury made up of local patriots. Despite this usually successful tactic, the Rosanna was later determined not to be a lawful prize by the Court of Appeals, a reversal of the North Carolina court decision.¹

In addition to problems such as this, there were a number of cases that involved prizes captured after the Treaty of Paris was signed in 1783. The same spirit which brought such a rush at the beginning of

¹Fowkes v. The Rosanna, Hussey, claimant, (1777), Revolutionary War Prize Cases, M/162, Roll 2, Case 20.

privateering would cause many to give it up very reluctantly. At least four cases reached the Court of Appeals from North Carolina involving prizes captured as late as 1784.¹

In the case of Boitar v. the Schooner Adventure, Young, 1784, there was considerable disagreement over the condemning of thirty-four Negro slaves as prizes. During the proceedings in the Court of Appeals, it was established that the slaves had been taken by the British at the siege of Savannah. Therefore, the attorneys for the former owners of the slaves contended that the slaves should not be considered as lawful prizes. The decision was reversed, and the slaves were restored to their former masters.

As this case reveals, the length of time for litigation to go through the judicial network on prize cases was remarkably long for the standards of the eighteenth century. The Boitar case took more than four years to finally be resolved, and this occurred in an era when proceedings which lasted more than a year were considered to be drawn out.²

The texts of appealed cases suggest that the Court of Appeals also exercised jurisdiction over matters dealing with the proper division of prize money.³ Even though letters and documents were

¹Smith v. The Sloop Mary, (1784), Revolutionary War Prize Cases, M/162, Roll 9, Case 73.

²Boitar v. The Schooner Young, claimant, (1784), Revolutionary War Prize Cases, M/162, Roll 13, Case 106.

³Deshon v. The Brigg Kitty, (1781), Revolutionary War Prize Cases, M/162, Roll 8, Case 69.

normally signed at the beginning of a voyage, it was often necessary to utilize court officials as interpreters of the instructions that were signed.

Although proper observance of the technicalities and legalities relating to privateering did not completely assure avoidance of legal problems, it was the most logical approach a merchant could take in relation to his often sizable investment. These legalities were often troublesome and expensive. However, with this came protection of a sort for North Carolina's merchants. Licenses and commissions did reduce the risk of being condemned as pirates by the British navy. No records exist which describe captains or crew members being hung as pirates due to the lack of recognition of the legal status of American privateers. Compliance with rules and regulations also offered the protection of the new government and its cooperation, however feeble that might be.

In the last analysis the complicated maze of legalities served one primary function. It was always the intent of the lawmakers to prevent privateering from becoming a totally unbridled form of legalized piracy. Instead, it was hoped that a more respectable group of men would take advantage of the situation and thus avoid the danger of having a fleet of uncontrollable pirates remaining at the completion of the war. In North Carolina the laws and rules had the desired effect. It was not the remnants of the pirates from the early eighteenth century that comprised the privateering forces but the vessels of the merchants

and leading citizens of the state that were the driving force behind the spectacular rush for prizes.

THE MEN: ROGUES OR ENTREPRENEURS

Two categories should be considered in examining individuals involved in privateering in North Carolina. The group most directly involved in privateering would be the captains and the crew members. However, there is a second group who may be the indispensable key to understanding the motives and purposes of privateers and letters of marque - the owners.

Without doubt the negative reputation so often attributed to the phenomenon of privateering was due to the reputation of their crews ✓ ashore. Shore leaves marked by wild drinking sprees and fighting have been a tradition, however, for not only privateers but also for all naval personnel.

Usually crews aboard eighteenth century vessels were divided into two functional categories, the able seamen and the landsmen.¹ The latter were considered the unskilled labor aboard a privateer. Their tasks included the pulling and straining on ropes and the general physical labor aboard the ship. The able seamen were the skilled labor on a vessel. They were employed in the task of taking in sails out of the yards. It was also these individuals that held the primary responsibilities dealing with ordnance. As holders of these positions, skilled seamen were the equivalent of today's petty officers.²

¹Antony Preston, Navies of the American Revolution (London, 1975), 89, hereinafter cited as Preston, Navies of the Revolution.

²Preston, Navies of the Revolution, 90.

Although the privateers owned by North Carolina merchants hired on sailors representing diverse nationalities, crews were composed primarily of nativeborn. As noted elsewhere, the drain upon the available experienced seamen, as well as the unskilled landmen, drastically affected both quotas for local militia units and complements for state naval vessels.¹ ✓

Despite preconceived attitudes concerning privateer crews, there apparently were few serious problems with discipline. Seldom was it necessary to use traditional methods of discipline, such as flogging with the cat-of-nine-tails, used on board regular navy vessels. With very little fighting and the possibility of generous profits, a sailor aboard a vessel going privateering offered maximum cooperation. Other than the usual unruly behavior in port, lack of discipline never became a serious problem. This should be attributed to the abundance of prizes rather than the strong hand of captains. ✓

The second group of men, the owners, must also be studied in determining the motives and effectiveness of the privateers. Whether they financed these vessels individually or in syndicates, these men had the greatest impact on the numbers of privateers actually being sent to sea. These individuals have been cited in the past as proof of the all-consuming greed which privateering caused during this period.² ✓
This point, although well taken, tends to obscure more significant

¹Petition of Certain Inhabitants of Cartaret County, November 6, 1778, Clark, State Records, XV, 146.

²James Coor et al. v. the Hanover (1778), Revolutionary War Prize Cases, M/162, Roll 2, Case 20.

and more revealing factors dealing with privateering. It would be the character and extensive involvement of these citizens that made America's and North Carolina's experience with privateering in the Revolution different from that of the experiences of other countries in previous wars.

Although not as observable as the crews and captains, the merchants and businessmen of the eighteenth century were often the catalyst behind the success of the privateers. These individuals not only provided the capital necessary to finance a privateering voyage, but also took care of all the proper formalities in making the enterprise legitimate in every way. The large numbers of privateers would not have been possible in North Carolina or elsewhere without the involvement of elements of society able to invest large sums of money and to understand the legal technicalities. More importantly they were able to lend an air of legitimacy to the enterprise of privateering. No longer was it considered the activity of rogues and pirates but was looked upon as a legitimate investment opportunity. ✓

Indicative of this involvement by the wealthier class of individuals in the Revolutionary War era is the situation in North Carolina where one could find the most distinguished names in the colony affiliated in some aspect with privateering. Names such as Blount, Harnett, Spaight, and Iredell can be found in the various legal records relating to the vessels and their subsequent condemnation proceedings apparently without fear of taint.¹

¹Letter from Thomas Blount to John Gray Blount, September 4, 1781, Alice Barnwell Keith (ed.), John Gray Blount Papers, 2 volumes, (Raleigh, 1952), I, 20-21, hereinafter cited as Keith, Blount Papers.

Also leaders in state and local government were often of necessity ✓ involved in the legal framework of granting licenses and commissions, as well as sending out privateers of their own. It was not uncommon for one man to act as a purchasing agent for the Continental Congress or the Provincial Council of Safety and be a shareholder in a syndicate financing a privateer or letter of marque.

In 1778, Governor Richard Caswell was responsible for granting and forwarding licenses, as well as appointing admiralty court judges. In addition to this, Caswell's correspondence reveals he was offered and seriously considered becoming a shareholder in a syndicate which owned the Bellona.¹

In both of these cases, as well as many others, there appears to be a definite conflict of interest. Despite this there are not records which reveal pressure, either public or private, to abstain from such actions. Either there was little public awareness of this or there was a general acceptance of this method of operation.

In North Carolina there were two men, Richard Ellis and John Wright Stanly, who were more heavily involved in privateering activities than the rest. Both were merchants, and both were businessmen heavily involved in a range of other business activities. Ellis and Stanly were not only the most active merchants in the privateering business in North Carolina but also the most successful.

Richard Ellis, resident of New Bern, seems to have been involved

¹Governor Richard Caswell to Richard Ellis, June 30, 1778, Clark, State Records, XIII, 182.

in more of the various activities and incidental business surrounding privateers and letters of marque than any other individual. Ellis, with his brother James, operated one of the more successful shipping companies in the state during the war. Together the brothers maintained business contacts in Europe and West Indies throughout the war and managed to develop one of North Carolina's most active foreign trading relationships.¹

Ellis successfully combined the profits realized from privateering and those from the more normal sources of commerce and shipping. His correspondence reveals that he was very active in soliciting commissions and licenses from all of the possible sources.² These show that he outfitted both privateers and letters of marque, thus benefiting from his old contacts and the sudden opportunities that war had given both him and the state. Ellis was also considered to be one of the most aggressive searchers for captains, frequently approaching captains of other vessels in efforts to entice them into working for him.³

The most significant aspect of Ellis' privateering career was the deep clash between his public duties and his apparently strong personal ambition for monetary gain. Ellis' involvement in many of the various

¹Indications as to the extent of the Ellises trade involvement can be found in the answers to interrogatories of Joseph Shute at the condemnation proceedings of the L'Amite, British Collection, H.C.A. 32/267; and in a letter to Dr. T. Burke from Richard Ellis, July 20, 1778, Clark, State Records, XIII, 459-460.

²Letter from Richard Ellis to Council of Safety, July 15, 1776, Correspondence of Council of Safety, Box 308.

³Biddle, Autobiography, 120.

buying and selling activities which often accompanied successful privateering ventures shows that he was not merely an absentee owner of several vessels. Instead he found it either necessary or perhaps enjoyable to become totally involved with the various aspects of the enterprise.

There is ample evidence of Ellis' involvement in procuring and selling arms and supplies to the Continental Army and the state navy. Chosen as a commissioner to fit out the brig Pennsylvania Farmer, a state naval vessel, and also serving as the Continental prize agent for the port of New Bern, Ellis found opportunity to sell much of the merchandise obtained in his gains from captures of prizes.¹ Vouchers to the Council of Safety and the Continental Congress are sufficient testimony to his efforts.²

Frequently, Ellis wrote to the Council of Safety offering to the state gunpowder and imported small arms for its war effort.³ Ellis usually emphasized the fairness of his small profit considering the heavy risk involved. Records show that he was usually successful in

¹Letter from Commissioners to fit brig Pennsylvania Farmer to Council of Safety, 1776, Secretary of State Papers, Correspondence of Council of Safety, Box 307, Division of Archives and History, Raleigh, hereinafter cited as Correspondence of Council of Safety. Others listed as commissioners were Joseph Leech and David Barron.

²Resolutions of the Council of Safety show Ellis being paid "\$2850 for 1900 wt. of Gun powder imported for use of the public." Journal of North Carolina Council of Safety, June, 1776, William Bell Clark and William J. Morgan (eds.), Naval Documents of the American Revolution (Washington, projected multi-volume series, 1965-), VI, 777-778, hereinafter cited as Morgan, Naval Documents.

³Richard Ellis to Cornelius Harnett, June 13, 1776, Correspondence of Council of Safety, Box 307.

obtaining just that.¹

Through his company and with the assistance of Benjamin Franklin, Ellis was able to operate a French vessel, L'Amite, between France, North Carolina, and St. Eustatius.² Although the ownership of the vessel was in the name of the Ellis brothers, it appears this was done to cover any French involvement before the Treaty of Amity of 1778 was signed.

John Wright Stanly was the other merchant who had a substantial investment in privateering operating from New Bern. As a partner in the company Stanly, Stanly, and Green, he was also one of the most influential and successful merchants in the state. Character references abound which clearly point to this honesty and his devotion to the patriot cause.³ Wealthy enough to enter the market for sloops and brigantines without the encumbrances of a syndicate, Stanly's fleet of privateers and letters of marque undoubtedly was numerically significant. His losses alone are estimated to have run as high as fourteen vessels either captured by the British or lost at sea during the war years.⁴

¹Resolution to Either of the Public Treasures from the Provincial Congress at Halifax, December 21, 1775, Clark, State Records, X, 352.

²Condemnation Proceedings against L'Amite, British Collection, H.C.A. 32/267, Bundle 13.

³Letter from William Tisdale to Council of Safety, August 31, 1776, Clark, State Records, X, 464.

⁴The highest estimates of Stanly's losses are made by Gertrude S. Carraway in the Sun Journal, New Bern, North Carolina, August 16, 1974. This is based on accounts in the North Carolina Gazette, August 8, 1777.

From the number of licenses and commissions being granted to him and from the records of British captures, it can be determined that Stanly preferred sending out a letter of marque rather than a privateer. Many of his vessels caught by British patrols or privateers were heavily loaded with merchandise from ports in the Antilles. For instance, the letter of marque Anne, loaded with tobacco, tar and turpentine, was captured by the British privateer Lady Dunmore while en route to St. Eustasia.¹

In addition to apparently owning and operating more privateering vessels than anyone else in North Carolina, Stanly enjoyed seeing his privateers bring in some of the most valuable prizes into the state during the war. In September, 1780, Stanly's ship,

"arrived in Wilmington and brought in two Armed Brigs, one from Grencock, in Scotland, with the most valuable Cargo ever imported into this state, and a Gen'L Assortment; the other from St. Kitts with dry goods, Rum, Sugar and Fruit.

In the Prize from Scotland a large Qy of bottled porter, 150 Hampers of Cheese, a large Qy of Teas and Sugar, all sorts of Dry goods and hardware, 3 or 400 bolts of Canvass a large Qy of Oznaburgs Claret, Red Port, and Old Hoe Sadlery"²

Estimates as to the value of the cargo alone ran in excess of £ 15,000 sterling. After including the value of the vessels themselves, Stanly undoubtedly received a huge return on his investment on this one prize alone.

Like Ellis, Stanly was also very active in a range of activities

¹Condemnation proceedings against the Anne, September 26, 1779, British Collection, H.C.A. 32/270, File 76.440.

²Letter from Michael Gorman to Governor Abner Nash, November 5, 1780, Clark, State Records, XV, 71-72.

related to the defense of the North Carolina coastline. He had been chosen as a commissioner for the defense of Port Brunswick and appears to have been a steady supplier of goods ranging from canvass, pork and cordage to at least forty-seven hogsheads of rum.¹

With both Stanly and Ellis residing for some time during the war in New Bern, it was very natural that an air of competition existed between the two. Even on holidays and other occasions which called for a show of patriotic fervor, the two men sought to outdisplay the other. The North Carolina Gazette and the correspondence of the citizens of New Bern remarked of this competition especially on days such as the Fourth of July when the firing of celebration volleys first from Stanly's Wharf and then from several of Ellis' vessels reverberated throughout the city.² There was also a generous amount of liquor given out by the two men to insure a festive mood.

Stanly and Ellis, despite the size of their operations, appear to have been quite typical of the North Carolina privateer owner. All accounts and descriptions of the two men show them to be clearly on the side of the patriots. The correspondence of the two also indicates their awareness of the war effort and the role that they were playing. They were able to combine their sense of patriotism to the revolutionary cause with a profit making enterprise utilizing their vessels and contacts developed in peacetime.

¹Resolution to Either of the Public Treasures, Journal of the Provincial Congress in Halifax, December 21, 1775, Clark, State Records, X, 352.

²North Carolina Gazette, July 4, 1778, Clark, State Records, XXII, 758.

Despite the apparent conflicts between public position and responsibility and their own private interest, these men should not be looked upon as being merely profiteers. There was very little of a black market upon which their goods and prizes could be sold. Instead they were bought at open public auctions or sold to the state with the approval of the Council of Safety or other functioning government bodies. All these channels were legitimate and open to public scrutiny.

Among the collaborators of Ellis and Stanly were governors, judges, and members of the Continental Congress.¹ This representation does not signal collusion or conspiracy on their part but instead reveals the image which privateering had attained in North Carolina. It was no longer merely a useful tool of military strategists which was dominated by cutthroats and rogues, but had become a legitimate business venture controlled by men of the highest principles.

Perhaps the best testimony to the ethics and motivations of those involved in fitting out and sending to sea privateers was the situation which remained after the war. In describing privateers, historians have often defined them as pirates cloaked with the licenses and commissions which war provided.² Evidence of this has been found in the proliferation of pirates once peace returned. Certainly in Europe and in North America in the earlier wars between England and France this was true. Peace brought pirates such as Blackbeard, William Kidd, and Henry Avery, all of whom ✓

¹Governor Richard Caswell to Richard Ellis, June 30, 1778, Clark, State Records, XIII, 182; Keith, Blount Papers, I, 20-21.

²Among these are Miller, Sea of Glory and Chidsey, The American Privateers, which were mentioned earlier.

had been privateers during war. The "Golden Age of Piracy" was a direct result of the peacetime which put privateers out of business. No longer able to steal and plunder legally, these men decided it would be much easier to retain their way of life and evade any authorities who tried to put a premature end to it.¹

After the American Revolution, there was a complete contrast with the earlier periods. There were no dens of pirates to clean up; neither were there more than a few cases of pirates anywhere on the North Carolina coast during the immediate aftermath of the Revolution. These for the most part were often privateers getting in last minute captures, if such activity did continue. This lack of pirate activity cannot be attributed to the threat of a strong navy, either British or American. At the conclusion of the war, Continental navy muscle was allowed to atrophy, and the British no longer posed a direct threat with their blockades and patrols. Enticement for potential pirates who had previously been privateers seemed to be in no short supply. Trade routes between the major ports to the north and Europe and the West Indies began to recover from the strains of war bringing wealthy merchant vessels within easy striking distance. Yet pirate activity did not materialize.

Had these privateers been operated in the same fashion as had earlier ones, this golden age of privateering during the American Revolution would have been followed by a period of piracy. They were not the

¹Douglas Botting, The Pirates (New York, 1978), 24.

same, and this difference can be largely attributed to the owners and their perspective concerning privateers. Their approach to privateering was similar to that of any businessman pursuing a legitimate investment opportunity. Upon the conclusion of the war, they simply sought other means to make their profits, turning their capital to other legitimate areas.

BRITISH PRIVATEERS

The merchants of North Carolina were not the only individuals that had privateers sailing off the coastline of the state. To most North Carolina patriots, it was not the British army or navy but the swarms of British and loyalist privateers that proved to be the greatest threat. With the British navy unable and unwilling to station patrols to check the wartime trade passing through North Carolina's inlets, it was these privately owned vessels loyal to King George III that proved to have the greatest impact and pose the most serious threat to the safety of the inhabitants of the North Carolina coastline.¹

Newspapers and correspondence during the war years reflect the constant fear of these enemy privateers. Construction and maintenance of a state navy was a direct result of fear of enemy privateering vessels and the havoc they created.² Occasionally attacks were directed at the ports and citizens of the state themselves in addition to the merchant vessels. Incidents such as those involving raids on livestock by sailors from enemy privateers served notice of their almost constant presence.

These privateers included within their ranks both inhabitants of England and Scotland as well as American loyalists. In sloops and brigantines these men were able to utilize bases in Bermuda and British-controlled ports such as New York. They were also able to obtain some support from the British navy. Prizes were carried into New York and

¹

Still, Revolutionary Navy, 1-6

²Norman Delaney, "Outer Banks of North Carolina During the Revolutionary War," North Carolina Historical Review, XXXVI (January, 1959), 1-16, hereinafter cited as Delaney, "Outer Banks."

Jamaica where condemnation proceedings were held.¹

The most notorious enemy privateer in North Carolina and Virginia waters was John Goodrich. Goodrich, a native of Portsmouth, Virginia, was a substantial landholder who felt that his interests and property would remain secure by actively supporting the British.² Working directly for the Virginia governor, Lord Dunmore, in the early years of the war first as a superintending pilot aboard the Otter Man of War and later as captain of the Lilly, Goodrich became by war's end one of the most despised men in both North Carolina and his native state of Virginia.³

During early encounters with North Carolina vessels, Goodrich achieved his notoriety by acting as guide for vessels loyal to the British. He became more aggressive after an experience which must have caused him a great deal of humiliation. Sailing the tender Lilly in 1776, Goodrich was able to slip in through Ocracoke and capture the American merchant vessel, Polly.⁴ After placing a prize crew aboard the merchant ship, Goodrich suddenly found himself and his prize captured mistakenly by the Fincastle, a British privateer. This was compounded later by his capture at the hands of the pilots of Ocracoke under the cover of darkness.

¹Although admiralty court records show that vessels captured by Parker while on patrol were sent to Jamaica, most North Carolina vessels were taken to New York to be condemned as lawful prizes, see British Collection, H.C.A. 32/277; H.C.A. 32/348, file 76.764; H.C.A. 32/292, file 76.602.

²David Stick, The Outer Banks of North Carolina (Chapel Hill, 1958), 45-46, hereinafter cited as Stick, Outer Banks.

³Journal of the Provincial Congress at Halifax, April 30, 1776, Clark, State Records, X, 549-550.

⁴Letter from Thomas Jones to James Iredell, April 28, 1776, Clark, State Records, X, 1035.

With a skeleton crew of Negro slaves, Goodrich was taken prisoner.

In less than two years, Goodrich was back in Ocracoke, only this time he would prove to be a more cunning and dangerous enemy. Goodrich was able to outmaneuver the pilots at Old Topsail Inlet and thereby gained access to several merchant vessels lying at anchor.¹ Apparently motivated by revenge rather than profit, Goodrich proceeded to burn both vessels when he found he would be unable to take them out to sea.

The exploits and misdeeds of Goodrich grew more numerous as the war continued. In May, 1778, he cooperated with a Captain McFarling, in a sixteen-gun brig, and Captain Neale, in a ten-gun sloop to threaten any merchant vessels coming through Currituck Inlet.² Captain John McLean, a Scotsman, also sailed just off Currituck Inlet at this time and subsequently became as notorious to the Bankers as Goodrich.³ The control of this particular stretch of North Carolina coastline became so rigidly held by these enemy privateers that Virginia's Congressional delegates complained to Cornelius Harnett of an enemy privateer named Goodrich and his fleet of cohorts and the threat they presented to vessels in the Cape Henry area.⁴ This was done with the mistaken belief that Goodrich was a North Carolinian, and it was the responsibility of the North Carolina

¹North Carolina Gazette, March 15, 1778, Clark, State Records, XIII, 285.

²North Carolina Gazette, May 15, 1778, Clark, State Records, XIII, 418.

³North Carolina Gazette, July 17, 1778, Clark, State Records, XIII, 459.

⁴Letter from Cornelius Harnett to Governor Richard Caswell, September 15, 1778, Clark, State Records, XIII, 219.

government to control these activities.

For the remainder of the war this pattern of activity continued as Goodrich seemed intent on destroying vessels and livestock at every available opportunity.¹ He also continued to work in cooperation with other privateer vessels and the British navy against the patriot cause. One such expedition involved a united attack with British land and naval forces against Hampton Roads and Portsmouth, an effort that achieved some success.²

It is extremely difficult to determine whether or not these loyalist privateers were motivated by revenge as was the case with Goodrich. There is no doubt, however, that many were primarily interested in the profit factor rather than further weakening the patriot cause. The only difference between these British privateers and those financed by the North Carolina merchants appears to be the rather distant security provided by the British navy.

The practice of carrying clearance papers and privateering licenses for both sides was an indication of the desire for profits and a willingness to bend the admiralty laws in order to take advantage fully of the situation. The use of this tactic reinforces the idea that loyalty to the British empire was less important than making profits. One account given during condemnation proceedings in a New York vice-admiralty court clearly illustrates the confusion which often prevailed with

¹North Carolina Gazette, July 17, 1778, Clark, State Records, XIII, 459.

²Letter from Colonel H. Murfree to Governor Abner Nash, November 5, 1780, Clark, State Records, XV, 143; Letter from General Isaac Gregory to Governor Nash, November 24, 1780, Clark, State Records, XV, 156-157.

a practice being implemented to insure maximum profit.

John Kerr, a loyalist merchant from Virginia, fled to Scotland with the outbreak of the Revolution in 1775, leaving his property behind.¹ Upon returning to Virginia in order to ship his personal property to Scotland, he found himself in danger of being conscripted and fled to Edenton and later Beaufort. During this time he met John Cunningham, who was fitting out the privateer Nancy. Through the contacts and help of this man, Kerr was able to secure a sizable portion of his property to carry back to Europe. In December, 1781, Kerr returned to the colonies, this time to New York, which was held by the British. Here he devised a plan to use the protection of a New York privateer, the Caty and Polly, to return to his former home and recover the remainder of his belongings. Unfortunately, the loyalist vessel was attacked while Kerr was ashore by a patriot whaleboat, and he was abandoned. Carrying a privateering commission signed by British officials and accompanied by several of the crew members also left behind, Kerr made his way to Winton, North Carolina, where he bought the sloop Industry. Kerr revealed his loyalties to only a few of the crew members and was prepared to show papers to either side if challenged.

However, several of the new crew members learned of his plans to sail to Glasgow, and they abandoned ship in the Albemarle Sound. Badly undermanned, the Industry, now technically a British letter of marque,

¹Answers and claim of John Kerr before the New York Court of Vice Admiralty, May, 1782, British Records, H.C.A. 32/361, file 76.835.

was captured by the British privateer Surprise several days later. The court eventually decided that the Industry was not a legitimate prize despite the Continental paper she carried giving her clearance into rebel-controlled ports.¹

Although various ruses de guerre or tactics seemed to help insure profits and safety for anyone participating, there seems to have been no effort on the part of the large British merchant companies to participate in privateering. There was no parallel with the North Carolina experience of the larger merchants seeking to increase their profits through privateering.

Part of this lack of activity came from the strongly held view by British shipmasters that privateering was not financially rewarding. According to their own statistics only eight American merchant vessels were captured during the first two and a half years after the outbreak of the war. A common sentiment held by members of the House of Commons was that letters of marque were hardly worth taking out.² Such activities were thought to be of little economic value unless an American tobacco ship was taken. Vessels carrying this commodity were considered quite valuable. The odds of this happening and thus coming home with a substantial profit were comparable to winning a lottery. Despite this overwhelmingly negative outlook on privateering and its chance for success,

¹Sir George Trevelyan, George The Third and Charles Fox, The Concluding Part of the American Revolution (New York, 1912), I, 14, hereinafter cited as Trevelyan, George The Third.

²Trevelyan, George The Third, I, 176.

some of the smaller merchants did participate. After the war spread, the capture of American, French, and other vessels trading with the colonies rose to about two hundred and fifty.¹

The growing annoyance of the British is reflected in the correspondence of the seamen and merchants. These individuals were appalled by the number of ships being taken by American and French privateers without reciprocal action being taken by British warships.² Merchants and seamen with commercial interests felt strongly and expressed the opinion that the first duty of the government was to protect British trade. Once this was effectively secured, then the residue of the fleet could be dispatched to blockade ports and disrupt the enemy's commerce.

This attitude is typical of naval policy followed by most of the European countries of the late eighteenth century and of the British in particular. With a commercial empire which was becoming the envy of the western world, the British mercantile interest did not feel that it could afford to divert attention away from normal trade in order to prey upon American shipping. Instead the British seemed content to utilize its powerful navy in support of military operations on land and to protect its extensive commercial holdings.³

The large numbers of British privateers observed off the North Carolina coast can largely be attributed to a significant number of

¹Trevelyan, George The Third, I, 176.

²Robert Nesser, The Cruises of Gustavus Conyngham, Letters and Papers Relating to it (London, 1970), 55, hereinafter cited as Nesser, Conyngham.

³Nesser, Conyngham, 55-56.

loyalist vessels. There was little threat from American and state naval vessels and with the added protection of the British navy, which was available at various times during the war, these privateers were reasonably safe in their efforts to raid American commercial interests. Their numbers were particularly impressive during the closing stages of the war. By 1781 vessels carrying British privateering licenses were nearly equal in strength to those with American licenses off the North Carolina coast. Although it is impossible to determine the number of North Carolina citizens on board these ships, familiarity with the inlets and shifting bars of the coast would have been a necessity for their occasional excursions. ✓

The tactics of the British privateers appear to have been different from those of the Americans. It was much more common for a pair of British vessels to bring in a single prize than for Americans to pursue prizes in this way. For instance, in February, 1779, the privateers Achilles and Hector captured the French merchant vessel Le General Gathe near Edenton. These vessels were owned by the same individuals and apparently worked quite well together during the war.¹

Due to their small size and adaptability to the shallow sounds and inlets British and loyalist privateers crossed the bars frequently to capture slow, poorly armed merchant vessels. At times pursuit continued up rivers and coves which before offered sanctuary from the British warships. Sailors aboard the privateer Who'd have thought it testified

¹Interrogatories conducted at condemnation proceedings usually requested basic information as to sailors' backgrounds, in addition to their objectives and loyalties.

in New York's vice-admiralty court of pursuing the polacre Le Hardy into Ocracoke Creek.¹

British and loyalist privateers were subject to the same desires for profit from privateering as their patriot counterparts. However, loyalists were not affected by the traditional European viewpoint towards privateering that looked upon this activity as a secondary operation of war with only minor economic repercussions. Instead, they subscribed to the American theory that commerce raiding was a profitable and legitimate business enterprise that might help their side in the war effort.

¹Proceedings of the condemnation of the polacre Le Hardy, June 10, 1779, British Collection, H.C.A. 32/348, Bundle 6.

EFFECTS AND CONSEQUENCES

Records, newspaper accounts and correspondence clearly reveal that privateers and letters of marque operated in North Carolina's waters throughout the Revolutionary War. Although the vagueness of the available statistics prevents an accurate comparison with states such as Massachusetts and New York, there is no doubt that a significant number did utilize the advantages that North Carolina offered.

One of the most closely scrutinized effects of privateering has been its military impact upon the American Revolution. The privateer has received scathing criticism for its military impotence and its lack of a concerted effort against the British. In comparison to the powerful British navy, the American privateers have been likened to mosquitoes, an annoyance which posed no serious threat.¹ This impression is easily understood when one compares the statistics of a British ship of the line to those of an American privateer.

Fortunately for the American cause, the Revolution was never fought on conventional terms on land or water. The American navy was not a formidable force to contend with despite the individual success of vessels such as the Bon Homme Richard. The bulk of the American maritime force confronting the British were privateers. In sheer numbers they represented a sizable contingent, but they wisely did not often attempt direct attacks on British naval forces. Never during the war did the Americans mount a serious challenge to British superiority at sea.

¹Chidsey, American Privateers, 20-25.

Even during the last years of the war, battles were seldom fought using the conventional tactics and methods that characterized naval warfare during the eighteenth century.¹

Although the American privateers could not challenge even a second or third rate British vessel, their presence and activities did profoundly affect the British war effort. Operating with no central location and under no central command, privateers were never successfully curtailed by the British. The success of privateering upon British commerce was at the very least sufficient to cause considerable outcry from the merchants directed at the King and His ministry. This souring of public opinion led to formal petitions and to complaints in private correspondence suggesting the use of naval vessels for convoy duty.² The net result of these actions would be an increasing ineffectiveness of British naval policy and a general decline in British morale. Naval policy became a chameleon with conflicting demands and pressures being made upon it by several factions, each trying to protect its own interest. Lord Richard Howe, the Earl of Sandwich, and the merchants all advocated different actions from the British navy.

In addition to this, privateers in North Carolina area were successful in preventing the British from establishing the one thing necessary for an effective blockade and patrol off the North Carolina coast--a secure line of supplies. Numerous vessels carrying badly needed material and

¹The best discussion of eighteenth century naval tactics as used by the European navies is found in Alfred Maham, The Influence of Seapower upon History (New York, 1890), 365-400.

²"Memorial of 66 Merchants," British Collection, CO 5/116, ER 12-20.

food were intercepted en route to British vessels stationed off the Cape Fear.¹ Included among these supplies were fruit, turtle meat, and perhaps the most precious commodity, salt. Reports from Peter Parker, the British commander, to officials within the British admiralty repeatedly point out the desperate need of supplies to maintain patrols around the mouth of the Cape Fear.² The need for fresh meat became so desperate that the British were forced to steal from the Bankers.³ Without a secure line of supplies, the British were unable to prevent the stream of trade going through Ocracoke Inlet into the battlefields to the north.

Interception of British supplies not only meant weakening the enemy, but also meant that needed food and arms were being obtained for the American war effort. Although these items were sold and not given to the Continental agents and officials, privateers provided access to them. Buyer and seller had little trouble getting together as often they were the same individual. Charges of excessive profits appear to be unfounded. Imports, for instance, on a letter of marque of such items as gun powder, small arms, and bayonets usually did bring a profit; however, often the owner stood to lose considerably by choosing

¹North Carolina Gazette, October 24, 1777, Clark, State Records, XI, 787.

²Journal of Admiral Peter Parker, April, 1776, English Collection ADM 486, File 2.2.

³Journal of Admiral Peter Parker, July 8, 1776-1777, English Collection, ADM 51/694, File 72096. 108.

arms rather than more profitable commodities such as molasses or rum.¹ Military supplies were more difficult to locate and usually took time to arrange for their loading. When time meant money, as in these cases, a delay of several weeks could mean losses as high as twenty-five percent.²

This infusion of war material enabled the Continental army to fulfill its most important objective--keeping an army in the field. Whether these supplies were shipped in by letters of marque or captured and sold by privateers to government agents, they were essential for the successful continuation and conclusion of the war.

The single greatest impact privateering would have on North Carolina would be in the economic area. All of the newly formed states, including North Carolina, faced a more serious problem in the financial disruption caused by the war than in direct military threat from the British. Faced with operating a war with an empty treasury, very little specie, and very little secure trade, North Carolina and the other colonies soon felt the brunt of an ever accelerating inflation rate. The Continental Congress and the North Carolina Provincial Congress were forced to issue paper currency in order to raise and supply forces in the field and to send ships to sea. This was done largely in the form of bills of credit. Depreciation of this currency became such a problem that scores of laws were passed to stop the slide into economic anarchy.

¹Richard Ellis to Cornelius Harnett, June 13, 1776, Correspondence of Council of Safety, Box 307.

²Although these figures were given by Ellis in this correspondence, figures given by Christopher Crittenden, The Commerce of North Carolina, passim, seem to substantiate this claim.

Among these was a law which made counterfeiting punishable by death.¹ The general futility of these laws is evident by the state legislature's recognition of an 800 percent depreciation of its currency in relation to specie near the end of the war.

Several possible solutions existed. Regardless of the type of inflation and the reckless expansion of the supply of bills of credit, an increase in consumer goods would have greatly reduced the intensity of the inflation. If an increase in the production of economic goods were to occur, this would offset increases in the money supply. Unfortunately, a war fought within one's own boundaries was extremely destructive to consumers' goods and capital goods, as well as manpower.

Without being fully aware of it, government officials found two avenues by which they were able to combat their problems and offer some relief to the situation. Perhaps the step most consciously taken was the confiscation of Tory property. Although this practice has often been looked upon rather negatively, it did serve several purposes. Such action did improve morale for the Whig side and tended to keep loyalists from becoming too vocal in their support of the British. It also brought in revenue to the continually empty state treasury. Even with the numerous land holdings taken by the state government, this method of easing inflation and currency depreciation was never effective.

The second method was a direct contribution of privateers. By depositing prizes, and more importantly their captured cargoes, in North Carolina ports to be condemned, privateers brought in needed

¹Lefler and Newsome, History of a Southern State, 234.

consumer goods. Through the successful use of letters of marque and privateers, North Carolina merchants were able to bring in the goods necessary to prevent inflation from completely demobilizing all the sectors of the state's economy.

North Carolina, like the other states, suffered from two fundamental economic problems during the war, inflation and currency depreciation. These two problems, although very closely intertwined and related, must be separated to evaluate their impact in the peculiar economic environment of America in this period. Whereas the continual devaluation of both Continental and state currency reached awesome levels, the rate of inflation might have been even more crippling without the flow of goods brought by letters of marque and privateers.

Even before the war, merchants of all the states were forced to recognize the disadvantages of trading under a mercantilistic system where specie was designed to be continuously flowing to the mother country. Various petitions from the colonial assembly underscore this legally recognized discrepancy between debts paid in paper currency and those paid in specie.¹ Often these differences were as much as 100 percent.

The war continued this pattern, as the various legislative bodies attempted to introduce paper currency to be used as a medium of exchange. Prices did become wildly inflated in terms of the issued paper currency. However, prices in specie remained lower which would clearly indicate

¹Petition to Lords Commissioners For Trade and Plantations from Merchants in London who trade with North Carolina, March 3, 1759, Saunders, Colonial Records, VI, 16-17.

a weak currency but not an overpowering structural inflation. Solutions to the monetary crisis included an increased faith and confidence in the government body issuing the currency or the backing of the currency with large amounts of specie. Neither solution would be used to resolve the problem completely for decades.

The amount of specie brought into North Carolina by privateers was insignificant. Although several vessels were captured which contained moderate sums of specie, there was not an amount sufficient to alleviate the desperate nature of the money supply in North Carolina.

Even though privateers did very little to solve or cope with the state's monetary problem, they did offer a needed assistance in solving the problem of inflation. North Carolina ports in particular benefited greatly from the huge quantities of goods seized by American privateers and deposited for condemnation. Cargoes and vessels condemned in North Carolina admiralty courts and later auctioned off in these port cities ranged from luxury items for the wealthy, such as fine wines and cheese, to items of necessity, such as clothing and food.

Of the prizes brought into North Carolina waters, most were products of the West Indies trade. Included aboard these vessels were large quantities of rum, molasses, tropical fruit, and turtle meat.¹ Also captured were vessels bringing finished manufactured items from England to the islands. Since the colonies were now being denied access to this trade, such merchandise filled a void. Dry goods, linen and various

¹Letter from Governor Richard Caswell to William Caswell, February 8, 1776, Clark, State Records, XV, 686.

clothing items were among these badly needed articles.

With these possibilities of a merchant vessel loaded with profitable goods waiting for them, privateers could turn into a gold mine for their owners and crew. In addition to a rich cargo, the vessel being condemned was worth at least as much and often more in prize money. Before the war, the cost of building a ship in North Carolina ran as high as £ 5 10s per ton with an additional £4 10s per ton for the equipping of the vessel.¹ With inflation and increased demand during the war, the capture of the vessel itself could bring a large sum of money into the hands of the owners of a privateer. Bills of sale show John Wright Stanly received over £ 5,000 for the small brigantine Sally during the early years of the war. Based on the average costs of building and fitting a vessel of this size, the same vessel might have been purchased for under £ 1,000 before the war.

There are numerous accounts of vessels bringing in prizes exceeding £ 30,000 in value from one voyage. [In October, 1777, the North Carolina Gazette reported that Captain Palmer of the privateer Nancy captured a _____ British vessel called the Severn worth £ 40,000 sterling and a scow called the Invermay loaded with rum and staves with a total worth of over £ 35,000.² Another of the extremely successful voyages of a privateer resulted in a captured vessel loaded with 600 hogsheads of rum and 800 hogsheads of sugar and the recapture of a French vessel loaded with salt. Estimates

¹ Crittenden, The Commerce of North Carolina, 14.

² North Carolina Gazette, October 3, 1777, Clark, State Records, XV, 146.

of the worth of these particular captures ran as high as £ 75,000 - 100,000 sterling, not continental script.¹

Although there were quite a few cases of financially rewarding privateers on such a grand scale, this was not the norm. These success stories made the headlines and received the attention of the public. They also served as incentive to many who envisioned making their fortunes with such apparent ease. Yet there were many more cases of vessels lost at sea or captured by the British that did not make the headlines.

The success of the letter of marque has been badly overlooked primarily because of a comparison to the privateer. Though not nearly so glamorous or so spectacularly profitable as the privateer, the letter of marque was generally much more successful over the course of the war. Very little effort was wasted searching the sea for potential prizes aboard a letter of marque. Expense accounts for operating privateers indicate that these vessels often spent six to ten months at sea with only limited success.² The letter of marque spent the majority of its time trading with French-controlled islands in the Indies and friendly European ports. If a low-risk prize did become available to a letter of marque, it might then take advantage of its situation and give chase. With its dual objective, the letter of marque was better able to utilize its time at sea and was thus able to insure a more consistent profit.

¹North Carolina Gazette, September 19, 1777, Clark, State Records, XV, 146.

²Account of Brigantine William found in Treasurers' and Comptrollers' Papers, Box 25, October 15, 1775, through November 15, 1776.

Certainly the letter of marque faced disadvantages not shared by a privateer. Trade routes were predictable, thus narrowing the target area for British privateers and naval vessels. Since most letters of marque were heavily involved in trading, once loaded they were often easy prey for the enemy. This is evidenced by the large number of letters of marque captured and condemned in the New York vice-admiralty court.¹

Despite these problems, letters of marque were sent to sea in large numbers in North Carolina. With consistent profits to entice the owners and motivation of possible prize money dangling before interested sailors, there seems to have been no problem in bringing owner and crew together.

Cargoes of tobacco, tar, turpentine and indigo were exchanged for drugs, rum, and salt. Of these commodities, it was the last that received the most attention. Salt became one of the most sought after items in the war and could be found aboard over half of these vessels captured by the British.² Announced sales aboard either a letter of marque or captured merchant vessel brought the attention of government officials and prize agents looking for the possibility of salt in the cargo.³

An overall view of the contributions made by the privateers and letters of marque shows several important developments within the Revolutionary economy. The large number of letters of marque being sent to sea indicates

¹Office of the Register of the Court of Admiralty of New York, English Collection, Pro Adm 1/3885.

²Condemnation Proceedings, British Collection, H.C.A. 32/267, File B/13; H.C.A. 32/292, File 76.602; H.C.A. 32/343, File 76/738.

³To Richard Ellis, May 25, 1778, Paullin, Out-Letters, I, 246.

that the economy was not in a depressed state. The rate of investment among North Carolina merchants in privateers and letters of marque shows that North Carolina did not experience the paralyzing conditions of pre-Nazi Germany, which combined a total collapse of monetary standards followed by a severe depression. Nor was this investment trend the work of a few of the very wealthy at the top of society. These investors were usually parts of syndicates with shares in prizes split accordingly. Although large investors, such as David Barron and John Wright Stanly, did tend to dominate, there appears to have been ample room and opportunity for the small investors as well. Accounts for the brigantine William show some members of the syndicate holding less than five percent shares.¹

Another important effect of commerce raiding deals with the goods themselves. Certainly the capture of items such as salt, clothing, and military supplies helped satisfy the direct needs of the revolutionaries and North Carolinians in particular. However, the impact of this captured merchandise went far beyond those few who enjoyed the benefit of those items. An income multiplier effect resulted from this which enabled many to withstand the financial turmoil surrounding them. This increase in expenditure and investment by merchants led ultimately to a change in total income as money was spent and respent. Such an effect worked in precisely the same manner as a new factory opening up in an area. Even if the economy became so disrupted by the monetary crisis that it was forced into a barter type, the goods themselves would have had a

¹Account of Brigantine William found in Treasurers' and Comptrollers' Papers, Box 25, October 15, 1775. The following men appear to have held such small shares: Edward Batchelor, James Saunders, and Richard Ellis.

strong relieving impact.

Even more important, in light of the income multiplier effect, is the number of out-of-state privateers utilizing North Carolina ports as sanctuaries, as well as deposit sites. The same advantages which made North Carolina the object of French and other European vessels carrying needed merchandise, also attracted the privateers of other states. Prizes captured as far away as the Gulf of Mexico were returned to North Carolina waters for condemnation and auctioning.¹ Even a few Continental navy vessels which operated out of New England ports found that North Carolina ports, such as New Bern, offered a convenient place to leave captured British or loyalist vessels seized as lawful prizes.²

Repeatedly captains of letters of marque and privateers described the North Carolina coastline as the most advantageous and accessible when sailing from the West Indies.³ This information was well known to merchants from other states, and considering the greater risk incurred by sailing farther north, it is little wonder that ports such as Beaufort and Edenton were heavily utilized by privateers of all states. Prizes were even carried as far inland as present day Washington on the Pamlico River to escape the threat of the British.⁴

¹Letter from Sampson Mosely to Governor Richard Caswell, August 25, 1777, Clark, State Records, I, 592.

²Paullin, Out-Letters, I, 230-231.

³Biddle, Autobiography, 98-99.

⁴Records indicate that admiralty court judges held condemnation proceedings in Washington, Cheney, Statistical History, 359.

The proximity of North Carolina to the Indies was itself a factor in drawing out-of-state privateers. Located only a few days from the Caribbean, North Carolina reaped many benefits from the wealth of the West Indies trade. This trade was sufficiently attractive to be considered one of the two most valuable hunting grounds for privateers in North America.¹ The other area of comparable richness was the St. Lawrence area, which had the disadvantage of a British base being located nearby at Halifax.

One other area in which privateers would exert influence was in the morale of the colonists. In a war in which American opinion was so divided this contribution was a significant one.

Estimates of public opinion during the war show that a majority of the residents of the state were either loyal to King George III and Parliament or were apathetic to the war effort. Governor Martin, the colony's last royal governor, steadfastly proclaimed that North Carolina was one of the most loyal colonies in the country. So convincing was his arguments that the early campaigns in the South were at least partially based upon the correctness of this premise.

The success of privateering against the vast commercial might of the British gave many a sense of being able to strike back despite the obvious disadvantages against them. With the news arriving on a regular basis of the losses being inflicted upon the British trade,

¹Miller, Sea of Glory, 150.

cause could see some hope of securing independence from England.¹

Likewise success against the British brought a growing feeling of despair to those still loyal to the British empire. Fought primarily as a war of attrition, the American Revolution was won by the side which persevered rather than the one claiming great tactical victories. Considering this as the nature of the war, the psychological effect of the successful commerce raiders grows in importance. By 1783, a large segment of the English citizenry had become disenchanted with the war and felt that security of the commercial wealth against the French was of greater importance.

The patriots also appear to have used the success of privateering as a propaganda tool. Although no direct evidence exists which shows that such plans were made, surveys of newspapers and handbills proclaim the accomplishments of the privateers in the most colorful and precise terms.² However, there is never a mention of captures or of vessels wrecked at sea. Negative demoralizing news did not often appear in print despite the large numbers that certainly must have met just such fates.

The presence of the British and loyalist privateers was also given space in newspapers. All of these accounts pictured them in the most

¹James Ellis to Dr. Thomas Burke, July 20, 1778, Clark, State Records, XIII, 459-460.

²Journal of Provincial Congress at Halifax, April 30, 1776, Clark, State Records, X, 549; Petition of Inhabitants of Cartaret County, November 6, 1780, Clark, State Records, XV, 146.

threatening terms possible. Stories of loyalist privateers, such as Goodrich, were written in extremely general terms, yet written with a tone that sounded much like a vulture waiting for its innocent prey. Even the most uncaring of North Carolina's citizens would feel their personal security threatened by these accounts in the local newspapers.

CONCLUSIONS

Privateering was clearly a national experience which probably reflected the values and ideas of eighteenth century American more than they shaped them.

This activity, which supposedly tied private forces to military objectives, is indicative of the new nation's basic distrust of strong professional military forces. Land forces relied heavily upon state militias and short-term volunteers to fill their quota. The success of nonprofessional units, such as the Minutemen, only undermined any movement to establish a permanent army of comparable size and strength to the British. Therefore, upon the conclusion of the war, the army was allowed to melt away.

The navy faced an even tougher task in building and maintaining a formidable force. High costs and reaction against a growing British naval heritage often undercut efforts to construct vessels for anything other than purely defensive purposes.

Most naval historians agree that the Continental Congress had little interest in naval affairs and developed no singular effective naval policy by which to pursue the war.¹

On the other hand, Congress showed considerable attention to developing

¹Among historians and their works agreeing with this interpretation are Nathan Miller, Sea of Glory; Don Higgenbotham, The War of American Independence Military Attitudes, Policies and Practice (New York, 1971); and Frank C. Mevers, "Naval Policy of the Continental Congress," Maritime Dimensions of the American Revolution (Washington, 1977).

an army. Apparently the delegates found the army easier to form and maintain. Records of the Congress reveal a great deal of direct planning and clear objectives.

A portion of the problem in establishing a naval force was the lack of a clear set of objectives. The history of these debates as to policy evolved around whether or not to attempt to build a strategic force capable of challenging British naval might or to accept a more limited goal of economic pressure and depend upon privateers to accomplish this objective. Congress leaned towards the latter, but they never decisively implemented either policy.¹

Privateers filled a void similar to the one filled by state militias on land. However, they worked even less closely with the military than the militia and played a minor military role within the theater of war. Independent and free to pursue their own objectives, privateers represented an antithesis of proper military tactics. Despite this, observers of that day felt that these vessels were inflicting serious damage on the British.² When the war was successfully concluded at Yorktown, with the invaluable help of the French fleet, Americans felt that a navy comprised of first rate ships-of-the-line had not been necessary. The belief of many that the naval might of the British had been held at bay by fleets of privateers reinforced the attitude

¹William M. Fowler, Rebels Under Sail (New York, 1976), passim, hereinafter cited as Fowler, Rebels Under Sail.

²The most apparent evidence of this can be found in Trevelyan, George The Third, passim.

that civilian authority and forces should always remain supreme over military ones.

A historian has recently implied that the maritime guerilla war conducted by the Americans was an organized outgrowth of Congressional policy.¹ He suggests that the objectives of the American privateersman were threefold: first, to attack British shipping with particular emphasis on vessels carrying military supplies; secondly, to carry the war to the West Indies and European sea in order to stretch the British navy as thin as possible; and thirdly, to strain relations between England and France to the breaking point by causing embarrassing incidents and situations.

The objectives of the North Carolina privateers differ entirely on all three of these objectives. They did not lay particular emphasis upon obtaining military prizes. On the contrary, many of the more profit-minded individuals preferred not to become involved in this type of prize due to additional risks and the comparably smaller profit.² Prizes brought to port by North Carolina privateers underscore this attitude. In most cases inventories of condemned vessels included luxury items and merchandise destined for consumption by the general public, not the army.

¹David Syrett, "Defeat at Sea: The Impact of American and Naval Operations upon the British," Maritime Dimensions of the American Revolution (Washington, 1977), hereinafter cited as Syrett, "Defeat at Sea."

²Letter from Richard Ellis to Cornelius Harnett, June 13, 1776, Correspondence of Council of Safety, Box 307.

As to carrying the war into the West Indies and European sea, North Carolina privateers did this but not with the intention of spreading the British navy across the Atlantic and thus weakening it. They did so because these areas offered the richest hunting grounds and the most sought after commodities. The fact that the Royal Navy faced logistical problems attempting to patrol such a large area was an incidental effect, not an intentional one.

North Carolina's privateers did work closely with the French, using French ports, vessels, and men. However, they did not set out to disrupt the strained diplomatic situation between France and England. France's opposition to England was a fact; the French were simply waiting for an opportune time to join the conflict. To the privateers, France offered a convenient shelter and point of embarkment to prey upon the commerce of Scotland and Ireland.¹

If the naval objective was one of harrassment, the privateer certainly achieved limited success. Sources such as Lloyd's of London reveal that the British merchants were not able to obtain prizes from the American colonies comparable in tonnage to their own losses.²

Militarily, the privateer achieved little of lasting impact during the war. Maritime issues, such as freedom to trade, would not be

¹Condemnation proceedings against L'Amite, January 22, 1779, British Collection, H.C.A. 32/267, Bundle 13.

²Trevelyan, George The Third, I, 176.

fully resolved until the War of 1812 was fought. Although the image of the British navy may have been slightly tarnished, it still remained the major naval force in the Western world.

North Carolina's experience with privateers differed from that of the other colonies in several very significant areas. Within these differences can be found the keys to understanding fully the role that privateering played in the state.

North Carolina has long been relegated to minor importance in terms of numbers of privateers sent to sea. This inaccurate interpretation is due to several factors. One is the failure to distinguish between the types of privateers. Although North Carolina sent both privateers and letters of marque to sea in significant numbers, the state sent a proportionately higher number of letters of marque than most states. Based upon British records of captured North Carolina vessels and private correspondence, letters of marque exceeded privateers in this state by at least fifty percent and possibly as high as seventy-five percent. As the commerce in the North suffered from the British blockade, North Carolina's merchants enjoyed an increase in trade. This sudden change was due largely to the lack of British naval efforts to the north of the Cape Fear and the port of Wilmington. Therefore with the clear need of supplies and its wartime advantages, North Carolina's merchants sent vessels able to take advantage of opportunities in trading and in commerce raiding - the letter of marque.

The scarcity of records makes it difficult if not impossible to determine the number of vessels engaged in some form of privateering in

North Carolina. Available Continental Congress records list less than a dozen North Carolina ships with their license to plunder. Among these were the Bachelor, granted a license in 1777; the brig Rising State, granted license in 1781; and the sloop Little Bachelor, granted license in 1782.¹ All of these had posted bonds as letters of marque rather than privateers.

The correspondence of North Carolina's Council of Safety is also incomplete in listing privateers. Specifically, these records mentioned only six vessels, three of which were formerly state naval vessels. Therefore, combining the records of the Council and Congress yields a total of ten named vessels and indefinite references to unnamed others.

Judging from all sources, including records of captures made by the British navy, North Carolina sent between 200-250 vessels to sea with some intention of attacking the commerce of the British.

Successful privateers, such as the Lydia and the Nancy, owned by John Wright Stanly, are included in neither list. These two privateers were able to bring into port prizes totaling in excess of £ 150,000.² Letters of marque, such as the Anne, a twenty-ton vessel built at Smith's Creek in North Carolina, are nowhere mentioned in official records. One of the most impressive vessels in sheer size to sail from North Carolina,

¹Bonds for the letters of marque Bachelor, August 13, 1777; Little Bachelor, December 6, 1782; application for bond for Rising State, November 23, 1781, Records of the Continental Congress, Microfilm 247, Roll 204.

²North Carolina Gazette, October 3 and November 28, 1777.

the Fair American, also receives no attention.¹ Built in Hertford, North Carolina, the Fair American was an unusually large vessel for North Carolina standards weighing 175 tons. Her Continental license showed her to be carrying 100 men and 18 carriage guns. When captured, the Fair American was sailing to France with 127 hogsheads of tobacco, only two months after being issued her license.²

North Carolina's increase in trade at the outbreak of the Revolution caused problems which made its experience with privateers distinctive from other states. The peak years for privateering throughout the country was near the end of the war in 1780-1783. In the North particularly, the number of vessels engaging in privateering escalated as the British strategy focused increasingly on the South.

By 1780-1781, privateering activity in North Carolina waters had begun to decline. This difference was caused by the number of British and loyalist privateers that the state's prosperous wartime trade had brought. Although the British navy made occasional efforts to stem the flow of trade, enemy privateers presented a constant threat to the profitability of North Carolina's trade and to the security of its inhabitants. The letters of marque sailing from North Carolina's ports offered easy prey for the British vessels, and this situation would result in nearly one hundred captures taking place off the state's

¹Letter of marque for Fair American, August 23, 1780, British Collection, H.C.A. 32/328, File 76.717.2.

²Condemnation proceedings against Fair American, August 23, 1780, British Collection, H.C.A. 32/328, File 76.722. 1-2.

coastline.¹ Ironically, North Carolina's heavy reliance upon letters of marque, a vessel designed to trade and raid, attracted an enemy privateering force slightly larger than its own.² By the last years of the war, North Carolina's booming wartime trade was in sharp decline and would not recover until the war was over.

North Carolina's experience with privateering was bound to its wartime trade to a greater extent than the other states. Utilizing the majority of its privateers as letters of marque, North Carolina enjoyed simultaneously a period of prosperity in trade and privateering. Therefore when British and loyalist privateers successfully threatened North Carolina's trade, the state's merchants were unable to make a transition away from reliance upon letters of marque to privateers. Ultimately, North Carolina's success with letters of marque brought its own eventual decline.

Privateering's impact on the individual states has often been miscalculated due to the excessive attention given to the state issuing the licenses and commissions. Logically the states with the larger number of trained seamen, of vessels which could readily be converted, and of merchants able to finance a voyage would be the areas sending the most privateers to sea. Nevertheless, it was the deposit sites and the

¹This figure is estimated from inventory of vessels listed as prizes condemned in New York Court of Vice Admiralty, found throughout the British Records Collection; however, it does not include vessels taken to other sites to be condemned.

²Enemy privateering was such a threat that historians such as David Stick, The Outer Banks of North Carolina (Chapel Hill, 1958), spend more time discussing their presence than patriot privateers.

ports of rest and repair that felt the most profound economic impact. ✓
One of these areas was North Carolina.

During the early years of the war, North Carolina ports offered one of the best deposit sites in the country because of its freedom ✓
from British patrols on both land and sea. Although the total number of out-of-state privateers did not equal those which North Carolina merchants fitted out, the value of their prizes brought into state's ports was significant. From newspaper accounts and correspondence, the value of prizes brought into North Carolina by privateers from other states, as well as North Carolina's own, easily exceeded £ 1,000,000 and could very well have reached the tens of millions.¹ It was in North Carolina ✓
where the goods were being auctioned and where the sailors were spending a portion of their prize money.

William M. Fowler, Jr., in Rebels Under Sail, states that maritime strength was never fully developed in the Southern colonies due to the unwillingness of the Southern planters to invest their money in anything other than land and slaves.² With the exception of Charleston, he feels that this explains the lack of significant privateering activity in the South.

This interpretation appears to be correct only in that it points to the reluctance of the planter class to invest capital in this wartime

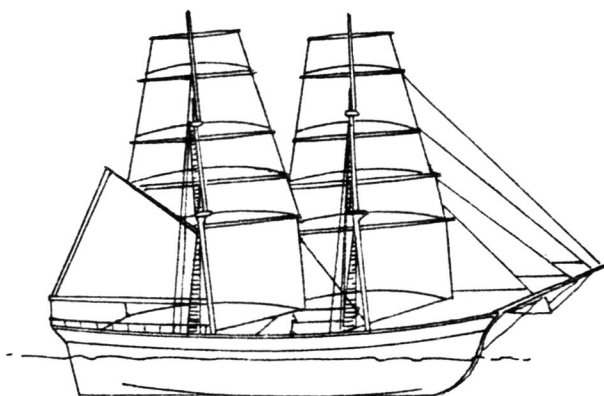
¹Sources used in estimating this figure include various issues of North Carolina Gazette, correspondence of Richard Caswell, Cornelius Harnett, and Richard Ellis; and Alice Barnwell Keith (ed.), John Gray Blount Papers, (Raleigh, 1952).

²Fowler, Rebels Under Sail, passim.

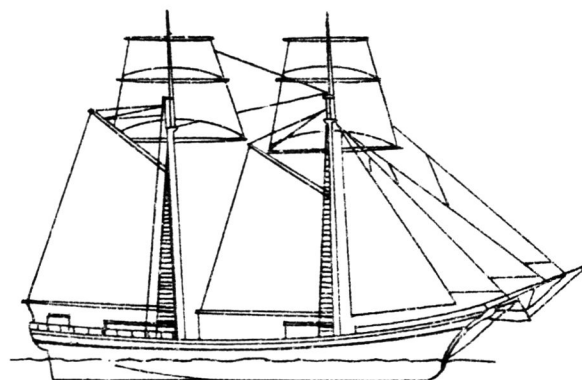
enterprise. Unfortunately, it assumes incorrectly that there was little or no merchant class able to invest significant sums in the same thing.

In North Carolina, where the planter class was not the dominant class that it was in Virginia or in South Carolina, the merchants were able to financially to fit out a large number of letters of marque and privateers. These vessels made an important contribution to the economic survival of the state and to the eventual development of attitudes towards a navy.

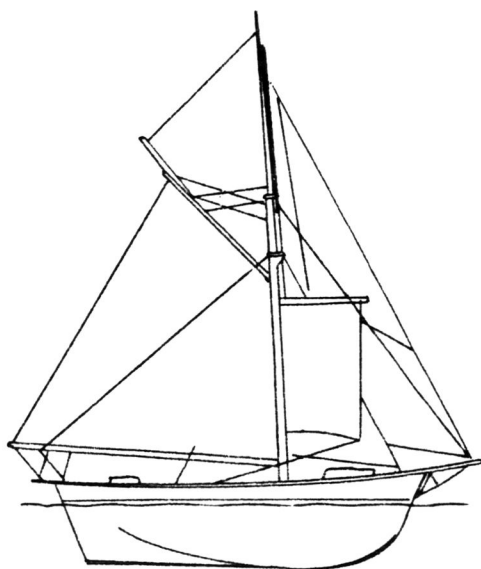
APPENDIX A: PRIVATEERING VESSELS OF NORTH CAROLINA



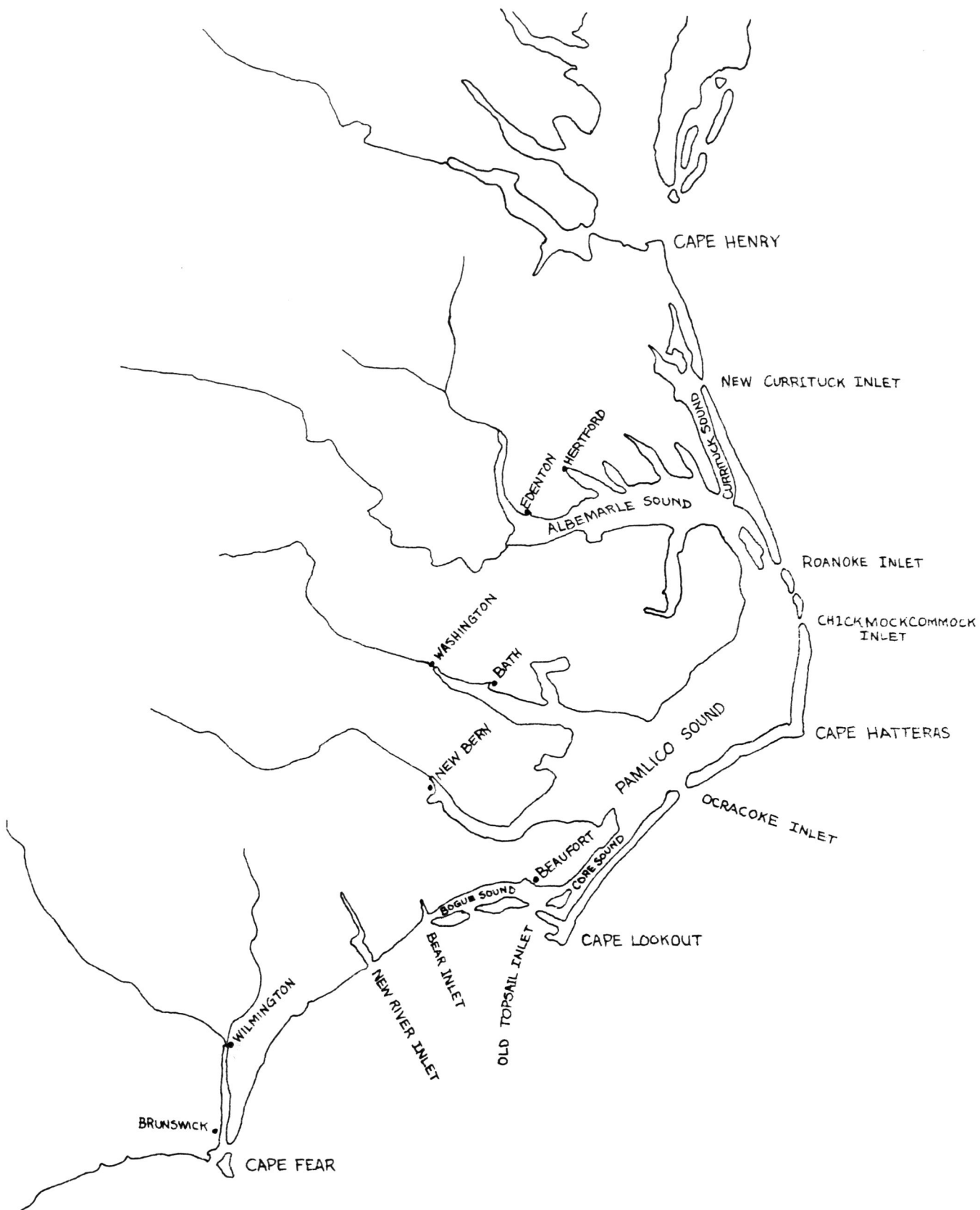
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APPENDIX B: NORTH CAROLINA IN 1780

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