

## **RCEWA – Portrait of Prince William, Benjamin West**

### **Applicant's statement**

#### *III Statement in relation to the Waverley criteria*

*The Committee's function is to consider whether an item referred to it is of national importance under any of the following criteria.*

- a) Is it so closely connected with our history and national life that its departure would be a misfortune?*
- b) Is it of outstanding aesthetic importance?*
- c) Is it of outstanding significance for the study of some particular branch of art, learning or history?*

*To assist the Committee, you may submit a written statement in support of your application, with particular reference to the three criteria set out above. You may use the space below (box 21) or attach a separate document for these purposes*

### **Further information**

The 'Expert Adviser's statement' and the 'Note of Case History' are available on the Arts Council Website: [www.artscouncil.org.uk/reviewing-committee-case-hearings](http://www.artscouncil.org.uk/reviewing-committee-case-hearings)

Please note that images and appendices referenced are not reproduced.

Benjamin West's *Portrait of Prince William, later King William IV of Great Britain* depicts the third son of King George III, when a boy serving as a midshipman in the Navy, on board *HMS Prince George*, commanded by Admiral Robert Digby. Digby was the young prince's commanding officer and, as is documented by an inscription on the back of the stretcher, the painting was a gift to him from the King.

George III was one of Benjamin West's most prolific patrons and the artist painted over thirty portraits of the monarch and the Royal Family, at least thirteen of which remain in the Royal Collection – including a portrait of Prince William with his younger brother Prince Edward, which is signed and dated by West 1778. This particular work, painted *circa* 1781, is one of two identical versions of the subject, the other of which remains in a private collection in England. A private commission, painted many years before the sitter was heir to the throne, as a gift from a father to his son's commanding officer, it is not in our opinion closely connected to our history and national life such that its departure from the UK would be a misfortune.

Equally, whilst it is beautifully painted, as would be expected from an artist who was elected the second President of the Royal Academy, it is not of particular aesthetic distinction or importance within Benjamin West's oeuvre. Nor is it aesthetically outstanding in the context of late 18<sup>th</sup> Century / early 19<sup>th</sup> Century British portraiture – a period that begins with the full mature genius of Joshua Reynolds and Thomas Gainsborough and culminates with the prodigical talents of Thomas Lawrence. It therefore does not quality under the criteria for Waverley II in our estimation.

Nor, by the same token, is it not of any particular significance to the study of the artist's work, or our understanding of the sitter. It is not particularly unique, in being one of many portraits of the Royal children painted by West, the majority of which remain in the Royal Collection. Furthermore, there are a number of portraits of the sitter later in life, many of which are in public collections. Examples include those depicting the Prince when he was Duke of Clarence, such as Lawrence's three-quarter length at Upton House (National Trust) (*see fig. 1*); and later Lord High Admiral, such as Martin Archer Shee's full length in the National Portrait Gallery (*see fig. 2*); as well as numerous portraits of him when he became King, including that in Garter Robes at Windsor Castle, also by Shee (*see fig. 3*), and the rather more tender depiction of him by Sir David Wilkie in the National Portrait Gallery. Another, grander, state portrait of William VI by Wilkie is also in the Royal Collection (*see fig 4*). We do not believe this painting is therefore of outstanding significance to the study of either the artist and his patronage at the hands of the Royal Family, or the history of the sitter and his iconography. Consequently, in our view it does not quality under the criteria for Waverley III.

**RCEWA – Portrait of Prince William, Benjamin West**

**Statement of the Expert Adviser to the Secretary of State that the portrait meets Waverley criteria one and three.**

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## EXECUTIVE SUMMARY

Benjamin West, P.R.A. (1738-1820)

*Portrait of Prince William, later King William IV of Great Britain (1765-1837), when a midshipman, in naval uniform, standing on the deck of HMS Prince George, 1781*

Oil on canvas, 53.5 x 43.2 cm

### Condition Report:

The canvas is lined and there is good adhesion between the canvas and the lining material. The paint layer is stable and secure and in very good original condition. There is a small repaired loss to the mast, to the right of the sitter's hat in the decking and in the sky, left, between the ships. Fine details are well preserved, including the more vulnerable details such as the rigging. The vigorous handling of the paint through the white clothing of the sitter is intact, with the impasted highlights of his buttons very slightly compromised. Removal of a degraded and discoloured varnish would significantly improve the tonal and chromatic values of the image. The painting presents well.

Frame: a period carved gilt wood frame with some minor wear

### Provenance:

Commissioned by the sitter's father, King George III and given by him to his son's commanding office, Admiral Robert Digby (1732-1815); By descent to his nephew, Admiral Sir Henry Digby (1770–1842); By descent to his son, Edward Digby, 9th Baron Digby (1809-1889); Thence by descent.

### Exhibitions:

London, Sotheby's, *Rule Britannia*, 1986, no. 74.

### Literature:

H. von Erffa and A. Staley, *The Paintings of Benjamin West*, New Haven and London 1986, p. 476, no. 569 (as 'location unknown', reproduced from the Bartolozzi and Sandby aquatint engraving).

### Waverley criteria

This painting meets **Waverley criteria 1 and 3**, as it is closely connected to the history of the British-American conflicts, as well as a rare example of naval portraiture, an important genre in the history of eighteenth-century art.

## DETAILED CASE

### 1. Detailed description of item(s) if more than in Executive summary, and any comments.

In Benjamin West's exceptional portrait of the young Prince William, who was destined to become the 'sailor king', the sitter stands wearing his midshipman's uniform on the quarterdeck of the *Prince George* during the American War of Independence (1775–1783). The background of the portrait shows a coastal fortress surrounded by British warships at anchor. This setting may represent Gibraltar, where French and Spanish forces, allied with the American colonists, laid siege to the British garrison between 1779 and 1783. With Prince William onboard, the *Prince George* was part of the fleets which brought relief to the island in January 1780 and April 1781. The portrait may commemorate one of these actions.

According to a label attached to the reverse of its frame, this painting was apparently commissioned as a personal gift from the sitter's father, King George III, to thank Admiral Robert Digby, who had commanded *Prince George* and watched over the prince during his service onboard the flagship.

This portrait has only recently emerged and was unknown to Erffa and Staley when they wrote West's catalogue raisonnée. However, its composition is well-known through an etching by Francesco Bartolozzi and Paul Sandby, published in January 1782, and a second lithograph by W. Day, published by Rudolf Ackermann in 1832. Erffa and Staley included a catalogue entry for a painting related to these prints, which they identified as a now lost painting sold at Benjamin West's posthumous sale, in London, Robins, 20-22 June 1829, lot 69 ('Whole-length portrait of HRH the Duke of Clarence, represented in the naval uniform of a midshipman on the deck of a ship of war'). It would thus seem that there were two autograph paintings of the same composition. As the location of the version sold in West's posthumous sale is now unknown, the present portrait remains the only known version.

By 1779, the American painter Benjamin West was an established member of the British artistic establishment. Appointed historical painter to the king from 1772, with an annual fee of £1,000, West painted thirty-one portraits of members of the royal family, including six of George III himself. This portrait of Prince William is among the most original of any he produced in his career. West has cleverly adapted the tropes of society portraiture to accommodate a shipboard scene: the ship's mast replaces a classical column, the decking replaces a landscape foreground, and the sail takes on the function of the swags of fabric that often drape across the upper corner of society portraits, giving a plain background for the sitter's profile.

West had painted Prince William in his distinctive midshipman's uniform before, in his double portrait of William and his younger brother Prince Edward in the Royal Collection (1778), a large painting measuring 243.8 x 166.3 cm. The two princes are depicted in a classical interior and gesture towards a globe and a ship model. William wears his garter robes over his uniform. By contrast, the portrait under discussion here is unique for showing the prince in a shipboard setting, dressed for active naval service, rather than for life at court. As such, it exemplifies the royal

family's use of portraiture during the American War, during which time they took pains to present William as an ordinary midshipman, working his way up the ranks without "parade" or "marks of distinction". This reinforced the king's simple, moralistic public image, appealing to the 'middling sort' who saw the royal couple as the living embodiment of respectable family life. The painting is undoubtedly one of West's most creative portraits and an exceptional example of royal propaganda during the American War.

## **2. Detailed explanation of the outstanding significance of the item(s).**

The young Prince William began his naval career as an 'able seaman' aged 13 onboard the *Prince George*, the flagship of Admiral Robert Digby which forms the setting for this portrait, in 1779, before becoming a midshipman the following year. The prince went on to make his career in the navy, eventually rising to the position of Lord High Admiral in 1827 before his succession to the throne in 1830. Known as the 'Sailor King', he would be painted in his naval uniform on numerous occasions throughout his life. An intimate friend of Nelson's, the prince's political views were informed by his time among planter elites in the West Indies. As Duke of Clarence, he spoke strongly against the abolition of the slave trade, but as William IV he had to sign the abolition of colonial slavery into law in 1833.

This early portrait celebrates the young prince's participation in the American War of Independence, highlighting the king's willingness to risk the life of his own son in the conflict. As noted above, the background may contain a reference to his involvement in the relief of Gibraltar from Franco-Spanish forces in January 1780 and again in April 1781. By the time Bartolozzi's print was published in January 1782, William had sailed with the British Fleet to North America, where he and Admiral Digby were the intended subject of a foiled kidnapping plot in March 1782. Viewers of the etching might therefore have read the portrait in the light of the prince's service in America.

Pitting the British against an enemy who shared the same language, religion and customs, the American War was an unpopular and controversial conflict, which resisted reduction into straightforward notions of "us" and "them". Arising from errant imperial governance and marked by repeated failures on the battlefield, the war placed George III, his government, and his military leaders under intense scrutiny. The dignity of the navy had diminished in the wake of the disastrous Keppel-Palliser affair in 1779, which ended in the courts martial of both admirals. Against this backdrop, William's entry into the navy provided a much-needed public distraction, supplying material for patriotic poems, ballads, and songs, as well as prints and portraits of 'the little naval hero', as loyalist newspapers put it. Such rhetoric shows how the prince's image was leveraged to win popular support for the monarchy.

West's painting attests to the artist's importance as a painter to the royal family, trusted to manage their response to American War through portraits like this one. His tact, agreeableness and artistic talent enabled him to maintain the confidence of the king throughout the American War, despite his own colonial origins and his sympathy for the American revolutionaries. Thanks to the circulation of Bartolozzi's etching, the iconography of Prince William Henry as a midshipman became a powerful part of the British cultural imaginary.

As mentioned above, the label on the back of the frame suggests that the painting was given by the sitter's father, George III, to the young prince's commanding officer, Admiral Digby. It is thus one of two autograph versions of this portrait, the other of which, sold in West's posthumous sale in 1829, is now untraced. The dimensions of the latter version are not recorded, and it is not certain which of the two paintings served as the basis for Bartolozzi's etching. It is possible that the untraced version was a full-size portrait and that the present small-scale picture was produced as a model for the print, before being given to Admiral Digby as a personal gift, its diminutive size fostering a sense of intimacy. The present portrait thus straddles public and private domains, having reached a larger audience through the published etching while also serving as a personal memento and mark of royal favour for Admiral Digby.

Portraits of midshipmen are a rare subcategory of naval portraiture. Midshipmen wear a distinctive uniform coat, recognisable by the white tabs on the collar, which were introduced sometime in the mid-1760s and became the defining feature of midshipmen's uniform until the middle of the nineteenth century. Most naval portraits marked important personal milestones and professional achievements, such as marriage, promotion, the capture of a wealthy prize or the acquisition of a country estate. Such events often came later in an officer's career, so midshipmen only sat for portraits in exceptional circumstances. Portraits of midshipmen depicted at sea or engaged in action are even rarer than simple head-and-shoulders portraits. Only a handful survive, many of which are held overseas, such as John Singleton Copley's portrait of Augustus Brine (1782) in the Metropolitan Museum of Art, New York, or in private collections, such as George Romney's portrait of Joseph Yorke (c. 1781–3), which has British and French ships engaging in action in the background.

There are only two other painted portraits of the young Prince William as a midshipman, both held by the Royal Collection: West's earlier double portrait, mentioned above; and a portrait by Thomas Gainsborough (1782), made as part of a series of portraits of the royal children, engraved by Gainsborough Dupont circa 1782. However, the significance of the present portrait lies not only in its uniquely creative approach to what is already a rare subgenre of naval portraiture – the midshipman's portrait – but also in its importance as a work of royal propaganda made during the American War. It complements the full-length state portraits of George III and Queen Charlotte, which West painted in 1779 for the king's Audience Chamber at Hampton Court (Royal Collection). Commemorating Prince William's undertaking of a naval career without any special treatment, the present portrait combines the martial imagery and simple, moralistic sentiments of his parent's state portraits.

In conclusion, Benjamin West's *Portrait of Prince William* is a rare work that exemplifies the role of royal portraiture in a crucial period in British history. There are very few portraits of midshipmen in British collections, and indeed anywhere in the world, and as a portrait of the future 'sailor king' at this moment in his career, it is even rarer; it cannot be known if the other version of this portrait will ever resurface. The export of this work would be lamentable for the study of naval portraiture in this country, and it would be a huge loss to our national holdings of material history relating to the American War.

**Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest, note of case hearing on Wednesday 10<sup>th</sup> November: *Portrait of Prince William*, Benjamin West (Case 7, 2021-22)**

**Application**

1. The Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest (RCEWA) met on Wednesday 10<sup>th</sup> November to consider an application to export *Portrait of Prince William*, Benjamin West. The value shown on the export licence application was £329,238 which represented the hammer price at auction plus the buyer's premium, plus overhead premium, plus tax. The expert adviser had objected to the export of the painting under the first and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because (i) it was so closely connected with our history and national life and (iii) it was of outstanding significance for the study of naval portraiture in Britain.

2. Eight of the regular eight RCEWA members were present and were joined by three independent assessors, acting as temporary members of the Reviewing Committee. The Chairman explained that the binding offers mechanism was applicable for this case.

3. The applicant was consulted about the digital process and confirmed they were content to proceed in this manner. The applicant confirmed that the value did not include VAT and that VAT would be payable in the event of a UK sale on the Buyer's Premium and Overhead Premium but that a sale could be structured so that an eligible UK institution could reclaim the VAT. The applicant confirmed that there would be a benefit from a private treaty sale. The applicant also confirmed that the owner understood the circumstances under which an export licence might be refused.

**Expert's submission**

4. The expert adviser had provided a written submission stating that in Benjamin West's exceptional portrait of the young Prince William, who was destined to become the 'sailor king', the sitter stood wearing his midshipman's uniform on the quarterdeck of the *Prince George* during the American War of Independence (1775–1783). The setting may represent Gibraltar, where French and Spanish forces, allied with the American colonists, laid siege to the British garrison between 1779 and 1783.

5. According to a label attached to the reverse of its frame, the painting was apparently commissioned as a personal gift from the sitter's father, King George III, to thank Admiral Robert Digby, who had commanded *Prince George* and watched over the prince during his service onboard the flagship.



6. This portrait had only recently emerged and was unknown to Erffa and Staley when they wrote West's catalogue raisonnée. However, its composition was well-known through an etching by Francesco Bartolozzi and Paul Sandby, published in January 1782, and a second lithograph by W. Day, published by Rudolf Ackermann in 1832. It would thus seem that there were two autograph paintings of the same composition. As the location of the version sold in West's posthumous sale was unknown, the portrait under consideration remained the only known version.

7. By 1779, the American painter Benjamin West was an established member of the British artistic establishment. Appointed historical painter to the king from 1772, with an annual fee of £1,000, West painted thirty-one portraits of members of the royal family, including six of George III himself. This portrait of Prince William was among the most original of any he produced in his career.

8. As such, it exemplified the royal family's use of portraiture during the American War, during which time they took pains to present William as an ordinary midshipman, working his way up the ranks without "parade" or "marks of distinction". This reinforced the king's simple, moralistic public image, appealing to the 'middling sort' who saw the royal couple as the living embodiment of respectable family life. The painting was undoubtedly one of West's most creative portraits and an exceptional example of royal propaganda during the American War.

9. Benjamin West's *Portrait of Prince William* was a rare work that exemplified the role of royal portraiture in a crucial period in British history. There were very few portraits of midshipmen in British collections, and indeed anywhere in the world, and as a portrait of the future 'sailor king' at this moment in his career, it was even rarer; it could not be known if the other version of this portrait would ever resurface. The export of this work would be lamentable for the study of naval portraiture in this country, and it would be a huge loss to our national holdings of material history relating to the American War.

### **Applicant's submission**

10. The applicant had stated in a written submission that they did not consider that the painting met any of the three Waverley criteria.

11. Concerning the first Waverley criterion, the applicant stated that George III was one of Benjamin West's most prolific patrons and the artist painted over thirty portraits of the monarch and the Royal Family. At least thirteen of these portraits remain in the Royal Collection – including a portrait of Prince William with his younger brother Prince Edward. The painting under consideration was one of two identical versions of the subject, the other of which, contrary to the expert's submission, remains in a private collection in England. The applicant stated that it was not their opinion that the painting was closely connected to British history or national life, such that its departure from the UK would be a

misfortune.

12. Concerning the second Waverley criterion, the applicant stated that while the painting was beautifully painted, as would be expected from an artist who was elected the second President of the Royal Academy, it was not of particular aesthetic distinction or importance within Benjamin West's *oeuvre*.

13. Concerning the third Waverley criterion, the painting was not of any particular significance to the study of the artist's work or the understanding of the sitter. There are a number of portraits of the sitter later in life, many of which were in public collections. The applicant stated that they did not believe the painting was of outstanding significance to the study of either the artist and his patronage at the hands of the Royal Family, or the history of the sitter and his iconography.

### **Discussion by the Committee**

14. The expert adviser and applicant retired and the Committee discussed the case. It was agreed that this painting was significant in terms of scale and format. It was broader and much more dramatic than similar images and was without comparison.

15. Exceptional in its depiction of a prince, later a king, and commissioned by a king, the painting was not only significant for its connection to royal propaganda during the American war, but also for its relation to the cult of sensibility during the 1780s. During this time, it was important for gentlemen to appear to have tender hearts, but also to be courageous and strong. In this way, the painting ties into a wider cultural phenomenon in Britain.

16. It was agreed that the painting was exceptionally interesting and met the first and third Waverley criteria.

### **Waverley Criteria**

17. The Committee voted on whether the painting met the Waverley criteria. All members voted that it met the first Waverley criterion. All members voted that it met the third Waverley criterion. The painting was therefore found to meet the first and third Waverley criteria for its outstanding significance for the study of naval portraiture in Britain.

### **Matching offer**

18. The Committee recommended the sum of £314,880 (Inclusive of VAT) as a fair matching price.

### **Deferral period**

19. The Committee agreed to recommend to the Secretary of State that the decision on the export licence should be deferred for an initial period of three

months. At the end of the first deferral period if the Arts Council received notification of a serious intention to raise funds with a view to making an offer to purchase the painting the owner will have a consideration period of 15 Business Days to consider any offer(s). The Committee recommended that there should be a further deferral period of three months that would commence following the signing of an Option Agreement.

### **Communication of findings**

20. The expert adviser and the applicant returned. The Chairman notified them of the Committee's decision on its recommendations to the Secretary of State.

21. The expert adviser agreed to act as champion if a decision on the licence was deferred by the Secretary of State.

**Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest: Note of outcome: *Portrait of Prince William, Benjamin West* (Case 7, 2021-22)**

At the end of the initial deferral period, no offer to purchase the portrait had been made and we were not aware of any serious intention to raise funds. An export licence was therefore issued.