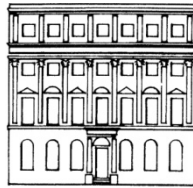


German Historical Institute
London



BULLETIN

ISSN 0269-8552

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Hard Times: The Economic Activities of American Consuls on the North Sea Coast under the Continental System

German Historical Institute London Bulletin, Vol 40, No. 2
(November 2018), pp3-31

ARTICLES

HARD TIMES: THE ECONOMIC ACTIVITIES OF AMERICAN CONSULS ON THE NORTH SEA COAST UNDER THE CONTINENTAL SYSTEM

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I. Introduction

The history of consuls has until recently been overlooked by historians, receiving only marginal attention. This is particularly surprising in view of the fact that consuls, as intermediaries between politics and business, played an important role in transnational trade, and that their reports often contain a wealth of significant political and economic information.

The main task of consuls was to promote bilateral trade relations. In times of war, they faced particular challenges. They had to ensure that trade could continue as far as circumstances allowed, and that their own countrymen and countrywomen were safe and had access to essential supplies. Besides being obliged in law to look after prisoners, impoverished seamen, and sailors who had been shipwrecked, consuls also had notarial, judicial, and policing duties and dealt with ships that had been seized or damaged. In addition, one of their most important tasks was to keep channels of communication open, so that they could ensure government and business were up to date with the changing military situation.

Two collections of essays in recent years, both co-edited by Jörg Ulbert, offer an overview of the development of the consular service

I would like to thank the German Historical Institute Washington for a generous scholarship that allowed me to view the files of the American consular service. This article first appeared in German as 'Konsul und Kaufmann in schwierigen Zeiten: Die wirtschaftlichen Aktivitäten der amerikanischen Konsuln an der Nordseeküste während der Kontinentalsperre', *Hansische Studien*, 24 (2017), 151–71. This translation is published by kind permission of the editors of *Hansische Studien*. Trans. Emily Richards (GHIL).

in a variety of countries.¹ While there is a relatively active research community working on the history of the French, Swedish, and (to a lesser extent) German consuls, the history of the American consular service in the first fifty years after American independence has received little attention.² This is true especially for the years 1792 to 1815, the period of the Coalition Wars. A short summary of the history of the service was recently published by Christoph Strupp, but his focus is the second half of the nineteenth century.³ The most comprehensive discussion to date is still Charles Stuart Kennedy's 1990 study,⁴ which for the Coalition Wars period concentrates on the problems encountered by American consuls in the Barbary Coast States. Kennedy also briefly discusses the history of certain consuls in Britain and Bordeaux, and Silvia Marzagalli has published a survey of historical sources available for the Bordeaux consulate.⁵ However, to date there has been no study of the American consuls in north German port cities during the Coalition Wars, with the exception of Hamburg, for which two short studies exist. These, however, provide only outline data for the years of the Coalition Wars.⁶

¹ Jörg Ulbert and Gerard le Bouedec (eds.), *La fonction consulaire à l'époque moderne: l'affirmation d'une institution économique et politique (1500–1800)* (Rennes, 2006); Jörg Ulbert and Lukian Prijac (eds.), *Die Welt der Konsulate im 19. Jahrhundert* (Hamburg, 2010).

² On the Swedish consular service cf. Leos Müller, *Consuls, Corsairs and Commerce: The Swedish Consular Service and Long-Distance Shipping 1720–1815* (Uppsala, 2004); on the nineteenth century, see id., 'The Swedish–Norwegian Consular Services in the Nineteenth Century (1814–1905)', in Ulbert and Prijac (eds.), *Welt der Konsulate*, 261–70; on the French consulates see Ulbert and Prijac (eds.), *Welt der Konsulate* and Silvia Marzagalli (ed.), *Les consuls en Méditerranée, agents d'information XVIe–XXe siècle* (Paris, 2015).

³ Christoph Strupp, 'Das US-amerikanische Konsularwesen im 19. Jahrhundert', in Ulbert and Prijac (eds.), *Welt der Konsulate*, 234–47.

⁴ Charles Stuart Kennedy, *The American Consul: A History of the United States Consular Service, 1776–1914* (New York, 1990).

⁵ Silvia Marzagalli, 'Les débuts des services consulaires des États-Unis: L'exemple de Bordeaux de la Guerre d'Indépendance américaine à la fin du Premier Empire', in Ulbert and Bouedec (eds.), *La fonction consulaire*, 279–96.

⁶ Heiko Herold, 'USA in Hamburg: Die hanseatisch-amerikanischen Beziehungen seit 1790', *Zeitschrift für Internationale Politik*, 87 (2012), 59–63; id., *60 Years U.S. Consulate General Hamburg at the 'Little White House on the Alster'* (Hamburg, 2011), 4–6; J. K. Huddle, 'The First Half Century of the Consulate

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The sources for this period are, in addition, sometimes very meagre. We are lacking many consular reports, not only because the consuls were unreliable when it came to submitting them (as was often alleged), but primarily because of the war itself. Blockades, piracy, and shipwrecks made it impossible to report back regularly to the government. This is evident, for example, in the case of the American consulate in Bremen, for which all reports are missing for the period from 1806 until 1812, when they recommenced. It has been impossible to locate the reports of the consul at Emden, and there are gaps even in the consul's reports for Hamburg.⁷ Surviving consular files for the German Hanseatic League cities are often in very bad condition, making them difficult to use for research purposes. The situation is somewhat better for the Netherlands, as the consul there left a private archive of files containing significant information on not only the Netherlands themselves but also the activities of the American consuls in northern Germany.

As the American consular service on the north German coast has, until now, received only limited attention, I will use the following section briefly to set out the development of the consular service along the north-west European coast. The subsequent two sections examine efforts to expand consular districts and to obtain a salary for consuls. The fifth and sixth sections deal with problems caused by a lack of official guidance for consuls and with communication during the Napoleonic Wars respectively, although for reasons of space I am only able to set out some initial thoughts on these topics.

II. *The Development of the American Consular Service in Northern Germany*

In the eighteenth century most trading nations possessed an established consular network. The United States, which had only just come into being, was an exception. Before the American War of Independence, the interests of American traders abroad had been represented by British consuls, but in the course of that conflict first

at Hamburg', *American Foreign Service Journal*, 2 (1925), 289-352 (thanks to Dr Heiko Herold for bringing this article to my attention).

⁷ This applies especially to the years 1808 to 1811.

steps were taken that would gradually result in the development of an independent American consular service. During the Revolutionary Wars, for example, Congress had appointed agents in France, Cuba, and China to represent its interests. But it was not until the Coalition Wars that the network of consulates dramatically expanded, especially in Europe. In 1790 only eighteen American consulates existed, but by 1800 there were seventy.⁸

Article 2 (2) of the US constitution gave the President the right to appoint consuls. Vice consuls and agents, on the other hand, could be appointed independently and locally by the consuls themselves.⁹ But in contrast to consuls, vice consuls and consular agents had no legal standing unless the consul applied for their formal recognition by the United States.

Historical literature regularly notes the fact that in early years foreigners could be appointed as consuls in the American consular service. John Parish and Joseph Pitcairn in Hamburg, like Frederick Jakob Wichelhausen in Bremen and Hans Rudolf Saaby in Copenhagen, were not Americans. The practice of appointing foreigners to the consular office was widespread during the Coalition Wars, not only on the part of the United States, but also of the German states and Britain. This was in part due to strategic considerations. Choosing respectable native merchants with good and close relationships to the local and regional political elites made it easier for governments to work with those elites and, in times of war, to prevent sanctions being subverted.

The first American consulate in Hamburg was established in the early 1790s, just before the start of the Coalition Wars. In 1790 the American government appointed John Parish, who was born in Britain, first as vice consul and then, in 1793, as consul. He was followed in October 1796 by the American Samuel Williams, who, however, did not stay in Hamburg for long, applying for the consulship in London a few months later in the summer of 1797 and receiving his appointment to that post at the beginning of the following year.¹⁰

⁸ Walter B. Smith II, *America's Diplomats and Consuls of 1776–1865* (Washington, 1986), 8.

⁹ *Ibid.* 6.

¹⁰ The National Archives, Washington, DC (hereafter NA), RG 59 T 211, Consular Dispatches Hamburg, Sam. Williams to Timothy Pickering, 17 Aug. 1797 and 17 Feb. 1798.

Williams was followed in Hamburg by Joseph Pitcairn, a Scot. Pitcairn was not able to take up his office immediately, as he was still being used as a secret despatch bearer operating between Paris, Amsterdam, and Berlin. In the interim, consular duties were carried out by Georg C. Schütt, an employee who already worked at the consulate.¹¹ However, Pitcairn, too, when he eventually took up his post, remained in it for only a short period of time, passing the baton to John Murray Forbes in 1802. Nonetheless, he stayed in Hamburg throughout the Napoleonic Wars, maintaining a close relationship with the American consul in Amsterdam, Sylvanus Bourne, for the purpose of information-sharing, and eventually leaving Hamburg in 1815, when he moved back to the USA with his family. Forbes, who followed Pitcairn in the post, was born in 1771 in Florida, of Scottish parents. During his time in Harvard, he became a friend of John Quincy Adams. He remained in office as consul in Hamburg until the end of the Coalition Wars.

The USA established its first consulate in Bremen in 1794, appointing Arnold Delius as consul. He was accredited by the Duke of Oldenburg, but the Bremen Senate rejected his appointment nonetheless, on the grounds that Delius had been involved in an ongoing trial since 1786. Instead, Frederick Jacob Wichelhausen took up the post and remained in office for thirty-five years.¹² The first US consulate in Emden was opened in 1804.

Throughout the nineteenth century the American consular service was criticized for being badly organized and inefficient, and the consuls were accused of neglecting their duties.¹³ However, whether it held true in general or not, this perception should be viewed with caution for the years of the Coalition Wars, when as honorary consuls (their status at the time) they were faced with the double challenge of meeting their consular obligations while also ensuring their own financial survival. And at least in the early years of the service, con-

¹¹ On Pitcairn's activities see *Diplomatic and Consular Instructions of the Department of State 1791–1801*, National Archives Microfilm Publications Pamphlet no. 28 (Washington, 1969); NA, Consular Despatches Hamburg, Sam. Williams to Timothy Pickering, 17 Mar. 1798.

¹² Franz Josef Pitsch, *Die wirtschaftlichen Beziehungen Bremens zu den USA bis zur Mitte des 19. Jahrhunderts* (Bremen, 1974), 78.

¹³ Strupp, 'Konsularwesen', in Ulbert and Prijac (eds.), *Welt der Konsulate*, 221, 223.

suls had no guidance as to what was expected of them in office. It was not until 1792 that the American government passed the first Act regulating consular activity.¹⁴ A few years earlier John Adams had declared that a consul's first duty was '[to] explore new channels of commerce and new markets for our produce'.¹⁵ In 1790 Thomas Jefferson had written to all the US consuls requesting that they submit regular reports. Every six months, he stipulated, they should set down the number of American ships that had put in at their harbours, along with a precise description of the ships themselves and the goods they carried. These reports were to include details of any events that might endanger the movement of goods, and ensure that the ships' captains were informed in good time of any such threats.¹⁶ Jefferson had been urging the Senate and House of Representatives for legislation to regulate consular activity since 1790, and finally, on 14 April 1792, the first Consular Act was passed. Its provisions mainly regulated the support of ill, shipwrecked, or imprisoned seamen; duties in relation to ships, such as the rescue of stranded ships and their cargoes; the sale of ships; and the consul's notarial tasks if an American should die abroad.¹⁷

But the law did not foresee a salary for consuls. Instead, they were only able to receive compensation for their official services, which in practice meant the income from disembarkation fees and any money they might receive for acting as a notary in cases when Americans died abroad. Financial assistance for impoverished seamen was paid for by the Treasury at the rate of 12 cents a day. A supplementary Act was passed in 1803 which allowed consuls to charge other fees, including 2 per cent of the sum which ships' captains had to advance as provision for sailors released from duty, so that the latter could pay for their passage home.¹⁸

¹⁴ U. S. Laws, Statutes. *An Act Concerning Consuls and Vice-Consuls Philadelphia: Printed by Andrew Brown* (Philadelphia, 1792). Pdf: <<https://www.loc.gov/item/rbpe.21800700/>>, accessed 28 June 2018.

¹⁵ Cited after Kennedy, *American Consul*, 12.

¹⁶ *Ibid.* 21.

¹⁷ *Ibid.* 22–3.

¹⁸ Chester Lloyd Jones, *The Consular Service of the United States, its History and Activities* (Philadelphia, 1906), 5–6.

III. *Economic Situation*

French consuls had been public servants since the seventeenth century (which, however, meant that they were not allowed to trade on their own behalf). But US consuls were not paid until the service was reformed in 1856. There were a few exceptions; Thomas Barclay, appointed first US consul in France in 1781, was granted a salary of 1,500 US dollars (USD) per annum, and Samuel Williams received 2,500 USD per annum as consul in London.¹⁹ The consuls in the Barbary Coast States (Algeria, Tunisia, Morocco, Tripoli) each received salaries of up to 2,000 USD; the US government could hardly do otherwise, given that relations between the US and these states were in a permanent state of tension and so consuls could not trade safely in these regions.²⁰ In 1810 the salaries of the Barbary Coast consuls were raised to 3,000 USD; at the same time they were absolutely prohibited from carrying out any trade.²¹

In economically flourishing ports, consuls could make a considerable amount from consular fees. They also enjoyed significant social prestige and a certain immunity, besides being privy to important information regarding local and regional developments. For distance traders, the office of consul had the additional advantage that many merchants in America did not have their own agents in Europe, but still wanted to participate in the lucrative European market. They would often send their goods out speculatively, asking only that they be sold on a profitable market. Often, captains who had such goods to sell approached consuls first for help, deeming them trustworthy partners.²²

For less successful businessmen, or even those whose businesses had failed entirely, becoming a consul was an opportunity to improve their financial situation. Arnold Delius applied for the Bremen consulate to better his income after he was arrested in Bremen for allegedly owing 90,000 USD to the firm of Heymann & Tratta. Joseph

¹⁹ Kennedy, *American Consul*, 9; NA, Consular Despatches Hamburg, Sam. Williams to Pickering, Hamburg 13 Feb. 1798.

²⁰ A detailed description can be found in Kennedy, *American Consul*, 29–40.

²¹ Lloyd Jones, *Consular Service*, 7.

²² Library of Congress, Washington, DC (hereafter LC), Bourne Papers, unnamed correspondent to Bourne, Amsterdam 31 July 1800.

Forman, who took up the position of consul in Rotterdam in the summer of 1800, had gone bankrupt in the global credit and sales crisis that began in Hamburg and went on to affect dozens of towns and cities on the US east coast at the beginning of that year.²³ John Murray Forbes also applied for the position of consul after getting into financial difficulties, trying first Bordeaux and then Marseille, before eventually being appointed consul in Hamburg in 1802. Although he had applied for consulships in the south of France for health reasons, economic considerations eventually led him to decide to accept Hamburg despite 'all the severities' of the local climate.²⁴

The Hanseatic cities were very attractive for merchants of straitened means, as trade with America had increased considerably after French revolutionary troops occupied Holland in 1795.²⁵ In 1804 William Clark went to great efforts to establish a consulate in Emden for precisely this reason. In his request, Clark pointed out that shipping traffic with Emden was insignificant in times of peace, and that American ships had only called in there more recently because of the blockade imposed on the neighbouring rivers and the Dutch ports. Within the previous two months alone, he noted, a dozen American ships had put in at Emden.²⁶

In the autumn of 1804 a number of measures were implemented to make things easier for ships travelling between Tönning and Hamburg and between the harbours on the Jade and at Bremen. This resulted in much of the shipping traffic moving from Emden to Eckwarden and Varel, and Clark therefore requested that these two ports should come under his consular authority. After the British ended the blockade in 1805, however, Clark could not see any future for himself

²³ LC, Bourne Papers, Pitcairn to Bourne, Hamburg 11 July 1800; for the Hamburg crisis of 1799/1800 see my ongoing project on the Hamburg speculation bubble of 1799 and its worldwide effects. See also Margrit Schulte Beerbühl, 'Tracing the Speculation Bubble of 1799 in Newspapers, Court Records and Other Sources', in Heikki Pihlajamäki et al. (eds.), *Understanding the Sources of Early Modern and Modern Commercial Law: Courts, Statutes, Contracts and Legal Scholarship* (Leiden, 2018), 315–36.

²⁴ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Madison, London 6 June, 20 Aug., 29 Aug. 1802.

²⁵ Pitsch, *Die wirtschaftlichen Beziehungen Bremens*, 29 ff.

²⁶ NA, RG 59 T 566, Consular Despatches Emden 1782–1906, William Clark to Madison, Emden 28 June 1804.

in Emden, at least financially speaking,²⁷ and his correspondence breaks off after 1806. But from John Murray Forbes's reports, we know that Clark continued as consul at Emden under the Napoleonic continental system, probably because of the gradual development of East Frisia into a centre for covert trading.²⁸

The authority of the American consul in Hamburg extended only to the city, and did not include the bordering Danish district of Altona. However, shipping traffic in Altona increased significantly after 1795, and during his short consulship in Hamburg Samuel Williams fought hard for an extension of his authority to cover all Danish ports on the Elbe.²⁹ The government refused, but this did not stop his successor carrying on the campaign.³⁰ Shortly after his appointment in 1802 Forbes, like Pitcairn before him, asked for the district covered by the Hamburg consular authority to be extended, this time to include the numerous minor principalities that lined the banks of the Elbe. In view of the location of these states, he saw the limitation of consular authority to Hamburg as a 'general imbecility', which made it extremely difficult for him to carry out his job. He noted that the authority of the other foreign consuls in Hamburg 'extend[s] "to the Circle of Lower Saxony" which is the only political division of the country, which embraces all the Sovereignities bordering the navigable Elbe'.³¹

Britain imposed a blockade on the Elbe and Weser rivers when war broke out again in the summer of 1803, and Forbes worried that the whole of British and American trade could shift to the Baltic. Fears for his economic future led him to consider moving his business to Lower Saxony, Lübeck, or Rostock in the event that he was not granted consular authority over Hamburg's neighbouring territories. He argued that

²⁷ NA, RG 59 T 566, Consular Despatches Emden, William Clark to Madison, Emden 18 Sept. 1804, 20 Oct. 1805.

²⁸ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Clark, Hamburg 4 May 1809.

²⁹ NA, RG 59 T 211, Consular Despatches Hamburg, Williams to Timothy Pickering, Hamburg 17 Aug. 1797.

³⁰ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Madison, Hamburg 29 Aug. 1802.

³¹ *Ibid.*

[w]ithout a particular local knowledge of this vicinity it is impossible to conceive of the embarrassing intersections of little dominions which one meets with—they are designated by posts and in riding five or six miles you may traverse a country owing allegiance to as many different Lords who recognize no common stile of regence but that of 'The Princes States and Cities composing the Circle of Lower Saxony'.³²

For this reason, Forbes considered the limitation of his consular authority to Hamburg to be a 'nullity'.³³ As Denmark recognized the consular districts of other nations for the whole of Lower Saxony, Forbes demanded a corresponding ruling from the US government, asking at the same time that he be promoted to the position of General Consul. Were he to be appointed, he promised, he would appoint a suitable American to the post of consul in Bremen, where the consul at the time was Wichelhausen. Referring to his two predecessors, Parish and Pitcairn, he noted that they had made 'brilliant fortunes' while in office,³⁴ while his own situation as an American 'give[s] for the present only naked and hungry honor with a most remote and uncertain prospect of commercial success'.³⁵

In October 1803, in view of his precarious financial situation, his health problems, and the complete collapse of trade in Hamburg, Forbes applied while on a short visit to London for the position of consul in Bordeaux, which he had already unsuccessfully applied for once before.³⁶ His application was no more successful this time. Although the feared shift of American trade to the Baltic region did not come to pass, trade traffic instead moved on to Tönning, beyond the bounds of his consular authority. As a result, he made a new

³² NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Madison, Hamburg 8 July 1803.

³³ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Madison, Hamburg 31 July 1804.

³⁴ *Ibid.*

³⁵ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Madison, Hamburg 31 July 1804.

³⁶ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Madison, London 22 Oct. 1803.

attempt in spring 1804 to extend his consular district, which was halfheartedly granted by the US government.³⁷

Once the British blockade was lifted in 1805 his situation improved briefly. But in the spring, when Prussia, under pressure from the French, agreed to block its ports for British ships and goods, Forbes once again began to fear for his economic survival. The extension of his consular district, for which he had campaigned for so long, and his appointment to General Consul, finally took place in December after the imposition of the continental system,³⁸ and Forbes promptly installed a vice consul in Tönning. The vice consul, however, as far as we can tell from the consular correspondence, was not recognized by the Danish government.³⁹

After Hamburg was occupied by French troops and the continental system was imposed, no more ships came to the city. Forbes turned to the French consul to try to negotiate an exception for American vessels, and at first, the consul told him that American ships could put into Hamburg as long as they went first to Glückstadt and declared this as their last port of departure. Forbes, however, was not on the best of terms with Bourrienne, the French envoy to Hamburg, and so concessions made by the French consul were repeatedly revoked.⁴⁰

After 1807 ships increasingly went to Tönning, so that in 1809 Forbes finally decided to change his place of residence. But a long illness prevented him from moving quickly, and he complained that he was losing income as a result: 'We have flocks of our countrymen arriving at Tonningen . . . had I been on the spot, I should have done

³⁷ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Madison, London 27 Mar. 1804.

³⁸ NA, RG 59 T 211, Consular Despatches Hamburg, anon. letter to Madison, undated [1807].

³⁹ Forbes had already set up a vice consul there on his own initiative in 1804. The American government permitted him an extension, but this had no validity, as the letter was only addressed to the Hamburg Senate and not the other regents (NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Madison, Hamburg 31 July 1804).

⁴⁰ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to John Armstrong, Hamburg 15 Feb. 1806, 12 Jan. 1807; Forbes to Madison, Hamburg 30 Jan. 1807, 24 Feb. 1807, and 18 Mar. 1807.

very handsomely . . . I regret the loss of good business.⁴¹ And indeed, within the first two weeks of his arrival in Tönning, no fewer than five American ships entrusted him with the sale of their cargoes.⁴² According to his report, in 1809 alone over ninety American ships put in at the port, while no American ship had called at Hamburg since the Decree of Bayonne in 1808.⁴³

Tönning belonged to Denmark, so Forbes could act there only in the capacity of deputy to the American consul in Copenhagen. As American ships also called at many of the smaller ports in Holstein and Schleswig besides Tönning, in 1809 he asked for a consulate to be established there whose district should integrate both regions, noting the presence 'in the different ports of Holstein & Schleswig upwards of one hundred & twenty American ships and a larger amount of property of the Citizens of the U.S. than was ever accumulated in any foreign country'. But he also pointed out that such trading was only temporary, the goods being destined ultimately for the Hamburg market;⁴⁴ he therefore wanted to retain his consulate in Hamburg as well.⁴⁵

The situation became critical for Forbes in January 1811, when the Hanseatic cities were incorporated into the Napoleonic Empire. Napoleon's orders in 1811 were intended to prevent any kind of colonial trade. Among other measures, he forced Denmark to close the harbours on its west coast to American ships and prevent any ships already docked there from leaving. Only the Danish ports on the Baltic coast, along with the Russian ports, stayed open to American ships. Forbes shut the consulate in Tönning and returned to Hamburg, after trying in vain to persuade the US consul in Copenhagen to set up a consular agency for Kiel, Eckernförde, and other Baltic ports.⁴⁶

⁴¹ LC, Bourne Papers, Forbes to Bourne, Hamburg 18 Aug. 1809.

⁴² LC, Bourne Papers, Forbes to Bourne, Hamburg 14 Sept. 1809.

⁴³ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Robert Smith, Tönning 29 Sept. 1809.

⁴⁴ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Robert Smith, Tönning 7 Nov. 1809.

⁴⁵ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Robert Smith, Tönning 1 Jan. 1810.

⁴⁶ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Robert Smith, Kiel 26 July 1810, Hamburg 3 Nov. 1810; Forbes to James Erving, Hamburg 16 Aug. 1811.

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But on his return to Hamburg Forbes was faced with the fact that under the French occupation he was no longer recognized as consul and would have to be officially re-appointed to satisfy the French and the Hamburg Senate of his status. His difficulties in this regard, together with his financial position, led him to exclaim in July 1811: 'I am so completely disgusted with my present situation that I shall be well pleased to have a fair excuse for quitting it.'⁴⁷ As there was no sign of the government taking any steps to re-appoint him, he applied instead for the Lisbon consulate, but was disappointed. As a result, and after the American special envoy in Copenhagen, George W. Erving, left the Danish capital in 1811, Forbes repeatedly applied (between 1813 and 1816) for the post of *chargé d'affaires* and General Consul in Denmark.

In his campaign to extend his consular district, Forbes was not solely motivated by worries about his personal income. He was also trying to protect American trade. As early as the spring of 1804 he wrote to Madison

that at present the trade of Hamburg being divided between several other ports and the Governments to which those ports belong, having determined that no foreigners shall have the benefits of a commercial residence & establishment among them, without some official character, I cannot have an opportunity of affording any assistance to my fellow citizens, and that my residence at Hamburg is equally without advantage to myself & my Country.⁴⁸

The situation reached a crisis point in 1810. Lacking any proper authority from the American government, Forbes found it almost impossible to secure the release of ships captured by privateers.⁴⁹ In view of the dire plight of many stranded sailors, and the high costs of caring for them – which were far beyond his own small means or

⁴⁷ NA, RG 59 T 211, Consular Despatches Hamburg, R. B. Forbes (Forbes's brother) to Robert Smith, Paris 8 July 1811; Forbes to Robert Smith, Hamburg 9 July 1811.

⁴⁸ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Madison, Hamburg 27 Mar. 1804.

⁴⁹ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Robert Smith, Hamburg 17 Mar. 1810.

even the official funds at his disposal — Forbes requested the appointment of a paid agent who would be employed solely for the purpose of looking after the ships' crews left stranded and impoverished in Hamburg. It tells us a good deal about Forbes's financial situation that he not only put himself forward for this role, but also offered to be paid at the level of a minor employee.⁵⁰

IV. *The Fight for a Salary*

Forbes was not the only consul to campaign for proper remuneration during the Coalition Wars. Sylvanus Bourne had been trying to persuade the American government to offer consuls a regular salary since the mid 1790s. In the early 1790s Bourne and his colleague Fulwar Skipwith had been consuls on the French Caribbean islands of St Domingo and Martinique. As such, they had experienced the full economic effects of the French Revolution and slave uprisings. In addition, Skipwith's fortune was destroyed when his trading house burned down, and his financial situation was now just as precarious as that of Forbes and Clark. He applied to be appointed to a consular post in Lisbon, Bordeaux, Cadiz, or Marseille, but Jefferson sent him to Martinique instead.⁵¹ Because of the unrest in the French Caribbean colonies, American merchants had more or less stopped all trade with the islands, and Skipwith saw no reason to expect an economic upturn. He therefore turned to Jefferson with a plea for government remuneration, but was refused.⁵²

Bourne took up his post as consul in Amsterdam in 1794. Just a few months later, French revolutionary troops occupied the Netherlands, and trade in the ports of Amsterdam and Rotterdam collapsed. In view of the poor economic outlook, Bourne made a first request for a salary in 1795.⁵³ Little is known about his financial situation at the beginning of his career, although we know that he mar-

⁵⁰ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Robert Smith, Hamburg 3 Nov. 1810 and 18 Feb. 1811.

⁵¹ Kennedy, *American Consul*, 23–4.

⁵² *Ibid.*

⁵³ Worthington Chauncey Ford (ed.), *Writings of John Quincy Adams*, 7 vols. (New York, 1913–17), i: 1789–1796 (1913), Adams to Bourne, 15 Aug. 1795.

ried into a wealthy and influential American family of traders and bankers. In 1799 he joined the trading firm of Lange & Bourne as a partner. Although the British had lifted the blockade on Dutch ports in the same year, international trade was still suffering as a result of the severe credit and sales crisis triggered by a speculation bubble in Hamburg. The crisis affected not only half of Europe, but also the cities on the United States eastern seaboard. None of Bourne's agents, either in America or in Europe, gave him any grounds for optimism about commissions; in Hamburg, Pitcairn warned that in the crisis, merchants felt no particular inclination to 'recommend . . . enterprise to their friends'.⁵⁴ However, unlike Forbes, Bourne seems to have been extremely successful at finding clever ways around the trading restrictions and blockades of the Napoleonic Wars. When the trading crisis was over, he quickly built up close links to Hamburg and Bremen merchants and worked closely with Wichelhausen and Pitcairn. He was actively supported by two of his wife's American relatives, William Taylor and the banker George Salomon, and with their backing, he was able to enter the banking business in 1801.⁵⁵

The effects of the global credit and sales crisis of 1799 had not yet died away when American consuls in Europe were shocked to hear that Congress had decided to reduce disembarkation fees by half, from two American dollars to one. The consuls based in Amsterdam, Hamburg, Bremen, and London all agreed that they would not accept this, and continued to charge two dollars. In Joseph Pitcairn's opinion, even this was too low, considering how much work was involved in the issuing of a disembarkation notice.⁵⁶ The American consuls in Europe were further dismayed by a court judgment in the USA that questioned the neutrality of the consuls and their trading houses. Pitcairn saw this as a 'hardship of mixing consuls with the Nation they reside in', and asked Bourne to use his connections to

⁵⁴ LC, Bourne Papers, Bohlen to Bourne, Bremen Dec. 1799; Wichelhausen to Bourne, Bremen 6 Dec. 1799; Delius to Bourne, Bremen 18 Dec. 1799; Pitcairn to Bourne, Hamburg 31 Dec. 1799.

⁵⁵ LC, Bourne Papers, Pitcairn to Bourne, Hamburg 10 Apr. 1801; Matthiessen & Sillem to Bourne, Hamburg 24 Apr. 1801.

⁵⁶ LC, Bourne Papers, Wichelhausen to Bourne, Bremen 6 Dec. 1799; Pitcairn to Bourne, Hamburg 20 Dec. 1799; G. Williams to Bourne, London 1 July 1800; Pitcairn to Bourne, Hamburg 1 July 1800.

Congress to get the judgment revoked.⁵⁷ Bourne duly turned to his relatives, William Taylor and the banker George Solomon, asking them to appeal on his behalf to Congress and the Secretary of State to stress the difficulties the decision would cause. The consuls also sent numerous letters of protest to congressmen demanding that the judgment be revoked and the neutral status of consuls confirmed.⁵⁸

Bourne used this opportunity to revert to the question of pay, although an internal letter sent to Bourne by Wichelhausen shows how the latter was concerned about the possible effects of reviving this question. Wichelhausen feared that if Congress were again to turn down Bourne's request, this would be likely to make things more difficult for the consuls in future. He suggested that rather than tabling a formal proposal, they should adopt a more subtle approach and draw the attention of congressmen to the problem as the chance arose.⁵⁹ Bourne took no notice, and his application for a salary was once again declined after Jefferson took office.⁶⁰ Nevertheless, despite this setback, the consuls continued to fight for a salary, partly because their financial circumstances left them no other choice. Joseph Forman, for example, the Rotterdam consul, took advantage of a journey to the USA – which he had actually undertaken in order to sort out his debts – to talk to congressmen about the financial difficulties faced by consuls in Europe. On his return to Rotterdam, he complained that there was no consensus on the issue in Congress. Nonetheless, he was determined to bring the congressmen around to his way of thinking, being convinced that 'they must put the consulate on a footing more reputable'. He noted further that as he would be in Washington when Congress was next in session, he would use the opportunity to raise the subject again.⁶¹ Although their next application, made in 1802, was also turned down, Bourne and the other consuls did not give up the struggle.

⁵⁷ LC, Bourne Papers, Pitcairn to Bourne, Hamburg 5 Aug. 1800.

⁵⁸ LC, Bourne Papers, W. Taylor to Bourne, Baltimore 10 Aug. 1800; Bourne to James Murray (consul in Liverpool), 22 Aug. 1800; Forman to Bourne, Rotterdam 23 Sept. 1800, stating that he has sent at least twenty letters to representatives.

⁵⁹ LC, Bourne Papers, Wichelhausen to Bourne, Bremen 30 Aug. 1800.

⁶⁰ LC, Bourne Papers, Heineken to Bourne, Philadelphia 21 Feb. 1801.

⁶¹ LC, Bourne Papers, Forman to Bourne, Rotterdam 25 Dec. 1801.

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As the blockade was imposed with increasing severity, the consuls not only lost sources of income. The cost of obtaining the release of confiscated ships, and caring for stranded and impoverished seamen, also rose rapidly. Money made available by the government for this purpose was not enough either to look after sailors in need or to send them home. The American consul in Paris, Ridgeway, ran out of money and could not pay the passage home of Americans released from custody.⁶² The situation became particularly worrying for Forbes in 1810, when American ships were seized and held on the Danish coast. Within a short time he had spent 7,500 USD on helping sailors in Tønning who had lost their income, and it was likely that these costs would only increase as it became more and more difficult to send sailors home. As there was also no more money forthcoming from his creditors, he now faced financial ruin. He therefore wrote to the US government requesting that they transfer him the necessary funds without delay, as otherwise, 'I shall be in the greatest embarrassment, as the sum involves all the earnings of the short period of my prosperity and besides embraces a considerable advance of my friends'.⁶³

Forbes suffered financial hardship more or less throughout the whole of the war. With no financial resources of his own, he made a first request for a salary in a letter to Madison in spring 1806, when Prussia, under pressure from France, prohibited the import of British goods. He explained to Madison that since his appointment as consul, he had more or less lived off his friends.⁶⁴ Seeking to ally himself with Forbes on this point, Bourne raised the subject again in 1808. 'I agree with you', Forbes wrote to Bourne in October of that year, 'that these are bad times for consuls without salaries, but when shall we see better? Should we not concert our attack on the liberality of Govt. to allow us Salaries?'⁶⁵ Forbes held out little hope for the success of Bourne's application to the US government early the following year, given the government's response in the past.⁶⁶ When he applied for

⁶² LC, Bourne Papers, Curtis to Bourne, Rotterdam 27 Nov. 1808.

⁶³ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Robert Smith, Hamburg 3 Nov. 1810.

⁶⁴ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Madison, Hamburg 5 Apr. 1806.

⁶⁵ LC, Bourne Papers, Forbes to Bourne, Hamburg 11 Oct. 1808.

⁶⁶ *Ibid.* and 10 Mar. 1809.

the post of chargé d'affaires and General Consul in Copenhagen in 1813, Forbes again included a request for regular pay in his application, hoping for a salary of at least 4,500 USD: 'You know Sir, how essential it is in Europe to the influence of a public man that he should have the means of supporting a suitable standing and of reciprocating the ordinary hospitalities of society.'⁶⁷

In part, Forbes' financial problems during the Coalition Wars were of his own making, as his behaviour towards traders and politicians had not always been of a kind calculated to gain their support. He did not even enjoy good relations with Bourrienne. The latter had a reputation for being open to bribery, which could have been advantageous to Forbes had he not held such behaviour 'incompatible with the dignity of our government, and not less revolting to my general feelings'. Bourrienne and his representatives made Americans, Forbes claimed, into 'victims of chicanery' so that they were 'exposed to heavy ransoms by way of bribery'.⁶⁸

The continental system put American consuls in Europe in an extremely difficult position. On the one hand, they had to ensure that American neutrality was upheld and that their fellow Americans were protected. On the other, this was sometimes only possible if they disregarded the enemy's rules; captains of American ships often ignored the prohibition on putting in at British ports, partly because they had no other choice and partly for economic reasons, hoping for profitable sales. However, this meant that they ran the risk of having their ships confiscated. Often, the consuls found themselves in a legal grey area, where the lines between lawful and unlawful activity were blurred. In 1810, for example, Forbes incurred the criticism of both American traders and their German and Danish customers. He had long been concerned that English ships were misusing the American flag, and repeatedly complained that 'all kinds of tricks are practised and that English ships and subjects are daily seen under American protection'.⁶⁹ He believed that 'the honor of our flag' required 'the

⁶⁷ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes, Copenhagen 30 June 1813.

⁶⁸ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Madison, Hamburg 30 Jan. 1807.

⁶⁹ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Robert Smith, Copenhagen 2 Feb. 1810.

greatest vigilance to suppress these abuses'.⁷⁰ Acting on this belief, he brought several American captains to the attention of the authorities for holding forged papers. Besides angering his own countrymen, this also annoyed the trading community in Hamburg and Denmark.⁷¹ In his application for the post of chargé d'affaires and General Consul at Copenhagen, he therefore hoped that besides a fixed salary, he would also be permitted economic and political independence. 'I have no hope of great mercantile patronage', he wrote to Madison, 'because my public conduct has not always quadrated with the views of interested and powerful individuals in that line. I wish therefore to own my means of existence only to the faithful & conscientious discharge of such duties as may be confided to me.'⁷²

V. 'Want of Regulations'

The 1792 Consular Act had stipulated only a few duties for consuls. As a result, the consuls had no instructions to fall back on when making decisions. Joseph Forman's letter to Bourne, for example, just after he had been appointed consul for Rotterdam, makes it clear that he had been given no information at all about the duties and tasks that awaited him. He did not even know whether he would have to buy his own stamps and seals, or whether he would have to obtain accreditation from the relevant government.⁷³

The ever-fluctuating military situation repeatedly forced the consuls to make decisions without waiting for an answer from Washington. As a result, Forman suggested that the consuls should all meet together '[to] make some arrangement for a regular & established definitions [*sic*] of consular Priviledges [*sic*] & Rights'.⁷⁴ Sylvanus Bourne's correspondence shows that at times, there was a lively exchange of information between the consuls in the Hanseatic cities, Holland, and England.

⁷⁰ *Ibid.*

⁷¹ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Robert Smith, Copenhagen 14 Jan. 1810.

⁷² NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Madison, Hamburg 31 Jan. 1815.

⁷³ LC, Bourne Papers, Joseph Forman to Bourne, Rotterdam 5 Aug. 1800.

⁷⁴ LC, Bourne Papers, Forman to Bourne, Den Hague 6 Apr. 1801.

An ongoing problem was the abuse of neutrality, or that this was simply ignored. Ships generally kept several flags on board for reasons of safety; these helped them both to escape privateers and to get around the blockade. In July 1800 Rohan, the American consular agent in Flushing, was faced with an awkward situation. A French privateer anchored in Flushing harbour was flying the American flag on the mainmast, but for the sake of the crew, the captain had also hoisted the French republican flag.⁷⁵

The covert swapping of flags was common among all seafaring nations, leading France and Britain to tighten up the rules. Ships' captains were obliged to submit written confirmation of neutrality and that their papers were genuine. This confirmation had to be obtained both from their home authorities and the French or British consul. In 1807 Forbes complained that now, not even the tiniest package could be loaded on to a neutral ship without being signed off by the French consul.⁷⁶

There were continual disputes relating to alleged forging of documents or other ways of concealing a ship's or a crew's national allegiance. Space does not permit a detailed discussion of this topic here, but it is useful to look at some cases where consuls were forced to make quick decisions. When papers were lost because of shipwreck or other events, it was almost impossible to prove the true nationality of captain and crew. Missing papers, or the smallest suspicion that papers might not be genuine, were used by the French and British as an excuse to seize ships and their crews. Even if someone could prove that they were American, the British often refused to recognize their passport if they were a naturalized American or had British ancestry. According to British law, a person born in Britain remained British for life, even if they took on the nationality of another country. Based on this understanding of the law, the British Navy forcibly pressed many sailors on American ships into its service.⁷⁷ This behaviour on the part of the British was one reason for the war that broke out between Britain and the USA in 1812.⁷⁸

⁷⁵ LC, Bourne Papers, H. Rohan to Bourne, Flushing 13 July 1800.

⁷⁶ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Von Sienen, Hamburg 10 Mar. 1807.

⁷⁷ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes, Hamburg 8 July 1803, enclosure: 'Copy of my circular to the Americans leaving this port.'

⁷⁸ It was not until 1871 that Britain changed its laws, under pressure from the

A particularly complex situation arose where non-Americans were in charge of American ships and these were seized by British privateers. In one case, a captain of Irish birth asked for American protection after his ship, which was running under an American flag, was seized by British privateers and taken to Plymouth. The captain was able to flee to Holland, where he begged Rohan for protection so that he could return to the United States, but Rohan was not sure whether he was legally permitted to lend him the protection due to an American citizen while he was travelling to the USA.⁷⁹

The nationality of ships that had been seized by privateers and sold to Americans at auction was also unclear. Rohan in Rotterdam, for example, asked Bourne if a ship taken as a prize, which had thereafter been bought by an American at auction, could legally sail under an American flag if all the papers relating to the sale were in order.⁸⁰ It was important to clarify this question because even in cases where the purchase of a ship was proven to be entirely legal, the warring parties did not always respect the change of flag, and defending such a claim in court was extremely expensive for the consuls.

Forged American passports were also a major problem. Many British citizens travelled with American identity documents, as people living on the European mainland often could not easily tell if someone was British or American. Nathan Mayer Rothschild, for example, the founder of the Rothschild banking house in England, sent one of his employees to Gothenburg with a forged American pass in 1807, to ensure the safe passage of goods to the European

American government, to require anyone taking a new nationality to give up the one previously held. Cf. Ann Dummett and Andrew Nicol, *Subjects, Citizens, Aliens and Others: Nationality and Immigration Law* (London, 1990), 86–7; also NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Erving, Hamburg 5 June 1803 and 10 June 1803; in his letter Forbes protested against the British Navy's attacks on American seafarers.

⁷⁹ LC, Bourne Papers, Forman to Bourne, Rotterdam 28 Aug. 1800. Wichelhausen reported a similar case. An American seaman, who had been pressed into the British service, managed to escape from a British ship in Bremen. Wichelhausen provided him with papers and sent him to Emden, where he was supposed to travel home on an American ship. See NA, RG 59 T 184, Consular Despatches Bremen, Wichelhausen to Madison, 10 Oct. 1803.

⁸⁰ NA, RG 59 T 184, Consular Despatches Bremen, H. Rohan to Bourne, Flushing 1 Feb. 1801.

mainland.⁸¹ In the autumn of 1804 the French commanding officer in Hanover complained to Forbes that Joshua Jepson Oddy, author of the book *European Commerce* (1805), was travelling through German states on an American pass obtained from the Hamburg Senate. Forbes protested to the Senate's legal counsel (*Syndikus*), Von Sienen, and to the British consul, but was ignored. He was also prevented from publishing his protest in the Hamburg newspapers. Eventually he turned to James Madison, who was residing in London in his capacity as United States envoy, but Madison proved equally unhelpful.⁸²

Until the beginning of the nineteenth century the Americans did not issue standardized ships' registration certificates and there were no laws obligating ship owners or captains to carry health certificates for their crews. When American ships and their crews arrived in Europe, they were therefore often subject to long periods in quarantine. Any certificates they did possess were written by hand and had no standardized appearance, so that it was easy to doubt their authenticity. It was only in 1801 that the American government instructed that ships' certificates must be set out in a specific way and that shipping companies must issue health certificates to their crews. In a letter to Madison in June 1802 Wichelhausen applauded the government's decision, even though it had taken so long, as he thought it would help avoid lengthy and unfair quarantine times. However, in the same letter he also regretted that the changes still did not include a requirement for captains to register their arrival and cargoes with the local consul. In his opinion, this made it impossible to create reliable lists of shipping that had put into the harbour. In 1802 he asked the American government to grant permission for consuls to force captains to submit their papers, in order to prevent fraud on the part of foreign nations.⁸³ In view of the limited means available to consuls, he also asked for precise instructions as to what circumstances per-

⁸¹ Rothschild Archive London, XI/112/5, L. B. Cohen to Nathan Mayer Rothschild, London 19 Oct. 1807.

⁸² NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Von Sienen, Hamburg 5 Nov. 1804 and 15 Nov. 1804; Von Sienen to Forbes, Hamburg 27 Nov. 1804; Forbes to James Monroe, Hamburg 26 Nov. 1804, 30 Nov. 1804, and 4 Dec. 1804.

⁸³ NA, RG 59 T 184, Consular Despatches Bremen, Wichelhausen to Madison, Bremen 25 June 1802.

mitted them to give state aid to stranded and destitute sailors. He referred to the brutal way in which many ships' captains simply abandoned their sailors with no means of support, sometimes forcing them to resign their posts. But there were also many, he said, who stayed behind for no good reason.

At the beginning of 1803 the US government passed a supplementary law which obliged ships' captains to put down a security deposit of 400 USD to ensure that they brought back their entire crew when they returned to the US. The only exceptions were seamen who had died, run away or been pressed into foreign service, or released from their contracts early during the voyage home by mutual agreement and with knowledge of the consul. But such an early release was conditional on the consul receiving an advance payment of three months' wages, two-thirds of which was to be given to the sailor, while a third went towards a fund for sailors in need.⁸⁴

When Forbes was appointed consul in Hamburg in 1802, one of his first demands was that support for impoverished seamen should be increased, as his predecessor, Pitcairn, had been forced to spend more than the statutory amount on this task.⁸⁵ After war broke out again in 1803, and especially after 1806, government funds for stranded sailors proved increasingly insufficient, and so Forbes repeatedly called on the American government to remedy the situation.⁸⁶ When in 1810 the Danish government, acting under pressure from France, confiscated all American ships in its harbours, Forbes asked the American envoy in Paris, General Armstrong, for financial assistance, as he had already paid out over 14,000 USD to help such sailors, and the captains of the few ships still permitted to sail demanded outrageous sums in return for taking sailors back with them to America.⁸⁷ He reported that they were asking for 30 USD or more a head, although the 1803 law only allowed for up to 10 USD.⁸⁸

⁸⁴ Lloyd Jones, *Consular Service*, 6.

⁸⁵ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Madison, Hamburg 28 Aug. 1802. Pitcairn had paid nine Marks a week.

⁸⁶ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Madison, Hamburg 30 June 1803.

⁸⁷ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to General Armstrong, Tönning 9 Apr. 1810.

⁸⁸ *Ibid.*

VI. *Communication Problems*

Sending and receiving news could be extremely difficult in wartime. Yet early access to reliable information was essential for American consuls if they were to fulfil their task of protecting both their countrymen and their country's trade. Letters could be held up by blockades or intercepted. When it came to news, communication was just as difficult within Europe as it was across the Atlantic, and so any correspondence was likely to travel via complicated routes to make sure that letters arrived at their intended destination.⁸⁹ After French revolutionary troops occupied Holland, for example, letters between Amsterdam and the USA were frequently sent to London via the Hanseatic cities before being forwarded on to the USA from there. When it became impossible to contact the USA directly, the consuls in Europe tried to make up for this by sharing information; Mountference, the Paris envoy, for example, asked Sylvanus Bourne to tell him the outcome of the presidential election in the US after he was unable to obtain an American newspaper.⁹⁰

The reliability, or otherwise, of news was also a cause for concern. In June 1800, for example, a rumour was going around that the Dutch ports had been blockaded. The captain of an English ship had told Pitcairn in Hamburg that he had been unable to call in at Amsterdam because of a blockade. Pitcairn then wrote to Bourne and to Williams, the American consul in London.⁹¹ Both assured him that they had heard nothing about a further blockade of the Dutch ports. Williams added that he hoped 'there will not be another blockade—the other was sufficiently injurious to this country'.⁹²

His concern was not unjustified. A few months later, Forman reported from Rotterdam that Britain had imposed a general embargo stretching from the Baltic region to the Mediterranean. It was not clear to what extent the American flag was affected. But by the begin-

⁸⁹ LC, Bourne Papers, C. Mountference to Bourne, Paris 12 Jan. 1801: correspondence was sent via Paris and La Coruña.

⁹⁰ LC, Bourne Papers, Mountference to Bourne, Paris 28 Apr. 1800 and 30 Dec. 1800.

⁹¹ LC, Bourne Papers, Pitcairn to Bourne, Hamburg 17 June 1800.

⁹² LC, Bourne Papers, G. Williams to Bourne, London 1 July 1800; Pitcairn to Bourne, Hamburg 1 July 1800.

ning of April 1801 Forman was able to report that the embargo did not apply to American ships, warning, however, that 'our situation is extremely critical at this moment. Great Britain is absolutely desperate & as a nation they are as mad as their King, & with a mad King & a mad people there can be no calculation.'⁹³ Shortly afterwards, a message came from London that both the American and the Prussian flag would be respected and that numerous ships sailing under the Papenburg flag had reached their destination.⁹⁴

Newspapers were not always a reliable source of information. Early in 1807 many European newspapers reported that British squadrons were holding neutral ships in the Adriatic. The American consul in Trieste, William Riggins, turned to Bourne, asking him to correct the newspaper reports, as ships belonging to neutral countries were not affected.⁹⁵

Getting messages to the USA became more and more difficult after 1806. Finding his correspondence increasingly subject to French interception, Forbes sometimes made as many as four copies of his letters, sending them by different routes in the hope that at least one of them would reach the other side of the Atlantic.⁹⁶ When all communication with London stopped in September 1807 Forbes promptly decided to take the next ship to England so that he could obtain reliable information to pass on to American traders and captains. Once he had got the most up to date news, he travelled back to Hamburg via Kiel and Tönning.⁹⁷

Relations between Britain and the USA had been continually worsening since 1807. Previously, letters had regularly been sent to Washington via London, but now they were increasingly forwarded via Amsterdam or Gothenburg.⁹⁸ Writing to the US Secretary of State James Monroe, Forbes spoke of how 'extreme difficulty and compli-

⁹³ LC, Bourne Papers, Forman to Bourne, Rotterdam 30 Mar. 1801 and 5 Apr. 1801; Mulquetier to Bourne, 30 Mar. 1801.

⁹⁴ LC, Bourne Papers, Williams to Bourne, London 3 Apr. 1801.

⁹⁵ LC, Bourne Papers, Riggins to Bourne, Trieste 16 Mar. 1708.

⁹⁶ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Madison, Hamburg 24 Feb. 1807.

⁹⁷ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Madison, London 19 Sept. 1807, Hamburg 13 Nov. 1807.

⁹⁸ LC, Bourne Papers, Pitcairn to Bourne, Hamburg 30 July 1809.

cated risks which attend all correspondence with the U.S. at present almost discourage the attempt'.⁹⁹

Messages sometimes also arrived dangerously late. The news about the embargo on the Dutch ports, and that it would apply to American ships in 1810, did not reach America for three months. Unaware of the situation, numerous ships had left the USA in the late autumn of 1809 and were on their way to Europe. Forbes was extremely worried as he could not think how to get a warning to them before their arrival:

I am much embarrassed to know how to communicate to these vessels the distressing and gloomy aspect of our affairs in this quarter and regret more that it has not been deemed expedient to employ three or four small and fast sailing vessels in different parts of Europe to give information of the great and sudden changes which in later times have brought such immense sacrifices on our foreign commerce.¹⁰⁰

He therefore urged the US government to consider using fast sailing ships to protect their merchant navy, pointing out that the British were nearly always the first to hear of any changes, to the disadvantage of neutral countries: 'they push their collusive trade so unblushingly here to such an amount . . . before the honest American can arrive in Europe.'¹⁰¹ Furthermore, he continued, the new agreement between Sweden and France permitted neutral trading, but the British had been the first to profit from it—the very first ship to call in at Stralsund had been British, trading on a British account.¹⁰²

Following the Fontainebleau edict of October 1810 trade shifted to the Baltic region. Smuggling on the German North Sea coast came almost to a standstill. Vice-Admiral Saumarez had been ensuring the safe passage of the British merchant fleet in the Baltic since 1808. According to Forbes, the British navy was blocking the Sund to the point where

⁹⁹ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to James Monroe, Copenhagen 9 Oct. 1813.

¹⁰⁰ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Robert Smith, Hamburg 17 Mar. 1810.

¹⁰¹ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Robert Smith, Tönning 16 June 1810.

¹⁰² *Ibid.*

American ships could not put in at Helsingör to pay their fees. Danish privateers took advantage of this to seize American ships.¹⁰³

The news of Napoleon's defeat in Russia only partly improved the situation for American shipping. War had now broken out between the USA and Britain, and American ships which had previously sailed as far as Russia under the protection of the British Navy in the Baltic now became targets for British privateers. In response, the Americans sent two privateers of their own to the North Sea and the Baltic, which seized over twenty British ships carrying tar, wood, and wheat.¹⁰⁴ Thanks to Forbes' efforts on their behalf, the Danish government offered the American ships protection in their harbours.

Improved relations with Denmark in the final years of the war eventually led Forbes to apply for the two positions of Consul and chargé d'affaires in Copenhagen:

I have been peculiarly the sport of political circumstances and after thirteen years of arduous service, find myself without a resting place—dearly had I formed a domestic establishment at Hamburg in 1811, when I was forced to abandon it, with considerable loss, I have since that time been here and just at the moment when I hoped to have something like a charmant and agreeable employment, having expended considerable sums in furniture & I am again in doubt if my wishes for an appointment as consul general & Chargé d'Affaires at this Court will be realized or if I must again return to Hamburg.¹⁰⁵

After the war was over, he received accreditation for the position of General Consul for Stettin and Stralsund and was appointed to the Copenhagen consulate in 1817.¹⁰⁶ But only two years later he left Europe for good, having never really taken up his role in Stettin and

¹⁰³ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to Robert Smith, 26 July 1810.

¹⁰⁴ NA, RG 59 T 211, Consular Despatches Hamburg, Forbes to James Monroe, Copenhagen 6 Nov. 1813.

¹⁰⁵ NA, RG 59 T 211, Consular Dispatches Hamburg, Forbes to James Monroe, Copenhagen 11 Apr. 1815.

¹⁰⁶ Smith II, *America's Diplomats*, 74, 77.

Stralsund.¹⁰⁷ After a brief stay in the USA, he went to Argentina as chargé d'affaires, and died there in 1831.

VII. *Conclusion*

The financial difficulties experienced by Forbes, and the consuls' fight for a salary, clearly demonstrate the problems faced by consuls during the Napoleonic Wars. They had to walk a tightrope between securing their own economic survival and fulfilling their consular duties. The lack of proper instructions was an additional burden for consuls already dealing with a heavy workload and obstructive wartime conditions.

Much maritime trade during the Napoleonic Wars took place in a legal grey area, and merchants exploited this to bring their colonial goods to the mainland during the blockades. Up to a point, the consuls could tolerate and even support this practice. With no salary of their own, some of them were prepared to help undermine the blockade to safeguard their own incomes, but they also had to protect and, if necessary, assert the neutral status of their own country and its legal rights, which meant preventing illegal practices which could damage American trade. While free traders and captains could react quickly to changing circumstances and move to other ports if necessary, consuls were restricted to their own areas of authority.

The political fragmentation of the north German region also placed significant geographical limits on their official capacities. Forbes, for example, could not officially assist his own countrymen outside the narrow borders of his consular district, or if he did, his assistance would not have been recognized. This limited mobility meant that consuls lost important sources of income, as we can see from Forbes's campaign to extend the area of his consular authority, and his demand for the establishment of a consulate (if only on a temporary basis) in Tönning. His eventual failure was a result of the difficult path he had to tread between exercising his official duties – in

¹⁰⁷ Cf. Wolf Karge, 'John M. Forbes und der Beginn der konsularischen Beziehungen zwischen Mecklenburg-Schwerin, Stralsund, Stettin und den USA 1816', in Wolf Karge, Heiko Herold, and Florian Ostrop (eds.), *Stier und Adler: 200 Jahre zwischen Mecklenburg-Schwerin und den Vereinigten Staaten von Amerika 1816–2016* (Rostock, 2017), 30–45.

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the course of which he had annoyed various merchants, along with the political elite—and the necessity of securing an adequate, appropriate income to meet his own needs.

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