

# Neutral Rights and the War in the Narrow Seas, 1778-82

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## PREFACE

This paper on neutral rights on the high seas and the origins of the Fourth Anglo-Dutch War grew out of a much larger and continuing study of the Royal Navy during the American Revolutionary War.

The rights and duties of both neutrals and belligerents on the high seas during war is a complex subject. National policy, strategy, naval tactics, diplomacy, economics, international and metropolitan law, the laws and customs both of the sea and of war, and the threat or the use of brute force by nation-states to attain their goals--all become intertwined and are as difficult to unravel as a splice in a length of wire rope.

Against a background of gunfire and continual diplomatic crises, politicians, diplomats, navy officers, admiralty court judges, lawyers, merchant shipowners, the owners of cargoes, and insurance companies all manipulate and maneuver in an attempt to gain their own ends. Rarely do any of these interests coincide. What may be sound admiralty law might be bad diplomacy. A seemingly legal and profitable trading venture might result in the loss of a ship or the beginning of a war. Or what the military and naval leaders of a state think is an absolutely necessary military measure may be seen by politicians and diplomats as a sure way of bringing about national ruin.

The subject of neutral rights during war is a complex one, and one I could not have approached without the assistance of a large number of people who work for various libraries and archives in the United States and Great Britain. I especially want to thank the staffs of the Public Record Office; the National Maritime Museum; the Institute of Historical Research, University of London; the Paul Klapper Library, Queens College, City University of New York; and the Combat Studies Institute, U.S. Army Command and General Staff College.

I am wholly responsible for any sins of omission or commission in this study.

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## TEXT

Blockades have always been employed as a strategy in naval wars. In the simplest of terms, a blockade is nothing more than the use of naval forces to deny an enemy the ability to move ships and goods across bodies of water. Though the general concept of a naval blockade is easy to understand, the conduct of such a strategy not only involves the deployment of warships but also generates a complex set of diplomatic and legal problems. For upon the institution of a naval blockade, questions such as what kinds of goods are contraband? what constitutes a legal blockade? and what are the rights and duties of neutral vessels on the high seas? are raised immediately in admiralty courts and foreign offices by both belligerent and neutral nations.

From the beginning of the American War of Independence in 1775, the Royal Navy, with varying degrees of success, used the weapon of blockade against the American rebels. While this policy brought forth a string of protests from neutrals over the violation of their rights on the high seas.<sup>1</sup> It was generally agreed in principle that the British, under international law and the laws of war, had the right to seize the ships and goods of the American rebels as well as warlike materials, such as gunpowder, on board neutral vessels en route to America. However, with the beginning of the naval war with France in 1778, the British instituted blockades and policies that produced diplomatic crises with neutral European powers and a war with Holland.

The sinews of naval power in the age of wooden ships were naval stores. Masts, timbers, planking, tar, pitch, canvas, hemp, and ironware such as nails were required to build and maintain eighteenth-century warships. The main sources of most of these articles in Europe were the Baltic and Scandinavian nations. The British Isles lay like a barrier reef between the major ports and naval bases of France and Spain and the maritime approaches to the Baltic and Scandinavia. As a result, naval stores bound for France and Spain in the eighteenth century had to run a gauntlet of British naval bases and cruisers. British policy during a war with France or Spain was to prevent, by means of blockade, naval stores and certain other materials from reaching French ports from Scandinavia and the Baltic. This policy produced an endless series of incidents and crises over the rights of neutrals on the high seas, as the French, finding it impossible to use their own merchant ships to import naval stores, employed the cover of neutral-flag merchant ships to accomplish that end. At the same time, British policy was to intercept all vessels on the high seas and to seize warlike goods or naval stores bound for France.

On 29 July 1778, even though war had not been officially declared, the Royal Navy was directed by an order in council to capture or destroy all French goods and ships encountered on the high seas.<sup>2</sup> Twenty-five days later, the Admiralty was directed to order the Royal Navy to intercept, seize, and bring into British ports any neutral vessels found to be carrying "Naval or Warlike Stores" to French ports.<sup>3</sup> The intent of this directive was to prevent the French from using the protection of a neutral flag to import naval stores for the use of the French Navy. This policy embraced the doctrine that "free

ships do not make free goods" and defined both contraband and blockade in terms that were not accepted by a number of European nations and even ran contrary to some treaties to which Britain was a signatory.<sup>4</sup> In the narrowest legal definition of the term, contraband of war embraced only those items that were clearly warlike materials, such as arms and munitions. But in 1778, the British government, as it had before and would in the future, was following a flexible definition of contraband formulated by authorities such as Grotius, who divided all goods into these three types:

- Arms and munitions that are clearly contraband in time of war.
- Articles that are of no use whatsoever in military operations and that can be freely carried to an enemy.
- Goods that, while not in themselves warlike materials, would under certain circumstances be of military assistance to an enemy, and would, therefore, be subject to seizure as contraband on the high seas if transported by a neutral to an enemy port or if owned by enemy citizens.<sup>5</sup>

On 22 October 1778, George Harris, the Admiralty's advocate, clearly stated Britain's legal justification for seizing naval stores and other goods found on neutral ships:

And I further apprehend, that under particular circumstances, (of which I take the Govt. to be at liberty to admit proof if occasion should require it) even these goods, which are enumerated in the Spanish and Dutch treaties as not contraband, may also be stopped and sold in England; if they are merchandise of promiscuous use, [of which France] is either publicly known to be in great want of such merchandise for the purpose of war, or proved by the affidavits of indifferent and credible persons so to be.<sup>6</sup>

Depending upon military and strategic circumstances, then, any object could become contraband and, thus, be subject to seizure. This doctrine led the British to follow what many observers thought to be at best a contradictory policy with regard to defining contraband. For example, on 5 April 1780, the Admiralty's advocate, George Harris, advised the Admiralty not to seize the Danish ship Maria, loaded with foodstuffs bound to a French port, while on 9 February 1782, the High Court of Admiralty ordered that a cargo of flour on board the Imperial ship Saint Paul be sold to the Royal Navy in order to prevent the flour from reaching the enemy.<sup>7</sup> George Harris, in a legal opinion about staves written from Doctors` Commons, clearly stated the British doctrine of what constituted contraband.

Staves of no sort have been as yet in my remembrance, regarded as naval stores notwithstanding the quantity, in many instances have been much larger than at present.

On the whole, unless it could be made to appear, or was a known fact, that the French at Brest were, at this time, in very particular want of casks for carriage of their ship provisions, I think the vessel ought not to be detained, under the general order for stopping naval stores going to the enemy.<sup>8</sup>

This doctrine of military necessity, when carried out to its logical conclusion, does not even protect from seizure goods specifically stated as noncontraband in treaties between Britain and various other nations. To British admiralty courts, treaties were agreements between nations that were similar to contracts in the respect that if an enemy used an article of a treaty to subvert the intent of that treaty, then that particular article of the treaty was void. For example, if the French, in league with citizens of the Netherlands, were to use article four of the Anglo-Dutch treaty of 1674, which states

that naval stores are not contraband, as a means of obtaining naval stores under cover of the Dutch flag in order to wage war against the British, then the intent of the treaty would be clearly subverted and naval stores on Dutch ships belonging to French subjects or bound to France would be subject to seizure.<sup>9</sup>

Even if the Royal Navy intercepted a neutral ship carrying material that was not enemy property or bound to the enemy, the entire burden of proof still fell on the ship's master and owners. According to Harris,

I do not apprehend it to be the meaning of any treaty, between England and Russia that the Russians shall be at liberty to carry the goods of the enemies of U. Britain and if I am right in this assertion, the captain of the Russian ship will be in fault, if the papers on board do not express that the cargo is for the account and risque of Russians--for, if ye cargo should in reality be Russian property, that the papers on board do not declare it so to be, the Russians have no just cause of complaint either on the foundation of general law or of treaties. . .<sup>10</sup>

To British admiralty courts, what legally constituted contraband changed according to strategic requirements, and the burden of proof that a cargo, such as naval stores, was not contraband fell entirely upon the neutral ship's master and owners.

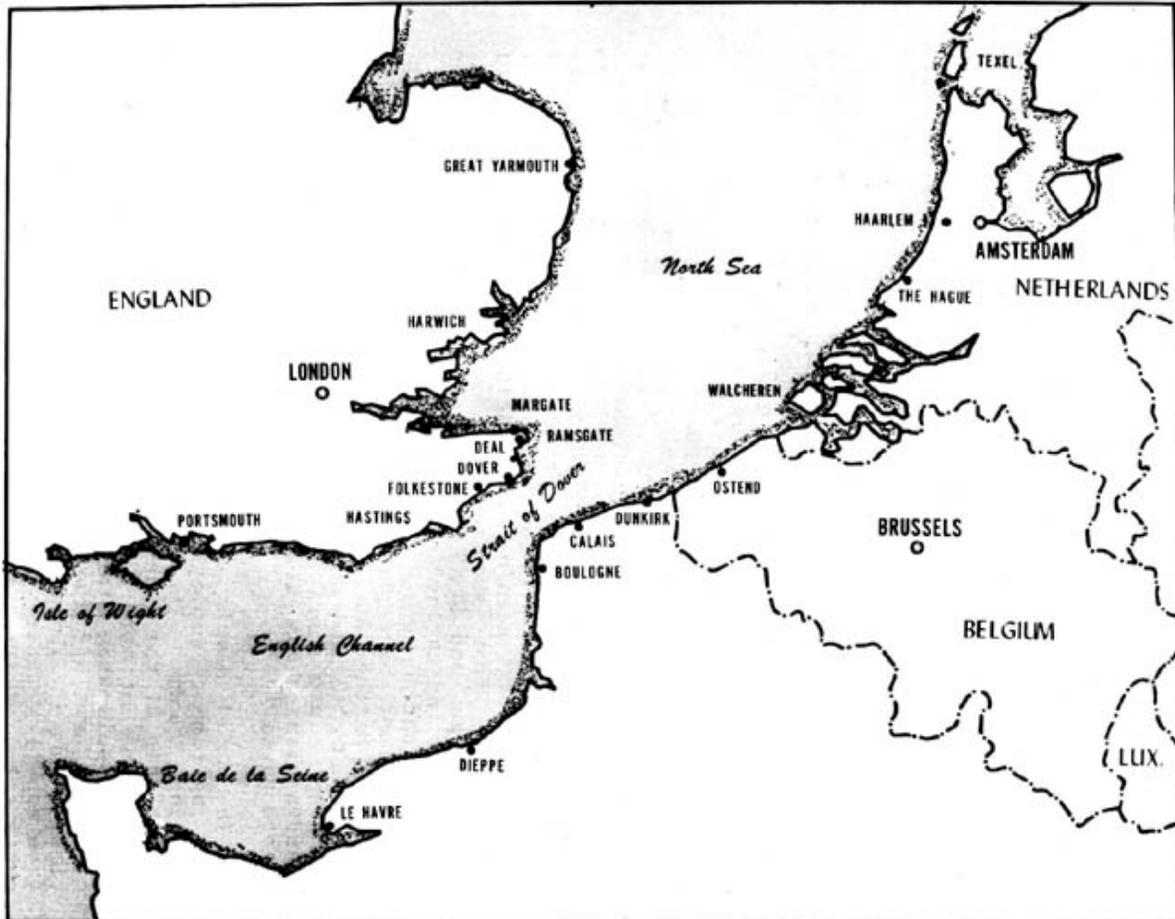
In addition to this constantly changing mosaic of legal opinions as to the nature of contraband, the British government also employed a strategy of blockade that was considered by many to be illegal. To some nations--Russia, for example--a legal naval blockade had to be what is known as a "close" or "effective" blockade,<sup>11</sup> in which warships had to be stationed in such a manner as to prevent, at all times, any ship or vessel from leaving or entering a besieged port or place. If these conditions were not met, the protesting nations argued, the blockade was illegal. However, for strategic reasons, it was the policy of the British government during the American Revolutionary War not to closely blockade particular enemy European ports, but rather to conduct what is known as a "distant" blockade, which called for the seizure of enemy and neutral merchant shipping on the high seas. British squadrons, in order to be able to intercept all east-to-west movements of merchant shipping along the northwest coast of Europe, were stationed at focal points or choke points of maritime trade, such as the eastern approaches of the English Channel. This strategy, because it was not a blockade of a particular place or port, was considered by some to be a "paper" blockade, and thus illegal, because it resulted in a general searching by the Royal Navy of all merchant ships passing through the Channel.

Because of the confusion caused by disagreements over what constituted contraband and legal blockades, many neutrals, as well as belligerents, did not understand that the British government based what it considered to be a right to stop, search, and seize merchant ships on the high seas on the principle of national self-defense and ultimately the survival of Great Britain as a nation-state. The British government believed and acted upon the assumption that the unwritten law of national self-defense overrode articles in treaties and legal definitions as to what were legal blockades and the nature

of contraband. On 27 October 1778, Lord Suffolk, a British secretary of state, in a dispatch to the British ambassador at St. Petersburg, stated Britain's position bluntly and clearly: according to Suffolk, "The great & unanswerable principle of Self-Defense indispensably obliges His Majesty to prevent, as far as possible, his enemies from being supplied with naval or warlike stores."<sup>12</sup>

It was the failure by many to understand that Britain would go to any lengths to prevent naval stores from reaching her enemies that led to political and strategic miscalculations among both neutrals and belligerents. From the beginning of the fighting with France in 1778 until the end of the war, it was the unchanging policy of the British government to seize all naval stores found on board neutral ships if they belonged to enemy subjects or were bound to enemy ports "what ever may be the consequences."<sup>13</sup> British diplomats stationed in Baltic and Scandinavian ports and capitals were instructed to supply detailed intelligence of the movements of all ships carrying naval stores to France. Through the use of spies, money, and all the usual means at the command of diplomats for obtaining information, a steady flow of intelligence from such places as Elsinore, Göteborg, Dantzig, Riga, and St. Petersburg reached the Admiralty in Whitehall, indicating that French agents were secretly procuring and shipping naval stores to France in neutral, for the most part Dutch, ships.<sup>14</sup> on 29 August 1778, Vice Adm. Matthew Buckle, commander in chief in the Downs, reported to the Admiralty that he had begun seizing and bringing into British ports Dutch, German, and Scandinavian ships loaded with naval stores bound for French ports.<sup>15</sup>

The Royal Navy's squadron stationed in the Downs was the instrument employed to prevent naval stores from reaching France. The squadron usually consisted of one 64-gun ship of the line, a few frigates and sloops of war, and a score or more of small armed cutters. These small armed vessels were stationed in the Downs, in the Straits of Dover, and off the English and French coasts, and at times ranged along the coasts of the Netherlands (see map 1).<sup>16</sup> It was the mission of these armed cutters to intercept and inspect every merchant ship they encountered. If a merchant ship, no matter what nation's flag it was flying, was found to be carrying naval or warlike stores to France and to Spain as well, the ship would be seized, by force of arms if necessary, and brought into an English port. Day after day, the warships of the Downs squadron cruised in the narrow seas between England and the Continent, seizing neutral merchant ships.



Map 1. The Channel Area

Legally, neutral merchant ships did not have to submit to being searched on the high seas. Stopping, searching, and seizing neutral merchant ships by the Royal Navy on the high seas was considered by British admiralty courts to be "an act of superior force."<sup>17</sup> The British government, by the threat of, or the actual use of force of arms, was seizing neutral merchant ships carrying naval stores on the high seas to enemy ports and was imposing its own interpretation of what constituted contraband and legal blockades upon various neutral nations. Almost immediately after the beginning of the fighting between Britain and France in 1778, the British government instituted a number of measures intended to moderate, if not to prevent, the protests of neutral nations whose ships were being seized by the Royal Navy. For example, on 29 September 1778, the Admiralty was ordered to release all Dutch ships held in British ports that did not have cargoes of naval or warlike stores bound to French ports or to the American rebels. Also, orders were issued to all British privateers and warships not to seize any such ships in the future.<sup>18</sup> At the same time, the British government began a program of preemptive buying of all naval stores and other contraband found on board neutral merchant ships. Parliament passed an act that set aside various parts of the Navigation Acts and authorized the Commissioners of the Navy to purchase for the King's use all naval stores and other contraband found on neutral merchant ships brought into British

ports.<sup>19</sup> The Admiralty, on 19 October 1778, was directed to order the Navy Board to purchase at fair market value all naval stores that were either condemned as enemy property or "restored to the claimant upon condition that the same shall be sold for the King's use." At the same time, the order directed to pay all of the fees, freight, demurrage, Commissioners of the Navy were neutral merchant ships' legal and other similar expenses.<sup>20</sup>

Preemptive buying of naval stores by the British government was intended to obtain additional naval stores for the use of the Royal Navy and, at the same time, to prevent naval stores from reaching the French and, later, the Spanish. Further, by not condemning neutral merchant ships, by buying all naval stores that were not condemned as enemy property, and by paying in full for such things as freight, insurance, legal fees, demurrage, and the like, the British minimized the financial loss to the owners of the merchant ships seized by the Royal Navy. Economically, what did it matter to the owners of a Dutch merchant ship carrying a cargo of French-owned naval stores if the British seized their ship, for the cargo did not belong to the shipowners and their vessel would, in due course, be released with all expenses paid by the British government. While this preemptive buying of naval stores was very costly to the British government,<sup>21</sup> it was designed to show that British policy was not one of simply seizing neutrals' property without compensation, but rather that it was a legitimate effort to prevent naval stores from reaching Britain's enemies.

Still, when it became known that the Royal Navy was seizing merchant ships in the English Channel and carrying into British ports every merchant ship, regardless of nationality, whose cargo consisted of naval stores bound for France, a huge diplomatic crisis erupted in various European capitals. To some neutrals, the outbreak of fighting between Britain and France in 1778 appeared to be an opportunity for economic gain. The Dutch, for example, had in the past made much money running guns and other munitions to the American rebels through the free port on the Dutch island of St. Eustatius in the West Indies.<sup>22</sup> Profits from secretly supplying munitions to the American rebels were insignificant, though, when compared with what could be made by supplying naval stores to the French by running or breaking the British blockade under cover of a neutral flag. To some neutrals, the beginning of fighting between the British and the French and the issues created by British seizures of naval stores on the high seas appeared as a setting inviting an attempt to redress the European balance of power or as an opportunity to increase one's prestige or power by becoming a third force, or perhaps even a mediator in the conflict. To other neutrals, the British conduct concerning neutral rights on the high seas appeared to be outrageous. Britain, as it had done during the Seven Years' War, was attempting, it appeared, without regard to treaties, international law, or the laws and the customs of the sea, to dictate by means of brute force what type of conduct it would permit neutral merchant ships on the high seas.

During the Seven Years' War, Britain could treat neutrals with a heavy hand and disregard their protests because the Royal Navy was supreme at sea and the French were tied up in a land war in Germany. But 1778 was not 1762, and the diplomatic and

military situation in Europe had changed markedly over a decade and a half. The British Army was tied down in an endless war in America, while the French Army was not even engaged. The French Navy appeared to be capable of effectively confronting the naval power of Britain, while knowledgeable diplomatic observers saw that Spain was also slipping towards war with Britain. Should that happen, the Royal Navy would be confronted, on paper at least, by enemies with an overpowering naval strength. In places such as Amsterdam, The Hague, Berlin, Copenhagen, Petersburg, there were now people reasons, thought that Britain should declare as contraband any article that naval stores, and that perhaps it was now possible, as it had not been during the Seven Years' War, to force Britain to back down and change its policies. Furthermore, in the capitals of the neutral nations of Europe, French diplomats, French money, and French power were secretly pressing for the neutrals to force Britain to embrace the policy that "free ships make free goods." As the Royal Navy continued without letup to seize neutral ships carrying naval stores to France, the question of whether or not the neutral powers could or would force Britain to change its policy was hotly debated in every capital in Europe.

British seizures of naval stores presented each neutral nation with different problems or, in some cases, opportunities. Sweden, a minor commercial and naval power, but a major producer of naval stores, wanted for political and economic reasons to ship and sell naval stores to the French, but without precipitating a naval war with Britain. On 20 November 1778, Thomas Wroughton, the British ambassador to Sweden, wrote to the authorities at Whitehall that he had been informed by the king of Sweden that that country "could by no means acquiesce" to the seizure of naval stores on board Swedish merchant ships bound to France. According to the Swedish king, the seizures made by the British were contrary to various treaties between Sweden and Britain. Moreover, the Swedish economy would be greatly hurt because naval stores were the major products exported by the country. If the trade in naval stores was stopped, then Sweden would have no way to pay for those goods that it needed to import. The payment for Swedish cargoes seized by the British would result in great losses to Swedish merchants and shipowners because the resulting monies would in no way cover the entire cost of the voyages.<sup>23</sup> In other dispatches from Stockholm written in the autumn and winter of 1778, Wroughton informed the British government that Swedish merchants were outraged and confused by the British seizures because the Swedes did not know what the true policy of the British government was. Contraband was being interpreted by the British to mean naval stores, which was such a wide-ranging term that it could mean just about anything. If, however, naval stores meant tar, iron, and deals, the Swedes felt this meant "There is an end at once of the principal productions of this Kingdom." The Swedes complained, also, that British privateers were taking their ships "without the least shadow of justice."<sup>24</sup> On 2 March 1779, Wroughton reported that discussions of Anglo-Swedish relations with the Swedish authorities broke down because "naval stores is the Rock on which we always split, as he [the king of Sweden] says it would be equal to shutting up the ports of the Kingdom, and consequently [is something] to which the King would never acquiesce."<sup>25</sup>

It is clear that during the winter of 1778-79, either the Swedish merchants and government did not know of the British policy of preemptive buying of naval stores, or if they did, they did not understand the economics of the program. The economic problems of the Swedes resulting from British seizures of naval stores were quickly settled. On 19 February 1779, Wroughton was directed to inform the Swedes that they should ship their naval stores directly to England, where "no better market can surely exist during a state of hostilities like the present."<sup>26</sup> The sale of naval stores in British markets and the British policy of preemptive buying apparently satisfied Swedish merchants, for as early as 15 June 1779, Wroughton reported from Stockholm "that the merchants of this place are extremely pleased & contented with the manner that judgment has been passed upon some of their ships & cargoes lately by the Court of Admiralty." Economics and merchants, however, are one thing, while kings and national prestige are another. In the same dispatch, Wroughton informed London that the king of Sweden disregarded the statements of Swedish merchants and informed the British diplomat that the seizures of Swedish merchant ships by the Royal Navy were matters of "principle" and "that he had reason to complain."<sup>27</sup>

Throughout the winter and spring of 1779, Wroughton reported to London many conflicting bits of intelligence about what would be the Swedish government's reaction to the British policy of seizing naval stores on Swedish merchant ships bound for French ports. There was talk in Stockholm of the Baltic or northern powers forming some kind of association to protect merchant ships from seizure.<sup>28</sup> There was intelligence that Swedish merchant ships were going to use fake papers to mask their real destinations and the ownership of cargoes.<sup>29</sup> Also, there were many reports that the Swedes were going to use warships to convoy their merchant ships to France, their objective being "to protect the commerce, and navigation of the trading subjects against any power who should endeavour to circumscribe the independency of the Swedish flag." Wroughton believed that the fitting out of warships to escort Swedish trade was being paid for by the French.<sup>30</sup> The use of convoys to protect Swedish merchant ships carrying naval stores to France was a clever ploy, requiring nerve, but also entailed dangers. It was not considered an act of war for the British to search a merchant ship on the high seas for contraband. However, should the Royal Navy stop and search a warship legally commissioned by the king of Sweden, Britain would be committing an outright act of war against Sweden. But was it an act of war for the British to use superior force to stop, search, and seize Swedish merchant ships carrying contraband under the protection of the Swedish Navy? Would consideration of such things as national honor and prestige lead to war between Sweden and Britain?

The choice between war or peace in 1779 was up to the Swedish government to decide. On 14 May 1779, Lord Weymouth, a British secretary of state, directed Wroughton to inform the Swedish government that Britain would not permit neutrals to ship naval stores to France under any circumstances.<sup>31</sup> Wroughton, writing from Stockholm on 20 July 1779, stated to the authorities in London that it was his considered opinion that if the Royal Navy used force against a Swedish warship to maintain the blockade against the French, the Swedes "would take a decided part with the House of Bourbon who have animated them to this equipment and according to

many appearances have contributed to the expense of it."<sup>32</sup> On 31 August 1779, Wroughton was ordered to inform the Swedish government that, with or without convoy, Britain would not permit Swedish merchant ships to carry naval stores to France.<sup>33</sup>

British resolve and Swedish nerve were put to the test on 5 December 1779, when the Swedish frigate Trolle and two Swedish merchant ships loaded with naval stores bound to French ports arrived in the Downs. Rear Adm. F. W. Drake, the commander of the squadron in the Downs, seized the two Swedish merchant ships. The captain of the Swedish frigate sent an officer on board Drake's flagship and demanded that the British admiral release the two Swedish merchant ships. The Swedish officer then informed Drake that if the two ships were not released, the captain of the Trolle "must take such steps, as the orders from his Court have pointed out for him to pursue; which Adm. Drake understands to [be] use [of] Force, to attain his purpose." Drake then told the Swedish officer that his orders would not permit him to release the two merchant ships.

After the Swedish officer left his flagship, Drake wrote a dispatch to the Admiralty explaining the situation and sent it to London by express. At 0500 on 8 December 1779, Drake received instructions from the Admiralty not to release the two Swedish merchant ships and to repel force with force. On no account, however, was the admiral to fire the first shot. Drake then sent an officer on board the Trolle to inform the Swedish captain of his instructions. At the same time, the secretary to the Swedish ambassador to the Court of St. James arrived on board the Trolle with orders for the Swedish warship not to attempt to regain possession of the two Swedish merchant ships. Shortly thereafter, the Trolle departed from the Downs, leaving behind the two merchant ships.<sup>34</sup> It is not known whether the captain of the Trolle was acting on his own or whether the whole incident was staged by the Swedes to see if the British were prepared to go to war with Sweden over the question of the shipment of naval stores to France. The Swedes came closer to war than they perhaps realized at the time, for on 19 November 1779, the British cabinet had decided to stop Dutch merchant ships from carrying; naval stores to the French, even if it resulted in war.<sup>35</sup> During the course of the Trolle incident, the British clearly convinced the Swedes that they were prepared to go to any lengths, even war, to prevent the shipment of naval stores to France. The Swedes backed down over the incident in the Downs because they did not want a war with the British and because it appeared at the end of 1779 that diplomacy might be a better way of obtaining their objectives.

Because of geography, politics, and greed, the Dutch, unlike the Swedes, were not to be given the opportunity to choose between war and peace. Politically, economically, and militarily, the Netherlands were caught between Britain and France. By 1778, the Dutch were a minor military and naval power with the second largest merchant marine in Europe. If the Dutch did not appease the French, there was always the possibility that the French Army would take over the country. However, if the Dutch made England an enemy, then there was the possibility that the British would use the Royal Navy to conquer Dutch colonies and to destroy the Dutch economy through harrassment of the nation's merchant marine and fishing fleets.

In March 1779, the Prince of Orange, the stadtholder and commander of the Dutch armed forces, informed the states of the province of Holland that if the Netherlands were "to protect their trade" and neutrality., an army of from fifty thousand to sixty thousand men, plus sixty ships of war, would be required.<sup>36</sup> A force of this size most likely could not have been raised: the Dutch were divided politically, and the nature of the Dutch government precluded an effort of this type. The Netherlands comprised seven provinces, each of which had a vote in the States General. The representatives of each province in the States General were picked by the states of the province. These legislative bodies were, in turn, controlled by self-perpetuating (oligarchies that made up the governments of various cities in a province and were called the Council of Regents. This series of legislative bodies comprised the republican part of the Dutch government, while the monarchical part was the stadtholder, which was hereditary in the House of Orange-Nassau. The stadtholder was the commander in chief of the Dutch armed forces, director of the East India Company, and president of the Bank of Amsterdam. The resolves of the States General were law. There were, however, certain areas where the constitution was vague and over which the States General, the stadtholder, the states of the province, and the Council of Regents simultaneously claimed sole jurisdiction. Foreign diplomats and even Dutch officials and politicians often found themselves enmeshed in the complicated each of Dutch government in such a way that nobody could find a solution to even the simplest of problems.

Even if one learned to understand the workings of the Dutch government, there was still the fact that the Dutch were hopelessly divided into pro-French and pro-British factions. In general, the maritime and commercial provinces, such as Holland, were pro-French, styled themselves republicans, and controlled the States General, while the inland agricultural provinces were pro-British and backed the stadtholder. The supporters of the stadtholder were known as the court, or Orange, party. This political division is easy to understand, for the House of Orange-Nassau had long been militarily and dynastically connected with England, while the merchants of a city such as Amsterdam saw Britain as the nation that had broken Dutch naval power and that was now in the process of economically reducing the republic to a second-rate commercial power. To many Dutch merchants it was a case of "the enemy of my enemy is my friend." They were also aware that money could be made by selling such things as naval stores to the French.<sup>37</sup> In 1778, then, the Dutch, militarily weak and deeply divided, with an almost unworkable form of government, had to contend with all the forces generated by a naval war between Britain and France.

The British and the Dutch in 1674 and 1678 had agreed upon two conflicting treaties designed to regulate the conduct of each nation in the event one of them was involved in a war. The Anglo-Dutch Commercial and Maritime Treaty of 1674 specifically stated that naval stores were not contraband and that if one power were at war, the other had the right to trade with both the warring powers. Only warlike materials, which were closely defined as arms and munitions, were considered contraband and subject to seizure. But the Anglo-Dutch Alliance of 1678 required that in the event the British became involved in a war, the Dutch would aid Great Britain with six thousand troops and twenty warships.<sup>38</sup> Clearly these two treaties were contradictory.

With the advent of a naval war with France in 1778, it became British policy to seize all Dutch merchant ships carrying naval and warlike stores to French ports but not to demand that the Dutch supply the troops and warships to fight the French, as called for in the Anglo-Dutch Alliance of 1678. To the British, it was acceptable for the Dutch to carry on trade as if it were peacetime, just as long as they did not ship naval or warlike stores to the French. That is, if the Dutch did not ship naval stores to the French, then they could continue to enjoy all the other advantages of the Anglo-Dutch Commercial and Maritime Treaty of 1674 and to bear none of the burdens of the Anglo-Dutch Alliance of 1678.<sup>39</sup> On 21 August 1778, the Admiralty issued orders for the ships of the Royal Navy to stop, search, and seize any neutral merchant ships found to be carrying naval stores to French ports.<sup>40</sup> Several days later, on 1 September 1778, the British ambassador to The Hague, Sir Joseph Yorke, informed the stadtholder that Dutch merchant ships were carrying naval stores to France and that the Royal Navy would seize any Dutch ships with cargoes of naval or warlike stores en route to France.<sup>41</sup> If a Dutch ship was found to be carrying naval stores to France, the whole matter would be turned over to the High Court of Admiralty, where it would be handled in the words of Yorke "with the most impartial justice."<sup>42</sup> On the other hand, if a Dutch merchant ship was stopped and found not to be carrying naval or warlike stores to the French, even though it was carrying French goods between French ports, the ship and cargo would be immediately released.<sup>43</sup> In order to strengthen this policy and to make sure that both the Dutch and the commanders of British cruisers understood British policy in regard to Dutch shipping, an order in council was issued on 14 December 1778, directing all British cruisers not to seize any Dutch merchant ships except those carrying warlike or naval stores to French ports.<sup>44</sup> This precaution did not placate Dutch merchants, shipowners, and republicans, whose protests intensified as the Royal Navy put its policy into effect.<sup>45</sup>

To avoid the possibility of seizure by the British in the English Channel, several hundred merchant ships had taken shelter in the Texel. This great mass of shipping was to be escorted down the English Channel by nine Dutch warships. Nearly all of the merchant ships in this convoy carried innocent cargoes. However, intermixed with the rest of the convoy and loaded with naval stores were at least fifteen ships that had not been given instructions and signals by the commander of the escort.<sup>46</sup> Even though they accompanied the convoy, these fifteen ships were not according to British law, legally a part of the convoy.<sup>47</sup> There were also a number of merchant vessels that had received instructions and signals from the escort commander and that carried mixed cargoes of innocent goods and naval stores. In the autumn of 1778, the British were not yet ready for a showdown with the Dutch, so they permitted this convoy to pass down the Channel unmolested, despite the knowledge that some naval stores would reach French ports.<sup>48</sup>

This was, however, the first and last Dutch convoy of merchant ships that the British would let pass down the Channel without stopping, searching, and seizing by force if necessary those merchant ships that carried naval stores. While various Dutch legislative bodies were debating whether or not to permit ships carrying naval stores to be escorted by Dutch warships, Yorke informed the Dutch government that in the future the British would not under any circumstances permit Dutch ships to carry naval stores

to France.<sup>49</sup> On 3 November, the British ambassador wrote to Suffolk that if the British stood firm, the Dutch government would forbid naval stores to be convoyed to France and would in the end "let their merchants clamor on, till they sink into an acquiescence. . . . In this manner your objective will be obtained, tho' with bad grace . . . ." <sup>50</sup> Several days later, Suffolk informed Yorke that what the Dutch did really did not matter, for "if the Dutch push us to the wall, and, like Shylock in the play, will be contented with nothing but their bond, the moderation and Forebearance we wish to show must be superseded by a less scrupulous conduct." <sup>51</sup>

While British, French, and Dutch politicians, diplomats, and merchants argued during 1779 over such things as limited and unlimited convoys, the rights of neutrals, and the nature of contraband, the ships of the Royal Navy's squadron in the Downs hunted enemy cruisers, convoyed British trade, and stopped, searched, and seized neutral merchant vessels carrying naval or warlike stores to Britain's enemies. This type of operation was a dirty, dangerous, and frustrating assignment, but when carried out correctly, it paid big dividends. On many occasions, intelligence supplied mostly by British diplomats enabled Rear Admiral Drake to deploy ships and vessels to intercept a particular neutral ship or group of ships carrying contraband. For example, on 15 March 1779, Drake reported to the Admiralty that he had directed the cutter Wells and two hired armed cutters to cruise between the South Sand and Calais in order to intercept a neutral ship loaded with cannon bound for Toulon. <sup>52</sup> Drake's dispatches to the Admiralty contained scores of accounts of the interception and seizure of neutral merchant ships carrying contraband down the Channel to enemy ports. <sup>53</sup>

The interception of neutral merchant vessels was just one of the many tasks of the Downs squadron. Ships also had to be deployed to escort vessels carrying flax seed from Dutch ports to Ireland and Scotland, <sup>54</sup> as well as merchant shipping passing through the Downs to either London or Spithead. <sup>55</sup> Furthermore, escorts had to be supplied to British merchant ships proceeding to neutral ports on the Channel. <sup>56</sup> Another task of the squadron in the Downs was to hunt down enemy cruisers operating in English coastal waters and in the Channel, for as Drake noted, "the sea hereabouts swarms with French privateers." <sup>57</sup> On 23 February 1779, Drake had to dispatch the Amphitrite and the cutters Fortune and Peggy as far north as F am'orough Head to hunt for a French privateer thought to be operating in that region. On 10 June 1779, the admiral had to order the armed cutters Jackall and Sprightly to Margate in order to capture or drive away a French dogger and shallop that were chasing colliers into Margate Road. <sup>58</sup> Also, armed vessels had to be deployed to guard the anchorage at the Downs in order to prevent the French in rowboats and other small craft from crossing the Channel at night and cutting out and capturing British merchant ships within sight of Drake's flagship. <sup>59</sup>

Another function of the Downs squadron was to obtain intelligence about enemy naval forces in the French Channel ports. For example, on 25 July 1779, Drake sent the armed cutter Robert and Jane to Ostend to pick up the latest intelligence from the British consul in that port. At the same time, another cutter was ordered to proceed along the French coast as far west as Heve de Grace. On 2 September 1779, the

Robert and Jane was sent to observe Dunkirk "to be ascertained what number of vessels are laying in that Port."<sup>60</sup> Even though Drake had some forty ships of the Royal Navy and hired armed cutters under his command at any given time,<sup>61</sup> because of bad weather, navigational difficulties at the eastern entrance of the Channel, the need to repair damaged ships, and the great number of different missions assigned to his squadron, he never had enough ships and was constantly requesting that the Admiralty reinforce the Downs squadron.<sup>62</sup> The shortage of ships and vessels, however, was overcome, and the Downs squadron was able to protect British trade in the region, beat off French privateers, and dispatch vessels to gain intelligence of enemy movements and strengths in the eastern approaches of the English Channel. Above all else, the Downs squadron during 1779 prevented, or to a great extent retarded, the movement of naval stores being freighted in neutral merchant ships through the English Channel to French ports.

At the beginning of 1779, the British ambassador to The Hague, Sir Joseph Yorke, believed that the only possible policy for the government of the Netherlands was to "endeavor to amuse both England and France, in order to avoid either Powers executing their threats." The British ambassador also thought that the main objective of French policy in the Netherlands was to obtain naval stores and that because there was so much money to be made, any number of Dutch merchants would be more than willing to assist the French in this endeavor.<sup>63</sup> In a dispatch written on 1 January 1779, Yorke pointed out to his superiors in London that the Dutch were so weak militarily that they could not resist pressure from either the French or the British. The French, however, as well as a number of Dutch merchants, did not comprehend or understand British policy, for even though Britain was fighting both France and the American rebels and heading towards war with Spain, the authorities in London would never permit France to use the protection of the Dutch flag to ship naval stores to French ports. A neutral Netherlands, Yorke believed, would be of much greater advantage to the French, because of the Anglo-Dutch Commercial and Maritime Treaty of 1674, than a country at war whose merchant marine and seaborne trade were being destroyed by British sea power.<sup>64</sup> The French, however, did not see things the way Yorke did, and by 19 February 1779, the British diplomat reported to London that he believed "the Court of France will have the States comply or refuse, & nothing else will be accepted."<sup>65</sup> According to Yorke, French political and economic pressure was putting the Netherlands in a position where the country would have to decide between war with Britain or war with France.

On 24 June 1778, the French government issued a decree that embraced the concept that warlike materials such as arms and munitions would be considered contraband when found on board neutral merchant ships and would be subject to seizure. This decree was designed to stimulate the efforts of French cruisers, for contraband was so ill-defined in this document that it could mean almost anything, including naval stores. Very quickly, though, the French saw that this policy was a mistake, and on 26 July 1778, a new decree on prize law and contraband was issued, which proclaimed the principle that "free ships make free goods," with the exception of warlike materials defined narrowly as arms and munitions. The intent of the 26 July decree was to make it

not only possible, but also very profitable, for neutrals to carry goods to French ports. In the case of the Netherlands, however, the 26 July decree was to be used as a weapon to force that country into insisting that Britain adopt the principle that "free ships make free goods." The French scheme was very simple: reward those cities and provinces in the Netherlands who wanted the Dutch to use force to make Britain accept the doctrine that "free ships make free goods" and to punish those Dutch cities and provinces that were pro-British or that simply did not want to force on the British principles of neutrality that had been defined by the French.

On 23 February 1779, the British ambassador at The Hague learned that the French had issued another decree calling for the seizure of all Dutch ships--with the exception of those belonging to the cities of Amsterdam and Haarlem--carrying British property.<sup>66</sup> This action was just the first step in the French scheme, for on 1 March 1779, the French government revoked the decree of 26 July 1778 and applied the prize law to all Dutch ships, with the exception of those belonging to Amsterdam and Haarlem, which was set forth in the decree of 23 June 1778. In addition, a tax of 15 percent was laid on all Dutch ships entering French ports, with the exception of those belonging to Amsterdam and Haarlem. The purpose of this policy was to punish the pro-British provinces of the Netherlands, while rewarding Amsterdam and Haarlem (whose ships carried most of the naval stores to France) for their attempts to obtain a vote in the States General calling for the use of unlimited convoys to protect Dutch ships carrying naval stores to French ports.<sup>67</sup> This French policy wounded the Dutch body politic in much the same way that an explosive-laden harpoon wounds a whale.

The major French diplomatic objective in the Netherlands during 1779 was to force the Dutch to provide naval escort, or what was termed "unlimited convoys," to Dutch merchant ships carrying naval stores to French ports. The method the French used was to give Amsterdam and Haarlem commercial advantages in the hope that other cities and provinces of the Netherlands would support the French cause in order to gain similar advantages. Yorke suggested to London that Britain might discriminate against ships belonging to Amsterdam and Haarlem just as the French were treating ships belonging to other provinces of the Netherlands. Yorke also mentioned that the Royal Navy might provide convoy for all Dutch merchant ships other than those belonging to Amsterdam and Haarlem.<sup>68</sup> Yorke's suggestions were not taken up immediately, and it remained British policy to prevent, as much as possible, the innocent trader from suffering any inconvenience from the war,<sup>69</sup> while backing up the stadtholder in his efforts to impede pro-French moves to institute convoys to French ports.

On 30 March 1779, Yorke was directed to inform the Dutch government that "to grant Convoy indiscriminately to their Ships going to the Ports of France, such a measure can only be considered a Determination to supply them with such Materials as they may most stand in need of in the present war." Also, if the Dutch adopted the policy of limited convoys, or not escorting ships loaded with naval stores, the Dutch government would find itself "under the greatest Difficulties, in forming Instructions to their Admiralty, in the Description of such Articles as are to be excluded from the Convoy." Even if the Dutch government defined contraband exactly as the British admiralty courts did, it would be of

little assistance, for a "Merchant will always contrive to evade every Regulation which does not coincide with his Interests." Yorke was also ordered to support in whatever way possible the Prince of Orange and the Dutch ministers "to exert their utmost Endeavours to prevent the measure of granting Convoy, at the Instigation of those who act under the Influence of France."<sup>70</sup>

Seven days later, Yorke was directed to inform the Dutch government that the subjects of the States General, because of the terms of the Anglo-Dutch Commercial and Maritime Treaty of 1674, "have greater Indulgence than those of other Neutral Powers." Also, the British government believed that "The meaning of the Word Convoy implies an apprehension, and carries with it at least an unfriendly appearance, and in the Eyes of Europe it will be considered as a Signal to the other Maritime Powers to follow Example." Yorke was further ordered to inform the Dutch government "in the most explicit, though in the most temperate and friendly Terms," that the British would not permit "ships having Naval Stores on board, although they should be accompanied by Ships of War, to go to the Ports of France."<sup>71</sup> The British position was very clear, and it was one that would not change, even with the threat of invasion of the British Isles brought about by the operations of the combined Franco-Spanish fleets in the western approaches of the English Channel. The Dutch would not under any circumstances be permitted to ship naval stores to France.

The Dutch reaction to British and French diplomatic threats and pressure was to stall. The stadtholder, who was pro-British, and a number of Dutch officials who saw the dangers of war with either France or Britain, adopted a policy of entangling the whole question of granting convoys, whether they were limited or unlimited, in the complex machinery of the Netherlands' government in such a way that the whole question would be tied up for months in various legislative bodies. The province of Holland made a motion in the States General that unlimited convoy be granted to Dutch merchant ships proceeding to French ports. The stadtholder and his followers managed, with a majority of one vote, to get the whole question of convoys referred to the states of the provinces, with the result that the States General could not take any action on the question until these legislative bodies had acted upon the subject. It would thus be weeks, if not months, before the question of convoys again came before the States General.<sup>72</sup>

While Dutch politicians debated the convoy issue, the British prepared for the worst and, at the same time, increased diplomatic pressure on the Netherlands. On 13 April 1779, Yorke was directed, in the event that the Dutch government adopted a policy of convoys, to find out the size of each convoy, the strength of its escort, the instructions given to the escort, and the dates on which convoys were to sail in order that the Royal Navy could intercept them.<sup>73</sup> Then, on 18 May 1779, he was directed to make sure that the stadtholder, the Dutch ministers, and every member of the States General understood that the granting of convoys in any form for Dutch merchant ships going to French ports would result in the Royal Navy stopping these convoys by force of arms, if need be, and that one could not "reflect on the probable Issue of this most necessary and indispensable order, without feeling the greatest Emotion." Yorke stated that it was the opinion of the British government that this whole problem had been brought about

by Amsterdam and Haarlem trading with and becoming allied with the French government in ways that were contrary to the constitution of the Netherlands. And if the States General voted down the motion to institute convoys, then the British would treat goods and ships belonging to Amsterdam and Haarlem as if they were allies of the French, while the other cities and provinces of the Netherlands could continue to enjoy the privileges granted to them under the Commercial and Maritime Treaty of 1674.<sup>74</sup>

The Dutch were clearly caught between Britain and France. Yorke was near the truth when he informed Whitehall on 30 July 1779 that the Dutch wished "to gain time, & see [what direction] the turn of Affairs might] take, & particularly the events of the campaign."<sup>75</sup> The Dutch knew that the first movements of the Franco-Spanish attempt to invade England had just begun, and that if the French and Spanish succeeded in that enterprise, the Netherlands' problems would cease to exist.

Throughout the summer and autumn of 1779, Dutch politicians debated the convoy question. The problem in the end always came down to the same choices: should the Dutch navy convoy Dutch merchant ships to French ports or not? If the Dutch instituted convoys, should they be limited or should they be unlimited? It was on these points that the argument over convoys within the Dutch government centered, with the French attempting to get the Dutch to decide on unlimited convoys, while the British wanted the Dutch to drop the whole idea of convoys. On 22 July 1779, the British increased the diplomatic pressure on the Dutch by officially requesting that the Netherlands, under the terms of the Anglo-Dutch Alliance of 1678, supply the troops and warships to fight the French and the Spanish.<sup>76</sup> The Dutch did nothing, and the British did not press the matter, for they were merely setting up an excuse to enable them, if necessary, to disregard totally the Anglo-Dutch Commercial and Maritime Treaty of 1674. On 18 September 1779, the French in an attempt to force the pro-British inland farming provinces to support unlimited convoys, increased the economic pressure against the Dutch by prohibiting the importation into France of Dutch cheeses. This measure failed because the stadtholder personally bought up one hundred thousand guilders' worth of cheese to offset the loss of the French market.<sup>77</sup> The British and the French were diplomatically fighting each other over the political control of the Netherlands.

The diplomatic crisis confronting the Netherlands over the question of convoys was made much more complex by the arrival on 3 October 1779 of Capt. John Paul Jones's squadron in the Texel. Jones had been ordered by the French government to escort a number of merchant ships to France. However, by the time Jones reached Dutch waters, the merchant ships had already sailed. Perhaps one could detect the slippery hand of Benjamin Franklin at work in Jones's arrival in the neutral waters of the Texel. For Franklin, the wily American diplomat in Paris, always knew how to embarrass everybody during a diplomatic crisis. Jones's command consisted of four warships. Two of these ships were commissioned French warships and flew the French flag. The other two, the Serapis and the Countess of Scarborough, flew the American flag and had both American and French officers with American commissions. To make matters more complex, the Serapis and the Countess of Scarborough held British prisoners of war, and the ships themselves were ex-British warships that had been captured by Jones in

his celebrated and hard-fought action off the coast of Yorkshire on the night of 23 September 1779.

Immediately upon the arrival of the American officer in Dutch waters, Yorke demanded that Jones be arrested by the Dutch as a pirate because the Netherlands did not recognize the American Congress. The French, on the other hand, did not want Jones's squadron to be known as an American force, because it might give the British the excuse to go to war with the Dutch, and at this time, the Netherlands was of more use to the French as a neutral than a cobelligerent. Therefore, the French ambassador refused to proclaim Jones's squadron as either American or French. Jones himself told Dutch authorities that he was an American officer with an American commission, that the Serapis and Countess of Scarborough were American warships in which both American and French officers served, and that all of them held American commissions. Jones then implied, just to make matters a little more confused, that he had a French commission as well as an American one, but that the French commission had been lost when his flagship, the Bonhomme Richard, had sunk.

The Dutch were again caught in a predicament, for the British wanted Jones arrested as a pirate, and the Dutch could not figure out whether Jones was an American or a French officer, or both. The French government remained silent about the status of Jones. The American refused to leave the Texel voluntarily without receiving orders from Franklin in Paris, and the doctor was not about to send any such orders. The Dutch could not solve their problems by throwing Jones out of their waters because this might be an affront to the French, if in fact the American held a French commission. If Jones were forced to leave the Texel at once, it would be a British diplomatic victory; if he stayed longer in Dutch waters, his presence would show that the French diplomatically had the upper hand in the Netherlands. Furthermore, every day that Jones's squadron, with two ships flying the American flag, stayed in the Texel, it gave the appearance that the States General recognized the rebel American government. This was the objective that Franklin had in mind when he permitted Jones to proceed to the Netherlands.

From the Dutch point of view, Jones could not have picked a worse time to appear in the Texel, and each day that Jones remained in Dutch waters, the whole thing became more complex and embarrassing. For example, at one point, the British prisoners on Jones's ships rioted, and a number of them escaped only to be pursued by American seamen and marines, with the assistance of the Dutch civil authorities. While silence reigned at the French embassy, Yorke was demanding in ever stronger tones that Jones be arrested. The only answer for the Dutch was to fall back on their best diplomatic weapon--lethargy. Yorke quickly found that no part of the Dutch government had the power or the authority to determine the nationality of Jones's squadron. In fact, when the French decided that it was time to make Jones's force into a French one, the American captain refused to say he was in the service of the French and kept the American flag flying in the Texel. The problem of Jones's squadron had turned into a huge diplomatic wrangle, and it remained so until well after the Dutch had decided the

convoy question. Then, and only then, did the American officer leave Dutch waters, after having enraged the British and embarrassed both the Dutch and the French.<sup>78</sup>

During the first two weeks of November 1779, the Dutch failed to resolve the convoy question. On 5 November, Yorke reported that the states of Holland had voted for a limited convoy, from which ships loaded with naval stores would be "absolutely excluded." A week later, on 12 November, Yorke informed London that the States General of the Netherlands had voted for two limited convoys. One convoy was to protect Dutch merchant ships proceeding to the Mediterranean; the other was for the West Indies.<sup>79</sup> Clearly, two limited convoys from which ships carrying naval stores would supposedly be banned fell far short of the French wish for unlimited convoys between Dutch and French ports, in which ships carrying naval stores would be under the protection of Dutch warships. The British were against any form of Dutch convoys and considered the distinction between limited and unlimited convoys to be almost academic. On 14 September 1779, Yorke warned London that "I have been more afraid of a concession for Limited Convoy than any thing else, knowing that suspicious ships would attach themselves to such a convoy, & endeavour to get thro' under cover of it."<sup>80</sup> Whether a convoy was limited or unlimited, the British were going to stop it, by force if need be, and seize any Dutch merchant ship found to be carrying naval stores or other contraband, even if this action resulted in fighting between the convoy's naval escort and the ships of the Royal Navy.<sup>81</sup>

On 7 December 1779, Yorke reported to London that there were more than fifty merchant ships loaded with naval stores in Dutch ports waiting to proceed down the English Channel.<sup>82</sup> By 14 December, Yorke knew that the French were going to use the cover of the convoy bound for the Mediterranean to pass naval stores down the Channel to French ports. Why the Dutch government did not know or want to believe what the British reaction to such a move would be is unclear, for Yorke had informed them over and over again that any Dutch convoy would be intercepted by the Royal Navy. Underwriters, as usual, had a clearer understanding of the situation than the politicians, for as Yorke reported, those ships carrying naval stores and proceeding with the convoy could not obtain insurance, while ships sailing independently, even if loaded with naval stores, had no trouble obtaining insurance.<sup>83</sup>

On 27 December 1779, a Dutch convoy of twenty-seven merchant ships, escorted by five Dutch warships under the command of Schout-bij-nach Graaf van Bylandt, sailed from the Texel towards the English Channel. From the moment that the Dutch ships left the Texel, they were followed by British armed cutters, which supplied intelligence as to the exact movements of the Dutch convoy to Rear Admiral Drake, as well as to the Admiralty. The Admiralty, knowing that the Dutch might attempt to run a convoy down the Channel, had on 12 December formed a small squadron at St. Helens under the command of Capt. Charles Feilding. Its purpose was to intercept any Dutch convoys that entered the Channel.<sup>84</sup> Upon receipt of orders from the Admiralty and intelligence from a number of British cutters that had been observing the movements of Bylandt's convoy, Feilding's command sailed from St. Helens on the morning of 30 December to intercept the Dutch convoy and to search the merchant ships in it for contraband.<sup>85</sup>

At about 1500, between St. Alban's Head and Portland on the English side of the Channel, Feilding's ships sighted the Dutch convoy. At 1645, the commander of the convoy's escort requested that Feilding send an officer on board his ship to explain to him the intentions of the British squadron. Capt. Samuel Marshall was ordered to go on board Bylandt's flagship and "in the most civil manner possible, to beg he [the Dutch admiral] would allow [him] to visit his Convoy." Marshall, together with the Dutch admiral's flag captain, soon returned to H.M.S. Namur, Feilding's flagship, with Bylandt's answer, which was a flat refusal. The Dutch captain explained to Feilding that the merchant ships of the convoy did not have cargoes of wood for ship construction or cordage but that a number of them were bound to French ports with cargoes of hemp and iron, and that Bylandt would not permit the British to visit and search any of the merchant ships under his escort. Feilding then told the Dutch captain that his orders called for him to visit and search the Dutch merchant ships, that this would be done the next morning, and that he hoped that there would be no violence or resistance on the part of the Dutch. The Dutch captain again stated that his admiral's orders called for the use of force against any British attempt to visit and search any of the ships under his escort.

During the night of 30-31 December, the Dutch and British ships hove to while Feilding gave the Dutch admiral some time to think matters over. At 0800 on 31 December, Feilding ordered that a number of Dutch merchant ships be visited and searched. As ship's boats, each flying British colors, made their way to various Dutch merchant ships, Bylandt's flagship fired a cannon shot at one of the British boats. Thereupon, Feilding had a shot fired across the bow of the Dutch flagship. The Dutch admiral's ship and a large frigate nearby immediately answered by firing a broadside in the general direction of Feilding's ship. The Dutch fire was returned at once by H.M.S. Namur and H.M.S. Valiant, each of which fired about twenty or thirty rounds back at the Dutch warships. Then all the Dutch warships hauled down their colors. Feilding ordered nine Dutch merchant ships carrying hemp and iron to be seized and sent Marshall on board the Dutch flagship with directions to inform Bylandt that he was "at liberty to do as he pleased with his squadron." After gaining Feilding's permission, salutes were exchanged and the Dutch warships rehoisted their colors. Feilding then proceeded to St. Helens with his squadron and the Dutch merchant ships that had been seized. He was followed by two Dutch warships, for Bylandt insisted on staying with the seized Dutch merchant ships.<sup>86</sup>

To Feilding the incident was perplexing, for ten of the twenty-seven merchant ships that had sailed from the Texel with Bylandt had vanished, and the British captain could not understand why the Dutch government would escort with five warships "a few small vessels" with cargoes of iron and hemp. Feilding thought that it might be a cover to move ships with naval stores through the Channel on the French side.<sup>87</sup> But from the tone of Feilding's dispatches, it is clear that the British officer knew that there was a lot more involved than just a few shiploads of naval stores, for the interception of Bylandt's convoy was a major step down the road toward war with the Dutch government. Perhaps Feilding could not understand why the Dutch were prepared to risk so much over a mere handful of merchant ships, for the officials in The Hague must have known

that the British would have no choice other than to seize some of the ships in Bylandt's convoy. The king, after reading Feilding's dispatches, concluded that "We have done perfectly right; if we do not prevent our enemies from getting naval stores; it is impossible we can carry on the war or make a peace but on most disadvantageous terms."<sup>88</sup>

In the weeks following the seizure by the Royal Navy of nine Dutch merchant ships under convoy of Dutch warships, the British began systematically to enforce their concepts of maritime neutrality upon the Netherlands, seemingly without regard of the consequences of these measures. Lord George Germain, a secretary of state, summed up the British position when he wrote on 8 January 1780 that the British had given the Dutch sufficient grounds for declaring war and that the States General "must soon determine whether they will be governed by France or make common cause with us, for I think they will soon be driven out of impracticable neutrality."<sup>89</sup>

On 11 January 1780, Yorke was instructed to explain the British position to the Dutch authorities in strong terms. The British diplomat told the Dutch:

We cannot suffer you to carry Naval Stores to the Enemy, because that would be suffering You to give the Enemy effectual Assistance which is not only inconsistent with every Idea of Neutrality, but directly contrary to those positive Engagements by which You are bound to take an active Part in our Defense.

However, Yorke did not at this time demand that the Dutch supply the troops and ships to aid Britain in its war with France and Spain as called for under the Anglo-Dutch Alliance of 1678. Britain did not want to appear to be pushing the Netherlands into war. The British diplomat at The Hague, though, was to make it totally clear to the Dutch authorities that Britain would not under any circumstances let the Netherlands use its status as a neutral and as an ally of Britain to aid the island kingdom's enemies.<sup>90</sup> To drive this point home, British cruisers, at the end of January 1780, began seizing Dutch merchant ships carrying not only naval and warlike stores to enemy ports but also cargoes of provisions bound for the ports of France and Spain.<sup>91</sup>

Yorke believed that the Netherlands could not withstand the pressures of both Britain and France and that any course of action the Dutch followed promised "little satisfaction." In a dispatch from The Hague dated 22 February 1780, the British ambassador suggested that the privileges granted the Netherlands under the Anglo-Dutch Commercial and Maritime Treaty of 1674 be withdrawn so that the Royal Navy could deal with Dutch shipping just like that of any other neutral.<sup>92</sup> On 14 March 1780, Yorke was directed by London to find out if the Dutch intended to fulfill the terms of the Angle-Dutch Alliance of 1678, so that the British could know whether to treat the Netherlands "as an ally or only as a friendly neutral power."<sup>93</sup> When it became clear that the Netherlands would not give a satisfactory answer to this question, an order in council was issued on 17 April 1780 "suspending provisionally until further order the particular stipulations respecting the freedom of navigation of the subject of the States General of the United Provinces."<sup>94</sup> With the suspension of the Angle-Dutch Commercial. and Maritime Treaty of 1678, the British adopted the following policy towards the Netherlands: "It is much better to leave the madness and infatuation to be

cured by time, and events; and wait the operation of those cogent remedies which our cruisers will apply."<sup>95</sup> Britain now looked upon the Netherlands as a hostile neutral power that was employing its merchant shipping secretly to assist France and Spain. The Royal Navy was to be used to prevent Dutch ships from carrying anything to the enemy, and on 30 May 1780, Yorke was directed to obtain the necessary intelligence to enable the king's ships to carry out this policy.<sup>96</sup>

By the second week in June 1780, Yorke had come to the conclusion that the Netherlands could only avoid war with either the British or the French by joining the League of Armed Neutrality that Catherine II, empress of Russia, was establishing.<sup>97</sup> For months there had been talk in various European capitals of the neutral powers of northern Europe forming some kind of league to force Britain to change, or at least moderate, its concepts of blockade and contraband. As early as 22 September 1778, Yorke reported that the Danish mission at The Hague was floating the idea that the northern powers unite and use their combined strength to force the British to change their policy toward neutrals.<sup>98</sup> Singly, northern neutrals, such as Denmark and Sweden did not pose a threat to British naval power, but together, the northern or Baltic powers, including Russia, and perhaps the Netherlands as well, had the combined naval force to tip the scales against Britain and force a change in its policy toward the European neutral nations.<sup>99</sup> The idea of a league of northern powers, however, was little more than talk until 1780, for there was no leading nation or political personality willing or able to run the risks involved in forming a league of neutrals for the purpose of confronting England over the question of neutral rights on the high seas.

At the beginning of 1780, however, all of this changed when Catherine the Great of Russia took up the cause of neutral rights on the high seas. Russia was a major military power, produced large quantities of naval stores, and had almost no merchant shipping. From St. Petersburg in 1780, the diplomatic situation in the Baltic and western Europe must have looked most appealing to Catherine II. Russia was between Turkish wars, Britain was at war with both France and Spain, and the small neutral nations of northern Europe were being harassed by the Royal Navy. Further, it was British policy to gain an alliance with Russia to offset the success of French diplomacy in Europe, while it was French policy to do anything diplomatically to cause trouble for Britain. There could be no better opportunity for Catherine II to gain prestige on the European diplomatic stage than to champion the neutral nations of Europe and uphold their neutral rights on the high seas.<sup>100</sup>

Catherine's interest in the maritime rights of European neutrals appears to have been brought about by three separate events. In August 1778, the American privateer General Mifflin of Boston sank one British merchant ship and captured seven others off the North Cape of Norway. These British merchant ships were carrying Russian products from the port of Archangel. Catherine saw this as an illegal attack on Russian trade and proposed to Denmark-Norway that some joint naval action be taken to prevent such things from happening in the future. On 10 October 1778, Catherine believed that she had again been insulted, for the merchant ship Jonge Prins, loaded with flax and hemp bound to Nantes, became the first Russian ship to be seized by the

British, who in the next several months were going to seize more Russian ships and Russian products on board neutral ships. When news reached Catherine on 30 January 1780 that the Spanish had seized and carried into Cadiz a ship chartered by Russian merchants carrying a cargo of Russian corn to France and Italy, the empress sent a strong protest to Madrid.

By this time it appeared to Catherine that nobody--Americans, British, Spanish--respected the rights of Russia on the high seas. This was not a question of economics, for most Russian naval stores were bought by British factors in Russian ports and either shipped to England or sold to French agents, who then shipped them to French ports in neutral bottoms that were mostly Dutch. The English factors told British diplomats in Russia which neutral ships were carrying naval stores to France so that the Royal Navy could seize these ships. A neutral shipowner might lose money if his ship were seized and condemned, but the Russian producer of naval stores received his money before the cargo had even been loaded.<sup>101</sup> Clearly, to Catherine II, this question was not a matter of economics but rather one of respect and prestige that must be decided to her advantage.

By the middle of February, Catherine had come to the conclusion that she must take her place as the leader of the European neutrals and declare her concepts of neutral rights on the high seas to both neutrals and belligerents. Spain provided Catherine the occasion to set her diplomatic offensive in motion. On 17 February 1780, news arrived in St. Petersburg that the Spanish had seized a Russian merchant ship, the St. Nicholas, loaded with corn bound for Italy. The corn on board the St. Nicholas was sold at Cadiz, over the protests of the Russian consul, with the Spanish not even attempting to determine the nationality of the ship or its cargo. On 19 February, Catherine secretly issued a ukase, written in her own hand, ordering the fitting out of fifteen ships of the line and five frigates.<sup>102</sup> This was followed on 10 March 1780 by a "Declaration of the Empress of Russia regarding the Principles of Armed Neutrality to the Courts of London, Versailles and Madrid." In this declaration Catherine stated that the belligerents must govern their conduct toward neutral merchant ships according to the following five principles:

- 1) That neutral vessels may navigate freely from port to port and along the coasts of the nations at war.
- 2) That the effects belonging to the subjects of the said Powers at war shall be free on board neutral vessels, with the exception of contraband merchandise.
- 3) That, as to the specification of the above mentioned merchandise, the Empress holds to what is enumerated in the 10th and 11th articles of her treaty of commerce with Great Britain, extending her obligations to all the Powers at war.
- 4) That to determine what constitutes a blockaded port, this designation shall apply only to a port where that attacking Power has stationed its vessels sufficiently near and in such a way as to render access thereto clearly dangerous.

5) That these principles shall serve as a rule for proceedings and judgments as to the legality of prizes.

The Russian declaration ended with a statement that if the belligerents did not conduct themselves according to these principles, Catherine would force them to respect the commerce of her subjects by force of arms.<sup>103</sup> On 3 April 1780, the Russian government presented to the States General of the Netherlands and to the courts of Copenhagen, Berlin, Stockholm, and Lisbon a memorandum suggesting that these nations form, in conjunction with Russia, a League of Armed Neutrality with the objective of employing the combined naval forces of each of these nations to enforce the concepts of maritime neutrality as set forth by Catherine's declaration of 10 March to the warring powers.<sup>104</sup>

There was nothing secretive about the Russian memorandum of 3 April. At The Hague, Yorke knew its contents one day after it had been presented to the States General.<sup>105</sup> To the French and Spanish, it was an advantage for Russia to set up a league of neutral maritime powers to enforce such things as the doctrine that "free ships make free goods" and that only a close blockade is a legal one, for then they could continue to employ neutral shipping to import goods such as naval stores. Thus, both France and Spain quickly stated that they accepted Catherine's principles of neutrality as set forth in the declaration of 10 March 1780.<sup>106</sup>

For Britain the problems created by Catherine's declaration and the proposed setting up of the League of Armed Neutrality were much more complex than those of its enemies. For example, how far would Russia and the other northern powers go in using force to uphold what they considered to be their rights on the high seas? Were the northern powers prepared to fight the British (who were the biggest buyers of naval stores) in the Downs? Was the League of Armed Neutrality a Russian diplomatic bluff or a ploy to gain prestige? or could Catherine be bought off with some kind of concession? Then there was the problem of the Dutch, whose ships carried most of the naval stores to France and Spain. The pro-French faction in the Netherlands was stronger than the supporters of Britain. Would Britain or Britain's enemies benefit more from a neutral Netherlands that was a member of the League of Armed Neutrality? Would it be advantageous to have the Netherlands as a cobelligerent of France and Spain? To answer these and many other questions required time and more information, so the British answered Catherine's declaration by stating only that His Majesty's government would conduct itself in accordance with international law.<sup>107</sup>

To informed observers, Russian policy in 1780 was perplexing and contradictory. For example, the Swedish foreign minister on 31 March 1780 told the British ambassador that he thought that "it appeared strange" for Russia to fit out a squadron of thirty warships "for the sake of protecting two or three merchant ships at the most."<sup>108</sup> On 11 April 1780, Lord Stormont, the British secretary of state for the Northern Department, stated that the intentions of the Russian government "are so problematical that I know not what opinion to form." But if Catherine was really going to pit into effect the policies

called for in her 10 March declaration and 3 April memorandum, then the British could not and would not subscribe to such a doctrine.<sup>109</sup>

During the spring of 1780, it became clear to the British that the Russians were bluffing and that Catherine would not and, in fact, could not let the question of neutral rights on the high seas result in Russia becoming involved in a naval war with the British. The British ambassador to Russia, Sir James Harris, had many sources of intelligence among the officers of the Russian Baltic fleet, for many of them were British. On 26 May 1780, Harris informed London that the British commander of the Russian Baltic fleet, with the backing of all the other British officers, had told Catherine that they would not serve in a conflict against Great Britain.<sup>110</sup> In two other dispatches, dated 20 and 23 June 1780, Harris informed London that the orders of the Russian Baltic fleet ran totally contrary to the principles of the League of Armed Neutrality. Russian warships were directed to protect only Russian merchant ships, not to protect the property of belligerents on neutral merchant ships, and not to protect merchant ships belonging to other neutrals.<sup>111</sup>

Even with this intelligence, the authorities in London continued to be confused, for on 18 July 1780, Stormont wrote to Harris, "The more I reflect upon all that has passed of late, the more I am inclined to believe that we have not got to the bottom of this strange business."<sup>112</sup> The thing that the British government did not understand was that there was no firm basis for the Russian moves and that setting up the League of Armed Neutrality did not represent a policy. Rather, it represented a huge diplomatic fishing expedition for Catherine to gain diplomatic prestige by appearing to be the leader of the neutral maritime powers of Europe. Not understanding this, the British continued their policy of either making or offering concessions in the hope of gaining an alliance with Russia.

At the same time, the British would not give an inch when it came to the League of Armed Neutrality. On 8 August 1780, Stormont informed Harris that if the Russian government applied the provisions set forth in the League of Armed Neutrality to the Dutch, it would be "a measure little short of direct hostility and as pernicious in its consequences as actual war."<sup>113</sup> On the other hand, several months later, on 20 October 1780, Harris was directed to find out from the Russian government if there was a piece of British territory that could be given to Russia in exchange for an alliance.<sup>114</sup> On 20 November 1780, orders were issued to all British cruisers to seize only those Russian merchant ships whose cargoes consisted of warlike materials, such as munitions, and not naval stores and provisions.<sup>115</sup> Then, on 3 January 1781, the British cabinet directed Harris to offer the island of Minorca to Russia for a "Great and Essential Service Actually performed."<sup>116</sup> This scheme was never actualized, however, for Russia had little use for a western Mediterranean island that the Spanish thought ought to belong to Spain. The confusion in London as to the real objectives of the League of Armed Neutrality and the lengths to which Britain was prepared to go in order to obtain a Russian alliance show, if nothing else, that Catherine really knew how to play a suitor along.<sup>117</sup>

During the summer of 1780, the courts of Copenhagen and Stockholm signed conventions with the Russian government embracing the principles of the League of Armed Neutrality as set forth in the Russian memorandum of 3 April 1780. Both Denmark-Norway and Sweden, however, created diplomatic loopholes to protect themselves from the Royal Navy and, in the case of Denmark-Norway, to increase that country's share of the international carrying trade. The British resident at Copenhagen, Sir Morton Eden, was able to negotiate a secret explanatory article to the Anglo-Danish Treaty of 1670 that specifically made naval stores contraband. This secret Anglo-Danish explanatory article was signed on 4 July 1780, and on 9 July 1780, Denmark-Norway signed a convention with Russia that embraced the principles of the League of Armed Neutrality in which the doctrine that "free ships make free goods" was upheld, while contraband was defined by the terms of the Anglo-Danish Treaty of 1670.<sup>118</sup> What Denmark-Norway did was to square a circle diplomatically by proclaiming that "free ships make free goods," while, without the knowledge of the Russians, defining naval stores as contraband of war. The court of Copenhagen's policy was to placate both the British and the Russians by joining the League of Armed Neutrality while refraining from transporting naval stores on board its merchant ships to French and Spanish ports. This policy, especially after the Royal Navy had driven the Dutch merchant marine from the seas, resulted in a substantial increase in Denmark-Norway's overseas trade and increased the size of the country's merchant marine.<sup>119</sup>

Stockholm, as did Copenhagen, employed legalistic, diplomatic subterfuge so as not to enrage either Britain or Russia. On 1 August 1780, Sweden signed a convention with Russia that was similar to the one signed by Denmark-Norway, in that it upheld the principle of "free ships make free goods" while employing the definition of contraband that was stated in the Anglo-Swedish Treaty of 1661.<sup>120</sup> The treaty of 1661 upheld the doctrine that "free ships make free goods," but it defined contraband as "all other things necessary for warlike use," a definition vulnerable to various interpretations.<sup>121</sup>

With the exchange of all the necessary notes and declarations, these conventions became a three-way alliance, ducking the vital question of the transport of naval stores, and calling for mutual armed assistance to protect Danish-Norwegian, Swedish, and Russian neutral rights. Another set of agreements was later signed to neutralize the Baltic and to prevent all warlike acts in that sea.<sup>122</sup> Because these agreements either stopped the shipment of naval stores or sidestepped the issue, the way in which Denmark-Norway and Sweden joined with Russia in the League of Armed Neutrality effectively settled in Britain's favor the question of transporting naval stores in Danish-Norwegian and Swedish ships to French and Spanish ports.

The Netherlands had the most to lose and perhaps the most to gain from the Russian proposal of the League of Armed Neutrality in 1780. Among the nations that received the Russian memorandum of 3 April 1780, the Dutch were the major neutral carriers of naval stores to French and Spanish ports. If the Dutch joined the League of Armed Neutrality and if this league of neutrals was capable of protecting neutral merchant ships carrying naval stores to the French and Spanish, then Dutch merchants and shipowners would gain huge profits. If, however, the League of Armed Neutrality did not

or could not protect the Dutch from the Royal Navy, then the cost to the Netherlands would be huge. The Dutch could not expect naval aid from the French and Spanish because their major naval forces were stationed hundreds of miles west of the Netherlands at Brest and Cadiz. The British Channel squadron stood between the Netherlands and the naval forces of the two Bourbon powers. The Netherlands also had to attend to the protection of its colonies in the East and West Indies. War with Britain would result in the destruction of the Dutch merchant marine and its overseas trade. The Dutch only dimly perceived the great risk of an Anglo-Dutch war should they attempt to join the League of Armed Neutrality.

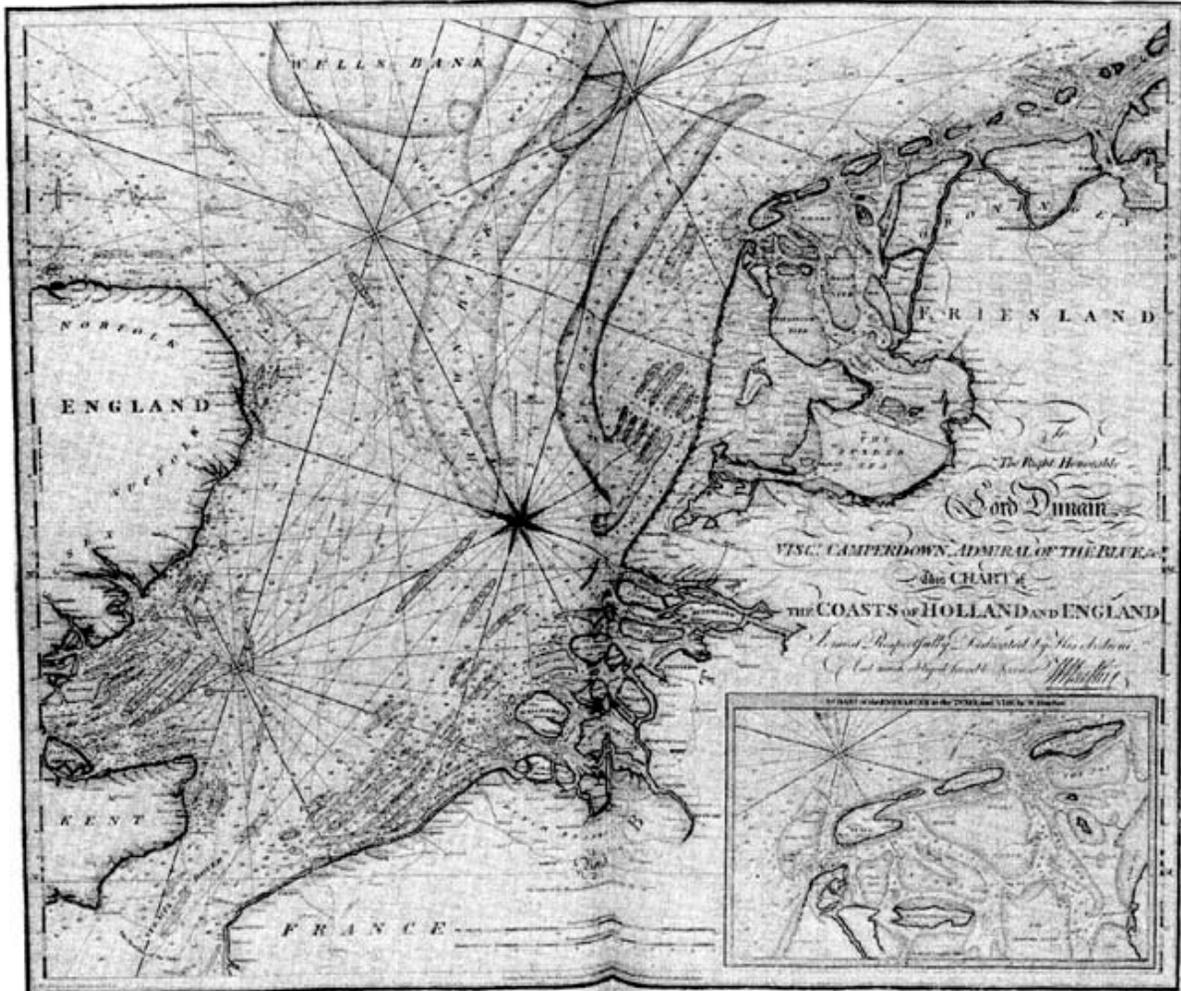
On 24 April 1780, one week after the British had withdrawn the privileges enjoyed by the Dutch under the Anglo-Dutch Commercial and Maritime Treaty of 1674, the States General of the Netherlands passed a resolution stating that it agreed with the principles of neutrality as proclaimed by the empress of Russia in her declaration of 10 March and memorandum of 3 April. Two days later, on 26 April, the French government issued a declaration to the Dutch saying that it approved of the armed neutrality.<sup>123</sup> Maybe if the Dutch had immediately joined the League of Armed Neutrality on the terms put forth by Catherine, the British would not have had the information or time to put into effect the means to forestall this action. But the Dutch stalled and attempted to negotiate special terms with the Russians in return for joining the league. What the Dutch wanted was a Russian pledge to protect the Netherlands' East and West Indian possessions.<sup>124</sup> The problem, from the beginning, was that the Dutch thought that the Russians were serious about protecting neutral rights on the high seas. What the Dutch did not see, or did not want to see, was that the League of Armed Neutrality was designed to gain prestige for Catherine and not really to protect neutral maritime rights. Also, the Russians did not have the means or the desire to protect Dutch colonies against British attack. On 12 September, the Russian empress informed the Dutch that under no condition would she guarantee Dutch overseas possessions, and that the Dutch could not expect such a guarantee for merely joining the League of Armed Neutrality.<sup>125</sup>

By August 1780, it had become just a question of time before Great Britain declared war on the Netherlands. While Dutch diplomats were in St. Petersburg negotiating with the Russians over the terms for the Netherlands to join the League of Armed Neutrality, the British on several occasions warned the authorities at The Hague that such a step would most likely result in an Anglo-Dutch war. Stormont thought that if the Dutch joined the league, they would "leave us no alternative and must be treated as the secret enemies of that nation with which they ought to be the firmest friends."<sup>126</sup> The British government under no circumstances would permit the Dutch, even under the protection of the League of Armed Neutrality, to transport naval stores to the ports of France and Spain. By August 1780, the question of the Dutch joining the league in conjunction with Denmark-Norway, Sweden, and Russia was to a great extent academic. On 11 August 1780, Yorke at The Hague reported that the French had requested that the States General remove the taxes on exporting naval stores from the Netherlands because they were developing means to transport naval stores through the Netherlands and Belgium to French Channel ports by means of a complex system of inland waterways ([see map 2](#)).<sup>127</sup> The Admiralty learned on 21 August 1780 that the French system of inland

waterways was developed to such an extent that the French could move naval stores from the Netherlands to the port of Nantes on the Bay of Biscay.<sup>128</sup>

The ability of the French to transport naval stores from the Netherlands to French ports by means of inland waterways destroyed the effectiveness of the British blockade in the Channel. Dutchmen, acting as secret French purchasing agents, could buy naval stores on the account of a firm of Dutch merchants in Baltic ports, then ship these naval stores as Dutch property on Dutch merchant ships to the Netherlands. Upon reaching a Dutch port, the naval stores could be sent to the French by means of inland waterways. There were no legal grounds for the Royal Navy to seize a neutral Dutch merchant ship carrying what appeared to be Dutch property from a neutral Baltic port to the Netherlands. The British blockade of the Channel had been outflanked. On 1 September 1780, Yorke reported to London that there was "an immense quantity of Masts" which were going to be shipped from the Netherlands to French naval bases by means of inland waterways. Some weeks later, Yorke reported that there was no talk of instituting convoys for Dutch shipping and that the "conveying of naval stores thro' the Low Countries to France continues."<sup>129</sup> The only way that Britain could now prevent naval stores from reaching the French was to declare war on the Netherlands and extend the blockade of the Channel to cover the Dutch coast. But if Britain declared war on the Netherlands, it had to be done quickly, before the Dutch officially became a member of the League of Armed Neutrality, in order to avoid diplomatic problems with the Russians.

The major stated reason for Britain's declaring war on the Netherlands on 20 December 1780 was the existence of a draft of a treaty between the American rebels and the city of Amsterdam. On 3 September 1780, the American diplomat and former president of the Continental Congress, Henry Laurens, was captured by a British cruiser. Among some of Laurens's papers that had been fished out of the water by British seamen was a draft of a treaty drawn up at Aix-la-Chapelle in 1778 by an American diplomat, William Lee, and an agent of the city of Amsterdam, Jean de Neufville. Authorities on diplomatic history and law generally agree that the Lee-de Neufville Treaty was void before it was even signed. Nevertheless, the British government considered this document to "all intents & purposes, equivalent to actual aggression" a declaration of war. Yorke was ordered to demand that the States General immediately punish those officials of the city of Amsterdam who were responsible for the Lee-de Neufville Treaty.<sup>130</sup>



Map 2. Inland Waterways

On 3 October, dispatches from St. Petersburg arrived at The Hague, and the States General now had to decide whether to join the League of Armed Neutrality without a Russian guarantee of protection for Dutch colonies.<sup>131</sup> Ten days later Stormont requested that Yorke obtain detailed intelligence on Dutch military and naval capabilities in Europe, the West Indies, and the Far East, in order that the British could prepare for hostilities with the Netherlands.<sup>132</sup> Yorke fulfilled this request on 7 November, when he reported to Stormont that the Netherlands was "by no means prepared for war" and that there were in the Netherlands only thirty-six warships equipped for service and only sixteen of these carried fifty or more guns.<sup>133</sup> On 24 November 1780, Yorke reported to London that the States General of the Netherlands had voted to join the League of Armed Neutrality and that a courier would be dispatched to St. Petersburg the next day with the necessary papers to declare the Dutch accession to the league.<sup>134</sup> When news of the Dutch decision to join the League of Armed Neutrality reached London, the authorities there thought that the Netherlands was now "a secret enemy," and Yorke, on 16 December, was ordered to remove himself secretly from The Hague to neutral Antwerp.<sup>135</sup> The British government had decided that the only way to stop the flow of

naval stores to France and Spain was to declare and wage war against the Netherlands.

On 20 December 1780, Britain declared war against the Netherlands and issued orders in council forbidding the departure of Dutch ships and cargoes from British ports and authorizing the capture and destruction of all Dutch ships and property found on the high seas.<sup>136</sup> The decision to declare war was made in secret and timed so that it would be proclaimed before the Netherlands had legally joined the League of Armed Neutrality. Yet, at the same time, the States General would technically have just enough time to respond to the British demand that the authorities of the city of Amsterdam be punished for the Lee-de Neufville Treaty. When the Dutch ambassador to the Court of St. James protested the declaration of war, stating that the Netherlands was a member of the League of Armed Neutrality, he was bluntly informed by British officials that it was impossible for the Netherlands to be a member of any league of neutrals, for the States General was a belligerent power.<sup>137</sup>

The publicly given reasons for the declaration of war against the Netherlands were the refusal to abide by the terms of the Anglo-Dutch Alliance of 1678, secretly assisting the American rebels, supporting enemies of the British in the Far East, and entering into a secret alliance with the American rebels.<sup>138</sup> The excuse for declaring war on the Netherlands was the existence of the Lee-de Neufville Treaty. The occasion for declaring war was the Dutch decision to join the League of Armed Neutrality. But the real reason why Britain went to war with the Netherlands in December 1780 was to be able to prevent, by means of blockade, the flow of naval stores through Dutch ports (by means of inland waterways) to French naval bases on the Channel and on the Atlantic coasts of France.

On 4 January 1781, the States General of the Netherlands officially acceded to the conventions of the League of Armed Neutrality between Denmark-Norway, Sweden, and Russia. Several days later the States General requested under the terms of the League of Armed Neutrality that the other members of the league come to the aid of the Netherlands in the war against Britain.<sup>139</sup> No aid was ever given to the Dutch by the league's members. It was perceived by Yorke, when the Netherlands decided to join the League of Armed Neutrality, that the Dutch only saw "security, honour, and the means of making a figure, whilst they shut their eyes & ears to every reflection which [ran] counter to their passion."<sup>140</sup>

The British had gambled that the League of Armed Neutrality would offer no protection to the Dutch, that Catherine's stand on the maritime rights of neutrals was talk and bluff, and that Russia would not, at the end of 1780, go to war to save the Netherlands from the wrath of British sea power.<sup>141</sup> When the British declared war on the Netherlands, nobody in London could say for sure just what the Russians would do. On 18 February 1781, Lord Sandwich, the First Lord of the Admiralty, wrote ". . . the fact is, that we are at this moment in the most ticklish crisis with the Court of Russia, and that at this instant the giving them the least cause of complaint or entering into any altercation with them, might have the most decisive & fatal consequences."<sup>142</sup> Catherine, however, had gotten

out of the League of Armed Neutrality what she had wanted, which was diplomatic prestige. The empress would not fight for a thing she described to Sir James Harris as the "League of Nullity."<sup>143</sup>

There also would be no assistance to the Netherlands from the French and Spanish. Yorke had seen as early as 16 May 1780 that an Anglo-Dutch war was not in the interest of Paris, for "it would deprive France the use of the Dutch flag, which is so necessary to them."<sup>144</sup> When the Dutch became cobelligerents in the war against Britain, French interest in the Netherlands, which had been largely diplomatic, went by the wayside. The Dutch did not have to face the Royal Navy alone, for the American rebels, the French, and the Spanish were all fighting the British. But none of these powers could assist the Netherlands in the North Sea. The Dutch were victims of opportunistic French and Russian diplomacy and perhaps their own greed and hatred for the British, which made them fail to see the great economic and naval dangers involved in supporting or adhering to policies that would leave the Netherlands isolated in Europe, while confronting British naval power. This would be fatal to the Dutch economy, because in the light of hindsight, the war with England could perhaps have been avoided if the Dutch had viewed the situation rationally.

The Fourth Anglo-Dutch War was a disaster for the Netherlands. It had a catastrophic effect on Dutch seaborne trade. When Britain declared war against the Netherlands on 20 December 1780, units of the Royal Navy were dispatched to blockade the Dutch coast. Day after day, the Royal Navy patrolled the coast of the Netherlands and the eastern approaches of the English Channel, searching for intelligence and for ships attempting to carry contraband to Dutch, French, and Spanish ports.<sup>145</sup> Some of the British ships blocking the Netherlands stayed at sea for such long periods of time that their crews were subject to scurvy and the Admiralty had to make arrangements for provisions to be sent to warships on blockade duty in the North Sea from English east coast ports.<sup>146</sup> The British blockade of the coast of the Netherlands destroyed Dutch seaborne trade as well as the economy of the rest of the nation. On 24 August 1781, an intelligence report reached the Admiralty stating that "the Harbour of Amsterdam was like a desert, & nothing going forward either hostile or mercantile."<sup>147</sup> A little less than a year later, the commander of the squadron blockading the Netherlands wrote to the Admiralty that what little Dutch seaborne trade that existed was being conducted under cover of neutral flags.<sup>148</sup> The Dutch just did not have the ships or manpower to break the British blockade of the Netherlands.<sup>149</sup>

British strategy was simple: blockade the coast of the Netherlands and the eastern approaches of the English Channel to prevent enemy shipping from entering or departing Dutch ports, and prevent neutrals from carrying contraband to Britain's enemies. The blockade of the Netherlands and the Downs also greatly hindered enemy cruisers operating against British east coast shipping lanes and the ships carrying naval stores to England from the Baltic. The British also formed a North Sea squadron to intercept Dutch ships attempting to reach the Netherlands by way of the North Sea and to protect British shipping from attack by enemy naval forces.<sup>150</sup> In case the Dutch

appeared to be preparing to break the blockade of the Netherlands, units of the Channel squadron were, from time to time, transferred to the Downs or to the North Sea.

During May 1781, for example, the Admiralty received a number of intelligence reports to the effect that the Dutch navy was preparing to break the British blockade of the Netherlands.<sup>151</sup> On 31 May 1781 Vice Adm. Hyde Parker, Sr., was ordered to proceed from Spithead with three ships of the line and four smaller warships. His mission was to reinforce the escorts of the British convoys proceeding from the Firth of Forth and the Thames to the Baltic and to escort the Baltic trade from Elsinore to Britain.<sup>152</sup> On 23 July 1780, Parker, while escorting the British Baltic trade to Britain, received a dispatch from the Admiralty saying that a squadron of Dutch warships had broken out of the Texel and was escorting a number of Dutch merchant ships out of the North Sea. Parker was directed to leave the British convoy with a small escort and to intercept the Dutch. Parker, however, did not think he should reduce the strength of the convoy's escort when there was a Dutch squadron at large in the North Sea.<sup>153</sup>

On the morning of 5 August, on Dogger Bank, Parker intercepted the Dutch convoy and its naval escort. The British admiral immediately dispatched his convoy to Britain under escort of several small warships, while forming his seven largest ships into a line of battle.<sup>154</sup> There was no maneuvering or Jockeying for position by either of the two squadrons. The eight Dutch warships were in line-ahead position as Parker's squadron approached. Neither side fired a shot until both squadrons were within "half a musquet shot" of each other. When the fighting began, it was gunport-to-gunport.

For three hours and forty minutes, the British and Dutch blasted each other at point-blank range. The fighting ended only when both sides' warships became so damaged that they were unmanageable. Parker, in his official dispatch to the Admiralty, stated that "His Majesty's Officers and Men behaved with great bravery, nor did the Enemy show less gallantry." The British lost 104 men killed and 339 wounded, while the Dutch squadron, which was commanded by Rear Adm. Johan Arnold Zoutman, lost 144 men killed and 399 wounded. The next day, the British frigate Belle Poule found what appeared to be a Dutch seventy-four-gun ship of the line sunk in twenty-two fathoms with its topgallant masts, a pennant still flying, showing above the surface of the water. The flag was the only trophy of the action. The Battle of Dogger Bank was a tactical draw, for no ships were captured. The British and Dutch convoys escaped attack. Strategically, the battle was a British victory, for the Dutch warships and their convoy retreated to the Texel, and the Dutch fleet never again left the protection of that anchorage until the end of the war.<sup>155</sup>

The Battle of Dogger Bank was the only major fleet action in the North Sea between the British and the Dutch navies during the Fourth Anglo-Dutch War. For the Royal Navy, the dangerous and difficult work of blockading the Dutch coast and the eastern approaches of the English Channel would continue until the end of the war.<sup>156</sup> On 14 September 1781, an intelligence report was sent to the Admiralty stating that there were in various Dutch ports ten ships of the line, twelve frigates, five East Indiamen, and some smaller warships.<sup>157</sup> The Dutch Navy was still a possible threat, and at various

times the Admiralty received intelligence reports that the Dutch were again going to attempt to break the British blockade <sup>158</sup> During 1782 the Admiralty twice ordered major units of the Channel squadron into the North Sea to reinforce the blockade of the coast of the Netherlands.<sup>159</sup> There were no major battles to be fought in the North Sea, however, for the Dutch would not send a squadron to sea. After the Battle of Dogger Bank, the Royal Navy's main tasks in the North Sea were to maintain the blockade of the Netherlands and the eastern end of the English Channel, to search neutral merchant ships for contraband, to hunt down enemy cruisers, and to protect British trade from attack.

Was the British effort to prevent naval stores from reaching enemy ports successful during the American Revolutionary War? There can be no doubt that thousands of tons of naval stores were seized by the ships of the Royal Navy carrying out their blockade. But, strategically, did this effort neatly affect French and Spanish naval operations? Was the British blockade worth a great diplomatic crisis with European neutral nations and the Fourth Anglo-Dutch War? These questions and many others are difficult to answer. The interception of naval stores bound to French and Spanish ports did, in some ways, affect the operations of enemy naval forces.

But was the blockade strategically effective? That is, did it deprive the French and the Spanish of such quantities of naval stores as to prevent or greatly hinder the operations of their navies? The answer is most likely no. The British were never able to cut off supplies of naval stores reaching French and Spanish ports. But in the case of France, British blockades did force the French to expend great effort and huge amounts of money to procure the naval stores required to carry on the war.<sup>160</sup> The cost of subverting; British blockades drove up greatly the expense of carrying on the war for the French nation, and it contributed to the financial collapse of the French royal government.<sup>161</sup>

The real victim of British blockades and French and Russian diplomacy was the Netherlands. While the Fourth Anglo-Dutch War required the British to extend the already overtaxed resources of the Royal Navy to cover a new North Sea theater of the war, it also resulted in the destruction of the Dutch merchant marine and the smashing of the economy of the Netherlands. At the same time, war with the English opened the Dutch overseas empire to attack. The Royal Navy, in its efforts to prevent naval stores from reaching Britain's enemies, delivered to the Dutch a series of blows from which it would require years for the Netherlands to recover.

#### NOTES

Abbreviations and explanations of documents used in notes:

#### **Abbreviations--**

f., ff.: folio, folios

p., pp.: page, pages [This abbreviation is used only with citations of documents]

PRO: Public Record Office

**Documents collections at the Public Record Office-**

ADM/1/519-20, Commander-in-Chief at the Nore

ADM/1/661-65, Commander-in-Chief at the Downs

ADM/1/1791, 4135-36, 3143-45, Secretaries of State to the Admiralty

ADM/1/3886, Letters from Doctors' Common

ADM/2/373, Admiralty to the Secretaries of State

ADM/3/86, 90, 92, 95, 96, Admiralty Minutes

ADM/7/300, Solicitor's Opinions

ADM/51/363, Captain's Log

PC/2/122-23, 125, Orders in Council

SP/84/562, 565-66, 569-73, State Papers Foreign (Netherlands)

SP/91/102, 104-106, State Papers Foreign (Russia)

SP/95/128-30, State Papers Foreign (Sweden)

1. E.g., PRO, ADM/1/4135, f. 19.

2. PRO, PC/2/122, 383-40.

3. PRO, ADM/1/4136, f. 60.

4. For example, the Anglo-Dutch Commercial and Maritime Treaty of 1674 especially states that naval stores are not contraband in time of war. Daniel A. Miller, Sir Joseph Yorke and Anglo-Dutch Relations, 1774-1780 (The Hague, Netherlands: Mouton, 1970), 118-19.

5. See Sir James Allan Park, A System of the Law of Marine Insurances, with Three Chapters on Bottomry, the Insurance of Lives, and Insurance Against Fire. 7th ed. (London, 1787), 290-91.

6. PRO, ADM/7/300, f. 29.

7. E.g., PRO, ADM/1/3886, Gostling to Stephens, 8 May 1780; ADM/1/3887. Gostling to Stephens, 9 February 1782.
8. PRO, ADM/7/300, f. 123.
9. See Reginald Godfrey Marsden, ed., Documents Relating to Law and Customs of the Sea, 2 vols., Publications of the Navy Records Society, vols. 49, 50. (London: Navy Records Society, 1915-16), 2:341.
10. PRO, ADM/7/300, f. 202.
11. See James Brown Scott, ed., The Armed Neutralities of 1780 and 1800: A Collection of Official Documents, Preceded by the Views of Representative Publicists (New York: Oxford University Press, 1918), 274.
12. PRO, SP/91/102, f. 511.
13. PRO, SP/84/562, ff. 156-57, 236.
14. E.g., PRO, ADM/3/86, 13 and 29 October, 4 November 1778; SP/91/102, ff. 273, 293, 304-306; SP/95/128, 25 September, 17 October 1778.
15. PRO, SP/84/562, f. 8.
16. For an example of the deployment of the squadron in the Downs, see PRO, ADM/1/663, 15 September, 2 December 1779. 2 December 1779.
17. Park, System of the Law, 557.
18. PRO, ADM/1/4136, f. 109.
19. Geo. III, cap. 67, sec. 41. Statutes at Large (London, 1778), vol. 32, pt. 2, 367.
20. PRO, SP/84/562, f. 283.
21. E.g., PRO, ADM/1/3886, 29 September 1779. Navy Board to Stephens, 29 September 1779.
22. See J. F. Jameson, "St. Eustatius and the American Revolution," American Historical Review 8 (1903):686-708.
23. PRO, SP/95/128, Wroughton to Suffolk, 20 November 1778.
24. PRO, SP/95/128, Wroughton to Suffolk, 9 and 16 October, 15 December 1778; SP/95/129, 1 January 1779.

25. PRO, SP/95/129, Wroughton to Suffolk, 2 March 1779.
26. PRO, SP/95/129, Weymouth to Wroughton, 19 February 1779.
27. PRO, SP/95/129, Wroughton to Weymouth, 15 June 1779.
28. PRO, SP/95/129, Wroughton to Suffolk, 16 January 1779.
29. PRO, SP/95/129, Wroughton to Weymouth, 8 June 1779.
30. PRO, SP/95/129, Wroughton to Suffolk, 1 and 3 January, 5 and 12 February, 21 May 1779.
31. PRO, SP/95/129, 14 May 1779.
32. PRO, SP/95/129, 20 July 1779.
33. PRO, SP/95/129, Weymouth to Wroughton, 31 August 1779.
34. PRO, SP/95/129, Admiralty to Stormont, 6 December 1779; Stormont to Admiralty, 7 December 1779; Drake to Admiralty, 8 December 1779; Stormont to Wroughton, 21 December 1779.
35. John Montagu, fourth earl of Sandwich, The Private Papers of John, Earl of Sandwich, First Lord of the Admiralty, 1771-1782, edited by George Reginald Barnes and Joan Hely Owen, 4 vols., Publications of the Navy Records Society, vols. 69, 71, 75, 78 (London: Navy Records Society, 1932-38), 3:106 (hereafter cited as Sandwich, Private Papers).
36. PRO, SP/84/565, f. 138.
37. For an account of the workings of the Dutch government and of various political factions, see Miller, Sir Joseph Yorke, 14-19.
38. Ibid., 116-19, are the texts of these treaties.
39. See Samuel Flagg Bemis, The Diplomacy of the American Revolution (New York: D. Appleton-Century Co., 1935), 130-43.
40. PRO, ADM/2/337, ff. 326-28.
41. PRO, SP/84/562, ff. 18-19.
42. PRO, SP/84/562, ff. 25-26.
43. E.g., PRO, SP/84/562, f. 12.

44. PRO, PC/2/123, 151-54.
45. PRO, SP/84/562, ff. 48, 109.
46. PRO, SP/84/562, f. 62.
47. David Syrett, "The Organization of British Trade Convoys during the American War, 1775-83," Mariner's Mirror 62 (May 1976):173.
48. Bemis, Diplomacy, 143-44.
49. PRO, SP/84/562, ff. 386, 438, 441.
50. PRO, SP/84/562, f. 369.
51. PRO, SP/84/562, f. 385.
52. PRO, ADM/1/662, Drake to Stephens, 15 March 1779.
53. E.g., PRO, ADM/1/662, Drake to Stephens, 5 and 10 August 1779; ADM/1/663, Drake to Stephens, 16 and 21 September, 3 and 20 October, 30 November, 2, 4, 5, 8, 13, and 17 December 1779.
54. PRO, SP/84/565, f. 120.
55. E.g., PRO ADM/1/662, Drake to Stephens, 20 May 1779.
56. E.g., PRO, ADM/1/661, Drake to Stephens, 10 March, 10 April 1779; ADM/1/662, Drake to Stephens, 5 June, 16 July 1779.
57. PRO, ADM/1/662, Drake to Stephens, 26 August 1779.
58. PRO, ADM/1/661, Drake to Stephens, 23 February 1779; ADM/1/662, Drake to Stephens, 10 June 1779.
59. E.g., PRO, ADM/1/661, Drake to Stephens, 3 March 1779.
60. PRO, ADM/1/662, Drake to Stephens, 25 July 1779; ADM/1/663, Drake to Stephens, 2 September 1779.
61. E.g., PRO, ADM/1/663, Drake to Stephens, 1 September 1779.
62. E.g., PROs ADM/1/661, Drake to Stephens, 14 March 1779; ADM/1/662, Drake to Stephens, 10 and 25 July 1779; ADM/1/663, Drake to Stephens, 24 November, 28 December 1779.

63. PRO, SP/84/565, ff. 55-56.
64. PRO, SP/84/565, f. 6.
65. PRO, SP/84/565, f. 94.
66. PRO, SP/84/565, f. 104.
67. Bemis, Diplomacy, 130-43.
68. PRO, SP/84/565, ff. 109-11, 136, 157,
69. PRO, SP/84/565, ff. 146-47.
70. PRO, SP/84/565, ff. 167-71.
71. PRO, SP/84/565, ff. 177-80.
72. PRO, SP/84/565, ff. 159-61, 213.
73. PRO, SP/84/565, f. 195.
74. PRO, SP/84/565, ff. 254-57.
75. PRO, SP/84/565, f. 59.
76. The Annual Register (London, 1779), 428.
77. Miller, Sir Joseph Yorke, 77.
78. Ibid., 78-87; Samuel Eliot Morison, John Paul Jones: A Sailor's Biography (Boston, MA: Little, Brown, 1959), 242-66.
79. PRO, SP/84/566, ff. 320, 322.
80. PRO, SP/84/566, f. 191.
81. PRO, SP/84/566, f. 175; Sandwich, Private Papers 3:106.
82. PRO, SP/84/566, f. 392.
83. PRO, SP/84/566, f. 405.
84. Sandwich, Private Papers, 3:10-11.

85. Feilding's squadron consisted of the Namur, Centaur, Valiant, Portland, Seaford, Thunderer, Courageux, Camel, Hawke, Buffv and a number of small cutters and an armed brig. PRO, SP/84/569, f. 25.

86. PRO, ADM/1/1791, 29 and 31 December 1779, :3 January 17

87. PRO, SP/84/569, ff. 191-92.

88. Sandwich, Private Papers, 3:114.

89. Great Britain, Historical Manuscripts Commission, Report on Manuscripts in Various Collections, 8 vols.(London: Printed for H.M. Stationery Office by Mackie & Co., 1901-14), 6:165.

90. PRO, SP/84/569, ff. 35-40.

91. E.g., PRO, ADM/3/90, 28 January 1780; SP/84/569, ff. 64, 99, 103.

92. PRO, SP/84/569, ff. 130, 156-57.

93. PRO, SP/84/569, f. 215.

94. PRO, SP/84/570, f. 241.

95. PRO, SP/84/570, ff. 37-38.

96. PRO, SP/84/570, f. 91.

97. PRO, SP/84/570, ff. 136-38.

98. PRO, SP/84/562, f. 120.

99. For an account of the naval forces of the Baltic states, see Roger Charles Anderson, Naval Wars in the Baltic, 1522-1850 (1910; reprint, London: F. Edwards, 1969), 236-39.

100. Russian policy and Catherine's motivations in 1780 are very difficult to comprehend. I have based most of my conclusions concerning Russian policy and Anglo-Russian relations on Isabel de Madariaga, Britain, Russia, and the Armed Neutrality of 1780: Sir James Harris' Mission to St. Petersburg during the American Revolution (New Haven, CT: Yale University Press, 1962).

101. Ibid., 71-72, 78, 156.

102. Ibid., 157-59.

103. Scott, Armed Neutralities, 273-74.

104. Ibid., 275-76.
105. PRO, SP/84/570, f. 212.
106. Scott, Armed Neutralities, 279-80, 284-86.
107. Ibid., 282.
108. PRO, SP/95/130, Wroughton to Stormont, 31 March 1780.
109. PRO, SP/91/104, f. 206.
110. PRO, SP/91/105, ff. 78-79.
111. PRO, SP/91/105, ff. 155, 159.
112. PRO, SP/91/105, f. 197.
113. PRO, SP/91/105, f. 225.
114. PRO, SP/91/106, f. 74.
115. Scott, Armed Neutralities, 238-39.
116. George III, king of Great Britain, The Correspondence of George the Third from 1760 to December 1782, ed. Sir John Fortescue, 6 vols. (London: Macmillan and Son, 1927-28), vol. 5, doc. nos. 3230, 3233.
117. For the whole confusing story of Britain's quest for a Russian alliance, see de Madariaga, Britain.
118. Scott, Armed Neutralities, 295-304.
119. Lauritz Pettersen, "The Influence of the American War of Independence upon Danish-Norwegian Shipping," and Herman Kellenbenz, "The Armed Neutrality of Northern Europe and the Atlantic Trade of Schleswig-Holstein and the War of Independence," in The American Revolution and the Sea (London: National Maritime Museum, 1974), 70-81.
120. Scott, Armed Neutralities, 311-17.
121. Bemis, Diplomacy, 155n.
122. The texts of all the notes, conventions, treaties, and declarations can be found in Scott, Armed Neutrality.

123. Ibid. 283-84, 286-88.
124. PRO` SP/gl/106, f. 7.
125. PRO, SP/9I/106, ff. 11-12,
126. PRO, 8P/84/571, ff. 109, 124-25; 8P/84/572, f. 16.
127. PRO, SP/84/571, ff. 153-55.
128. PRO, 4DM/1/4143, ff. 13, 29.
129. PRO, SP/84/572. ff. 1, 127.
130. PRO, SP/84/572, ff. 101-3, 106-24.
131. PRO, SP/84/572, ff. 82-85.
132. PRO, SP/A4/572, ff. 167-68.
133. PRO, 8P/84/573. ff. 41, 43.
134. PRO, SP/84/573, f. 103.
135. PRO, SP/84/573, f., 223.
136. PRO, PC/2/125, 489-93, 513-15.
137. George III, Correspondence, vol. 5, doc. nos. 2935, 3209-II,
138. Scott, Armed Neutralities, 330-34.
139. Ibid., 351-58.
140. PRO, SP/84/573, f. 103.
141. PRO, SP/9T/106, f. 201.
142. National Maritime Museum, Middleton Papers, Sandwich to Middleton, 18 February 1781.
143. James Harris Malmesbury, first earl of Malmesbury, The Diaries and Correspondence of James Harris, First Earl of Malmesbury, 4 vols. (London, 1844), 1:355.
144. PRO, GP/84/570, f. 53.

145. E.g., PRO, ADM/1/664, Drake to Stephens, 16 February, 2 May 1781; ADM/1/665, Drake to Stephens, 6 April, 18 June 1782; ADM/3/92, 1 and 12 January, 12 April 1781.

146. PRO, ADM/1/520, Stewart to Stephens, 23 August 1781.

147. PRO, ADM/1/4144, f. 142.

148. PRO, ADM/1/519, Ross to Stephens, 4 June 1782.

149. Charles Ralph Boxer, The Dutch Seaborne Empire 1600-1800 (New York: A. A. Knopf, 1965), 275-76.

150. Sandwich, Private Papers, 4:83-87.

151. PRO, ADM/1/644, Drake to Stephens, 14 and 21 May 1781; ADM/1/4145, ff. 17, 15, 32.

152. Princess Amelia, Fortitude, Bienfaisant, Buffalo, Preston, Dolphin, and Alert sloop. Sandwich, Private Papers, 4:87-90.

153. PRO, ADM/1/519, Parker to Stephens, 31 July 1781.

154. Fortitude, Bienfaisant, Berwick, Princess Amelia, Buffalo, Preston, Dolphin. PRO, ADM/1/519, State and Condition of His Majesty's Squadron...1 August 1781.

155. PRO, ADM/1/519, Report of the number of officers and seamen killed and wounded in the action with the Dutch fleet Sunday, 5 August 1781; Parker to Stephens, 6 August 1781; ADM/51/363, 4-5 August 1781; W B. Rowbotham, "The 97th Regiment at the Action on the Dogger Bank, 1781," Journal of the Society for Army Historical Research 19 (Spring 1940):16-18

156. PRO, ADM/1/520, Stewart to Stephens, 4 and 18 October 1781.

157. PRO, ADM/1/520, State of the Enemy ... the 14th September 1781.

158. E. g., PRO, ADM/1/520, Stewart to Stephens, 26 December 1781; ADM/3/95, 6 May, 13 July 1782; ADM/3/96, 25 September 1781.

159. PRO, ADM/1/519, Ross to Stephens, 1 June 1782; ADM/3/96, 6 August 1782.

160. Paul Walden Bamford, Forests and French Seapower, 1660-1789 (Toronto, Ontario, Canada: University of Toronto Press, 1956), 68-69, 152-55, 176-81.

161. See Jonathan R. Dull, The French Navy and American Independence: A Study of Arms and Diplomacy, 1774-1787 (Princeton, NJ:Princeton University Press, 1975), 342-44.

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