



## Papers Relating to the British Seizure of American Ships, 1793-1801

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### Collection Summary

<b>Title:</b>	Papers Relating to the British Seizure of American Ships, 1793-1801
<b>Call Number:</b>	MS 82-054
<b>Size:</b>	0.25 linear feet
<b>Acquisition:</b>	Purchased from Sotheby-Parke-Bernet, Inc
<b>Processed By:</b>	KJB, 6-28-1982; JEF, 6-15-1998; MN, 10-2008
<b>Note:</b>	None
<b>Restrictions:</b>	None

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### Restrictions

None

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### Content Note

This collection of papers contains correspondence relating to British seizure of American ships between 1793-1801. Four of the letters in this collection are from American captains whose ships were seized by the British in the West Indies. The captains of the ships, owned by Philadelphia merchants, write to the owners of the ships with tales of woe, telling of being stopped, searched and detained, of storms and of the treachery of their crews, of pirates, of mistreatment by the British, and of a general lack of justice. . There is also a 1797 letter from J. Wagner of the State Department concerning a possible claim against the British for a captured ship.

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### Administrative History

When Great Britain and France went to war in 1793, America declared its neutrality. The British soon began to capture ships coming out of French ports and confiscate their cargoes whether they were French allies or neutrals. To justify their actions, in November 1793 the British Government resurrected the "Rule of 1756" as the

legal basis for their order to seize "all ships laden with goods the produce of any colony belonging to France, or carrying provisions or other supplies for the use of any such colony." The Rule of 1756 was created by the British Admiralty Courts during the Seven Years War (1756-1763). According to the rule, during wartime a neutral nation could not be granted trade which has been denied to it by a belligerent nation during peacetime. The reasoning behind the rule was that a neutral power which in wartime traded with or carried supplies for a belligerent nation or its colonies violated its neutrality by aiding the belligerent nation. The order of November 1793 was aimed in part at the trade between the United States and French colonies in the West Indies, a trade which was very lucrative to the Americans. The British seizure of American ships in the West Indies was not covered by the Rule of 1756 because France had opened its West Indies colonies to American trade and shipping before the war with Great Britain broke out. Seizure was therefore illegal even by British standards. The order which invoked the rule was revised in January 1794 to limit its application to neutral vessels bound from the West Indies directly to Europe. Letters in the collection from American captains whose ships were seized by the British in the West Indies predate the order of November 1793. As can be seen, the British used the Rule of 1756 by broadening or misrepresenting its interpretation to confiscate American cargoes.

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## Detailed Description: Box and Folder Listing

Box 1	FF 1	27 August 1793. Captain David Ross, Kingston, Jamaica, to Messrs. Dutilh and Wachsmuth, Philadelphia. Ship was captured before the order of November 1793. The British claimed that Ross had French property (coffee) on his ship.
Box 1	FF 2	22 February 1795. Captain Christopher Clousen, Surinam, to Messrs. Dutilh and Wachsmuth, Philadelphia. Clousen bound from Surinam directly to Amsterdam when stopped had therefore violated the Rule of 1756.
Box 1	FF 3	1 August 1795. Captain Christopher Clousen, Cork, Ireland, to Messrs. Dutilh and Wachsmuth, Philadelphia. Followup from Clousen.
Box 1	FF 4	22 May 1797. J. Wagner, Department of State, to Messrs. Dutilh and Wachsmuth. Concerns possible claim against the British for a captured ship.
Box 1	FF 5	17 March 1801. Captain Richard Watson, Tortola, to Mr. Stephen Dutilh and T. T. Maswice (?), Philadelphia. File includes a transcript. Watson was told by the British that he had been en route from one enemy port to another and was therefore liable to capture, a claim to which he objected.

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