

Patriotism, Profit, and the Derby Privateers: Patriotic Capitalism in the American Revolution

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Abstract

In the Revolutionary War, the Americans had no means to combat the naval supremacy of the British Royal Navy. With limited funds at their disposal, the Continental Congress authorized private merchant vessels to act as privateers in the hopes of interrupting British trade. One such merchant was Elias Hasket Derby, who operated a modest merchant house in Salem, Massachusetts. Throughout the course of the war, Derby made a fortune by participating in Patriotic Capitalism, which brought a surge of capital and material goods into the fledgling nation, a practice that was of benefit both to Derby and to society as a whole. This paper will demonstrate Derby's Patriotic Capitalism through a case study of the careers of two of his vessels, the *Oliver Cromwell* and the *Grand Turk*.

1. Body of Paper

"As the whole Continent is so firmly united, why might not a number of vessels of war be fitted out, & judiciously stationed, so, as to intercept & prevent any supplies going to our enemies; and consequently, unless they can make an impression inland they must leave the country or starve."¹

--Josiah Quincy to John Adams, 1775

With the opening shots of the American Revolution at Lexington and Concord on April 19, 1775, the thirteen American Colonies declared war on the naval superpower of the era, Great Britain, without a professional navy of their own. In the wake of this absence, the Continental Congress authorized private merchants to engage in privateering against the British. One of the leaders of the privateering efforts was Elias Hasket Derby, from the prominent Derby Family, owners of a merchant house in Salem, Massachusetts. Patriot Privateering posed no real naval threat to the British Royal Navy but was effective at disrupting British trade. The practice was immensely popular, especially in New England, where local merchant houses competed with one another to see who could capture the most prizes. These merchant houses were the private financiers of this Revolutionary tactic, they were the monetary foundation on which the practice rested.

Elias Hasket Derby, inheritor of a modest merchant business established by his father, helped Salem and Massachusetts continue to be an economic powerhouse in New England and the new United States by participating in privateering in the American Revolution. Utilizing the careers of the privateers of two of Derby's vessels, the *Oliver Cromwell* and the *Grand Turk*, who both collectively cover most of the war, as a case-study, will demonstrate how privateering brought large amounts of capital into the new nation in the form of foreign currency and material goods, while also making Derby a fortune. Derby, in turn, reinvested that newfound wealth back into his privateering and merchant business by rebuilding and growing his fleet, creating jobs by investing in shipbuilding and new innovative designs, and employing more sailors on more voyages, which was of benefit to everyone in the US. This paper will demonstrate that Derby participated in "Patriotic Capitalism" during the American Revolution.

The historiography of the naval theatre of the American Revolution is quite lengthy, with roots stretching all the way back to the early national period. The foundational work for the field is Gardner Weld Allen's *A Naval History of the American Revolution*, first published in 1913, the most recent edition published in 2005.² This work is the

standard because it details the events of the Revolution year by year, focusing on major naval battles and events, the early administration and creation of the navy, the colonists' foreign relations and opening ties with France, as well as the American incursions into European waters and American privateering efforts. The focus of the work is on the fledgling Continental Navy, with little mention of the private merchant privateers. John Derby, brother of Elias Hasket, is noted as the captain who brought news of the Battle of Lexington to the British. This work ignores Elias Hasket Derby's contribution to the privateering effort. The author demonstrates that the Navy, while barely formed by the end of the war, had little impact on the course of the Revolution, an analysis echoed by later historians.

Scholars debate whether the Continental Navy's formation was the product of General Washington's policy or was an outgrowth of America's privateering efforts. Military historians, like James L. Nelson in his work, *George Washington's Secret Navy: How the American Revolution went to Sea*, (2008), argue that General Washington took matters into his own hands and created the Navy in the summer of 1775 without Congressional approval or authorization.³ Nelson argues that while Boston was under siege by the British, Washington commanded New England merchants to outfit their ships as wartime vessels and begin raiding British ships and knowingly withheld the information of his activities because Congress would not approve. The events detailed in the monograph occurred after the Battle of Bunker Hill, and Nelson concludes that the secret activities of Washington were instrumental in defending Boston from reinvasion by the British. This work is problematic, however, because his brief mention of Derby is factually incorrect.⁴ Nelson also downplays the role of private merchants and privateers and instead seeks to invent a professional navy under Washington's command at the onset of the war, which did not exist. Tim McGrath's argument in his 2014 monograph, *Give Me A Fast Ship: The Continental Navy and America's Revolution at Sea*, is that the primary group of consequence was the Continental Navy in Revolutionary War maritime affairs, confirms and expands upon Nelson's thesis.⁵ McGrath paints a picture of Washington being completely in control of the situation and the mastermind behind the navy. The work focuses exclusively on Continental sailors and captains, blatantly ignoring the merchant sailors and privateers involved in the war effort. Neither Derby nor Salem is mentioned in the work. These popular historians create a narrow view of the naval and maritime history of the American Revolution as one dominated by a professional Continental Navy.

Challenging the conclusions of the military historians, Robert Patton's 2008 work, *Patriot Pirates: the Privateer War for Freedom and Fortune in the American Revolution*, argues that the Continental Congress enlisted private merchants and captains at the onset of the Revolutionary War as privateers to act as a private navy for the colonies in lieu of a professional navy.⁶ This argument directly contradicts Nelson's thesis that Washington established a professional navy at the start of the war. Nelson and Patton both do not provide a clear definition of what constitutes a "professional" navy. This source recognizes Elias Hasket Derby as one of the financial forces behind early privateering, but only as a brief mention and aside. Much of the work details the major differences between privateers and pirates, the various ways that privateering was ingrained in colonial life, and how profitable the business of privateering was for the colonists. His final claim is that these private merchants were instrumental in securing American Independence.

Concurrent with Patton's work, the 2007 article, "The Rise, Fall, and Rise Again of Privateers," by Alexander Tabarrok, traces the history of privateering as it pertains to the American colonies, starting with Spanish, British, and French privateering in the early colonial era, through the American Revolution, before placing larger focus on the practice during the War of 1812.⁷ Though brief, this source provides a clear and succinct description of the practice and the legal process behind claiming a prize. This work demonstrates the ways in which privateering is a time-honored practice fully supported in the rules of conduct for waging war. Tabarrok also marks the distinction between privateering and wholesale piracy. He argues that privateering is a tool of government policy that continues to have applications in the modern world.

The historiography on Derby is limited at best. The bulk of the written material on the Derby family was produced in the nineteenth century and are essentially biographical pieces. Much of that body of work is found in the *Essex Institute Historical Collections* journals, which began producing volumes in 1859. Essentially the only works produced in the 20th or 21st century on Derby and his revolutionary maritime ventures is found in Richard McKey's 1961 dissertation, "Elias Hasket Derby, Merchant of Salem, Massachusetts, 1739-1799"⁸ and his article from the following year, "Elias Hasket Derby and the American Revolution,"⁹ both in which McKey argues that Derby was influential in establishing a strong privateering practice by detailing several successful voyages by Derby's captains. While doing so, McKey references numerous private letters of instruction from Derby to his captains as well as the newspaper articles that documented the prizes brought to Boston and New York. The dissertation is largely a biographical work. McKey's dissertation dwells more on Derby's activities at home rather than focusing on individual captains and voyages. These sources together paint a full picture of Derby and his engagement with the American Revolution. None of the later scholars writing about this topic reference McKey's work, making these papers crucial to the study of the privateering efforts during the Revolution.

Derby ought to be receive more recognition in his role as privateer financier not only for the positive effects of privateering on the revolution, but also because he was a social entrepreneur—privateering made Derby a fortune of over one million pounds that he invested back into his business by promoting New England shipbuilding and expanding overseas trade. In an effort to promote his own self-interests, Derby's actions were in the interests of his fledgling nation. Derby's Patriotic Capitalism is derived from his role as financier and director—without him, these voyages would not have occurred. At the same time, we can take Derby as an example for the general privateering experience during the Revolution, for its successes, failures, and general economic impact. Besides the fact that Derby amassed a fortune in these efforts, the course of the war created the conditions that pushed Derby further abroad to open new ports to American trade after the war, making him one of the wealthiest men in the early national period and securing America's entrance into the international market.

Elias Hasket Derby was born on August 16, 1739, son of Richard Derby, a merchant businessman in Salem, Massachusetts. He worked in his father's merchant house and became the pioneer of trade with the Far East after the war. Though all the Derby boys worked in their father's counting house from an early age, only Elias Hasket had the ability to make that facet of the business his life's work. It is not until 1759 that his name begins to appear in the account books at his father's merchant house, but soon after, in 1760, his father Richard began to enter his prolonged retirement, holding only nominal control of the business, and allowed Elias Hasket to handle the management.¹⁰ By 1766, Elias was completely in charge. He focused on expanding the business and opening new ports of trade, sending ships to Bermuda, Quebec, Gibraltar, and others in the 1760s.¹¹ There was money to be made, especially in the aftermath of the war with France, and trade with Canada was particularly lucrative. Colonial smuggling, especially in New England, was rampant in the era of the French and Indian War. French sugar and molasses were too cheap for the colonists to pass up, even though British mercantilist policy outlawed colonial trade with foreign nations. As a result, this era was riddled by the loss of ships to British and French privateers. Between 1759 and 1763, Derby lost nine ships to British seizures. As the decade wore on, Derby lost fourteen more ships, until in 1769 he owned only 7 vessels.¹² While Derby lost ships to French privateers, he lost the majority of his vessels to British privateers and customs officials for violations of their new trade laws.¹³ Derby was sailing straight for revolution.

In the aftermath of the French and Indian War, Britain attempted to make-up lost revenue, capital spent on defending the colonies, by imposing tighter trade restrictions and tariffs on said colonies. Colonial merchants, driven by their own self-interests in maintaining profits, defied Parliament's legislation by smuggling and conducting illegal trade with foreign countries, making their vessels and cargo subject to British seizure. British privateers seized Derby's ships *Ranger* and *Three Sisters* in the West Indies.¹⁴ The ships were libeled, tried in British Admiralty Court to ensure that they were lawfully captured prizes, and a bitter court battle followed, which the Derbys lost. This event further increased their dissatisfaction, bitterness, and resentment with the British government. At the same time, Derby began expanding his business to foreign ports, establishing trade relations with the Spanish firm, Joseph Gardoqui and Sons, located in Bilbao, Spain.¹⁵

Derby's business interests caused him to side with the patriots in the decade leading up to the revolution. Restrictive legislation in 1764 only compounded the economic depression that seized the colonies. In 1765, Elias attended a town hall meeting condemning the Stamp Act as "excessively grievous and burthensome."¹⁶ In 1770, two days after the Boston Massacre, Derby was a member of Salem's Committee of Correspondence which voted for the non-importation of British goods and formed a pact to no longer consume tea. Derby continued to serve on the committee until 1774 and met with other Selectmen to discuss the intrusive Acts of Parliament and decide how to respond.¹⁷ In 1775, with war brewing, Derby and his father presented cannons to the town for Salem's defense and defied British Colonel Leslie on the North Bridge when he came to collect the town's armaments.¹⁸

Elias Derby proved the revolutionary leanings of his family in 1775. Ten days after the Battle of Lexington, Elias's younger brother, John Derby, set sail from Salem on the schooner *Quero*, under top secret instructions, to bring news of the American Revolution to Britain.¹⁹ He was to make for Dublin, then England, and to "keep this order a profound secret."²⁰ John reached London on Sunday, May 28th and delivered the news promptly the next day. He quickly returned to America by July 19th, attested to by the bill to Congress for fitting out the vessel prepared by Richard Derby, Jr.²¹ He charged £116 for the journey. Both this bill and John's personal expenses to the Congress directed payment to Elias Hasket Derby. John Derby's bill totaled £57, with John asking nothing for his time travelling to and from London.²² Not only does this reveal the family's patriotic sentiments, but also demonstrates the business practices of the brothers. Elias Hasket handled the finances, Richard Jr. outfitted the vessels for sail, and Capt. John undertook the risky missions. This event was also an important move for the patriot cause, as Derby beat the official British ship, the *Sukey*, by four days.²³ The fact that it was the colonists who first brought the news of the British attack to the British allowed the patriots to claim that the British started it, which they felt gave legitimacy to America's revolution.

Although instrumental in informing the British of the start of the war, Derby remained undecided on the course of action he should pursue and the future of his business. In the summer of 1775, Derby owned seven large sailing

vessels, all of which were out to sea. Derby gambled that trade would not be disrupted so soon, but by the winter of 1775/1776, the situation changed. Derby's sloop *Charming Polly* was captured by the British off the coast of Cape Cod in early March 1776.²⁴ Three more of Derby's ships were seized that month, over half of his fleet, leaving him with only three ships in April 1776. Derby plainly laid out his thoughts at this time in his lengthy letter of instructions to Capt. Nathaniel Silsbee, who was then sailing for Derby in the West Indies. Derby's letter displays both his concern for his captains and his uncertainty about the future of his business on the eve of the revolution. He wrote,²⁵

The times at present are such that I cannot determine what will be for the best, and must therefore leave it wholly to you. Should so large a fleet come on this coast as is talked of, I should think it not best to ship so much to the northeast...by last acct. from England it seems they are tired of this unnatural war...it is now said that commissioners are appointed to come over to accommodate affairs, but I doubt it...²⁶

Derby also showed his conviction to abide by the non-importation agreement of the Committees of Correspondence when he instructed Silsbee to avoid purchasing goods "from Jamaica, as it would be in direct violation of the Association, which I do not mean to break."²⁷ He cautioned Silsbee to be careful to avoid British ships and to meet up with Capt. Hallet if a British fleet came to New England. Derby had a small circle of Salem men that were his trusted captains, whom he relied heavily upon for his merchant business.²⁸ These men played the same important role when Derby began privateering.

Derby resolved that the only way to save his business was through direct action and force, turning to privateering. He first sent out one privateer in December 1775, the little 17-ton schooner *Dolphin*, which was the second privateer sent out from Massachusetts in the war.²⁹ The ship seems to have captured no prizes and there are no records that indicate Derby sent out another armed vessel until the spring of 1776 when Congress began issuing formal privateering commissions.³⁰ The Derby shipping clan of Salem began converting their merchant vessels into warships that spring. Their only difficulty was in acquiring weapons. Derby predicted that once those were obtained, "there will be not less than one hundred sail of privateers."³¹ In early 1776, Richard Derby Jr., Elias's brother, was placed in charge of outfitting warships by the Massachusetts House of Representatives. He helped turn his brother's prediction into an understatement. In May 1776, Derby began privateering in earnest. He sent the sloop *Revenge* to the Caribbean with twelve guns and sixteen swivels, which immediately claimed a British prize off the coast of Jamaica. During 1776, Derby sent out six vessels on a total of nine voyages.³²

Privateers were successful due to their hit and run tactics—they would strike hard and sail away, without a trace.³³ Their vessels were smaller and more maneuverable than British warships; they could seek safety off the shallow coasts or speed off into the open ocean. Attacks by privateers were sudden, decisive, and quickly resolved with low casualties. The Admiralty Court classified privateer vessels in two ways during the Revolution, as privateers exclusively, or private armed vessels, whose sole purpose was engaging and capturing enemy ships, or as letters of marque, or merchant ships outfitted and authorized to capture prizes en-route during routine shipping practices. Throughout the course of the war, Derby employed both, but in the early years, 1776 especially, Derby suspended his regular merchant business and focused exclusively on privateering.³⁴ In 1776, he sent out ten vessels on fourteen cruises, which collectively captured at least twelve prizes netting Derby £37,500.³⁵ All profits made were the proceeds of his captured prizes, which Derby used to rebuild his stolen fleet.

Derby officially began participating in Patriotic Capitalism in 1777 by investing his privateering profits in the construction of new ships. One of the earliest was the brig *Oliver Cromwell*, built in early 1777. The ship was commissioned on April 29, 1777 under the command of Captain William Coles. The *Oliver Cromwell*'s listed owners were John Derby and Co. in the petition by George Dodge Jr. on behalf of John Derby from earlier that month.³⁶ She set out that summer and in July, she was sailing off the British Isles.³⁷

The *Oliver Cromwell* provides a clear example of the profits that potentially could be made privateering as well as the demonstrating that success was not assured. The ship's first voyage was particularly lucrative for Derby, making quick captures and seeing a lot of action. An unknown sailor aboard the *Oliver Cromwell* kept a journal of the cruise. Though the beginning and end are missing, it picks up with the capture of a British merchant carrying fruit on July 29. The next day, they captured another prize. The following day, Friday, July 31, they captured yet another ship, this one an old wooden one called the *Three Sisters* out from Cork and headed to Lisbon, laden with butter. Capt. Coles "sent her to Bilbao by Mr. Horton with orders to Mons. Guardoqua [sic] to sell the vessel & cargo if practicable, if not to [] the cargo & Ballast³⁸ her with [] immediately for Salem to []."³⁹ Then, on Saturday, Capt. Coles came upon friendly fellow privateer, *Fancy*, commanded by Capt. Lee of Marblehead.⁴⁰ Capt. Coles invited Capt. Lee onboard the *Oliver Cromwell* for dinner. Capt. Lee reported that, "he had taken nine prizes, some of which were

retaken, some were in Ballast which he gave the prisoners & 4 he had sent home; laden with bale, goods & provisions.”⁴¹ The two captains agreed to sail together for a few days.

At dusk the following day, the two privateers separated as they fled the chase of a British warship. The British vessel continued to chase the *Oliver Cromwell* unsuccessfully for several days. On Wednesday, August 6, with the British still in pursuit, the *Oliver Cromwell* captured a brig from Cork. As our unknown author recounts, “[We] gave her to the Prisoners & sent her away. Soon after saw another sail and stood for her, came up & took her, being a fine brig from Cork for Lisbon laden with Butter & Beef. Sent her home by Capt. Gray. She was formerly an American Privateer called *Montgomery* mounting 18 guns...”⁴² Capt. Gray took his captured ship and met up with *Fancy* again, and sailed for Boston, arriving at the end of Sept. 1777. The prize was libeled on October 9, 1777.⁴³ When the author of the journal mentions the captains giving the prizes to the prisoners, he is referencing the practice of sending prizes to a friendly port to be sold. Privateers carried an extra prize crew while they cruised. If they captured a prize, the captain would install one of his officers as the commander of the prize and give him a handful of men to crew the vessel. Often, the privateers took the prize’s original crew prisoner and forced them to assist in piloting the ship to port. Sometimes those prisoners would defect to the American side and join the privateers. The prisoners were usually released once they arrived in port.⁴⁴

Although these privateers enjoyed great success, the ever-present danger of an attack by British warships loomed close behind. These men aboard the *Oliver Cromwell* showed a lot of nerve in the face of danger, because on the same day, August 6, with the British warship still chasing them, the ship came upon two more brigs. Capt. Coles had the men use oars to row closer. As the author reports,

...one of them gave several shot which we took no Notice of till we came nigh enough to give her 2 broadsides—she continued her fire. By our well directed Fire she was compelled to strike to use, & earnestly beg of us to desist our Fire on her. Our Capt. then ordered to bear away for the other brig; which orders were immediately complied with. We then charged the other with an incessant Fire for almost 3 Glasses. She returned our Fire for some Time with Spirit but being disengaged wore off.⁴⁵

The *Oliver Cromwell* captured both vessels, but dusk was falling, and the British Man of War was approaching. The officers decided to change course and escape while they could, leaving their prizes behind.⁴⁶ The anonymous author sings the praises of Capt. Cole, writing, “Capt. Coles (to his eternal Honor be it remembered) with all other officers behaved with the greatest magnanimity [sic] and bravery possible.”⁴⁷ The ship turned toward Spain and captured three more prizes before putting into Bilbao on August 23.⁴⁸ A reporter ashore reported that she had been at sea for 28 days and had captured 10 prizes.⁴⁹

The *Oliver Cromwell*’s stay in Bilbao not only shows how profitable the first cruise was, but also demonstrates the innovations in medical treatment that the Americans were beginning to utilize to win the war, as well as including the rescue of one of Derby’s captains. The crew found two American Privateers, the brig *Civil Usage*, under the command of Capt. Giddings, and the schooner *True American*, under the command of Capt. Carlton, already in port at Bilbao. Both were laid up by a smallpox epidemic. The unknown author notes that the three captains collectively decided to inoculate the crews. He was likely the ship’s surgeon or doctor, because for the next week and a half, the author describes their makeshift hospital, the sailors being admitted, and the course of the epidemic.⁵⁰ On September 5, one Capt. Nathaniel West of Salem joined the crew as a passenger to go home.⁵¹ The author writes, “He had been taken Prisoner & carried to London; but made his escape here.”⁵² On Wednesday, September 17, the author reports that the crew, “began to receive our prize money for a Brig & Sloop sold here viz Butter at 1 ½ Royal Ct. & Currents at 1-2 Royal Ct. shares at the Rate of 20 Dollars.”⁵³ And the next day they “received 100 Dollars & bought Sundry things.”⁵⁴ Although the records do not recount the total earnings of the first cruise, with the understanding that the crew received half of the proceeds and Derby received the other half, 100 dollars per crewman implies that the crew earned at least one thousand dollars. With the crew fully recovered from their controlled smallpox inoculations, *Oliver Cromwell* left Bilbao on September 25.⁵⁵

Leaving Spain, this final leg of the ship’s cruise clearly shows how ineffective these merchant privateers were against British warships. The *Oliver Cromwell* sailed towards the Canary Islands. She captured two ships, and then on Thursday, October 16, they came upon a ship, which began to chase them. They discovered her to be a British frigate. The crew attempted a desperate escape, “...now she began to Fire at us—many of her shot went under us. Several struck our hull & sails. We hove our guns overboard, & stov some water & by that means got a little from her.”⁵⁶ The British warship continued to chase the *Oliver Cromwell* the next day, and Capt. Cole had the crew put out oars to gain more distance.⁵⁷ The following day, they finally lost sight of the British. The *Cromwell* captured two more ships off the Canary Islands, the last being the sloop *Fly* on October 25.⁵⁸ With the captured *Fly* in tow, the *Oliver Cromwell*

returned to Salem, ending its eventful voyage.⁵⁹ The ship captured 14 prizes in its 4-month long cruise. This was the most success that the *Oliver Cromwell* enjoyed during the course of the war. From this point forward, the ship's career is fraught with disaster.

When the *Oliver Cromwell* was recommissioned in July 1778, under the command of Capt. Thomas Simmons and with James Barr as 1st officer, they sailed to the West Indies and enjoyed mediocre success, but this was the last time.⁶⁰ Simmons captured five prizes before returning to port for the winter, where the *Cromwell* was re-rigged.⁶¹ Capt. Simmons took her out again in March 1779 and had an unremarkable summer. In August 1779, command of the *Oliver Cromwell* was given to now Capt. James Barr, as Simmons was required to attend some other business.⁶² Simmons wrote Barr his letter of instructions on behalf of the owners, writing, "proceed for the Grand Bahama Bank and cruise between that and St. Augustine and pay particular attention to the ships coming through the Gulf. If you meet any fine goods on board any of your prizes we would have you take them..."⁶³ Barr was to go capture prize ships.

Capt. Barr's cruise in the *Oliver Cromwell* demonstrates the dangers that these privateers faced when engaging British warships in a direct assault. He captured two prizes but then met with disaster. Capt. Barr reports that early in the voyage, on one hazy morning, they spotted sails in the distance. As they drew closer, the ship appeared to be a vessel of the West India Company. Barr raised sail, hoisted colors, and came upon the ship, which revealed itself to be a double-decker British frigate. The warship fired a whole broadside into the *Oliver Cromwell*, cutting her up badly. But they escaped due to Barr's "superior sailing."⁶⁴ And by that, he means sailing into a hurricane. Barr ordered the sailors to batten down the hatches. The *Cromwell* was tossed about by the winds and was de-masted, virtually crippled.⁶⁵ She limped back to Salem on Sept 30, 1779, and Derby sold his stake in the ship.⁶⁶ This voyage reveals how Capt. Barr did not follow Derby's explicit instructions to keep the ship and the crew safe. Derby did worry for the safety of his merchant marines, but his first and true concern was protecting his assets—the ships—so that they could continue sailing and making him money. The damage cost for the *Oliver Cromwell* were too high. Derby decided to cut his losses.

This was not the end of the *Cromwell*, just its end as a Derby privateer. The ship passed on to Derby's competition. The *Oliver Cromwell* was again commissioned with Capt. Barr in Feb 1780 under the ownership of Edward Allen.⁶⁷ Allen issued Barr a letter of marque, the *Oliver Cromwell* was no longer a privateer vessel of war, but now merely a merchant ship carrying goods. As consequence, his crew was greatly reduced. Barr received specific instructions, "When your ship is ready...proceed directly to Guadaloupe & on your arrival dispose of your cargo & lay out the proceeds together with the amount of our Bills if honored in Molasses & Cotton & return home taking particular care not to load deep."⁶⁸ Allen & co. warned, "we cannot think it prudent to cruise on either passage, but don't forbid your chasing any vessel that falls in your way..."⁶⁹ Barr completed this shipping assignment and a second with success but did not take any prizes. Allen sold the ship in Jan 1781, and Barr was given a new commission.⁷⁰ Capt. Barr did not sail for Derby again, but on his next voyage, the British captured him and his crew. Barr endured the deplorable conditions of a British prison ship for the last year of the war.⁷¹ This was a clear and present danger for the American privateers.

The years 1778 and 1779 are the high point of Revolutionary privateering. Derby owned nineteen privateers or letters of marque vessels during these two years, and only two were lost. As historian Richard McKey explains, "They captured sixty-five enemy vessels, amounting to over seven thousand tons of merchant shipping. The monetary value of these prizes, in colonial currency of the time, was...approaching three-quarters of a million pounds."⁷² Part of Derby's financial success was due to his strict instruction to his trusted captains concerning the members of their crew. Typically, merchant houses dealt with captains and the captains hired the crew. As exemplified in his 1779 letter to Capt. Nathaniel West of the *Three Sisters*, Derby gave explicit instructions regarding the necessary character of West's crew, writing, "...if you think any of your crew cannot be depended on you will discharge them on your first arrival there [Barbados]...You will likewise see that your crew has not more privilege on board than the agreement as I shall choose."⁷³ Derby understood that the prize crew responsible for sailing prizes to America and Bilbao could potentially be infiltrated by British agents who would then recapture the ship for Britain and return home. To cut down on recaptures, Derby instructed his captains not to rely on prisoners or untrustworthy men as prize crews.

Derby continued investing his profits from privateering and wartime shipping into designing and building new ships specifically for the war and his business. In the autumn of 1780, Derby commissioned the construction of a new vessel, employing Thomas Barstow at his Two Oaks Shipyard in Hanover, Massachusetts.⁷⁴ His plans and designs were state of the art, producing the largest vessel that Derby owned so far, the 300-ton *Grand Turk*, designed to be a fast merchant vessel with 28 cannons. It was designed to have a shallow draft, allowing it to be quick in the open ocean and able to access hard to reach coves and bays in shallow waters. Barstow laid the keel that fall, and gave the ship a copper bottom when it was completed. The copper bottom was another innovation from the revolution, it helped to preserve the hull and prevent decay. One of Derby's captains, James Gibaut, was sent to inspect and supervise the construction of the vessel.⁷⁵ The ship was launched in May 1781 and officially commissioned as a privateer on June 13, 1781.⁷⁶

The *Grand Turk* was Derby's most successful and most lucrative privateer in the final years of the war. Derby's accounting records also contain a near complete record of this ship's career, more so than any of his other ships. The *Grand Turk* captured 17 out of the 21 total ships captured by Derby privateers in 1781 and 1782.⁷⁷ On her maiden voyage, the *Grand Turk* captured three prizes in three months. During this cruise, Capt. Simmons sailed off the east coast of North America. His first capture was the brig *Nonsuch*, out of Quebec and headed for the British West Indies.⁷⁸ Then, she captured two more British vessels, the brig *Defiance* and the brig *Venus*. The *Defiance* netted Derby £466 and the *Venus* earned £1037.⁷⁹ At the end of August, Simmons returned to Salem.

In September, when *Grand Turk* was commissioned again under the command of Capt. Pratt, another of Derby's trusted captains, the success and profit continued. Pratt set out on Sept 17, immediately capturing the British privateer brig *Providence* in Boston Bay. She set out from New England again the following day, headed towards Bilbao. Pratt was given letters of instruction from Gibaut concerning repayment for the building of the ship, in accordance with his agreement with Derby.⁸⁰ Half of the prize money belonged to the crew and the other half belonged to Derby, except five percent of Derby's share went to Gibaut for his work on the ship. By December she was sailing off the British Isles and captured three more vessels, two of which earned Derby an extensive sum, totaling £658.⁸¹ These were the ship *Mary* and the brig *John Grace*.⁸² *Mary* was captured off the coast of Ireland as she sailed from Jamaica loaded with sugar, coffee, and wood. Pratt sent the prisoners to Cork, which was about nine miles away, and installed his prize crew onboard. As the two ships turned towards Bilbao, a small brig with a cargo of fish, just out from Ireland, fell in and was captured as well. With his two prizes in tow, Pratt put in to Bilbao and used his letter of introduction to Gardoqui and Sons, whom Derby had done business with for years.⁸³ The cargos of both prizes were sold by Gardoqui, and the net proceeds were reported to be £1316.⁸⁴ Pratt continued to terrorize the British Isles for the remainder of that winter, and in January it was reported that the *Grand Turk* had captured 6 British vessels in European waters, earning Derby a further £2437.⁸⁵

The success continued in March 1782, when the *Grand Turk* sailed from Bilbao back across the North Atlantic to the West Indies. She captured 4 vessels on her journey, the last one being the schooner *Triton*, which was laden with sugar, rum, twine, and 5 small arms. She was sent back to Salem, where she was sold in May 1782 with another prize, *Primrose*, which had a cargo of coffee, rum, and cocoa. *Triton* sold for £1358 and *Primrose* sold for £1691, with Derby personally netting £1543.⁸⁶ Following this success, Pratt turned back to Salem, returning in May. But she did not remain idle for long. The ship was back out to sea under Pratt's command in July 1782. This time he sailed around the West Indies and captured at least two prizes. This was a shorter voyage, and the records do not indicate much else happened to the ship or crew. In September, the *Grand Turk* returned to Salem with its prizes.

Thus far, Derby's use of foreign ports, mainly Bilbao, as a base and market for captured prizes, was a successful strategy—perhaps too successful. Joseph Gardoqui, Derby's Spanish associate, sent Derby a letter on May 22, 1782, complaining about the Spanish government wanting to collect duties on Derby's recent prizes. Derby made no response. Thus, Gardoqui sent another letter on August 6, this time writing, "I should have little to molest you with had not without our notice or knowledge received from Court this Commissary of Marine an order to make us pay without delay the monstrous & exorbitant [sic] sum of reales 245930...as duties on the cargoes of the two prizes the John & Grace & the Mary...."⁸⁷ Gardoqui continued to request that Derby help to cover the costs. Again, Derby made no reply. A portion of Gardoqui's letter containing the vast sum that the Crown demanded was anonymously published in the *Salem Gazette* on November 8, 1782, though there is no question that Derby supplied the letter.⁸⁸ Derby perhaps published this letter to sway public opinion in his favor and against Gardoqui, to legitimize his intention of paying Spain no money. Gardoqui sent a third letter dated November 20, 1782, in which he informs Derby that they were engaged in a legal case to get out of paying the duties, though he thought they might lose, and would incur legal fees, again requesting Derby help pay the bill.⁸⁹ Derby finally replied in a letter on July 5, 1783, in which he claimed that Gardoqui had cheated him in exchange rates and his accounts on the prizes were closed.⁹⁰ This was the end of a long business partnership.

Derby stopped sending his ships to the British Isles for privateering, and although privateering remained profitable, there is a noticeable drop in the number of prizes captured. Pratt was out to sea in the *Grand Turk* again in November and as a consequence of Derby's tense relations with Gardoqui, he was ordered to set sail for the British West Indies.⁹¹ Only a few days after leaving Salem, he captured the 250 ton ship *Minerva*. Pratt sent the ship back to Boston and the libel hearing occurred on Dec 23, 1782.⁹² From there, Pratt continued south, sailing back towards the British West Indies. He sailed around Martinique, where Derby was business associates with the merchant house owned by Brenton, Shattuck, and Jarvis. The *Grand Turk* captured two prizes, the barque *Swift* and the brig *Mary*, both of which he sent to Martinique to be sold.⁹³ The public auction for the *Mary* and her cargo, documented in an invoice sent to Derby, reveal the ship's cargo of beef, pork, butter, salmon, Irish linen, flour, and boots. The net proceeds were £117,950, with Derby receiving £51,169.⁹⁴

The *Grand Turk* also encountered British warships, but unlike the *Oliver Cromwell*, did not engage in battle. The day after Christmas, 1782, Pratt sailed from St. Pierre with the Connecticut Privateer *Hunter*, commanded by Capt. Sage, and the Continental Navy brig *Hague*, commanded by Capt. Manley.⁹⁵ Soon after the voyage began, the Americans spotted six sail coming out of Dominica. Capt. Pratt climbed to the topgallant mast with his spyglass to get a better view. After closely examining the ships, he determined that they were a fleet of British warships. At the same time, the British spotted the American vessels and began to turn about to give chase. The Americans separated and ran away. As dusk fell, the British were nowhere in sight, but the *Grand Turk* had sustained damage to its fore topgallant mast in their haste to escape.⁹⁶ Pratt turned towards Montserrat for quick repairs. Apparently, the British chose *Hunter* to chase, as it was reported that the crew had to dump their cannons overboard to escape.⁹⁷

After the repairs were made, the *Grand Turk* sailed again, continuing to gain financial success, capturing the little sloop *Polly* out of Barbados in January 1783. This capture reveals Derby's anti-slavery sentiments. This ship contained a small cargo of West India goods and nine slaves on board. Derby opposed the slave-trade and forbade his captains from participating, as Derby felt the slave trade would stain his reputation.⁹⁸ To avoid any sort of confrontation with the owners, Pratt sent the prize to St. Pierre to be sold, though he inadvertently participated in the slave trade because the slaves were sold as part of the ship's cargo.⁹⁹ The *Grand Turk* also returned to St. Pierre to replenish her supplies at the end of the month and was quickly back out to sea in February 1783.

Early in March 1783, the *Grand Turk* captured three more prizes in the British West Indies, most important of these was the last one, *Active of Lancaster*. Pratt sent the first two prizes to St. Pierre to be sold, but *Active* was sent to Salem. The auctioneer's advertisement from April that year described the *Active of Lancaster* as "elegant European-built, copper sheathed," and about 200 tons.¹⁰⁰ She had a large cargo of candles, butter, beef, pork, dry goods, and various other items, including 700 pounds of gunpowder, which sold for £1619.¹⁰¹ This was another huge capture for the *Grand Turk*.

In the spring of 1783, the Revolutionary War was in its final stages, but the *Grand Turk* continued privateering in the West Indies. Britain and the United States signed preliminary peace accords in early Feb 1783, but news had not yet reached Salem and had most certainly not reached Capt. Pratt. So, on March 12, 1783, when Pratt came upon the British merchant vessel, *Pompey*, he captured her without a second thought. In fact, Pratt captured the merchant without even firing a shot. Capt. Garrett of the *Pompey* launched from London on Feb 11 and was sure that the peace agreement was finalized, which is why he surrendered so easily. Pratt, naturally skeptical having heard no such news himself, sent the British crew in their row boats to St. Christopher, and sent his final prize back to Salem. On April 10, 1783, Pratt set out from Martinique for Salem himself, arriving on April 30, ending the *Grand Turk*'s career as Derby's most successful privateer. During the span of two years, the *Grand Turk* captured some 25 prizes. In May 1783, the Admiralty Court deemed that the *Pompey* was a legitimate capture, as news of the war's end had not yet officially reached the States or the privateers.

Derby's patriotic capitalism in the war allowed him to rebuild his fleet and continue his successful merchant business, building an empire of overseas trade in the following decade. As a rough estimate, Derby financed about 85 vessels for 110 privateer voyages during the American Revolution.¹⁰² At the time of his death in 1799, Derby was the leading Salem ship owner, with a fleet of 40 vessels, which is more than quadruple the seven vessels in his possession when the revolution began, and his estate was worth over a million dollars. His post-war merchant business reached new profits, with a single voyage earning him as much as \$100,000.¹⁰³

Derby damaged his commercial relationship with Gardoqui and Sons during the war while pursuing his patriotic capitalist agenda. As consequence, Derby was forced to seek new markets towards the end of the Revolution and the years after, as evidenced by *Grand Turk*'s use of the Brenton, Shattuck, and Jarvis merchant house in Martinique. The inaccessibility of Spain's markets created the impetus for Derby to send his ships further abroad, opening trade with India and China. On the other hand, Derby was able to maintain business affiliation with Lane, Son, and Framer, a British merchant-house that served as a "clearing-house of Derby's foreign financial affairs."¹⁰⁴ Derby utilized his ties with foreign ports to quickly liquidate prize vessels, resulting in large amounts of capital being sent into the United States.¹⁰⁵ When prize ships were sent back to the US, a hearing in Admiralty Court decided that the ship was a legally captured enemy vessel, and the ship and all its cargo were sold at public auction. In this case, no new currency entered the economy, but much needed provisions like food stuffs, clothing and boots, and sparse munitions did, and then merchants like Derby bought these small captured merchant ships and outfitted them as privateers and letters of the marque, perpetuating the privateering cycle, literally flooding the ocean with more vessels to seek potential prizes.

After the Revolution, Derby patriotic capitalism saw his focus shift to expanding American trade with the Far East. He sent the *Grand Turk* to Canton in 1785, being one of the first to open trade with China. She was the vanguard of a large contingent of Salem traders that looked eastward. Of the 15 American vessels in Canton in 1789, one-third hailed from Salem. Canton trade allowed America to enter in the international trade business, which was essential for the fledgling nation. Though they largely imported tea, they also brought back silk, porcelain, and special cotton called

nankeens.¹⁰⁶ Derby's sense of adventure and patriotic pursuit of profits carried his business and the future of American business to the east.

The Patriotic Privateering fever that engulfed New England during the American Revolution is a clear moment in history that demonstrates the pursuit of one's self-interest is beneficial to society. Derby was a revolutionary, but he was not a sailor or a soldier, he was the manager of a merchant house, one who had the resources to outfit his merchant vessels as legalized pirates. He then invested his money in designing and building better ships, ones that could be merchant warships as well as warships. Derby spearheaded innovation in American shipbuilding, which is the culmination of his participation in Patriotic Capitalism, collecting resources and currency for the fledgling nation.

2. Endnotes

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36 "Petition of George Dodge, Jr. to the Massachusetts Council," in *Naval Documents of the American Revolution*, vol. 8, ed by Allen, 463.

37 "Log of *The Oliver Cromwell* (1777)." Log 891. Logbook Collection. Special Collections at the Phillips Library, Peabody Essex Museum, Rowley, Ma. 1.

38 Ballast is material placed in the lowest hold to the ship to stabilize and balance the ship. When the author writes "in ballast," he is saying that the cargo of the prize has been removed and all that is left on board is the stabilizing material.

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50 "Log of *The Oliver Cromwell* (1777)." 13-16.

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