

Thus, while the effect of the embargo doubtless was to raise prices of American goods in England, it stopped American competition with the British carrying trade, especially in West India produce. This occurred also at the time when the revolt of Spain opened to British navigation the colonies from which Americans hitherto had been the chief carriers. The same event had further relieved British shipping by the almost total destruction of French privateering, thenceforth banished from its former ports of support in the Caribbean. From all these causes, the appreciation quoted from a London letter of September 5 seems probably accurate. "The continuance of the embargo is not as yet felt in any degree adequate to make a deep impression on the public mind. . . . Except with those directly interested [merchants in the American trade], the dispute with the United States seems almost forgotten, or remembered only to draw forth ironical gratitude, that the kind embargo leaves the golden harvest to be reaped by British enterprise alone."¹

Upon the whole, through silent popular resistance, and the concurrence of the Spanish revolution, the United States by cutting its own throat underwent more distress than it inflicted upon the enemy. Besides the widespread individual suffering,² already mentioned, the national rev-

the Orders in Council, of colonial produce brought by Americans, a number of vessels were fitted out, and armed as letters of marque, to carry on this trade. These adventures were very successful, though they by no means filled the void caused by the absence of American carriers. See *Evening Post* of Dec. 29, 1808, and March 22 and 28, 1809. One of these, acting on her commission as a letter of marque, captured an American brig, returning from India, which was carried into Cayenne and there condemned under the Milan Decree. *Ibid.*, Dec. 6, 1808.

¹ *N. Y. Evening Post*, Nov. 23, 1808.

² For some instances see: *Annals of Congress*, 1808-09, p. 428; *N. Y. Evening Post*, Feb. 5, 8, 12; May 13; Aug. 26; Sept. 27, 1808. Gallatin, in a report dated Dec. 10, 1808, said, "At no time has there been so much specie, so much redundant unemployed capital in the country;" scarcely a token of prosperity in so new a country. (*American State Papers, Finance*, vol. ii. p. 309.)

enue, dependent almost wholly on customs, shrank with the imports. Despite the relief afforded by cargoes bound home when the embargo passed, and the permits issued to bring in American property abroad, the income from this source sank from over \$16,000,000 to \$8,400,000.¹ "However dissimilar in some respects," wrote Gallatin in a public report, "it is not believed that in their effect upon national wealth and public revenue war and embargo would be materially different. In case of war, some part of that revenue will remain; but if embargo and suspension of commerce continue, that which arises from commerce will entirely disappear."² Jefferson nevertheless clung to the system, even to the end of his life, with a conviction that defied demonstration. The fundamental error of conception, of course, was in considering embargo an efficient alternative for war. The difference between the two measures, regarded coercively, was that embargo inflicted upon his own people all the loss that war could, yet spared the opponent that which war might do to him. For the United States, war would have meant, and when it came did mean, embargo, and little more. To Great Britain it would have meant all that the American embargo could do, plus the additional effort, expense, and actual loss, attendant upon the increased exposure of her maritime commerce, and its protection against active and numerous foes, singularly well fitted for annoyance by their qualities and situation. War and embargo, combined, with Napoleon in the plenitude of his power, as he was in 1808, would sorely have tried the enemy; even when it came, amid the Emperor's falling fortunes, the strain was severe. But Jefferson's lack of appreciation for maritime matters, his dislike to the navy, and the weakness

¹ American State Papers, Finance, vol. ii. pp. 307, 373, 442. The second figure is an average of the two years, 1808, 1809, within which fell the fifteen months of embargo.

² Ibid., p. 309 (Dec. 10, 1808).

to which he had systematically reduced it, prevented his realizing the advantages of war over embargo, as a measure of coercion. To this contributed also his conviction of the exposure of Canada to offensive operations, which was just, though fatally vitiated by an unfounded confidence in untrained troops, or militia summoned from their farms. Neither was there among his advisers any to correct his views; rather they had imbibed their own from him, and their utterances in debate betray radical misapprehension of military considerations.

Among the incidents attendant upon the embargo was the continuance abroad of a number of American vessels, which were there at the passage of the Act. They remained, willing exiles, to share the constant employment and large freights which the sudden withdrawal of their compatriots had opened to British navigation. They were doubtless joined by many of those which received permission to sail in quest of American property. One flagrant instance of such abuse of privilege turned up at Leghorn, with a load of tropical produce;¹ and the comments above quoted from an Havana letter doubtless depended upon that current acquaintance with facts which men in the midst of affairs pick up. It was against this class of traders specifically that Napoleon launched the Bayonne Decree, April 17, 1808. Being abroad contrary to the law of the United States, he argued, was a clear indication that they were not American, but British in

¹ "The schooner 'John,' Clayton, from La Guayra, with two hundred thousand pounds of coffee, has been seized at Leghorn, and it was expected would be condemned under the Bayonne Decree. The 'John' sailed from Baltimore for La Guayra, by permission, under the fourth supplementary Embargo Act. By some means or other she found her way to Leghorn, where it was vainly hoped she might safely dispose of her cargo." (N. Y. Evening Post, Dec. 20, 1808.) "The frigate 'Chesapeake,' Captain Decatur, cruising in support of the embargo, captured off Block Island the brig 'Mount Vernon' and the ship 'John' loaded with provisions. Of these the former, at least, is expressly stated to have cleared 'in ballast,' by permission." (Ibid., Aug. 15, 1808.)

disguise. This they were not; but they were carrying on trade under the Orders in Council, and often under British convoy.¹ The fact was noteworthy, as bearing upon the contention of the United States Government soon after, that the Non-Intercourse Law was adequate security for the action of American merchant vessels; a grotesque absurdity, in view of the embargo experiences. That it is not consonant with national self-esteem to accept foreign assistance to carry out national laws is undeniable; but it is a step further to expect another nation to accept, as assured, the efficiency of an authority notoriously and continually violated by its own subjects.

Under the general conditions named, the year 1808 wore on to its close. Both the British Orders in Council and the Decrees of the French Emperor continued in force and received execution;² but so far as the United States was

¹ Two or three quotations are sufficient to illustrate a condition notorious at the time. "Jamaica. Nine Americans came with the June fleet, [from England] with full cargoes. At first it was thought these vessels would not be allowed to take cargoes, [because contrary to Navigation Act]; but a little reflection taught the Government better. Rum is the surplus crop of Jamaica, and to keep on hand that which they do not want is too much our way [*i. e.* embargo]. The British admiral granted these vessels convoy without hesitation, which saved them from five to seven and one half per cent in insurance." (N. Y. Evening Post, Aug. 2, 1808.) "Gibraltar. A large number of American vessels are in these seas, sailing under license from Great Britain, to and from ports of Spain, without interruption. Our informant sailed in company with eight or ten, laden with wine and fruit for England." (Ibid., June 30.) Senator Hillhouse, of Connecticut: "Many of our vessels which were out when the embargo was laid have remained out. They have been navigating under the American flag, and have been constantly employed, at vast profit." (Annals of Congress, 1808, p. 172.)

² "At Gibraltar, between January 1 and April 15, eight vessels were sent in for breach of the Orders, of which seven were condemned." (N. Y. Evening Post, May 25, 1808.) "Baltimore, Sept. 30, 1808. Arrived brig 'Sophia' from Rotterdam, July 28, *via* Harwich, England. Boarded by British brig 'Phosphorus,' and ordered to England. After arrival, cargo [of gin] gauged, and a duty exacted of eight pence sterling per gallon. Allowed to proceed, with a license, after paying duty. In company with the 'Sophia,' and sent in with her, were three vessels bound for New York, with similar cargoes." (Ibid., Oct. 3.) "American ship 'Othello,' from New York for Nantes, with assorted cargo. Ship, with thirty hogsheads of sugar condemned on ground of violating blockade;" *i. e.* Orders in Council. (Naval Chronicle, vol. xx. p. 62.)

concerned their effect was much limited, the embargo retaining at home the greater part of the nation's shipping. The vessels which had remained abroad, and still more those which escaped by violation of the law, or abuse of the permission to sail unloaded to bring back American property, for the most part purchased immunity by acquiescence in the British Orders. They accepted British licenses, and British convoy also, where expedient. It was stated in Congress that, of those which went to sea under permission, comparatively few were interrupted by British cruisers.¹ Napoleon's condemnations went on apace, and in the matter of loss, — waiving questions of principle, — were at this moment a more serious grievance than the British Orders. Nor could it be said that the grounds upon which he based his action were less arbitrary or unjust. The Orders in Council condemned a vessel for sailing for an enemy's port, because constructively blockaded — a matter as to which at least choice was free; the Milan Decree condemned because visited by a British cruiser, to avoid which a merchant ship was powerless. The American brig "Vengeance" sailed from Norfolk before the embargo was laid, for Bilboa, then a port in alliance

Besides the 'Othello' there are two other cases, turning on the Orders, by compliance or evasion. From France came numerous letters announcing condemnations of vessels, because boarded by British cruisers. (N. Y. Evening Post, Sept. 10, Oct. 5, Oct. 27, Dec. 6, Dec. 10, 1808; March 17, 1809.) Proceedings were sometimes even more peremptory. More than one American vessel, though neutral, was burned or sunk at sea, as amenable under Napoleon's decrees. (Ibid., Nov. 3 and Nov. 5, Dec. 10, 1808.) See also affidavits in the case of the "Brutus," burned, and of the "Bristol Packet," scuttled. (Ibid., April 5 and April 7, 1808.)

¹ Hillhouse in the Senate (Annals of Congress, 1808, p. 172), and Cook, of Massachusetts, in the House. "Of about five hundred and ninety which sailed, only eight or ten have been captured." (Ibid., 1808-09, p. 1250.) Yet many went to Guadaloupe and other forbidden French islands. At Saint Pierre, Martinique, in the middle of September, were nearly ninety American vessels. "Flour, which had been up to fifty dollars per barrel, fell to thirty dollars, in consequence of the number of arrivals from America." (N. Y. Evening Post, Sept. 20, 1808.) This shows how the permission to sail "in ballast" was abused.

with France. On the passage the British frigate "Iris" boarded her, and indorsed on her papers that, in accordance with the orders of November 11, she must not proceed. That night the "Vengeance" gave the cruiser the slip, and pursued her course. She was captured off Bilboa by a French vessel, sent in as a prize, and condemned because of the frigate's visit.¹ This case is notable because of the pure application of a single principle, not obscured by other incidental circumstances, as often happens. The brig "George," equally bound to Bilboa, after visitation by a British vessel had been to Falmouth, and there received a British license to go to her destination. She was condemned for three offenses: the visit, the entrance to Falmouth, and the license.¹ These cases were far from isolated, and quite as flagrant as anything done by Great Britain; but, while not overlooked, nor unresented, by the supporters of the embargo, there was not evident in the debates of Congress any such depth of feeling as was aroused by the British measures. As was said by Mr. Bayard, an Opposition Senator, "It may be from the habit of enduring, but we do not feel an aggression from France with the same quickness and sensibility that we do from England."²

Throughout the year 1808, the embargo was maintained by the Administration with as much vigor as was possible to the nature of the administrator, profoundly interested in the success of a favorite measure. Congress had supplemented the brief original Act by a prohibition of all intercourse with foreign territories by land, as well as by sea. This was levelled at the Florida and Canada frontiers. Authority had been given also for the absolute detention of all vessels bound coastwise, if with cargoes exciting suspicion of intention to evade the laws. Part

¹ N. Y. Evening Post, Sept. 7, 1808.

² Annals of Congress, 1808-09, p. 406.

of the small navy was sent to cruise off the coast, and the gunboats were distributed among the maritime districts, to intercept and to enforce submission. Steps were taken to build vessels on Lakes Ontario and Champlain; for, in the undeveloped condition of the road systems, these sheets of water were principal means of transportation, after snow left the ground. To the embargo the Navy owed the brig "Oneida," the most formidable vessel on Ontario when war came. All this restrictive service was of course extremely unpopular with the inhabitants; or at least with that active, assertive element, which is foremost in pushing local advantages, and directs popular sentiment. Nor did feeling in all cases refrain from action. April 19, the President had to issue a proclamation against combinations to defy the law in the country about Champlain. The collector at Passamaquoddy wrote that, with upwards of a hundred vessels in port, he was powerless; and the mob threatened to burn his house.¹ A Kennebec paper doubted whether civil society could hang together much longer. There were few places in the region where it was safe for civil officers to execute the laws.¹ Troops and revenue vessels were despatched to the chief centres of disturbance; but, while occasional rencounters occurred, attended at times with bloodshed, and some captures of smuggled goods were effected, the weak arm of the Government was practically powerless against universal connivance in the disaffected districts. Smuggling still continued to a large extent, and was very profitable; while the determination of the smugglers assumed the character commonly styled desperate.

Such conditions, with a falling revenue, and an Opposition strong in sectional support, confronted the supporters of the Administration when Congress again met in November. Confident that embargo was an efficient coercive

¹ N. Y. Evening Post, May 4 and 13, 1808.

weapon, if relentlessly wielded, the President wished more searching enactments, and power for more extensive and vigorous enforcement. This Congress proceeded to grant. Additional revenue cutters were authorized; and after long debate was passed an Act for the Enforcement of the Embargo, approved January 9, 1809.¹ The details of this law were derived from a letter² addressed to a Committee of Congress by Gallatin, the Secretary of the Treasury, upon whom the administration of the embargo system chiefly fell. The two principal difficulties so far encountered were the evasions of vessels bound coastwise, and departure without clearance. "The infractions thus practised threaten to prostrate the law and the Government itself." Even to take cargo on board should not be permitted, without authorization from the collector of the district. "The great number of vessels now laden and in a state of readiness to depart shows the necessity of this provision."

It was therefore enacted that no vessel, coasting or registered, should load, without first having obtained permission from the custom-house, and given bond, in six times the value of the cargo, that she would not depart without a clearance, nor after clearing go to any foreign port, or transfer her lading to any other vessel. The loading was to be under the inspection of revenue officers. Ships already loaded, when notice of the Act was received, must unload or give bonds. Further to insure compliance, vessels bound coastwise must, within two months after sailing, deposit with the collector at the port of clearance a certificate from the collector at the port of destination, that they had arrived there. If going to New Orleans from the Atlantic coast, four months were allowed for this formality. Failing this, proof of total

¹ For the text of the Act see *Annals of Congress*, 1808-09, pp. 1798-1803.

² *Ibid.*, p. 233.

loss at sea would alone relieve the bond. "Neither capture, distress, nor any other accident, shall be pleaded or given in evidence." Collectors were empowered to take into custody specie and goods, whether on vessels or land vehicles, when there was reason to believe them intended for exportation; and authority was given to employ the army and navy, and the militia, for carrying out this and the other embargo legislation. A further provision of thirty armed vessels, to stop trade, was made by this Congress; which otherwise, like its predecessors and successors, was perfectly faithful to the party tradition not to protect trade, or seek peace, by providing a navy.

All this was sitting on the safety valve. However unflattering to national self-esteem it might be to see national legislation universally disregarded, the leakage of steam by evasion had made the tension bearable. The Act also opened to a number of subaltern executive officers, of uncertain discretion, an opportunity for arbitrary and capricious action, to which the people of the United States were unaccustomed. Already a justice of a circuit court had decided in opposition to instructions issued by the President himself. The new legislation was followed by an explosion of popular wrath and street demonstrations. These were most marked in the Eastern states, where the opposition party and the shipping interest were strongest. Feeling was the more bitter, because the revolt of Spain, and the deliverance of Portugal, had exempted those nations and their extensive colonies from the operation of the British Orders in Council, had paralyzed in many of their ports the edicts of Napoleon, and so had extended widely the field safe for neutral commerce. It was evident also that, while the peninsula everywhere was the scene of war, it could not feed itself; nor could supplies for the population, or for the British armies there, come from England, often narrowly pressed herself for grain. Cadiz was

open on August 26; all neutrals admitted, and the British blockade raised. Through that portal and Lisbon might flow a golden tide for American farmers and shipmen. The town meetings of New England again displayed the power for prompt political agitation which so impressed the imagination of Jefferson. The Governor of Connecticut refused, on constitutional grounds, to comply with the President's request to detail officers of militia, to whom collectors could apply when needing assistance to enforce the laws. The attitude of the Eastern people generally was that of mutiny; and it became evident that it could only be repressed by violence, and with danger to the Union.

Congress was not prepared to run this risk. On February 8, less than a month after the Enforcement Act became law, its principal supporter in the Senate¹ introduced a resolution for the partial repeal of the Embargo Act. "This is not of my choice," he said, "nor is the step one by which I could wish that my responsibility should be tested. It is the offspring of conciliation, and of great concession on my part. On one point we are agreed, — resistance to foreign aggressions. The points of difficulty to be adjusted, — and compromised, — relate to the extent of that resistance and the mode of its application. In my judgment, if public sentiment could be brought to support them, wisdom would dictate the combined measures of embargo, non-intercourse, and war. Sir, when the love of peace degenerates into fear of war, it becomes of all passions the most despicable." It was not the first time the word "War" had been spoken, but the occasion made it doubly significant and ominous; for it was the requiem of the measure upon which the dominant party had staked all to avoid war, and the elections had already declared that power should remain in the same hands for at least two years to come. Within

¹ Giles of Virginia. *Annals of Congress*, 1808-09, pp. 353-381.

four weeks Madison was to succeed his leader, Jefferson; with a Congressional majority, reduced indeed, but still adequate.

The debate over the new measure, known as the Non-Intercourse Act, was prolonged and heated, abounding in recriminations, ranging over the whole gamut of foreign injuries and domestic misdoings, whether by Government policy or rebellious action; but clearer and clearer the demand for war was heard, through and above the din. "When the late intelligence from the northeast reached us," said an emotional follower of the Administration,¹ "it bore a character most distressful to every man who valued the integrity of the Government. Choosing not to enforce the law with the bayonet, I thought proper to acknowledge to the House that I was ready to abandon the embargo. . . . The excitement in the East renders it necessary that we should enforce it by the bayonet, or repeal. I will repeal, and could weep over it more than over a lost child." There was, he said, nothing now but war. "The very men who now set your laws at defiance," cried another, "will be against you if you go to war;" but he added, "I will never let go the embargo, unless on the very same day on which we let it go, we draw the sword."²

Josiah Quincy, an extremist on the other side, gave a definition of the position of Massachusetts, which from his ability, and his known previous course on national questions, is particularly valuable. In the light of the past, and of what was then future, it may be considered to embody the most accurate summary of the views prevailing in New England, from the time of the "Chesapeake" affair to the war. He "wished a negotiation to be opened, unshackled with the impedimenta which now

¹ Williams of South Carolina. *Annals of Congress*, 1808-09, p. 1236.

² Nelson of Maryland. *Annals of Congress*, 1808-09, p. 1258.

exist. As long as they remained, people in the part of the country whence he came would not deem an unsuccessful attempt at negotiation cause for war. If they were removed, and an earnest attempt at negotiation made, unimpeded by these restrictions, and should not meet with success, they would join heartily in a war. They would not, however, go to war to contest the right of Great Britain to search American vessels for British seamen; for it was the general opinion with them that, if American seamen were encouraged, there would be no need for the employment of foreign seamen."¹ Quincy therefore condemned the retaliatory temper of the Administration, as shown in the "Chesapeake" incident by the proclamation excluding British ships of war, and in the embargo as a reply to the Orders in Council. The oppression of American trade, culminating in the Orders, was a just cause of war; but war was not expedient before a further attempt at negotiation, favored by a withdrawal of all retaliatory acts. He was willing to concede the exercise of British authority on board American merchantmen on the high seas.

In the main these were the coincident opinions of Monroe, although a Virginian and identified with the opposite party. At this time he wrote to Jefferson privately, urging a special mission, for which he offered his services. "Our affairs are evidently at a pause, and the next step to be taken, without an unexpected change, seems likely to be the commencement of war with both France and Great Britain, unless some expedient consistent with the honor of the Government and Country is adopted to prevent it." To Jefferson's rejection of the proposition he replied: "I have not the hope you seem still to entertain that our differences with either Power will be accommodated under existing arrange-

¹ *Annals of Congress*, 1808-09, pp. 1438-1439.

ments. The embargo was not likely to accomplish the desired effect, if it did not produce it under the first impression. . . . Without evidence of firm and strong union at home, nothing favorable to us can be expected abroad, and from the symptoms in the Eastern states there is much cause to fear that tranquillity cannot be secured at present by adherence only to the measures which have heretofore been pursued."¹ Monroe had already² expressed the opinion — not to Jefferson, who had refused to ratify, but to a common intimate — that had the treaty of December 31, 1806, signed by himself and Pinkney, been accepted by the Administration, none of the subsequent troubles with France and Great Britain would have ensued; that not till the failure of accommodation with Great Britain became known abroad was there placed upon the Berlin Decree that stricter interpretation which elicited the Orders in Council, whence in due sequence the embargo, the Eastern commotions, and the present alarming outlook. In principle, Quincy and Monroe differed on the impressment question, but in practical adjustment there was no serious divergence. In other points they stood substantially together.

Under the combined influences indicated by the expressions quoted, Congress receded rapidly from the extreme measures of domestic regulation embodied in the various Embargo Acts and culminating in that of January 9. The substitute adopted was pronouncedly of the character of foreign policy, and assumed distinctly and unequivocally the hostile form of retaliation upon the two countries under the decrees of which American commerce was suffering. It foreshadowed the general line of action followed by the approaching new Administration,

¹ Monroe to Jefferson, Jan. 18 and Feb. 2, 1809. *Monroe's Works*, vol. v. pp. 91, 93-95.

² To John Taylor, January 9. *Ibid.*, p. 89.

with whose views and purposes it doubtless coincided. Passed in the House on February 27, 1809, it was to go into effect May 20, after which date the ports of the United States were forbidden to the ships of war of both France and Great Britain, except in cases of distress, or of vessels bearing despatches. Merchant vessels of the two countries were similarly excluded, with a provision for seizure, if entering. Importation from any part of the dominions of those states was prohibited, as also that of any merchandise therein produced. Under these conditions, and with these exceptions, the embargo was to stand repealed from March 15 following; but American and other merchant vessels, sailing after the Act went into operation, were to be under bonds not to proceed to any port of Great Britain or France, nor during absence to engage in any trade, direct or indirect, with such port. From the general character of these interdictions, stopping both navigation and commerce between the United States and the countries proscribed, this measure was commonly called the Non-Intercourse Act. Its stormy passage through the House was marked by a number of amendments and proposed substitutes, noticeable principally as indicative of the growth of warlike temper among Southern members. There were embodied with the bill the administrative and police clauses necessary for its enforcement. Finally, as a weapon of negotiation in the hands of the Government, there was a provision, corresponding to one in the original Embargo Act, that in case either France or Great Britain should so modify its measures as to cease to violate the neutral commerce of the United States, the President was authorized to proclaim the fact, after which trade with that country might be renewed. In this shape the bill was returned to the Senate, which concurred February 28. Next day it became law, by the President's signature.

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The Enforcement Act and the Non-Intercourse Act, taken together and in their rapid sequence, symbolize the death struggle between Jefferson's ideal of peaceful commercial restriction, unmitigated and protracted, in the power of which he had absolute faith, and the views of those to whom it was simply a means of diplomatic pressure, temporary, and antecedent to war. Napoleon himself was not more ruthless than Jefferson in his desired application of commercial prohibition. Not so his party, in its entirety. The leading provisions of the Non-Intercourse Act, by partially opening the door and so facilitating abundant evasion, traversed Jefferson's plan. It was antecedently notorious that their effect, as regarded Great Britain, would be to renew trade with her by means of intermediary ports. Yet that they were features in the policy of the men about to become prominent under the coming Administration was known to Canning some time before the resolution was introduced by Giles; before the Enforcement Act even could reach England. Though hastened by the outburst in New England, the policy of the Non-Intercourse Act was conceived before the collapse of Jefferson's own measure was seen to be imminent.

On January 18 and 22 Canning, in informal conversations with Pinkney, had expressed his satisfaction at proceedings in Congress, recently become known, looking to the exclusion of French ships equally with British, and to the extension of non-importation legislation to France as well as Great Britain.¹ He thought that such measures might open the way to a withdrawal of the Orders in Council, by enabling the British Government to entertain the overture, made by Pinkney August 23, under instructions, that the President would suspend the embargo, if the British Government would repeal its orders. This

¹ Pinkney, in connection with these, speaks of the "expected" Act of Congress. American State Papers, Foreign Relations, vol. iii. p. 299.

he conceived could not be done, consistently with self-respect, so long as there was inequality of treatment. In these anticipations he was encouraged by representations concerning the attitude of Madison and some intended members of his Cabinet, made to him by Erskine, the British Minister in Washington, who throughout seems to have cherished an ardent desire to reconcile differences which interfered with his just appreciation even of written words, — much more of spoken.

In the interview of the 22d Pinkney confined himself to saying everything "which I thought consistent with candor and discretion to confirm him in his dispositions." He suggested that the whole matter ought to be settled at Washington, and "that it would be well (in case a special mission did not meet their approbation) that the necessary powers should be sent to Mr. Erskine."¹ He added, "I offered my intervention for the purpose of guarding them against deficiencies in these powers."² The remark is noteworthy, for it shows Pinkney's sense that Erskine's mere letter of credence as Minister Resident, not supplemented by full powers for the special transaction, was inadequate to a binding settlement of such important matters. In the sequel the American Administration did not demand of Erskine the production either of special powers or of the text of his instructions; a routine formality which would have forestalled the mortifying error into which it was betrayed by precipitancy, and which became the occasion of a breach with Erskine's successor.

The day after his interview with Pinkney, Canning sent Erskine instructions,³ the starting-point of which was that the Orders in Council must be maintained, unless their object could be otherwise accomplished. Assuming, as an indispensable preliminary to any negotiation, that equality

¹ American State Papers, Foreign Relations, vol. iii. p. 299.

² This sentence was omitted in the papers when submitted to Congress.

³ State Papers, p. 300.

of treatment between British and French ships and merchandise would have been established, he said he understood further from Erskine's reports of conversations that the leading men in the new Administration would be prepared to agree to three conditions: 1. That, contemporaneously with the withdrawal of the Orders of January 7 and November 11, there would be a removal of the restrictions upon British ships and merchandise, leaving in force those against French. 2. The claim, to carry on with enemies' colonies a trade not permitted in peace, would be abandoned for this war. 3. Great Britain should be at liberty to secure the operation of the Non-Intercourse measures, still in effect against France, by the action of the British Navy, which should be authorized to capture American vessels seeking to enter ports forbidden them by the Non-Intercourse Act. Canning justly remarked that otherwise Non-Intercourse would be nugatory; there would be nothing to prevent Americans from clearing for England or Spain and going to Holland or France. This was perfectly true. Not only had a year's experience of the embargo so demonstrated, but a twelvemonth later¹ Galatin had to admit that "the summary of destinations of these exports, being grounded on clearances, cannot be relied on under existing circumstances. Thus, all the vessels actually destined for the dominions of Great Britain, which left the United States between April 19 and June 10, 1809, cleared for other ports; principally, it is believed, for Sweden." Nevertheless, the proposition that a foreign state should enforce national laws, because the United States herself could not, was saved from being an insult only by the belief, extracted by Canning from Erskine's report of conversations, that Madison, or his associates, had committed themselves to

¹ February 7, 1810. American State Papers, Commerce and Navigation, vol. i. p. 812.

such an arrangement. He added that Pinkney "recently (but for the first time)" had expressed an opinion to the same effect.

The British Government would consent to withdraw the Orders in Council on the conditions cited; and for the purpose of obtaining a distinct and official recognition of them, Canning authorized Erskine to read his letter *in extenso* to the American Government. Had this been done, as the three concessions were a *sine quâ non*, the misunderstanding on which the despatch was based would have been at once exposed; and while its assumptions and tone could scarcely have failed to give offence, there would have been saved the successive emotions of satisfaction and disappointment which swept over the United States, leaving bitterness worse than before. Instead of communicating Canning's letter, Erskine, after ascertaining that the conditions would not be accepted, sent in a paraphrase of his own, dated April 18,¹ in which he made no mention of the three stipulations, but announced that, in consequence of the impartial attitude resulting from the Non-Intercourse Act, his Majesty would send a special envoy to conclude a treaty on all points of the relations between the two countries, and meanwhile would be willing to withdraw the Orders of January 7 and November 11, so far as affecting the United States, in the persuasion that the President would issue the proclamation restoring intercourse. This advance was welcomed, the assurance of revocation given, and the next day Erskine wrote that he was "authorized to declare that the Orders will have been withdrawn as respects the United States on the 10th day of June next." The same day, by apparent preconcertment, in accordance with Canning's requirement that the two acts should be

¹ The correspondence between Erskine and the Secretary of State on this occasion is in *American State Papers, Foreign Relations*, vol. iii. pp. 295-297.

coincident, Madison issued his proclamation, announcing the fact of the future withdrawal, and that trade between the United States and Great Britain might be renewed on June 10.

Erskine's proceeding was disavowed instantly by the British Government, and himself recalled. A series of unpleasant explanations followed between him and the members of the American Government,¹ astonished by the interpretation placed upon their words, as shown in Canning's despatch. Canning also had to admit that he had strained Erskine's words, in reaching his conclusions as to the willingness of Madison and his advisers to allow the enforcement of the Non-Intercourse Act by British cruisers;² while Pinkney entirely disclaimed intending any such opinion as Canning imagined him to have expressed.³ The British Secretary was further irritated by the tone of the American replies to Erskine's notes; but he "forbore to trouble"⁴ Pinkney with any comment upon them. That would be made through Erskine's successor; an unhappy decision, as it proved. No explanation of the disavowal was given; but the instructions sent were read to Pinkney by Canning, and a letter followed saying that Erskine's action had been in direct contradiction to them. Things thus returned to the momentarily interrupted condition of American Non-Intercourse and British Orders in Council; the British Government issuing a temporary order for the protection of American vessels which might have started for the ports of Holland in reliance upon Erskine's assurances. From America there had been numerous clearances for England; and it may be believed that there would have been many more if the transient nature of the opportunity had been foreseen. August 9, Madison issued another proclamation, annulling the former.

¹ American State Papers, Foreign Relations, vol. iii. pp. 304-308.

² Ibid., p. 303.

³ Ibid.

⁴ Ibid., p. 301.

While Erskine was conducting his side negotiation, the British Government had largely modified the scope of the restrictions laid upon neutral trade. In consequence of the various events which had altered its relations with European states and their dependencies, the Orders of November, 1807, were revoked; and for them was substituted a new one, dated April 26, 1809,¹ similar in principle but much curtailed in extent. Only the coasts of France itself, of Holland to its boundary, the River Ems, and those of Italy falling under Napoleon's own dominion, from Orbivello to Pesaro, were thenceforth to be subject to "the same restrictions as if actually blockaded." Further, no permission was given, as in the former Orders, to communicate with the forbidden ports by first entering one of Great Britain, paying a transit duty, and obtaining a permit to proceed. In terms, prohibition was now unqualified; and although it was known that licenses for intercourse with interdicted harbors were freely issued, the overt offence of prescribing British channels to neutral navigation was avoided. Within the area of restriction, "No trade save through England" was thus converted, in form, to no trade at all. This narrowing of the constructive blockade system, combined with the relaxations effected by the Non-Intercourse Act, and with the food requirements of the Spanish peninsula, did much to revive American commerce; which, however, did not again before the war regain the fair proportions of the years preceding the embargo. The discrepancy was most marked in the re-exportation of foreign tropical produce, sugar and coffee, a trade dependent wholly upon war conditions, and affecting chiefly the shipping interest engaged in carrying it. For this falling off there were several causes. After 1809 the Continental system was more than ever remorselessly enforced, and it was to the Continent almost wholly

¹ American State Papers, Foreign Relations, vol. iii. p. 241.

that Americans had carried these articles. The Spanish colonies were now open to British as well as American customers; and the last of the French West Indies having passed into British possession, trade with them was denied to foreigners by the Navigation Act. In 1807 the value of the colonial produce re-exported from the United States was \$59,643,558; in 1811, \$16,022,790. The exports of domestic productions in the same years were: 1807, \$48,699,592; in 1811, \$45,294,043. In connection with these figures, as significant of political conditions, it is interesting to note that of the latter sum \$18,266,466 went to Spain and Portugal, chiefly to supply demands created by war. So with tropical produce; out of the total of \$16,022,790, \$5,772,572 went to the Peninsula, and an equal amount to the Baltic, that having become the centre of accumulation, from which subsequent distribution was made to the Continent in elusion of the Continental System. The increasing poverty of the Continent, also, under Napoleon's merciless suppression of foreign commerce, greatly lessened the purchasing power of the inhabitants. The great colonial trade had wasted under the combined action of British Orders and French Decrees, supplemented by changes in political relations. The remote extremities of the Baltic lands and the Spanish peninsula now alone sustained its drooping life.

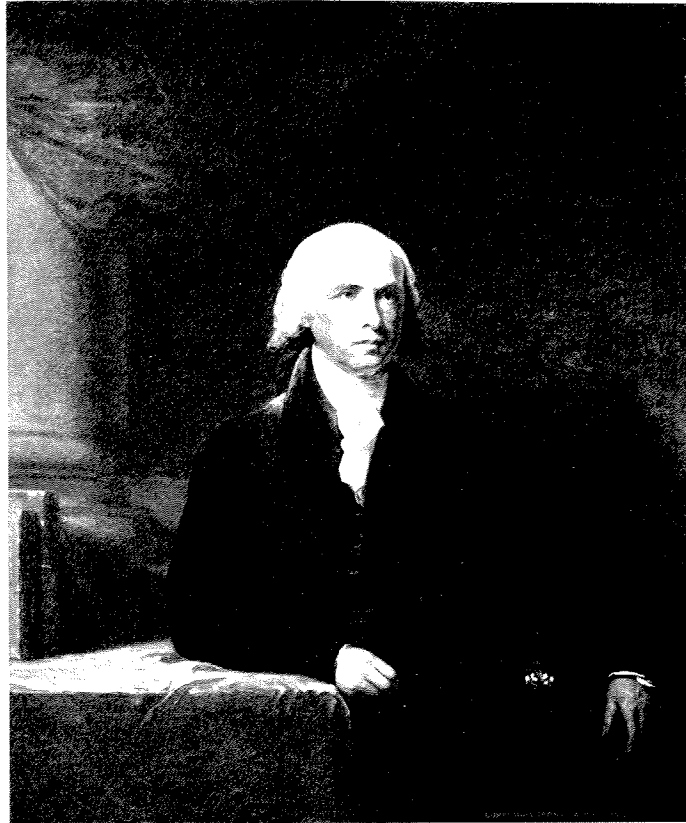
Coincident with Erskine's recall had been the appointment of his successor, Mr. Francis J. Jackson, who took with him not only the usual credentials, but also full powers for concluding a treaty or convention.¹ He departed for his post under the impulse of the emotions and comments excited by the manner and terms in which Erskine's advances had been met, with which Canning had forborne to trouble Pinkney. Upon his arrival in Washington, disappointment was expressed that

¹ American State Papers, Foreign Relations, vol. iii. p. 318.

he had no authority to give any explanations of the reasons why his Government had disavowed arrangements, entered into by Erskine, concerning not only the withdrawal of the Orders in Council, — as touching the United States, — but also the reparation for the “Chesapeake” business. This Erskine had offered and concluded, coincidently with the revocation of the Orders, though not in connection with it; but in both instances his action was disapproved by his Government. After two verbal conferences, held within a week of Jackson’s arrival, the Secretary of State, Mr. Robert Smith, notified him on October 9 that it was thought expedient, for the present occasion, that further communication on this matter should be in writing. There followed an exchange of letters, which in such circumstances passed necessarily under the eyes of President Madison, who for the eight preceding years had held Smith’s present office.

This correspondence¹ presents an interesting exhibition of diplomatic fencing; but beyond the discussion, pro and con, of the matters in original and continuous dispute between the two countries, the issue turned upon the question whether the United States had received the explanation due to it, — in right and courtesy, — of the reasons for disavowing Erskine’s agreements. Smith maintained it had not. Jackson rejoined that sufficient explanation had been given by the terms of Canning’s letter of May 27 to Pinkney, announcing that Erskine had been recalled because he had acted in direct contradiction to his instructions; an allegation sustained by reading to the American minister the instructions themselves. In advancing this argument, Jackson stated also that Canning’s three conditions had been made known by Erskine to the American Government, which, in declining to admit them, had suggested substitutes finally accepted

¹ American State Papers, Foreign Relations, vol. iii. pp. 308–319.



JAMES MADISON.

From the painting by Gilbert Stuart in Bowdoin College, Brunswick, Me.

by Erskine; so that the United States understood that the arrangement was reached on another basis than that laid down by Canning. This assertion he drew from the expressions of Erskine in a letter to Canning, after the disavowal. Smith replied that Erskine, while not showing the despatch, had stated the three stipulations; that they had been rejected; and that the subsequent arrangement had been understood to be with a minister fully competent to recede from his first demand and to accept other conditions. Distinctly he affirmed, that the United States Government did not know, at any time during the discussion preceding the agreement, that Erskine's powers were limited by the conditions in the text of his instructions, afterwards published. That he had no others, "is now for the first time made known to this Government," by Jackson's declaration.

Jackson had come prepared to maintain, not only the British contention, but the note set by Canning for British diplomatic correspondence. He was conscious too of opposing material force to argument, and had but recently been amid the scenes at Copenhagen, which had illustrated Nelson's maxim that a fleet of ships of the line were the best negotiators in Europe. The position has its advantages, but also its dangers, when the field of warfare is that of words, not deeds; and in Madison, who superintended the American case, he was unequally matched with an adversary whose natural dialectical ability had been tempered and sharpened in many campaigns. There is noticeable, too, on the American side, a labored effort at acuteness of discrimination, an adroitness to exaggerate shades of difference practically imperceptible, and an aptitude to give and take offence, not so evident under the preceding Administration. These suggest irresistibly the absence, over Madison the President, of a moderating hand, which had been held over Madison the Secretary of

State. It may be due also to the fact that both the President and his Cabinet were somewhat less indisposed to war than his predecessor had been.

In his answer to Smith Jackson reiterated, what Smith had admitted, that Erskine had made known the three conditions. He added, "No stronger illustration of the deviation from them which occurred can be given than by a reference to the terms of the agreement." As an incidental comment, supporting the contention that Erskine's departure from his sole authority was so decisive as to be a sufficient explanation for the disavowal of his procedure, the words were admissible; so much so as to invite the suspicion that the opponent, who had complained of the want of such explanation, felt the touch of the foil, and somewhat lost temper. Whatever impression of an insinuation the phrase may have conveyed should have been wholly removed by the further expression, in close sequence, "You are already acquainted with the instruction given; and *I have had*¹ the honor of informing you it was the only one." Smith's knowledge that Erskine's powers were limited to the one document is here attributed explicitly to Jackson. The Secretary (or President) saw fit not to recognize this, but took occasion to administer a severe rebuke, which doubtless the general tone of Jackson's letter tended to provoke. "I abstain, sir, from making any particular animadversions on several irrelevant and improper allusions in your letter. . . . But it would be improper to conclude the few observations to which I purposely limit myself, without adverting to your repetition of a language implying a knowledge, on the part of this Government, that the instructions of your predecessor did not authorize the arrangement formed by him. After the explicit and peremptory asseveration that this Government had no such knowledge, and that with

¹ Author's italics.

such a knowledge no such arrangement would have been entered into, the view which you have again presented of the subject makes it my duty to apprise you that such insinuations are inadmissible in the intercourse of a foreign minister with a Government that understands what it owes to itself."

Whatever may be thought of the construction placed upon Jackson's words by his opponent, this thrust should have made him look to his footing; but arrogance and temper carried the day, and laid him open to the fatal return which he received. By drawing attention to the qualifying phrase, he could have shown that he had been misunderstood, but he practically accepted the interpretation; for, instead of repelling it, he replied: "In my correspondence with you I have carefully avoided drawing conclusions that did not necessarily follow from the premises advanced by me, and least of all should I think of uttering an insinuation where I was unable to substantiate a fact. To facts, such as I have become acquainted with them, I have scrupulously adhered, and in so doing I must continue, whenever the good faith of his Majesty's Government is called in question," etc. To this outburst the reply was: "You have used language which cannot but be understood as reiterating, and even aggravating, the same gross insinuation. It only remains, in order to preclude opportunities which are thus abused, to inform you that no further communications will be received from you, and that the necessity for this determination will, without delay, be made known to your Government." Jackson thereupon quitted Washington for New York, leaving a *chargé d'affaires* for transacting current business.

Before leaving the city, however, Jackson, through the channel of the *chargé*, made a statement to the Secretary of State. In this he alleged that the facts which he considered it his duty to state, and to the assertion of which,

as facts, exception was taken, and his dismissal attributed, were two. One was, that the three conditions had been submitted by Mr. Erskine to the Secretary of State. This the Secretary had admitted. "The other, namely: that that instruction is the only one, in which the conditions were prescribed to Mr. Erskine, for the conclusion of an arrangement on the matter to which it related, is known to Mr. Jackson by the instructions which he has himself received." This he had said in his second letter; if somewhat obscurely, still not so much so but that careful reading, and indisposition to take offence, could have detected his meaning, and afforded him the opportunity to be as explicit as in this final paper. If Madison, who is understood to have given special supervision to this correspondence,¹ meant the severe rebuke conveyed by his reply as a feint, to lead the British minister incautiously to expose himself to a punishment which his general bearing and that of his Government deserved, he assuredly succeeded; yet it may be questioned who really came best out of the encounter. Jackson had blundered in words; the American Administration had needlessly intensified international bitterness.

Prepossession in reading, and proneness to angry misconception, must be inferred in the conduct of the American side of this discussion; for another notable and even graver instance occurs in the despatch² communicating Jackson's dismissal to Pinkney, beyond whose notice it probably was not allowed to go. Canning, in his third rejected condition, had written:

Great Britain, for the purpose of securing *the operation of* the embargo, and *of* the bonâ fide intention of America to prevent her citizens from trading with France, and the Powers adopting and acting under the French decrees, is to be considered as

¹ See Madison's Works, vol. ii. p. 499.

² American State Papers, Foreign Relations, vol. iii. 319-322.

being at liberty to capture all such American vessels as shall be found attempting to trade with the ports of such Powers;¹

and he explained that, unless such permission was granted, "the raising of the embargo nominally as to Great Britain, would raise it, in fact, with respect to all the world," owing to the evident inability of the United States to enforce its orders beyond its own ports.

In the passage quoted, both the explanatory comment and the syntax show that the object of this proposed concession was to secure *the operation*, the effectual working, of the *bonâ fide* intention expressly conceded to the American Government. The repetition of the preposition "of," before *bonâ fide*, secures this meaning beyond peradventure. Nevertheless Smith, in labored arraignment of the whole British course, wrote to Pinkney as follows:

In urging this concession, Mr. Canning has taken a ground forbidden by those principles of decorum which regulate and mark the proceedings of Governments towards each other. In his despatch the condition is stated to be for the purpose of *securing the bonâ fide intention* of America, to prevent her citizens from trading with France and certain other Powers; in other words to secure a pledge to that effect against the *malâ fide* intention of the United States. And this despatch too was authorized to be communicated *in extenso* to the Government, of which such language was used.²

Being addressed only to Pinkney, a man altogether too careful and shrewd not to detect the mistake, no occasion arose for this grave misstatement doing harm, or receiving correction. But, conjoined with the failure to note that Jackson in his second letter had attributed to his own

¹ The italics in this quotation (American State Papers, vol. iii. p. 300) are introduced by the author, to draw attention to the words decisive to be noted.

² The italics are Smith's. They serve exactly, however, to illustrate just wherein consists the perverseness of omission (the words "operation of"), and the misstatement of this remarkable passage.

communication the American Government's knowledge that Erskine had no alternative instructions, the conclusion is irresistible that the President acted, perhaps unconsciously, under impulses foreign to the deliberate care which should precede and accompany so momentous an act as the refusal to communicate with an accredited foreign minister. It will be remembered that this action was taken on grounds avowedly independent of the reasonableness or justice of the British demands. It rested purely on the conduct of the minister himself.

This incident powerfully furthered the alienation of the two nations, for the British Government not only refused to disapprove Jackson's conduct, but for nearly two years neglected to send a successor, thus establishing strained diplomatic relations. Before finally leaving this unlucky business, it is due to a complete appreciation to mention that, in its very outset, at the beginning of Erskine's well-meant but blundering attempt, the United States Government had overpassed the limits of diplomatic civility. Canning was a master of insolence; he could go to the utmost verge of insult and innuendo, without absolutely crossing the line which separates them from formal observance of propriety; but it cannot be said that the American correspondence in this instance was equally adroit. In replying to Erskine's formal offer of reparation for the "Chesapeake" affair, certain points essential to safeguarding the position of the United States were carefully and properly pointed out; then the reparation, as tended, was accepted. There the matter might have dropped; acceptance is acceptance; or, if necessary, failure of full satisfaction on the part of the United States might have been candidly stated, as due to itself. But the Secretary¹ proceeded to words — and mere words —

¹ Secretary Smith subsequently stated that this sentence was added by express interposition of the President. (Smith's Address to the American people.)

reflecting on the British Sovereign and Government. "I have it in express charge from the President to state, that, while he forbears to insist upon the further punishment of the offending officer, he is not the less sensible of the justice and utility of such an example, nor the less persuaded that it would best comport with what is due from his Britannic Majesty to his own honor."

To the writer nothing quite as bad as this occurs in Jackson's letters, objectionable as they were in tone. With the opinion he agrees; the further employment of Berkeley was indecent, nor was he a man for whom it could be claimed that he was indispensable; but it is one thing to hold an opinion, and another to utter it to the person concerned. Had Madison meant war, he might have spoken as he did, and fought; but to accept, and then to speak words barren of everything but useless insult, is intolerable. Jackson very probably believed that the American Government was lying when it said it did not know the facts as to Erskine's instructions.¹ It would be quite in character that he should; but he did not say so. There was put into his mouth a construction of his words which he heedlessly accepted.

Jackson's dismissal was notified to the British Government through Pinkney, on January 2, 1810.² Some time before, a disagreement within the British Cabinet had led to a duel between Castlereagh and Canning, in which the latter was severely wounded. He did not return to the Foreign Office, but was succeeded by the Marquis Wellesley, brother of the future Duke of Wellington. After presenting the view of the correspondence taken

¹ Canning in his instructions to Jackson (No. 1, July 1, 1809, Foreign Office MSS.) wrote: "The United States cannot have *believed* that such an arrangement as Mr. Erskine consented to accept was conformable to his instructions. *If* Mr. Erskine availed himself of the liberty allowed to him of communicating those instructions in the affair of the Orders in Council, they must have *known* that it was not so." My italics.

² American State Papers, Foreign Relations, vol. iii. p. 352.

by his Government, Pinkney seems to betray a slight uneasiness as to the accuracy of the interpretation placed on Jackson's words. "I willingly leave your Lordship to judge whether Mr. Jackson's correspondence will bear any other construction than that it in fact received; and whether, supposing it to have been erroneously construed, his letter of the 4th of November should not have corrected the mistake, instead of confirming and establishing it."

Wellesley, with a certain indolent nonchalance, characteristic of his correspondence with Pinkney, delayed to answer for two months, and then gave a reply as indifferent in manner as it was brief in terms. Jackson had written, "There appears to have prevailed, throughout the whole of this transaction [Erskine's], a fundamental mistake, which would suggest that his Majesty had proposed to propitiate the Government of the United States, to consent to the renewal of commercial intercourse; . . . as if, in any arrangement, his Majesty would condescend to barter objects of national policy and dignity for permission to trade with another country." The phrase was Canning's, and summarized precisely the jealous attitude towards its own prestige characteristic of the British policy of the day. It also defined exactly the theory upon which the foreign policy of the United States had been directed for eight years by the party still in power. Madison and Jefferson had both placed just this construction upon Erskine's tender. "The British Cabinet must have changed its course under a full conviction that an adjustment with this country had become essential."¹ "Gallatin had a conversation with Turreau at his residence near Baltimore. He professes to be confident that his Government will consider England broken down, by the examples she has given in repealing her Orders."²

¹ Writings of James Madison. Published by Order of Congress, 1865. Vol. ii. p. 439.

² *Ibid.*, p. 440. Turreau was the French minister.

tion on reassembling, November 27, 1809. After prolonged discussion in the lower house,¹ a joint resolution was passed approving the action of the Executive, and pledging to him the support of the nation. Despite a lucid exposition by Josiah Quincy, that the offence particularly attributed to the British minister was disproved by a reasonable attention to the construction of his sentences, the majority persisted in sustaining the party chief. That disposed of, the question of commercial restriction was again taken up.

It was conceded on all sides that Non-Intercourse had failed, and precisely in the manner predicted. On the south, Amelia Island, — at the mouth of the St. Mary's River, just outside the Florida boundary, — and on the north Halifax, and Canada in general, had become ports of deposit for American products, whence they were conveyed in British ships to Great Britain and her dependencies, to which the Act forbade American vessels to go. The effect was to give the carrying of American products to British shipping, in precise conformity with the astute provisions of the Navigation Acts. British markets were reached by a broken voyage, the long leg of which, from Amelia and Halifax to Europe and elsewhere, was taken by British navigation. It was stated that there were at a given moment one hundred British vessels at Amelia,² the shores of which were encumbered with American goods awaiting such transportation. The freight from the American ports to Amelia averaged a cent a pound, from Amelia to England eight cents;³ the latter amount going to British pockets, the former to Americans who were debarred from full transatlantic freight by the prohibitions of the Non-Intercourse Act. The absence of competition necessarily raised the prices obtainable by the British shipper,

¹ *Annals of Congress*, 1809-10.

² *Ibid.*, January 8, 1810, pp. 1164, 1234.

³ *Ibid.*, p. 1234.

and this, together with the additional cost of transshipment and delays, attendant upon a broken voyage, fell upon the American agriculturist, whose goods commanded just so much less at their place of origin. The measure was even ingeniously malaprop, considered from the point of view of its purpose towards Great Britain, whether retaliatory or coercive. Upon France its effect was trivial, in any aspect. There was no French navigation, and the Orders in Council left little chance for American vessels to reach French ports.

All agreed that the Non-Intercourse Act must go; the difficulty was to find a substitute which should not confessedly abandon the whole system of commercial restrictions, idealized by the party in power, but from which it was being driven foot by foot. A first measure proposed was to institute a Navigation Act, borrowed in broad outline from that of Great Britain, but in operation applied only to that nation and France, in retaliation for their injurious edicts.¹ Open intercourse with the whole world should be restored; but British and French merchant ships, as well as vessels of war, should be excluded from American harbors. British and French products could be imported only in vessels owned wholly by American citizens; and after April 15, 1810, could be introduced only by direct voyage from the place of origin. This was designed to prevent the continuance of trade by way of Amelia or Halifax. It was pointed out in debate, however, that French shipping practically did not exist, and that in the days of open trade, before the embargo, only about eight thousand tons of British shipping yearly entered American ports, whereas from three hundred thousand to four hundred thousand American tons visited Great Britain.² Should she, by a strict retaliation, resent this clumsy

¹ *Annals of Congress*, 1809-10, pp. 754, 755.

² *Ibid.*, pp. 606, 607.

attempt at injuring her, the weight of the blow would fall on Americans. American ships would be excluded from British ports; the carrying trade to Amelia and Halifax would be resumed, to the detriment of American vessels by a competition which otherwise would not exist, and British manufactures would be introduced by smuggling, to the grievous loss of the revenue, as had been notoriously and abundantly the case under the Non-Intercourse Act. In truth, a purely commercial war with Great Britain was as injurious as a military war, and more hopeless.

The bill consequently failed in the Senate, though passed by the House. In its stead was adopted an Act which repealed that of Non-Intercourse, but prescribed that in case either Great Britain or France, before March 3, 1811, should so revoke or modify its edicts as that they should cease to violate the neutral commerce of the United States, the President should declare the fact by proclamation; and if the other nation should not, within three months from the date of such proclamation, in like manner so modify or revoke its edicts, there should revive against it those sections of the Non-Intercourse Act which excluded its vessels from American ports, and forbade to American vessels importation from its ports, or of its goods from any part of the world whatsoever. The determination of the fact of revocation by either state was left to the sole judgment of the President, by whose approval the Act became law May 1, 1810.¹

As Great Britain and France, by the Orders in Council and the Berlin and Milan Decrees, were then engaged in a commercial warfare, in which the object of each was to exhaust its rival, the effect of this Act was to tender the co-operation of the United States to whichever of them

¹ Annals of Congress, 1810, p. 2582.

should embrace the offer. In terms, it was strictly impartial between the two. In fact, forasmuch as France could not prevent American intercourse with Great Britain, whereas Great Britain, in furtherance of her purposes, could and did prevent American trade with France, the latter had much more to gain; and particularly, if she should so word her revocation as to save her face, by not appearing the first to recede, — to show weakening, — as Great Britain had been made for the moment to seem by Erskine's arrangement. Should this ingenious diplomacy prove satisfactory to the President, yet fail so to convince Great Britain as to draw from her the recall of the Orders in Council, the United States, by the simple operation of the law itself, would become a party to the Emperor's Continental system, in its specific aim of reducing his opponent's strength.

At this very moment Napoleon was putting into effect against the United States one of those perverse and shameless interpretations of international relations, or actions, by which he not infrequently contrived to fill his pockets. The Non-Intercourse Act, passed March 3, 1809, had decreed forfeiture of any French or British ship, or goods, which should enter American waters after May 20, of the same year. The measure was duly communicated to the French Government, and no remonstrance had been made against a municipal regulation, which gave ample antecedent warning. There the matter rested until March 23, 1810, when the Emperor, on the ground of the Act, imposing these confiscations and forbidding American vessels to visit France, signed a retroactive decree that all vessels under the flag of the United States, which, since May 20, 1809, had entered ports of his empire, colonies, or of the countries occupied by his arms, should be seized and sold. Commissioners were sent to Holland to enforce there this edict, known as the

Decree of Rambouillet, which was not actually published till May 14.¹ It took effect upon vessels which, during a twelvemonth previous, unwarned, had gone to France, or the other countries indicated. Immediately before it was signed, the American minister, Armstrong, had written to Champagny, Duke of Cadore, the French Minister of Foreign Affairs, "Your Excellency knows that there are not less than one hundred American ships within his Majesty's possession, or that of his allies;" and he added that, from several sources of information, he felt warranted in believing that not a single French vessel had violated the Non-Intercourse law, and therefore none could have been seized.²

The law of May 1 was duly communicated to the two states concerned, by the United States ministers there resident. Great Britain was informed that not only the Orders in Council, but the blockade of May, 1806,³ were included among the edicts affecting American commerce, the repeal of which was expected, as injurious to that commerce. France was told that this demand would be made upon her rival;⁴ but that it was also the purpose of the President not to give the law effect favorable to herself, by publishing a proclamation, if the late seizures of the property of citizens of the United States had been followed by absolute confiscation, and restoration were finally refused.⁵ This referred not to the Rambouillet Decree, as yet unknown in America, but to the previous seizures upon various pretexts, mentioned above by Armstrong. Ultimately this purpose was not adhered to; but the Emperor was attentive to the President's inti-

¹ For Armstrong's letter and the text of the Decree, see American State Papers, Foreign Relations, vol. iii. p. 384.

² Armstrong to Champagny, March 10, 1810. American State Papers, Foreign Relations, vol. iii. p. 382.

³ American State Papers, Foreign Relations, vol. iii. p. 362.

⁴ Ibid., p. 385.

⁵ Ibid.

mation that "by putting in force, agreeably to the terms of this statute, the non-intercourse against Great Britain, the very species of resistance would be made which France has constantly been representing as most efficacious."¹ Thus, the co-operation of America to the Continental System was no longer asked, but offered.

The Emperor did not wait even for information by the usual official channels. By some unexplained delay, Armstrong's first knowledge was through a copy of the Gazette of the United States containing the Act, which he at once transmitted to Champagny, who replied August 5, 1810.² His Majesty wished that the acts of the United States Government could be more promptly communicated; not till very lately had he heard of the Non-Intercourse, — a statement which Armstrong promptly denied, referring Champagny to the archives of his own department.³ In view of the Act of May 1, the Emperor's decision was announced in a paragraph of the same letter, in the following words:

In this new state of things I am authorized to declare to you, Sir, that the Decrees of Berlin and Milan are revoked, and that after the first of November they will cease to have effect; it being understood that, in consequence of this declaration, the English shall revoke their Orders in Council, and renounce the new principles of blockade, which they have wished to establish; or that the United States, conformably to the Act which you have just communicated, shall cause their rights to be respected by the English.

Definition is proverbially difficult; and over this superficially simple definition of circumstances and conditions, under which the Decrees of Berlin and Milan stood revoked, arose a discussion concerning construction and

¹ The Secretary of State to Armstrong, June 5, 1810. *American State Papers, Foreign Relations*, vol. iii. p. 385.

² *American State Papers, Foreign Relations*, vol. iii. p. 386.

³ *Ibid.*, p. 387.

meaning which resembled the wrangling of scholars over a corrupt text in an obscure classical author. Clear-headed men became hopelessly involved, as they wrestled with each others' interpretations; and the most got no farther than sticking to their first opinions, probably reached in the majority of cases by sheer prepossession. The American ministers to France and Great Britain both accepted the words as a distinct, indisputable, revocation; and Madison followed suit. These hasty conclusions are not very surprising; for there was personal triumph, dear to diplomatists as to other men, in seeing the repeal of the Decrees, or of the Orders, result from their efforts. It has been seen how much this factor entered into the feelings of Madison and Jefferson in the Erskine business, and to Armstrong the present turn was especially grateful, as he was about quitting his mission after several years buffeting against wind and tide. His sun seemed after all about to set in glory. He wrote to Pinkney, "I have the honor to inform you that his Majesty, the Emperor and King, has been pleased to revoke his Decrees of Berlin and Milan."¹ Pinkney, to whom the recall of the British Orders offered the like laurels, was equally emphatic in his communication to Wellesley; adding, "I take for granted that the revocation of the British Orders in Council of January and November, 1807, April, 1809, and all other orders dependent upon, or analogous, or in execution of them, will follow of course."² The British Government demurred to the interpretation; but Madison accepted it, and on November 2 proclaimed it as a fact. In consequence, by the terms of the Act, non-intercourse would revive against Great Britain on February 2, 1811.

When Congress met, distrust on one side and assertion on the other gave rise to prolonged and acute discussion.

¹ *American State Papers, Foreign Relations*, vol. iii. p. 364.

² *Ibid.*, p. 365.

Napoleon had surprised people so often, that no wonder need be felt at those who thought his words might bear a double meaning. The late President, who did not lack sagacity, had once written to his successor, "Bonaparte's policy is so crooked that it eludes conjecture. I fear his first object now is to dry up the sources of British prosperity, by excluding her manufactures from the Continent. He may fear that opening the ports of Europe to our vessels will open them to an inundation of British wares."¹ This was exactly Bonaparte's dilemma, and suggested the point of view from which his every action ought to be scrutinized. Then there was the recent deception with Erskine, which, if it increased the doubts of some concerning the soundness of Madison's judgment, made it the more incumbent on others to show that on this occasion at least he had not been precipitate. Certainly, as regards the competency of the foreign official in either case, there was no comparison. A simple Minister Resident should produce particular powers or definite instructions, to guarantee his authority for concluding so important a modification of national policy as was accepted from Erskine; but by common usage the Minister of Foreign Affairs, at a national capital, is understood to speak for the Chief Executive. The statement of Champagny, at Paris, that he was "authorized" to make a specific declaration, could be accepted as the voice of Napoleon himself. The only question was, what did the voice signify?

In truth, explicit as Champagny's words sound, Napoleon's memoranda,² on which they were based, show a deliberate purpose to avoid a formal revocation, for reasons analogous to those suggested by Jefferson. Throughout he used "*rapporter*" instead of "*révoquer*." In the

¹ Jefferson to Madison, April 27, 1809. Works, vol. v. p. 442.

² Correspondance de Napoléon. Napoleon to Champagny, July 31, and August 2, 1810, vol. xx. p. 644, and vol. xxi. p. 1.

particular connection, the words are nearly synonymous; yet to the latter attaches a natural fitness and emphasis, the avoidance of which betrays the bias, perhaps unconscious, towards seeking escape from self-committal on the matter in hand. His phrases are more definite. July 31 he wrote, "After much reflection upon American affairs, I have decided that to withdraw (*rapporter*) my decrees of Berlin and Milan would conduce to nothing (*n'aurait aucun effet*); that it is better you should address a note to Mr. Armstrong, in which you will acquaint him that you have placed before me the details contained in the American gazette, . . . and since he assures us it may be regarded as official, he may depend (*compter*) that my decrees of Berlin and Milan will not receive execution (*n'auront aucun effet*) dating from November 1; and that he should consider them as withdrawn (*rapportés*) in consequence of the Act of the American Congress; provided," etc. "This," he concludes, "seems to me more suitable than a decree, which would cause disturbance and would not fulfil my aim. This method seems to me more conformable to my dignity and to the serious character of the business." The Decrees, as touching the United States alone, were to be quietly withdrawn from action, but not formally revoked. They were to be dormant, yet potential. As convenience might dictate, it would be open to say that they were revoked [in effect], or not revoked [in form]. The one might, and did, satisfy the United States; the other might not, and did not, content Great Britain, against whom exclusion from the continent remained in force. The two English-speaking peoples were set by the ears. August 2 the Emperor made a draft of the note to be sent to Armstrong. This Champagny copied almost verbatim in the declaration quoted; substituting, however, "*révoquer*" for "*rapporter*."

It would be intolerable to attempt to drag readers through the mazes of analysis, and of comparison with other papers, by which the parties to the discussion, ignorant of the above memoranda, sought to establish their respective views. One thing, however, should have been patent to all, — that, with a man so subtle and adroit as Napoleon, any step in apparent reversal of a decided and cherished policy should have been complete and unequivocal, both in form and in terms. The Berlin Decree was put forth with the utmost formality with which majesty and power could invest it; the asserted revocation, if apparently explicit, was simply a paragraph in ordinary diplomatic correspondence, stating that revocation had taken place. If so, where was it? An act which undoes another, particularly if an injury, must correspond fully in form to that which it claims to undo. A private insult may receive private apology; but no private expression can atone for public insult or public wrong. In the appreciation of Mr. Madison, in 1807, so grave an outrage as that of the “Chesapeake” called for a special envoy, to give adequate dignity to the proffered reparation. Yet his followers now would have form to be indifferent to substantial effect. Champagny’s letter, it is true, was published in the official paper; but, besides being in form merely a diplomatic letter, it bore the signature of Champagny, whereas the decree bore that of Napoleon. The Decree of Rambouillet, then less than six months old, was clothed with the like sanction. Even Pinkney, usually so clear-headed, and in utterance incisive, suffered himself here to be misled. Does England find inadequate the “manner” of the French Revocation? he asked. “It is precisely that in which the orders of its own Government, establishing, modifying, or removing blockades, are usually proclaimed.” But the Decree of Berlin was no mere proclamation of a blockade. It had

been proclaimed, in the Emperor's own name, a fundamental law of the Empire, until England had abandoned certain lines of action. This was policy against policy, to which the blockade was incidental as a method. English blockades were announced and withdrawn under identical forms of circular letter; but when an Order in Council, as that of November, 1807, was modified, as in April, 1809, it was done by an Order in Council, not by a diplomatic letter. In short, Champagny's utterance was the declaration of a fact; but where was the fact itself?

Great Britain therefore refused to recognize the letter as a revocation, and could not be persuaded that it was by the opinion of the American authorities. Nor was the form alone inadequate; the terms were ambiguous, and lent themselves to a construction which would deprive her of all benefit from the alleged revocation. She had to look to her own battle, which reached its utmost intensity in this year 1810. Except the helpless Spanish and Portuguese insurgents, she had not an open friend in Europe; while Napoleon, freed from all opponents by the overthrow of Austria in 1809, had organized against Great Britain and her feeble allies the most gigantic display of force made in the peninsula since his own personal departure thence, nearly two years before. The United States had plain sailing; so far as the letter went, the Decrees were revoked, conditional on her executing the law of May 1. But Great Britain must renounce the "new" principles of blockade. What were these principles, pronounced new by the Decree? They were, that unfortified ports, commercial harbors, might be blockaded, as the United States a half century later strangled the Southern Confederacy. Such blockades were lawful then and long before. To yield this position would be to abandon rights upon which depended the political value of Great Britain's maritime supremacy; yet unless she

did so the Berlin Decree remained in force against her. The Decree was universal in application, not limited to the United States commerce, towards which Champagny's letter undertook to relax it; and British commerce would remain excluded from neutral continental ports unless Great Britain not only withdrew the Orders in Council, but relinquished prescriptive rights upon which, in war, depended her position in the world.

In declining to repeal, Great Britain referred to her past record in proof of consistency. In the first communication of the Orders in Council, February 23, 1808,¹ Erskine had written, "I am commanded by his Majesty especially to represent to the Government of the United States the earnest desire of his Majesty to see the commerce *of the world* restored once more to that freedom which is necessary for its prosperity, and his readiness to abandon the system which has been forced upon him, *whenever the enemy shall retract the principles* which have rendered it necessary." The British envoy in these sentences reproduced *verbatim* the instructions he had received,² and the words italicized bar expressly the subsequent contention of the United States, that revocation by one party as to one nation, irrespective of the rest *of the world*, and that in practice only, not in principle, entitled the nation so favored to revocation by the other party. They exclude therefore, by all the formality of written words at a momentous instant, the singular assertion of the American Government, in 1811, that Great Britain had pledged herself to proceed "*pari passu*"³ with France in the revocation of their respective acts. As far as can be ascer-

¹ American State Papers, Foreign Relations, vol. iii. p. 209. Author's italics.

² Canning to Erskine, Dec. 1, 1807, transmitting the Orders in Council of November 11. British Foreign Office MSS.

³ Monroe to Foster, Oct. 1, 1811. American State Papers, Foreign Relations, vol. iii. p. 445. See also, more particularly, *ibid.*, pp. 440, 441.

tained, the origin of this confident assumption is to be found in letters of February 18 and 19, 1808,¹ from Madison, then Secretary of State, to Armstrong and Pinkney. In these he says that Erskine, in communicating the Orders,² expressed his Majesty's regrets, and "assurances that his Majesty would readily follow the example, in case the Berlin Decree should be rescinded, or would proceed *pari passu* with France in relaxing the rigor of their measures." By whichever of the colloquists the expression was used, the contrast between this report of an interview and the official letter quoted sufficiently shows the snare latent in conversations, and the superior necessity of relying upon written communications, to which informal talk only smooths the way. On the very day of Madison's writing to Armstrong, February 18, the Advocate General, who may be presumed to have understood the purposes of the Government, was repudiating such a construction in the House of Commons. "Even let it be granted that there had been a public assurance to America that she alone was to be excepted from the influence of the Berlin Decree, would that have been a sufficient ground for us not to look further to our own interest? What! Because France chooses to exempt America from her injurious decrees, are we to consent to their continuance?"³

¹ U. S. State Department MSS., and State Papers, vol. iii. p. 250.

² That is, verbally, before his formal letter of February 23.

³ Cobbett's Parliamentary Debates, vol. x. p. 669. A search through the correspondence of Canning and Erskine, as well as through the debates of Parliament upon the Orders in Council, January-April, 1808, reveals nothing confirmatory of the *pari passu* claim, put forth in Madison's letters quoted, and afterwards used by Monroe in his arguments with Foster. But in Canning's instructions to Jackson, July 1, 1809 (No. 3), appears a sentence which may throw some light on the apparent misunderstanding. "As to the willingness or ability of neutral nations to resist the Decrees of France, his Majesty has always professed . . . a disposition to relax or modify his measures of retaliation and self-defence in proportion as those of neutral nations should come in aid of them and take their place." This would be action *pari passu* with a neutral; and if the same were expressed to Erskine, it is far from incredible, in view of his remarkable action of 1809, that he may have extended it verbally without authority to cover an act of France. My italics.

Where such a contradiction exists, to assert a pledge from a Government, and that two years after Erskine's singular performance of 1809, which led to his recall, is a curious example of the capacity of the American Administration, under Madison's guidance, for putting words into an opponent's mouth. In the present juncture, Wellesley replied¹ to Pinkney's claim for the revocation of the Orders in Council by quoting, and repeating, the assurance of Erskine's letter of February 23, 1808, given above.

Yet, unless the Orders in Council were repealed, Napoleon's concessions would not go far to relieve the United States. The vessels he would admit would be but the gleanings, after British cruisers had reaped the ocean field. Pinkney, therefore, had to be importunate in presenting the demands of his Government. Wellesley persisted in his method of procrastination. At last, on December 4, he wrote briefly to say that after careful inquiry he could find no authentic intelligence of the repeal, nor of the restoration of the commerce of neutral nations to its previous conditions. He invited, however, a fresh statement from Pinkney, who then, in a letter dated December 10,² argued the case at length, under the three heads of the manner, or form, the terms, and the practical effect of the alleged repeal. Having completed the argument, he took incidental occasion to present the views of the United States concerning the whole system of the Orders in Council; animadverting severely, and emphasizing with liberal italics. The Orders went far beyond any intelligible standard of *retaliation*; but it soon appeared that neutrals might be permitted to traffic, if they would submit with a dependence *truly colonial* to carry on their trade through British ports, to pay such duties as the

¹ Wellesley to Pinkney, Aug. 31, 1810. American State Papers, Foreign Relations, vol. iii. p. 366.

² American State Papers, Foreign Relations, vol. iii. p. 376.

British Government might impose, and such charges as British agents might make. The modification of April 26, 1809, was one of appearance only. True, neutrals were no longer compelled to enter British ports; their prohibition from interdicted ports was nominally absolute; but it was known that by coming to Great Britain they could obtain a license to enter them, so that the effect was the same; and by forged papers this license system was so extended "that the commerce of *England* could advantageously find its way to those ports."¹

Wellesley delayed reply till December 29.² He regretted the intrusion of these closing remarks, which might tend to interfere with a conciliatory spirit, but without further comment on them addressed himself to the main question. His Government did not find the "notification" of the repeal of the French Decrees such as would justify it in recalling the Orders in Council. The United States having demanded the formal revocation of the blockade of May, 1806, as well as of the Orders in Council, he "must conclude, combining your requisition with that of the French Minister, that America demands the revocation of that order of blockade, as a practical instance of our renunciation of those principles of blockade which are condemned by the French Government." This inference seems overstrained; but certainly much greater substantial concession was required of Great Britain than of France. Wellesley intimated that this concert of action was partial — not neutral — between the two belligerents. "I trust that the justice of the American Government will not consider that France, by the repeal of her obnoxious decrees, *under such a condition*,³ has placed the question in that state which can

¹ The American flag was used in this way to cover British shipping. For instances see American State Papers, Foreign Relations, vol. iii. p. 342.

² American State Papers, Foreign Relations, vol. iii. p. 408.

³ Author's italics.

warrant America in enforcing the Non-Intercourse Act against Great Britain, and not against France." He reminded Pinkney of the situation in which the commerce of neutral nations had been placed by many recent acts of the French Government; and said that its system of violence and injustice required some precautions of defence on the part of Great Britain. In conclusion, his Majesty stood ready to repeal, when the French Decrees should be repealed without conditions injurious to the maritime rights and honor of the United Kingdom.

Unhappily for Pinkney's argument on the actuality of Napoleon's repeal, on the very day of his own writing, December 10, the American *chargé*¹ in Paris, Jonathan Russell, was sending Champagny a remonstrance² upon the seizure of an American vessel at Bordeaux, under the decrees of Berlin and Milan, on December 1, — a month after their asserted repeal. That the Director of Customs at a principal seaport should understand them to be in force, nearly four months after the publication of Champagny's letter in the "*Moniteur*," would certainly seem to imply some defect in customary form;³ and the ensuing measures of the Government would indicate also something misleading in the terms. Russell told Champagny that, since November 1, the alleged day of repeal, this was the first case to which the Berlin and Milan Decrees could apply; and lo! to it they were applied. Yet, "to execute the Act of Congress against the English requires the previous revocation of the decrees." It was, indeed, ingeniously argued in Congress, by an able advocate of the

¹ Armstrong had sailed for the United States two months before.

² American State Papers, Foreign Relations, vol. iii. p. 391.

³ Russell on November 17 wrote that he had reason to believe that the revocation of the Decrees had not been notified to the ministers charged with the execution of them. On December 4 he said that, as the ordinary practice in seizing a vessel was to hold her sequestered till the papers were examined in Paris, this might explain why the local Custom-House was not notified of the repeal. Russell to the Secretary of State, U. S. State Department MSS.

Administration, that all the law required was the revocation in terms of the Decrees; their subsequent enforcement in act was immaterial.¹ Such a solution, however, would scarcely content the American people. The French Government now took a step which clearly showed that the Decrees were still in force, technically, however honest its purpose to hold to the revocation, if the United States complied with the conditions. Instructions to the Council of Prizes,² from the proper minister, directed that the vessel, and any others falling under the same category of entry after November 1, should "remain suspended" until after February 2, the period at which the United States should have fulfilled its obligation. Then they should be restored.

The general trend of argument, pro and con, with the subsequent events, probably shook the confidence of the Administration, and of its supporters in Congress, in the certainty of the revocation, which the President had authenticated by his proclamation. Were the fact unimpeachable, the law was clear; non-intercourse with Great Britain would go into effect February 2, without further action. But the doubts started were so plausible that it was certain any condemnation or enforcement under the law would be carried up to the highest court, to test whether the fact of revocation, upon which the operativeness of the statute turned, was legally established. Even should the court decline to review the act of the Executive, and accept the proclamation as sufficient evidence for its own decision, such feeble indorsement would be mortifying. A supplementary Act was therefore framed, doing away with the original, and then reviving it, as a new measure, against Great Britain

¹ Langdon Cheves of South Carolina. *Annals of Congress*, 1810-11, pp. 885-887.

² *American State Papers, Foreign Relations*, vol. iii. p. 393.

alone. In presenting this, the member charged with its introduction said: "The Committee thought proper that in this case the legislature should step forward and decide; that it was not consistent with the responsibility they owed the community to turn over to judicial tribunals the decision of the question, whether the Non-Inter-course was in force or not."¹ The matter was thus taken from the purview of the courts, and decided by a party vote. After an exhausting discussion, this bill passed at 4 A.M., February 28, 1811. It was approved by the President, March 2.

For the settlement of American litigation this course was adequate; not so for the vindication of international procedure. The United States at this time had abundant justification for war with both France and Great Britain, and it was within the righteous decision of her own policy whether she should declare against either or both; but it is a serious impeachment of a Government's capacity and manfulness when, with such questions as Impressment, the Orders in Council, Napoleon's Decrees, and his arbitrary sequestrations, war comes not from a bold grappling with difficulties, but from a series of huckstering attempts to buy off one antagonist or the other, with the result of being fairly overreached. The outcome, summarily stated, had been that a finesse of the French Government had attached the United States to Napoleon's Continental System. She was henceforth, in effect, allied with the leading feature of French policy hostile to Great Britain. It was perfectly competent and proper for her so to attach herself, if she saw fit. The Orders in Council were a national wrong to her, justifying retaliation and war; still more so was Impressment. But it is humiliating to see one's country finally committed to such a step through being outwitted in a paltry bargain,

¹ *Annals of Congress*, 1810-11, p. 990.

and the justification of her course rested, not upon a firm assertion of right, but upon the refusal of another nation to accept a manifestly unequal proposition. The course of Great Britain was high-handed, unjust, and not always straightforward; but it was candor itself alongside of Napoleon's.

There remained but one step to complete the formal breach; and that, if the writer's analysis has been correct, resulted as directly as did the final Non-Intercourse Act from action erroneously taken by Mr. Madison's Administration. Jackson's place, vacated in November, 1809, by the refusal to communicate further with him, remained still unfilled. This delay was thought deliberate by the United States Government, which on May 22 wrote to Pinkney that it seemed to manifest indifference to the character of the diplomatic intercourse between the two countries, arising from dissatisfaction at the step necessarily taken with regard to Mr. Jackson. Should this inference from Wellesley's inaction prove correct, Pinkney was directed to return to the United States, leaving the office with a *chargé d'affaires*, for whom a blank appointment was sent. He was, however, to exercise his own judgment as to the time and manner. In consequence of his interview with Wellesley, and in reply to a formal note of inquiry, he received a private letter, July 22, 1810, saying it was difficult to enter upon the subject in an official form, but that it was the Secretary's intention immediately to recommend a successor to Jackson. Still the matter dragged, and at the end of the year no appointment had been made.

In other ways, too, there was unexplained delay. In April Pinkney had received powers to resume the frustrated negotiations committed first to him and Monroe. Wellesley had welcomed the advance, and had accepted an order of discussion which gave priority to satisfac-

tion for the "Chesapeake" affair. After that an arrangement for the revocation of the Orders in Council should be attempted. On June 13 Pinkney wrote home that a verbal agreement conformable to his instructions had been reached concerning the "Chesapeake," and that he was daily expecting a written overture embodying the terms. August 14 this had not been received, — to his great surprise, for Wellesley's manner had shown every disposition to accommodate. Upon this situation supervened Cadore's declaration of the revocation of the French Decrees, Pinkney's acceptance of the fact as indisputable, and his urgency to obtain from the British Government a corresponding measure in the repeal of the Orders. Through all ran the same procrastination, issuing in entire inaction.

Pinkney's correspondence shows a man diplomatically self-controlled and patient, though keenly sensible to the indignity of unwarrantable delays. The rough speaking of his mind concerning the Orders in Council, in his letter of December 10, suggests no loss of temper, but a deliberate letting himself go. There appeared to him now no necessity for further endurance. To Wellesley's rejoinder of December 29 he sent an answer on January 14, 1811, "written," he said, "under the pressure of indisposition, and the influence of more indignation than could well be suppressed."¹ The questions at issue were again trenchantly discussed, but therewith he brought to an end his functions as minister of the United States. Under the same date, but by separate letter, he wrote that as no steps had been taken to replace Jackson by an envoy of equal rank, his instructions imposed on him the duty of informing his lordship that the Government of the United States could not continue to be represented in England

¹ Pinkney to the Secretary of State, Jan. 17, 1811. *American State Papers, Foreign Relations*, vol. iii. p. 408.

by a minister plenipotentiary. Owing to the insanity of the King, and the delays incident to the institution of a regency, his audience of leave was delayed to February 28; and it is a noticeable coincidence that the day of this formal diplomatic act was also that upon which the Non-Intercourse Bill against Great Britain passed the House of Representatives. In the course of the spring Pinkney embarked in the frigate "Essex" for the United States. He had no successor until after the War of 1812, and the Non-Intercourse Act remained in vigor to the day of hostilities.

On February 15, a month after Pinkney's notification of his intended departure, Wellesley wrote him that the Prince Regent, whose authority as such dated only from February 5, had appointed Mr. Augustus J. Foster minister at Washington. The delay had been caused in the first instance, "as I stated to you repeatedly," by the wish to make an appointment satisfactory to the United States, and afterwards by the state of his Majesty's Government; the regal function having been in abeyance until the King's incapacity was remedied by the institution of the Regent. Wellesley suggested the possibility of Pinkney reconsidering his decision, the ground for which was thus removed; but the minister demurred. He replied that he inferred, from Wellesley's letter, that the British Government by this appointment signified its intention of conceding the demands of the United States; that the Orders in Council and blockade of May, 1806, would be annulled; without this a beneficial effect was not to be expected. Wellesley replied that no change of system was intended unless France revoked her Decrees. The effect of this correspondence, therefore, was simply to place Pinkney's departure upon the same ground as the new Non-Intercourse Act against Great Britain.

Mr. Augustus John Foster was still a very young man,

just thirty-one. He had but recently returned from the position of minister to Sweden, the duties of which he had discharged¹ during a year very critical for the fortunes of that country, and in the event for Napoleon and Europe. Upon his new mission Wellesley gave him a long letter of instructions,² in which he dealt elaborately with the whole course of events connected with the Orders in Council and Bonaparte's Decree, especially as connected with America. In this occurs a concise and lucid summary of the British policy, which is worth quoting. "From this view of the origin of the Orders in Council, you will perceive that the object of our system was not to crush the trade of the continent, but to counteract an attempt to crush British trade; that we have endeavored to permit the continent to receive as large a portion of commerce as might be practicable through Great Britain, and that all our subsequent regulations, and every modification of the system, by new orders, or modes of granting or withholding licenses, have been calculated for *the purpose of encouraging the trade of neutrals through Great Britain*,³ whenever such encouragement might appear advantageous to the general interests of commerce and consistent with the public safety of the nation, — the preservation of which is the primary object of all national councils, and the paramount duty of the Executive power."

In brief, the plea was that Bonaparte by armed constraint had forced the continent into a league to destroy Great Britain through her trade; that there was cause to fear these measures would succeed, if not counteracted;

¹ Foster had succeeded as *chargé d'affaires* in May, 1809, by the departure of Merry, formerly minister to the United States. He was afterwards appointed minister; but in June, 1810, under pressure from Bonaparte, Sweden requested him to leave the country.

² Pearce, *Life and Correspondence of the Marquis Wellesley*, vol. iii. p. 193.

³ Author's italics.

that retaliation by similar measures was therefore demanded by the safety of the state; and that the method adopted was retaliation, so modified as to produce the least possible evil to others concerned. It was admitted and deplored that prohibition of direct trade with the ports of the league injuriously affected the United States. That this was illegal, judged by the law of nations, was also admitted; but it was justified by the natural right of retaliation. Wellesley scouted the view, pertinaciously urged by the American Government, that the exclusion of British commerce from neutral continental ports by the Continental System was a mere municipal regulation, which the United States could not resist. Municipal regulation was merely the cloak, beneath which France concealed her military coercion of states helpless against her policy. "The pretext of municipal right, under which the violence of the enemy is now exercised against neutral commerce in every part of the continent, will not be admitted by Great Britain; nor can we ever deem the repeal of the French Decrees to be effectual, until neutral commerce shall be restored to the conditions in which it stood, previously to the commencement of the French system of commercial warfare, as promulgated in the Decrees."

Foster's mission was to urge these arguments, and to induce the repeal of the Non-Intercourse law against Great Britain, as partial between the two belligerents; who, if offenders against accepted law, were in that offenders equally. The United States was urged not thus to join Napoleon's league against Great Britain, from which indeed, if so supported, the direst distress must arise. It is needless to pursue the correspondence which ensued with Monroe, now Secretary of State. By Madison's proclamation, and the passage of the Non-Intercourse Act of March 2, 1811, the American Gov-

ernment was irretrievably committed to the contention that France had so revoked her Decrees as to constitute an obligation upon Great Britain and upon the United States. To admit mistake, even to one's self, in so important a step, probably passes diplomatic candor, and especially after the blunder in Erskine's case. Yet, even admitting the adequacy of Champagny's letter, the Decrees were not revoked; seizures were still made under them. In November, 1811, Monroe had to write to Barlow, now American minister to France, "It is not sufficient that it should appear that the French Decrees are repealed, in the *final decision* of a cause brought *before a French tribunal*. An active prohibitory policy should be adopted *to prevent seizures* on the principle."¹ This was in the midst of his correspondence with Foster. The two disputants threshed over and over again the particulars of the controversy, but nothing new was adduced by either.² Conditions were hopeless, and war assured, even when Foster arrived in Washington, in June, 1811.

One thing, however, was finally settled. In behalf of his Government, in reparation for the "Chesapeake" affair, Foster repeated the previous disavowal of Berkeley's action, and his consequent recall; and offered to restore to the ship herself the survivors of the men taken from her. Pecuniary provision for those who had suffered in the action, or for their families, was also tendered. The propositions were accepted, while denying the adequacy of Berkeley's removal from one command to another. The men were brought to Boston harbor, and there formally given up to the "Chesapeake."

Tardy and insufficient as was this atonement, it was further delayed, at the very moment of tendering, by an incident which may be said to have derived directly from

¹ American State Papers, Foreign Relations, vol. iii. p. 514 Author's italics.

² Ibid., p. 435.

the original injury. In June, 1810, a squadron of frigates and sloops had been constituted under Commodore John Rodgers, to patrol the coast from the Capes of the Chesapeake northward to the eastern limit of the United States. Its orders, generally, were to defend from molestation by a foreign armed ship all vessels of the United States within the marine league, seaward, to which neutral jurisdiction was conceded by international law. Force was to be used, if necessary, and, if the offender were a privateer, or piratical, she was to be sent in. So weak and unready was the nominal naval force of the United States, that piracy near her very shores was apprehended; and concern was expressed in Congress regarding vessels from Santo Domingo, thus converted into a kind of local Barbary power. To these general instructions the Secretary of the Navy attached a special reminder. Recalling the "Chesapeake" affair, as a merely exaggerated instance of the contumely everywhere heaped upon the American flag by both belligerents, he wrote: "What has been perpetrated may be again attempted. It is therefore our duty to be prepared and determined at every hazard to vindicate the injured honor of our navy, and revive the drooping spirit of the nation. It is expected that, while you conduct the force under your command consistently with the principles of a strict and upright neutrality, you are to maintain and support at every risk and cost the dignity of our flag; and that, offering yourself no unjust aggression, you are to submit to none, not even a menace or threat from a force not materially your superior."

Under such reminiscences and such words, the ships' guns were like to go off of themselves. It requires small imagination to picture the feelings of naval officers in the years after the "Chesapeake's" dishonor. In transmitting the orders to his captains, Rodgers added, "Every man, woman, and child, in our country, will be active in

consigning our names to disgrace, and even the very vessels composing our little navy to the ravages of the worms, or the detestable transmigration to merchantmen, should we not fulfil their expectations. I should consider the firing of a shot by a vessel of war, of either nation, and particularly England, at one of our public vessels, whilst the colors of her nation are flying on board of her, as a menace of the grossest order, and in amount an insult which it would be disgraceful not to resent by the return of two shot at least; while should the shot strike, it ought to be considered an act of hostility meriting chastisement to the utmost extent of all your force.”¹ The Secretary indorsed approval upon the copy of this order forwarded to him. Rodgers’ apprehension for the fate of the navy reflected accurately the hostile views of leaders in the dominant political party. Demoralized by the gunboat system, and disorganized and browbeaten by the loud-mouthed disfavor of representative Congressmen, the extinction of the service was not unnaturally expected. Bainbridge, a captain of standing and merit, applied at this time for a furlough to make a commercial voyage to China, owing to straitened means. “I have hitherto refused such offers, on the presumption that my country would require my services. That presumption is removed, and even doubts entertained of the permanency of our naval establishment.”²

The following year, 1811, Rodgers’ squadron and orders were continued. The British admirals of adjacent stations, acting doubtless under orders from home, enjoined great caution upon their ships of war in approaching the American coast.³ While set not to relax the Orders in Council, the ministry did not wish war by gratuitous offence.

¹ Rodgers to Secretary of the Navy, Aug. 4, 1810. Captains’ Letters.

² Bainbridge to the Secretary of the Navy, May 3, 1810. Captains’ Letters. The case was not singular.

³ Orders of Admiral Sawyer to the Captain of the “Little Belt.” American State Papers, Foreign Relations, vol. iii. p. 475.

Cruising, however, continued, though charged with possibilities of explosion. Under these circumstances Rodgers' ship, the "President" frigate, and a British sloop of war, the "Little Belt," sighted each other on May 16, 1811, fifty miles east of Cape Henry. Independent of the general disposition of ships of war in troublous times to overhaul and ascertain the business of any doubtful sail, Rodgers' orders prescribed the capture of vessels of certain character, even outside the three-mile limit; and, the "Little Belt" making sail from him, he pursued. About 8 p. m., it being then full dark, the character and force of the chase were still uncertain, and the vessels within range. The two accounts of what followed differ diametrically; but the British official version¹ is less exhaustive in matter and manner than the American, which rests upon the sworn testimony of numerous competent witnesses before a formal Court of Inquiry.² By this it was found proved that the "Little Belt" fired the first gun, which by Rodgers' statement cut away a backstay and went into the mainmast. The batteries of both ships opened, and an engagement followed, lasting twelve or fifteen minutes, during which the "Little Belt," hopelessly inferior in force, was badly cut up, losing nine killed and twenty-three wounded. Deplorable as was this result, and whatever unreconciled doubts may be entertained by others than Americans as to the blame, there can be no question that the affair was an accident, unpremeditated.

¹ American State Papers, vol. iii. p. 473. In the absence of the British admiral, the senior officer at Halifax assembled a board of captains which collected what his letter styles the depositions of the "Little Belt's" officers. Depositions would imply that the witnesses were sworn, but it is not so said in the report of the Board, where they simply "state." In the case of honorable gentlemen history may give equal credit in either case; but the indication would be that inquiry was less particular. The Board reports no question by itself; the "statements" are in the first person, apparently in reply to the request "tell all you know," and are uninterrupted by comment.

² The proceedings of this court are printed in American State Papers, Foreign Relations, vol. iii. pp. 477-497.

It was clearly in evidence that Rodgers had cautioned his officers against any firing prior to orders. There was nothing of the deliberate purpose characterizing the "Chesapeake" affair; yet Mr. Foster, with the chariness which from first to last marked the British handling of that business, withheld the reparation authorized by his instructions until he had received a copy of the proceedings of the court.

On July 24, 1811, the President summoned Congress to meet November 4, a month before the usual time, in consequence of the state of foreign affairs. His message spoke of ominous indications; of the inflexible hostility evidenced by Great Britain in trampling upon rights which no independent nation can relinquish; and recommended legislation for increasing the military force. As regarded the navy, his words were indefinite and vague, beyond suggesting the expediency of purchasing materials for ship-building. The debates and action of Congress reflected the tone of the Executive. War was anticipated as a matter of course, and mentioned freely in speeches. That the regular army should be enlarged, and dispositions made for more effective use of the militia, was granted; the only dispute being about the amount of development. In this the legislature exceeded the President's wishes, which were understood, though not expressed in the message. Previous Congresses had authorized an army of ten thousand, of which not more than five thousand were then in the ranks. It was voted to complete this; to add twenty-five thousand more regulars, and to provide for fifty thousand volunteers. Doubts, based upon past experience, and which proved well founded, were expressed as to the possibility of raising so many regular troops, pledged for five years to submit to the restrictions of military life. It was urged that, in the economical conditions of the country, the class did not exist from which such a force could be recruited.

This consideration did not apply to the navy. Seamen could be had abundantly from the merchant shipping, the activities of which must necessarily be much curtailed by war with a great naval power. Nevertheless, the dominance of Jefferson, though in this particular already shaken, remained upon the mass of his party. The new Secretary of the Navy was from South Carolina, not reckoned among the commercial states; but, however influenced, he ventured to intimate doubts as to the gunboat system. Of one thing there was no doubt. On a gunboat a gun cost twelve thousand dollars a year; the same on a frigate cost but four thousand.¹ In the House of Representatives, the strongest support to the development of the navy as a permanent force came from the Secretary's state, backed by Henry Clay from Kentucky, and by the commercial states; the leading representative of which, Josiah Quincy, expressed, however, a certain diffidence, because in the embittered politics of the day the mere fact of Federalist support tended rather to damage the cause.

So much of the President's message as related to the navy — three lines, wholly non-committal — was referred to a special committee. The report² was made by Langdon Cheves of South Carolina, whose clear and cogent exposition of the capabilities of the country and the possibility of providing a force efficient against Great Britain, under her existing embarrassments, was supported powerfully and perspicuously by William Lowndes of the same state. The text for their remarks was supplied by a sentence in the committee's report: "The important engine of national strength and national security, which is formed by a naval force, has hitherto been treated with a neglect highly impolitic, or supported by a spirit so languid, as,

¹ *Annals of Congress*, 1811-12, p. 890.

² Dec. 17, 1811. *American State Papers*, Naval Affairs, vol. i. p. 247.

while it has preserved the existence of the establishment, has had the effect of loading it with the imputations of wasteful expense, and comparative inefficiency. . . . Such a course is impolitic under any circumstances." This was the condemnation of the party's past. Clay found his delight in dealing with some of the oratory, which on the present occasion still sustained — and for the moment successfully sustained — the prepossessions of Jefferson. Carthage, Rome, Venice, Genoa, were republics with free institutions and great navies; Carthage, Rome, Venice, and Genoa had lost their liberties, and their national existence. Clearly navies, besides being very costly, were fatal to constitutional freedom. Not in reply to such *non sequitur*, but quickened by an insight which was to receive earlier vindication than he could have anticipated, Quincy prophesied that, amid the diverse and contrary interests of the several states, which the lack of a common object of affection left still imperfectly unified in sentiment, a glorious navy, identified with the whole country because of its external action, yet local to no part, would supply a common centre for the enthusiasm not yet inspired by the central government, too closely associated for years back with a particular school of extreme political thought, narrowly territorial and clannish in its origin and manifestation. Within a twelvemonth, the "Constitution," most happily apt of all names ever given to a ship, became the embodiment of this verified prediction.

The report of the committee was modest in its scope. "To the defence of your ports and harbors, and the protection of your coasting trade, should be confined the present objects and operations of any navy which the United States can, or ought, to have." To this office it was estimated that twelve ships of the line and twenty frigates would suffice. Cheves and Lowndes were satisfied

that such a fleet was within the resources of the country; and to insure the fifteen thousand seamen necessary to man it, they would be willing to limit the number of privateers, — a most wholesome and necessary provision. By a careful historical examination of Great Britain's past and present exigencies, it was shown that such a force would most probably keep clear the approaches to all American ports, the most critical zone for shipping, whether inward or outward bound; because, to counteract it, the enemy would have to employ numbers so largely superior that they could not be spared from her European conflict. The argument was sound; but unhappily Cheves, Lowndes, Clay, and Quincy did not represent the spirit of the men who for ten years had ruled the country and evolved the gunboat system. These, in their day of power, not yet fully past, had neither maintained the fleet nor accumulated material, and there was no seasoned timber to build with. The Administration which expired in 1801 had left timber for six 74-gun ships, of which now remained only enough for four. The rest had been wasted in gunboats, or otherwise. The committee therefore limited its recommendations to building the frigates, for which it was believed materials could be procured.

Even in this reduced form it proved impossible to overcome the opposition to a navy as economically expensive and politically dangerous. The question was amply debated; but as, on the one hand, little doubt was felt about the rapid conquest of Canada by militia and volunteers, so, on the other, the same disposition to trust to extemporized irregular forces encouraged reliance simply upon privateering. Private enterprise in such a cause undoubtedly has from time to time attained marked results; but in general effect the method is a wasteful expenditure of national resources, and, historically, saps the strength

of the regular navy. In the manning of inefficient privateers — and the majority were inefficient and ineffective — were thrown away resources of seamen which, in an adequate naval force, organized and directed as it would have been by the admirable officers of that period, could have accomplished vastly more in the annoyance of British trade, — the one offensive naval undertaking left open to the nation. Even with the assistance of the Federalists the provision for the frigates could not be carried, though the majority was narrow — 62 to 59. The same fate befell the proposition to provide a dockyard. All that could be had was an appropriation of six hundred thousand dollars, distributed over three successive years, for buying timber. These votes were taken January 27, 1812, in full expectation of war, and only five months before it was declared.

Early in April, Congress, in secret session, passed an Act of Embargo for ninety days, which became law on the fourth by the President's signature. The motive was twofold: to retain at home the ships and seamen of the nation, in anticipation of war, to keep them from falling into the hands of the enemy; and also to prevent the carriage of supplies indispensably necessary to the British armies in Spain. Both objects were defeated by the action of Quincy, in conjunction with Senator Lloyd of Massachusetts and Representative Emott of New York. Learning that the President intended to recommend the embargo, these gentlemen, as stated by Quincy on the floor of the House, despatched at once to Philadelphia, New York, and Boston, expresses which left Washington March 31, the day before Madison's letter was dated. Four or five days' respite was thus secured, and the whole mercantile community set zealously to work to counteract the effects of the measure. "Niles' Register," published in Baltimore, said: "Drays were working night and day,

from Tuesday night, March 31, and continued their toil till Sunday morning, incessantly. In this hurly-burly to palsy the arm of the Government all parties united. On Sunday perhaps not twenty seamen, able to do duty, could be found in all Baltimore." A New York paper is quoted as saying, "The property could not have been moved off with greater expedition had the city been enveloped in flames." From that port forty-eight vessels cleared; from Baltimore thirty-one; Philadelphia and Alexandria in like proportions. It was estimated that not less than two hundred thousand barrels of flour, besides grain in other shapes, and provisions of all kinds, to a total value of fifteen million dollars, were rushed out of the country in those five days, when labor-saving appliances were nearly unknown.¹

Jonathan Russell, who was now *chargé d'affaires* at London, having been transferred from Paris upon the arrival of Armstrong's successor, Joel Barlow, wrote home, "The great shipments of provisions, which were hurried from America in expectation of the embargo, have given the Peninsula a supply for about two months; and at the expiration of that period the harvest in that region will furnish a stock for about three months more. . . . The avidity discovered by our countrymen to escape from the embargo, and the disregard of its policy, have encouraged this Government to hope that supplies will still continue to be received from the United States. The ship 'Lady Madison,' which left Liverpool in March, has returned thither with a cargo taken in off Sandy Hook without entering an American port. There are several vessels now about leaving this country with the intention not only of procuring a cargo in the same way, but of getting rid, illicitly, of one they carry out."²

¹ Niles' Register, vol. ii. pp. 101-104.

² Russell to Monroe, May 30, 1812. U. S. State Department MSS.

It was, indeed, a conspicuous instance of mercantile avidity, wholly disregarding of patriotic considerations, such as is to be found in all times and in all countries; strictly analogous to the constant smuggling between France and Great Britain at this very time. Its significance in the present case, however, is as marking the widespread lack of a national patriotism, as distinct from purely local advantage and personal interests, which unhappily characterized Americans at this period. Of this Great Britain stood ready to avail herself, by extending to the United States the system of licenses, by which, combined with the Orders in Council, she was combating with a large degree of success Napoleon's Continental System. She hoped, and the sequel showed not unreasonably, that even during open hostilities she could in the same manner thwart the United States in its efforts to keep its own produce from her markets. Less than a fortnight after the American Declaration of War was received, Russell, who had not yet left England, wrote to the Secretary of State that the Board of Trade had given notice that licenses would be granted for American vessels to carry provisions from the United States to Cadiz and Lisbon, for the term of eight months; and that a policy had been issued at Lloyds to a New York firm, insuring flour from that port to the peninsula, warranted free from British capture, and from capture or detention by the Government of the United States.¹

The British armies were thus nourished and dependent, both in Spain and in Canada. The supplying of the latter scarcely fell short of treason, and decisively affected the maintenance of the war in that quarter. It is difficult to demonstrate a moral distinction between what was done there, disregarding of national success, in shameful support of the enemy, and the supplying of

¹ Russell to Monroe, August 15 and 21, 1812. U. S. State Department MSS.

the peninsula; but an intuitive sympathy extends to the latter a tolerance which the motives of the individual agents probably do not deserve, and for which calm reason cannot give a perfectly satisfactory account. But it was the misfortune of American policy, as shaped by the Administration, that it was committed to support Napoleon in his iniquitous attack upon the liberties of Spain; that it saw in his success the probable fulfilment of its designs upon the Floridas;¹ and that its chosen ground for proceeding against Great Britain, rather than France, was her refusal to conform her action to a statement of the Emperor's, the illusory and deceptive character of which became continually more apparent.

To declare war because of the Orders in Council was a simple, straightforward, and wholly justifiable course; but the flying months made more and more evident, to the Government and its agents abroad, that it was vain to expect revocation on the ground of Napoleon's recall of his edicts, for they were not recalled. Having entered upon this course, however, it seemed impossible to recede, or to acknowledge a mistake, the pinch of which was nevertheless felt. Writing to Russell, whose service in Paris, from October, 1810, to October, 1811, and transfer thence to London, made him unusually familiar, on both sides of the Channel, with the controversy over Champagny's letter of August 5, 1810, Madison speaks "of the delicacy of our situation, having in view, on the one hand, the importance of obtaining from the French Government confirmation of the repeal of the Decrees, and on the other that of not weakening the ground on which the British repeal was urged."² That is, it would be awkward to have the British ministry find out that we were pressing France for a confirmation of that very revocation which we were

¹ See Jefferson's Works, vol. v. pp. 335, 337, 338, 339, 419, 442-445.

² Madison to Russell, Nov. 15, 1811. U. S. State Department MSS.

confidently asserting to them to be indisputable, and to require in good faith the withdrawal of their Orders. Respecting action taken under the so-called repeal, Russell had written on March 15, 1811, over three months after it was said to take effect, "By forbearing to condemn, or to acquit, distinctly and loyally, [the vessels seized since November 1], this Government encourages us to persevere in our non-importation against England, and England to persist in her orders against us. This state of things appears calculated to produce mutual complaint and irritation, and cannot probably be long continued without leading to a more serious contest, . . . which is perhaps an essential object of this country's policy."¹ July 15, he expressed regret to the Duke of Bassano, the French Minister of Foreign Affairs, that the proceedings concerning captured American vessels "had been so partial, and confined to cases which from their peculiar circumstances proved nothing conclusively in relation to the revocation of the French Edicts."²

Russell might have found some light as to the causes of these delays, could he have seen a note addressed by the Emperor to the Administration of Commerce, April 29. In this, renewing the reasoning of the Bayonne Decree, he argued that every American vessel which touched at an English port was liable to confiscation in the United States; consequently, could be seized by an American cruiser on the open sea; therefore, was equally open to seizure there by a French cruiser — the demand advanced by Canning³ which gave such just offence; and if by a French cruiser at sea, likewise in a French port by the French Government. She was in fact no longer American, not even a denationalized American, but an English vessel. Under this supposition, Napoleon lumi-

¹ Russell to Robert Smith, March 15, 1811. U. S. State Department MSS.

² Russell to the Secretary of State, July 15, 1811. Ibid.

³ Ante, p. 217.

nously inferred, "It could be said: The Decrees of Berlin and Milan are recalled as to the United States, but, as every ship which has stopped in England, or is destined thither, is a ship unacknowledged (*sans aveu*), which American laws punish and confiscate, she may be confiscated in France." The Emperor concluded that should this theory not be capable of substantiation, the matter might for the present be left obscure.¹ On September 13 the ships in question had not been liberated.

Coincidentally with his note to Bassano, Russell wrote to Monroe, "It is my conviction that the great object of their policy is to entangle us in a war with England. They therefore abstain from doing any act which would furnish clear and unequivocal testimony of the revocation of their decrees, lest it should induce the extinction of the British Orders, and thereby appease our irritation against their enemy. Hence, of all the captured vessels since November 1, the three which were liberated were precisely those which had not violated the Decrees."² Yet, such were the exigencies of the debate with England, those three cases were transmitted by him at the same time to the American *chargé* in London as evidence of the revocation.³ To the French Minister he wrote again, August 8, "After the declarations of M. de Champagny and yourself, I cannot permit myself to doubt the revocation; . . . but I may be allowed to lament that no fact has yet come to my knowledge of a character unequivocally and incontrovertibly to confirm that revocation." "That none of the captured vessels have been condemned, instead of proving the extinction of the edicts, appears rather to be evidence, at best, of a commutation of the

¹ Note dictée en conseil d'Administration du Commerce, April 29, 1811. Correspondance de Napoléon, vol. xxii. p. 144.

² Russell to Monroe, July 13, 1811. U. S. State Department MSS.

³ Russell to J. S. Smith, July 14, 1811. American State Papers, Foreign Relations, vol. iii. p. 447.

penalty from prompt confiscation to perpetual detention."¹ The matter was further complicated by an announcement of Napoleon to the Chamber of Commerce, in April of the same year, that the Berlin and Milan Decrees were the fundamental law of the Empire concerning neutral commerce, and that American ships would be repelled from French ports, unless the United States conformed to those decrees, by excluding British ships and merchandise.² Under such conditions, argument with a sceptical British ministry was attended with difficulties. The position to which the Government had become reduced, by endeavoring to play off France and Great Britain against each other, in order to avoid a war with either, was as perplexing as humiliating. "Great anxiety,"³ to which little sympathy can be extended, was felt in Washington as to the evidence for the actuality of the repeals.

The situation was finally cleared up by a clever move of the British Cabinet, forcing Napoleon's hand at a moment when the Orders in Council could with difficulty be maintained longer against popular discontent. On March 10, 1812, the French Minister of Foreign Affairs, in a report to the Senate, reiterated the demands of the Decrees, and asserted again that, until those demands were conceded by England, the Decrees must be enforced against Powers which permitted their flags to be denationalized. The position thus reaffirmed was emphasized by a requirement for a large increase of the army for this object. "It is necessary that all the disposable forces of France be available for sending everywhere where the English flag, and other flags, denationalized or convoyed by English ships of war, may seek to enter."⁴ No excep-

¹ Russell to Bassano, Aug. 8, 1811. U. S. State Department MSS.

² Russell to Robert Smith, April, 1811. Ibid.

³ Monroe to Russell, June 8, 1811. Ibid.

⁴ Reports of the Ministers of Foreign Relations and of War, March 10, 1812. *Moniteur*, March 16.

tions in favor of the United States being stated, the British ministry construed the omission as conclusive proof of the unqualified continuance of the Decrees;¹ and the occasion was taken to issue an Order in Council, defining the Government's position, both in the past and for the future. Quoting the French minister's Report, as removing all doubts of Napoleon's persistence in the maintenance of a system, "as inconsistent with neutral rights and independence as it was hostile to the maritime rights and commercial interests of Great Britain," the Prince Regent declared that, "if at any time thereafter the Berlin and Milan Decrees should be absolutely and unconditionally repealed, by some authentic act of the French Government, publicly promulgated, then the Orders in Council of January, 1807, and April, 1809, shall without any further order be, and the same are hereby declared from thenceforth to be, wholly and absolutely revoked."² No exception could be taken to the phrasing or form of this Order. The wording was precise and explicit; the time fixed was definite, — the date of the French Repeal; the manner of revocation was the same as that of promulgation, an Order in Council observant of all usual formalities.

In substance, this well-timed State Paper challenged Champagny's letter of August 5, 1810, and the American Non-Importation Act based upon it. Both these asserted the revocation of the French Decrees. The British Cabinet, seizing a happy opportunity, asked of the world the production of the revocation, or else the justification of its own course. The demand went far to silence the growing discontents at home, and to embarrass the American Government in the grounds upon which

¹ Russell to Monroe, April 19, 1812. U. S. State Department MSS.

² The copy of this Order in Council which the author is here using is in the *Naval Chronicle*, vol. xxvii. p. 466.

it had chosen to base its action. It was well calculated also to disconcert the Emperor, for, unless he did something more definite, dissension would increase in the United States, where, as Barlow wrote, "It is well known to the world, for our public documents are full of it, that great doubts exist, even among our best informed merchants, and in the halls of Congress itself, whether the Berlin and Milan Decrees are to this day repealed, or even modified, in regard to the United States." The sentence is taken from a letter¹ which he addressed to the French Minister of Foreign Affairs, May 1, 1812, when he had received the recent British Order. He pointed out how astutely this step was calculated to undo the effect of Champagny's letter, and to weaken the American Administration at the critical moment when it was known to be preparing for war. He urged that the French Government should now make and publish an authentic Act, declaring the Berlin and Milan Decrees, as relative to the United States, to have ceased in November, 1810. "Such an act is absolutely necessary to the American Government; and, though solicited as an accommodation, it may be demanded as a right. If it was the duty of France to cease to apply those Decrees to the United States, it is equally her duty to promulgate it to the world in as formal a manner as we have promulgated our law for the exclusion of British merchandise. She ought to declare and publish the non-application of these Decrees in the same forms in which she enacted the Decrees. The President has instructed me to propose and press this object."

At last the demand was made which should have been enforced eighteen months before. After sending the letter,

¹ This letter, which is given in a very mutilated form in the American State Papers, Foreign Relations, vol. iii. p. 602, has been published in full by the Bureau of Historical Research, Carnegie Institution, Washington. Report on the Diplomatic Archives of the Department of State, 1904, p. 64.

Barlow had "a pretty sharp conversation" with Bassano, in which he perceived a singular reluctance to answer his letter. At last the Duke placed before him a Decree, drawn up in due and customary form, dated a year before, — April 28, 1811, — declaring that "the Decrees of Berlin and Milan are definitively, and to date from the first day of November last, [1810], considered as not having existed in regard to American vessels."¹ This Decree, Bassano said, had been communicated to Russell, and also sent to Serrurier, the French minister at Washington, with orders to convey it to the American Government. Both Russell and Serrurier denied ever having received the paper.²

Barlow made no comment upon the strange manner in which this document was produced to him, and confined himself to inquiring if it had been published. The reply could only be, No; a singular admission with regard to a formal paper a year old, and of such importance to all concerned. He then asked that a copy might be sent him. Upon receipt, he at once hastened it to Russell in London, by the sloop of war "Wasp," then lying in a French port. He wrote, "You will doubtless render an essential service to both Great Britain and the United States by communicating it without loss of time to the Foreign Secretary. If by this the cause of war should be removed, there is an obvious reason for keeping the secret, if possible, so long as that the "Wasp" may not bring the news to this country in any other manner but in your despatch. This Government, as you must long have perceived, wishes not to see that effect produced; and I should not probably have obtained the letter and docu-

¹ American State Papers, Foreign Relations, vol. iii. p. 603.

² Barlow's interview with Bassano, and the letters exchanged, will be found in American State Papers, Foreign Relations, vol. iii. p. 602-603. Russell's denial is on p. 614. Serrurier's is mentioned in a Report made to the House by Monroe, Secretary of State, *ibid.*, p. 609.

ments from the Minister, if the Prince Regent's Declaration had not convinced this Government that the war was now become inevitable."¹

Russell transmitted the Decree to the British Foreign Secretary May 20, 1812. The Government was at the moment in confusion, through the assassination, May 11, of Mr. Perceval, the Prime Minister; who, though not esteemed of the first order of statesmanship by his contemporaries and colleagues, had been found in recent negotiations the only available man about whom a cabinet could unite. A period of suspense followed, in which the difficulty of forming a new government, owing to personal antagonisms, was complicated by radical differences as to public policy, especially in the cardinal point of pursuing or relinquishing the war in the peninsula. Not till near the middle of June was an arrangement reached. The same ministry, substantially, remained in power, with Lord Liverpool as premier; Castlereagh continuing as Foreign Secretary. This retained in office the party identified with the Orders in Council, and favoring armed support to the Spanish revolt.

The delay in settling the government afforded an excuse for postponing action upon the newly discovered French Decree. It permitted also time for reflection. Just before Perceval's death, Russell had noted a firm determination to maintain the Orders in Council, conditioned only by the late Declaration of April 21; but at the same time there was evident apprehension of the consequences of war with the United States.² This, he carefully explained, was due to no apprehension of American military power. Even Lord Grenville, one of the chief leaders of the Opposition, was satisfied that the United States could not conquer Canada. "We are, indeed, most miserably underrated

¹ Barlow to Russell, May 10, 1812. U. S. State Department MSS.

² Russell to Monroe, May 9, 1812. *Ibid.*
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in Europe." "It is not believed here, notwithstanding the spirited report of the Committee on Foreign Relations, that we shall resort to any definitive measures. We have indeed a reputation in Europe for saying so much and doing so little that we shall not be believed in earnest until we act in a manner not to be mistaken." "I am persuaded this Government has presumed much on our weakness and divisions, and that it continues to believe that we have not energy and union enough to make effective war. Nor is this confined to the ministry, but extends to the leaders of the Opposition." "Mr. Perceval is well known to calculate with confidence that even in case of war we shall be obliged to resort to a license trade for a supply of British manufactures." "He considers us incapable even of bearing the privations of a state of hostility with England, and much more incapable of becoming a formidable enemy." On March 3 Perceval in a debate in the House had indicated the most positive intentions of maintaining the Orders, and asserted that, in consequence of Napoleon's Decrees, Great Britain was no longer restrained by the law of nations in the extent or form of retaliation to which she may resort upon the enemy. "I cannot perceive the slightest indication of apprehension of a rupture with the United States, or any measure of preparation to meet such an event. Such is the conviction of our total inability to make war that the five or six thousand troops now in Canada are considered to be amply sufficient to protect that province against our mightiest efforts."¹ A revolution of sentiment was to be noted even in the minds of former advocates. Castlereagh, at a levee on March 12, said to Russell that the movements in the United States appeared to him to be nothing but party evolutions.

¹ The passages cited above are from Russell's correspondence with the State Department, under the dates of January 10, February 3 and 19, March 4 and 20, 1812. U. S. State Department MSS.

There was, however, another side to the question which occasioned more concern to the British ministry. "It is the increasing want of our intercourse," wrote Russell May 9, "rather than the apprehension of our arms which leads to a conciliatory spirit" which he had recently noticed. "They will endeavor to avoid the calamity of war with the United States by every means which can save their pride and their consistency. The scarcity of bread in this country, the distress of the manufacturing towns, and the absolute dependency of the allied troops in the Peninsula on our supplies, form a check on their conduct which they can scarcely have the hardihood to disregard."¹ Two days after these words were written, the murder of Perceval added political anarchy to the embarrassments of the Government. The crisis then impending was indeed momentous. War between France and Russia was certain. Upon its outcome depended the fall of the Continental System, or its prevalence over all Europe in an extent and with a rigor never yet reached. "Some of the Powers of Europe," said the Emperor, "have not fulfilled their promise with respect to the Continental System. I must force them to it." In carrying this message to the Senate, the Minister of Foreign Affairs said: "In whatever port of Europe a British ship can enter there must be a French garrison to prevent it;"² an interesting commentary upon the neutral regulations to which the United States professed that neither she nor Great Britain had any claim to object, because municipal. Great Britain had already touched ruin too nearly to think lightly of the conditions. By her Orders in Council she had so retorted Napoleon's Decrees as to induce him, in order still further to enforce them, into the Peninsular War,

¹ Russell to Monroe, May 9, 1812. U. S. State Department MSS.

² Barlow to Monroe, March 15, 1812. Ibid. Published by Bureau of Historical Research, Carnegie Institution, 1904, p. 63.

and now into that with Russia. To uphold the latter, her busy negotiators, profiting by his high-handedness, had obtained for the Czar peace with Sweden and Turkey. More completely to sustain him, it was essential to support in fullest effect the powerful diversion which retained three hundred thousand French troops in Spain. To do this, the assistance of American food supplies was imperative.

If peace with the United States could be maintained, the triumph of British diplomacy would be unqualified. The announcement of the alleged Decree of April 28, 1811, came therefore most opportunely to save their pride and self-consistency. On June 23 Castlereagh transmitted to Russell an Order in Council published that day, revoking as to the United States the celebrated Orders of January 7, 1807, and April 26, 1809. "I am to request you," ran his letter, "that you will acquaint your Government that the Prince Regent's ministers have taken *the earliest opportunity, after the resumption of the Government*, to advise his Royal Highness to the adoption of a measure grounded upon the document communicated by you to this office on the 20th ultimo;"¹ that is upon the Decree of April 28. No one affected to believe that this had been framed at the date it bore. "There was something so very much like fraud on the face of it," wrote Russell, "that in several conversations which I have since had with Lord Castlereagh, particularly at a dinner at the Lord Mayor's, when I was placed next his lordship, I have taken care not to commit the honor of my Government by attempting its vindication. When his lordship called it a strange proceeding, a new specimen of French diplomacy, a trick unworthy of a civilized government, I have merely replied that the motives or good faith of the Government which issued it, or the real time when it was

¹ American State Papers, Foreign Relations, vol. iii. p. 433. Author's italics.

issued, were of little importance as to the effect which it ought to have here; that it was sufficient that it contained a most precise and formal declaration that the Berlin and Milan Decrees were revoked, in relation to America, from November 1, 1810."¹

This was true; but the contention of the British Government had been that the system of the Decrees was one whole; that its effect upon America could not be dissociated from that upon continental neutral states, where it was enforced under the guise of municipal regulations; and that it must be revoked as a whole, in order to impose the repeal of the Orders in Council. This position had been reaffirmed in the recent Order of April 21. Opinion will therefore differ as to the ministry's success in escaping, under the cover of the new Decree, from the dilemma in which they were placed by the irresistible agitation against the Orders in Council spreading through the nation, and the necessity of avoiding war with the United States, if possible, because of the affairs of the Peninsula. They made the best of it by alleging, as it were, the spirit of the Order of April 21; the disposition "to take such measures as may tend to re-establish the intercourse between neutral and belligerent nations upon its accustomed principles." For this reason, while avowing explicitly that the tenor of the Decree did not meet the requirements of the late Order, the Orders in Council were revoked from August 1 next following; and vessels captured after May 20, the date of Russell's communicating the Decree, would be released. The ministry thus receded gracefully under compulsion; and for their own people at least saved their face.

Superficially the British diplomatic triumph for the moment seemed complete. They had withdrawn their head from the noose just as it began to tighten; and

¹ Russell to Monroe, June 30, 1812. U. S. State Department MSS.

they had done so not on any ground of stringent requirement, but with expressions of desire to go even farther than their just claims, in order to promote conciliation. Russell naturally felt a moment of bitter discomfiture. "In yielding, the ministers appear to have been extremely perplexed in seeking for a subterfuge for their credit. All their feelings and all their prejudices revolted at the idea of publicly bending to the Opposition, or truckling to the United States, and they were compelled to seize on the French Decree of April 28, 1811, as the only means of saving themselves from the degradation of acknowledging that they were vanquished. Without this decree they would have been obliged to yield, and I almost regret that it existed to furnish a salvo, miserable as it is, for their pride. Our victory, however, is still complete, and I trust that those who have refused to support our Government in the contest will at least be willing to allow it the honors of a triumph."¹

Russell wrote under the mistaken impression that the repeal of the Orders had come in time to save war; in which event the yielding of the British ministry, identified as it was with the Orders in Council, might be construed as a triumph for the system of peaceable coercion, by commercial restrictions, which formed the whole policy of Jefferson and Madison. The triumph claimed by him must be qualified, however, by the reflection that it was obtained at the expense of becoming the dupe of a French deception, on its face so obvious as to deprive mistake of the excuse of plausibility. The eagerness of the Government, and of its representatives abroad, for a diplomatic triumph, had precipitated them into a step for which, on the grounds taken, no justification existed; and they had since then been dragged at the wheels of Napoleon's chariot, in a constant dust of mystification, until he had

¹ Russell to Monroe, June 30, 1812. U. S. State Department MSS.

finally achieved the end of his scheming and landed them in a war for which they were utterly unprepared, and which it had been the chief object of commercial reprisals to avoid. Thus considered, the triumph was barren.

On June 1, 1812, President Madison sent to Congress a message,¹ reciting the long list of international wrongs endured at the hands of Great Britain, and recommending to the deliberations of Congress the question of peace or war. On June 4 the House of Representatives, by a vote of seventy-nine yeas to forty-nine nays, declared that a state of war existed between the United States and Great Britain. The bill then went to the Senate, where it was discussed, amended, and passed on June 17, by nineteen yeas to thirteen nays. The next day the House concurred in the Senate's amendments, and the bill thus passed received the President's signature immediately. The war thus began, formally, on June 18, 1812, five days before the repeal of the British Orders in Council.

While the Declaration of War was still under debate, the Secretary of War, Eustis, on June 8 reported to the Senate that of the ten thousand men authorized as a peace establishment, there were in service six thousand seven hundred and forty-four. He was unable to state what number had been enlisted of the twenty-five thousand regulars provided by the legislation of the current session; a singular exhibition of the efficiency of the Department. He had no hesitation, however, in expressing an unofficial opinion that there were five thousand of these recruits. It is scarce necessary to surmise what the condition of the army was likely to be, with James Wilkinson as the senior general officer of consecutive service, and with Dearborn, a man of sixty, and in civil life ever since the War of Independence, as the first major-general appointed under the new legislation. The navy had a noble

¹ American State Papers, Foreign Relations, vol. iii. p. 405.

and competent body of officers, in the prime of life, a large proportion of whom had seen instructive service in the Barbary conflict; but, as has been seen, Congress had no faith in a navy, and refused it any increase. In this distrust the Administration shared.

Mr. Monroe, indeed, probably through his residence abroad, had attained a juster view of the influence of a navy on foreign relations. He has already been quoted in this connection,¹ but in a letter to a friend, two years before 1812, he developed his opinions with some precision. "I gave my opinion that our naval force ought to be increased. In advising this, I urged that the naval force of the United States ought not to be regulated by reference to the navies of the Great Powers, but to the strength of the squadrons which they usually stationed in time of war on our coasts, at the mouths of great rivers, and in our harbors. I thought that such a force, incorporated permanently with our system, would give weight at all times to our negotiations, and by means thereof prevent wars and save money."² Monroe at this time was not in the Administration. Such a policy was diametrically opposed to that of Jefferson, Madison, and Gallatin; and when war came, ships had not been provided. Under the circumstances the disposition of the Government was to put the ships they had under a glass case.

"At the commencement of the war," wrote Monroe to Jefferson, "I was decidedly of your opinion, that the best disposition which could be made of our little navy would be to keep it in a body in a safe port, from which it might sally, only on some important occasion, to render essential service. Its safety, in itself, appeared an important object; as, while safe, it formed a check on the enemy in all operations along our coast, and increased

¹ Ante, p. 106.

² To John Taylor, Sept. 10, 1810. Works of James Monroe, vol. vi. p. 128.

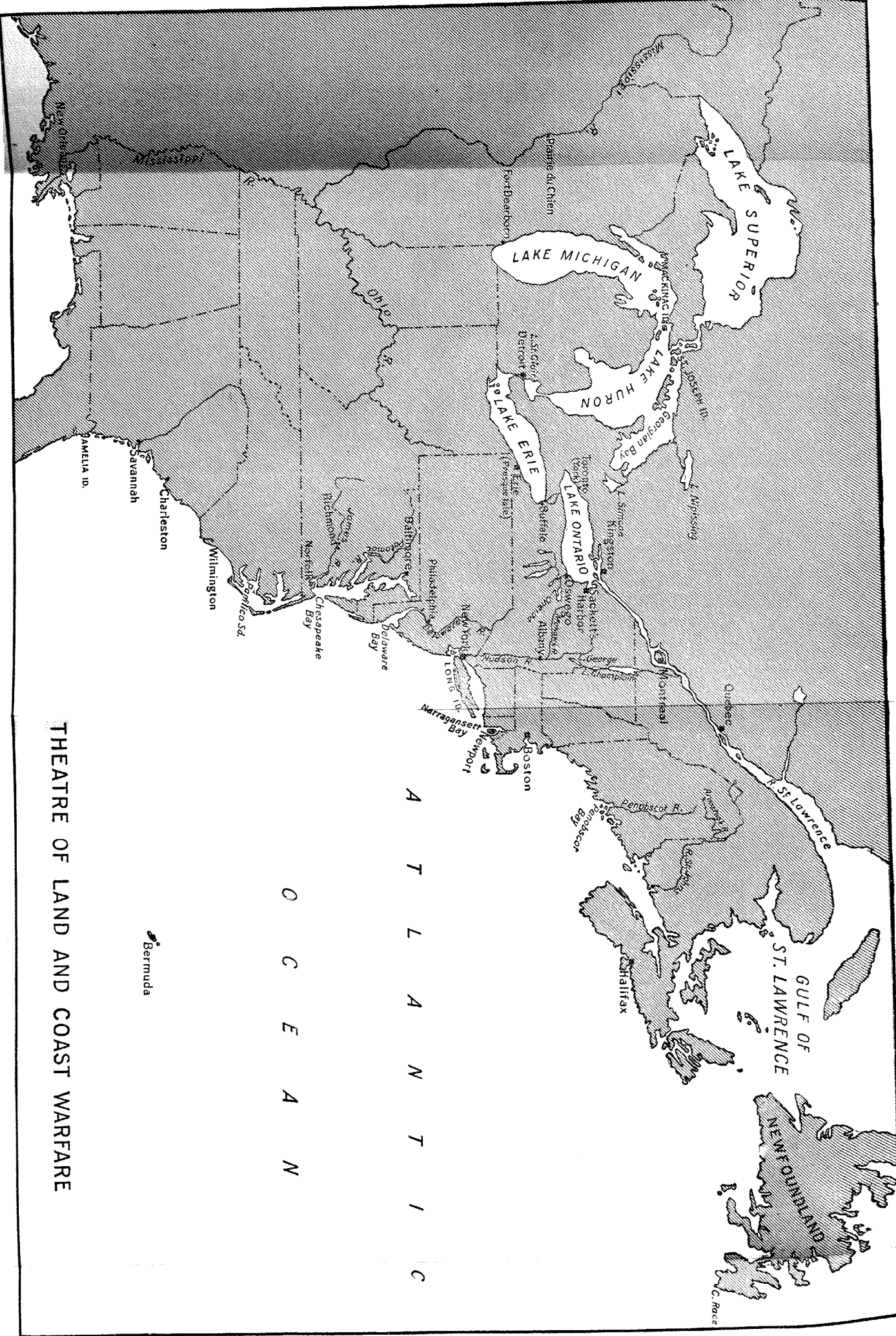
proportionately his expense, in the force to be kept up, as well to annoy our commerce as to protect his own. The reasoning against this, in which all naval officers have agreed, is that, if stationed together in a port, — New York, for example, — the British would immediately block up this, by a force rather superior, and then harass our coast and commerce, without restraint, and with any force, however small. In that case a single frigate might, by cruising along the coast, and menacing continually different parts, keep in motion great bodies of militia; that, while our frigates are at sea, the expectation that they may be met together will compel the British to keep in a body, whenever they institute a blockade or cruise, a force equal at least to our own whole force; that they, [the American vessels] being the best sailors, hazard little by cruising separately, or together occasionally, as they might bring on an action, or avoid one, as they saw fit; that in that measure they would annoy the enemy's commerce wherever they went, excite alarm in the West Indies and elsewhere, and even give protection to our own trade by drawing the enemy's squadron from our own coast. . . . The reasoning in favor of each plan is so nearly equal that it is hard to say which is best."¹ It is to be hoped that the sequel will show which was best, although little can be hoped when means, military and naval, have been allowed to waste as they had under the essentially un-military Administrations since 1801.

On November 25, 1811, seven months before the war began, the Secretary of the Treasury, Gallatin, communicated to the Senate a report on the State of the Finances,² in which he showed that since 1801, by economies which totally crippled the war power of the nation, the public debt had been diminished from \$80,000,000 to \$34,000,000,

¹ Monroe to Jefferson, *Monroe's Works*, vol. v. p. 268.

² *Annals of Congress*, 1811-12, p. 2046.

— a saving of \$46,000,000, which lessened the annual interest on the debt by \$2,000,000. A good financial showing, doubtless; but, had there been on hand the troops and the ships, which the saved money represented, the War of 1812 might have had an issue more satisfactory to national retrospect. Gallatin also showed, in this paper, that by the restrictive system, enforced against Great Britain in consequence of the Administration's decision that Napoleon's revocation of his Decrees was real, the revenue had dropped from \$12,000,000 to \$6,000,000; leaving the nation with a probable deficiency of \$2,000,000, on the estimate of a year of peace for 1812.



THEATRE OF LAND AND COAST WARFARE

A T L A N T I C
O C E A N

Bermuda

THE WAR

CHAPTER V

THE THEATRE OF OPERATIONS

WAR being now immediately at hand, it is advisable, for the better appreciation of the course of events, the more accurate estimate of their historical and military value, to consider the relative conditions of the two opponents, the probable seats of warlike operations, and the methods which it was open to either to pursue.

Invasion of the British Islands, or of any transmarine possession of Great Britain — save Canada — was denied to the United States by the immeasurable inferiority of her navy. To cross the sea in force was impossible, even for short distances. For this reason, land operations were limited to the North American Continent. This fact, conjoined with the strong traditional desire, received from the old French wars and cherished in the War of Independence, to incorporate the Canadian colonies with the Union, determined an aggressive policy by the United States on the northern frontier. This was indeed the only distinctively offensive operation available to her upon the land; consequently it was imposed by reasons of both political and military expediency. On the other hand, the sea was open to American armed ships, though under certain very obvious restrictions; that is to say, subject to the primary difficulty of evading blockades of the coast, and of escaping subsequent capture by the very great number of British

cruisers, which watched all seas where British commerce went and came, and most of the ports whence hostile ships might issue to prey upon it. The principal trammel which now rests upon the movements of vessels destined to cripple an enemy's commerce — the necessity to renew the motive power, coal, at frequent brief intervals — did not then exist. The wind, upon which motion depended, might at particular moments favor one of two antagonists relatively to the other; but in the long run it was substantially the same for all. In this respect all were on an equal footing; and the supply, if fickle at times, was practically inexhaustible. Barring accidents, vessels were able to keep the sea as long as their provisions and water lasted. This period may be reckoned as generally three months, while by watchful administration it might at times be protracted to six.

It is desirable to explain here what was, and is, the particular specific utility of operations directed toward the destruction of an enemy's commerce; what its bearing upon the issues of war; and how, also, it affects the relative interests of antagonists, unequally paired in the matter of sea power. Without attempting to determine precisely the relative importance of internal and external commerce, which varies with each country, and admitting that the length of transportation entails a distinct element of increased cost upon the articles transported, it is nevertheless safe to say that, to nations having free access to the sea, the export and import trade is a very large factor in national prosperity and comfort. At the very least, it increases by so much the aggregate of commercial transactions, while the ease and copiousness of water carriage go far to compensate for the increase of distance. Furthermore, the public revenue of maritime states is largely derived from duties on imports. Hence arises, therefore, a large source of wealth, of money; and money — ready money or

substantial credit — is proverbially the sinews of war, as the War of 1812 was amply to demonstrate. Inconvertible assets, as business men know, are a very inefficacious form of wealth in tight times ; and war is always a tight time for a country, a time in which its positive wealth, in the shape of every kind of produce, is of little use, unless by freedom of exchange it can be converted into cash for governmental expenses. To this sea-commerce greatly contributes, and the extreme embarrassment under which the United States as a nation labored in 1814 was mainly due to commercial exclusion from the sea. To attack the commerce of the enemy is therefore to cripple him, in the measure of success achieved, in the particular factor which is vital to the maintenance of war. Moreover, in the complicated conditions of mercantile activity no one branch can be seriously injured without involving others.

This may be called the financial and political effect of “commerce destroying,” as the modern phrase runs. In military effect, it is strictly analogous to the impairing of an enemy’s communications, of the line of supplies connecting an army with its base of operations, upon the maintenance of which the life of the army depends. Money, credit, is the life of war ; lessen it, and vigor flags ; destroy it, and resistance dies. No resource then remains except to “make war support war ;” that is, to make the vanquished pay the bills for the maintenance of the army which has crushed him, or which is proceeding to crush whatever opposition is left alive. This, by the extraction of private money, and of supplies for the use of his troops, from the country in which he was fighting, was the method of Napoleon, than whom no man held more delicate views concerning the gross impropriety of capturing private property at sea, whither his power did not extend. Yet this, in effect, is simply another method of forcing the enemy to surrender a large part of his means, so weakening him,

while transferring it to the victor for the better propagation of hostilities. The exaction of a pecuniary indemnity from the worsted party at the conclusion of a war, as is frequently done, differs from the seizure of property in transit afloat only in method, and as peace differs from war. In either case, money or money's worth is exacted ; but when peace supervenes, the method of collection is left to the Government of the country, in pursuance of its powers of taxation, to distribute the burden among the people ; whereas in war, the primary object being immediate injury to the enemy's fighting power, it is not only legitimate in principle, but particularly effective, to seek the disorganization of his financial system by a crushing attack upon one of its important factors, because effort thus is concentrated on a readily accessible, fundamental element of his general prosperity. That the loss falls directly on individuals, or a class, instead of upon the whole community, is but an incident of war, just as some men are killed and others not. Indirectly, but none the less surely, the whole community, and, what is more important, the organized government, are crippled ; offensive powers impaired.

But while this is the absolute tendency of war against commerce, common to all cases, the relative value varies greatly with the countries having recourse to it. It is a species of hostilities easily extemporized by a great maritime nation ; it therefore favors one whose policy is not to maintain a large naval establishment. It opens a field for a sea militia force, requiring little antecedent military training. Again, it is a logical military reply to commercial blockade, which is the most systematic, regularized, and extensive form of commerce-destruction known to war. Commercial blockade is not to be confounded with the military measure of confining a body of hostile ships of war to their harbor, by stationing before it a competent

force. It is directed against merchant vessels, and is not a military operation in the narrowest sense, in that it does not necessarily involve fighting, nor propose the capture of the blockaded harbor. It is not usually directed against military ports, unless these happen to be also centres of commerce. Its object, which was the paramount function of the United States Navy during the Civil War, dealing probably the most decisive blow inflicted upon the Confederacy, is the destruction of commerce by closing the ports of egress and ingress. Incidental to that, all ships, neutrals included, attempting to enter or depart, after public notification through customary channels, are captured and confiscated as remorselessly as could be done by the most greedy privateer. Thus constituted, the operation receives far wider scope than commerce-destruction on the high seas; for this is confined to merchantmen of belligerents, while commercial blockade, by universal consent, subjects to capture neutrals who attempt to infringe it, because, by attempting to defeat the efforts of one belligerent, they make themselves parties to the war.

In fact, commercial blockade, though most effective as a military measure in broad results, is so distinctly commerce-destructive in essence, that those who censure the one form must logically proceed to denounce the other. This, as has been seen,¹ Napoleon did; alleging in his Berlin Decree, in 1806, that war cannot be extended to any private property whatever, and that the right of blockade is restricted to *fortified* places, actually invested by competent forces. This he had the face to assert, at the very moment when he was compelling every vanquished state to extract, from the private means of its subjects, coin running up to hundreds of millions to replenish his military chest for further extension of hostilities. Had this dictum been accepted international law in 1861, the United States

¹ Ante, p. 144.

could not have closed the ports of the Confederacy, the commerce of which would have proceeded unmolested ; and hostile measures being consequently directed against men's persons instead of their trade, victory, if accomplished at all, would have cost three lives for every two actually lost.

It is apparent, immediately on statement, that against commerce-destruction by blockade, the recourse of the weaker maritime belligerent is commerce-destruction by cruisers on the high sea. Granting equal efficiency in the use of either measure, it is further plain that the latter is intrinsically far less efficacious. To cut off access to a city is much more certainly accomplished by holding the gates than by scouring the country in search of persons seeking to enter. Still, one can but do what one can. In 1861 to 1865, the Southern Confederacy, unable to shake off the death grip fastened on its throat, attempted counter-action by means of the "Alabama," "Sumter," and their less famous consorts, with what disastrous influence upon the navigation — the shipping — of the Union it is needless to insist. But while the shipping of the opposite belligerent was in this way not only crippled, but indirectly was swept from the seas, the Confederate cruisers, not being able to establish a blockade, could not prevent neutral vessels from carrying on the commerce of the Union. This consequently suffered no serious interruption ; whereas the produce of the South, its inconvertible wealth — cotton chiefly — was practically useless to sustain the financial system and credit of the people. So, in 1812 and the two years following, the United States flooded the seas with privateers, producing an effect upon British commerce which, though inconclusive singly, doubtless co-operated powerfully with other motives to dispose the enemy to liberal terms of peace. It was the reply, and the only possible reply, to the commercial blockade, the grinding efficacy of which it will be a principal object of these pages to depict. The issue to us has

been accurately characterized by Mr. Henry Adams, in the single word "Exhaustion."¹

Both parties to the War of 1812 being conspicuously maritime in disposition and occupation, while separated by three thousand miles of ocean, the sea and its navigable approaches became necessarily the most extensive scene of operations. There being between them great inequality of organized naval strength and of pecuniary resources, they inevitably resorted, according to their respective force, to one or the other form of maritime hostilities against commerce which have been indicated. To this procedure combats on the high seas were merely incidental. Tradition, professional pride, and the combative spirit inherent in both peoples, compelled fighting when armed vessels of nearly equal strength met; but such contests, though wholly laudable from the naval standpoint, which under ordinary circumstances cannot afford to encourage retreat from an equal foe, were indecisive of general results, however meritorious in particular execution. They had no effect upon the issue, except so far as they inspired moral enthusiasm and confidence. Still more, in the sequel they have had a distinctly injurious effect upon national opinion in the United States. In the brilliant exhibition of enterprise, professional skill, and usual success, by its naval officers and seamen, the country has forgotten the precedent neglect of several administrations to constitute the navy as strong in proportion to the means of the country as it was excellent through the spirit and acquirements of its officers. Sight also has been lost of the actual conditions of repression, confinement, and isolation, enforced upon the maritime frontier during the greater part of the war, with the misery and mortification thence ensuing. It has been widely inferred that the maritime conditions in general were highly flattering to national pride, and that

¹ Adams, *History of the United States*, vol. viii. chap. viii.

a future emergency could be confronted with the same supposed facility, and as little preparation, as the odds of 1812 are believed to have been encountered and overcome. This mental impression, this picture, is false throughout, alike in its grouping of incidents, in its disregard of proportion, and in its ignoring of facts. The truth of this assertion will appear in due course of this narrative, and it will be seen that, although relieved by many brilliant incidents, indicative of the real spirit and capacity of the nation, the record upon the whole is one of gloom, disaster, and governmental incompetence, resulting from lack of national preparation, due to the obstinate and blind prepossessions of the Government, and, in part, of the people.

This was so even upon the water, despite the great names — for great they were in measure of their opportunities — of Decatur, Hull, Perry, Macdonough, Morris, and a dozen others. On shore things were far worse; for while upon the water the country had as leaders men still in the young prime of life, who were both seamen and officers, — none of those just named were then over forty, — the army at the beginning had only elderly men, who, if they ever had been soldiers in any truer sense than young fighting men, — soldiers by training and understanding, — had long since disacquired whatever knowledge and habit of the profession they had gained in the War of Independence, then more than thirty years past. “As far as American movements are concerned,” said one of Wellington’s trusted officers, sent to report upon the subject of Canadian defence, “the campaign of 1812 is almost beneath criticism.”¹ Instructed American opinion must sorrowfully admit the truth of the comment. That of 1813 was not much better, although some younger men — Brown, Scott, Gaines, Macomb, Ripley — were beginning to show their mettle, and there had by then been placed at the head of the War Department a

¹ Sir J. Carmichael Smyth, *Précis of Wars in Canada*, p. 116.

secretary who at least possessed a reasoned understanding of the principles of warfare. With every material military advantage, save the vital one of adequate preparation, it was found too late to prepare when war was already at hand; and after the old inefficients had been given a chance to demonstrate their incapacity, it was too late to utilize the young men.

Jefferson, with curious insanity of optimism, had once written, "We begin to broach the idea that we consider the whole Gulf Stream as of our waters, within which hostilities and cruising are to be frowned on for the present, and prohibited as soon as either consent or force will permit;"¹ while at the same time, under an unbroken succession of maritime humiliations, he of purpose neglected all naval preparation save that of two hundred gunboats, which could not venture out of sight of land without putting their guns in the hold. With like blindness to the conditions to which his administration had reduced the nation, he now wrote: "The acquisition of Canada this year [1812], as far as the neighborhood of Quebec, will be a mere matter of marching."² This would scarcely have been a misappreciation, had his care for the army and that of his successor given the country in 1812 an effective force of fifteen thousand regulars. Great Britain had but forty-five hundred in all Canada,³ from Quebec to St. Joseph's, near Mackinac; and the American resources in militia were to hers as ten to one. But Jefferson and Madison, with their Secretary of the Treasury, had reduced the national debt between 1801 and 1812 from \$80,000,000 to \$45,000,000,

¹ To Monroe, May 4, 1806. Jefferson's Writings, Collected and Edited by P. L. Ford, vol. viii. p. 450.

² Ibid., vol. vi. p. 75.

³ Kingsford's History of Canada, vol. viii. p. 183. The author is indebted to Major General Sir F. Maurice, and Major G. Le M. Gretton, of the British Army, for extracts from the official records, from which it appears that, excluding provincial corps, not to be accounted regulars, the British troops in Canada numbered in January, 1812, 3,952; in July, 5,004.

concerning which a Virginia Senator remarked: "This difference has never been felt by society. It has produced no effect upon the common intercourse among men. For my part, I should never have known of the reduction but for the annual Treasury Report."¹ Something was learned about it, however, in the first year of the war, and the interest upon the savings was received at Detroit, on the Niagara frontier, in the Chesapeake and the Delaware.

The War of 1812 was very unpopular in certain sections of the United States and with certain parts of the community. By these, particular fault was found with the invasion of Canada. "You have declared war, it was said, for two principal alleged reasons: one, the general policy of the British Government, formulated in the successive Orders in Council, to the unjustifiable injury and violation of American commerce; the other, the impressment of seamen from American merchant ships. What have Canada and the Canadians to do with either? If war you must, carry on your war upon the ocean, the scene of your avowed wrongs, and the seat of your adversary's prosperity, and do not embroil these innocent regions and people in the common ruin which, without adequate cause, you are bringing upon your own countrymen, and upon the only nation that now upholds the freedom of mankind against that oppressor of our race, that incarnation of all despotism — Napoleon." So, not without some alloy of self-interest, the question presented itself to New England, and so New England presented it to the Government and the Southern part of the Union; partly as a matter of honest conviction, partly as an incident of the factiousness inherent in all political opposition, which makes a point wherever it can.

Logically, there may at first appear some reason in these arguments. We are bound to believe so, for we cannot

¹ Giles, *Annals of Congress*, 1811-12, p. 51.

entirely impeach the candor of our ancestors, who doubtless advanced them with some degree of conviction. The answer, of course, is, that when two nations go to war, all the citizens of one become internationally the enemies of the other. This is the accepted principle of International Law, a residuum of the concentrated wisdom of many generations of international legists. When war takes the place of peace, it annihilates all natural and conventional rights, all treaties and compacts, except those which appertain to the state of war itself. The warfare of modern civilization assures many rights to an enemy, by custom, by precedent, by compact; many treaties bear express stipulations that, should war arise between the parties, such and such methods of warfare are barred; but all these are merely guaranteed exceptions to the general rule that every individual of each nation is the enemy of those of the opposing belligerent.

Canada and the Canadians, being British subjects, became therefore, however involuntarily, the enemies of the United States, when the latter decided that the injuries received from Great Britain compelled recourse to the sword. Moreover, war, once determined, must be waged on the principles of war; and whatever greed of annexation may have entered into the motives of the Administration of the day, there can be no question that politically and militarily, as a war measure, the invasion of Canada was not only justifiable but imperative. "In case of war," wrote the United States Secretary of State, Monroe, a very few days¹ before the declaration, "it might be necessary to invade Canada; not as an object of the war, but as a means to bring it to a satisfactory conclusion." War now is never waged for the sake of mere fighting, simply to see who is the better at killing people. The warfare of civilized nations is for the purpose of accomplishing an object, ob-

¹ June 13, 1812. Works of James Monroe, vol. v. p. 207.

taining a concession of alleged right from an enemy who has proved implacable to argument. He is to be made to yield to force what he has refused to reason; and to do that, hold is laid upon what is his, either by taking actual possession, or by preventing his utilizing what he still may retain. An attachment is issued, so to say, or an injunction laid, according to circumstances; as men in law do to enforce payment of a debt, or abatement of an injury. If, in the attempt to do this, the other nation resists, as it probably will, then fighting ensues; but that fighting is only an incident of war. War, in substance, though not perhaps in form, began when the one nation resorted to force, quite irrespective of the resistance of the other.

Canada, conquered by the United States, would therefore have been a piece of British property attached; either in compensation for claims, or as an asset in the bargaining which precedes a treaty of peace. Its retention even, as a permanent possession, would have been justified by the law of war, if the military situation supported that course. This is a political consideration; militarily, the reasons were even stronger. To Americans the War of 1812 has worn the appearance of a maritime contest. This is both natural and just; for, as a matter of fact, not only were the maritime operations more pleasing to retrospect, but they also were as a whole, and on both sides, far more efficient, far more virile, than those on land. Under the relative conditions of the parties, however, it ought to have been a land war, because of the vastly superior advantages on shore possessed by the party declaring war; and such it would have been, doubtless, but for the amazing incompetency of most of the army leaders on both sides, after the fall of the British general, Brock, almost at the opening of hostilities. This incompetency, on the part of the United States, is directly attributable to the policy of Jefferson and Madison; for had proper attention and develop-

ment been given to the army between 1801 and 1812, it could scarcely have failed that some indication of men's fitness or unfitness would have preceded and obviated the lamentable experience of the first two years, when every opportunity was favorable, only to be thrown away from lack of leadership. That even the defects of preparation, extreme and culpable as these were, could have been overcome, is evidenced by the history of the Lakes. The Governor General, Prevost, reported to the home government in July and August, 1812, that the British still had the naval superiority on Erie and Ontario;¹ but this condition was reversed by the energy and capacity of the American commanders, Chauncey, Perry, and Macdonough, utilizing the undeniable superiority in available resources — mechanics and transportation — which their territory had over the Canadian, not for naval warfare only, but for land as well.

The general considerations that have been advanced are sufficient to indicate what should have been the general plan of the war on the part of the United States. Every war must be aggressive, or, to use the technical term, offensive, in military character; for unless you injure the enemy, if you confine yourself, as some of the grumblers of that day would have it, to simple defence against his efforts, obviously he has no inducement to yield your contention. Incidentally, however, vital interests must be defended, otherwise the power of offence falls with them. Every war, therefore, has both a defensive and an offensive side, and in an effective plan of campaign each must receive due attention. Now, in 1812, so far as general natural conditions went, the United States was relatively weak on the sea frontier, and strong on the side of Canada. The seaboard might, indeed, in the preceding ten years, have been given a development of force, by the creation of an adequate navy,

¹ Prevost to Liverpool, July 15, 1812. Canadian Archives, Q. 118.

which would have prevented war, by the obvious danger to British interests involved in hostilities. But this had not been done; and Jefferson, by his gunboat policy, building some two hundred of those vessels, worthless unless under cover of the land, proclaimed by act as by voice his adherence to a bare defensive. The sea frontier, therefore, became mainly a line of defence, the utility of which primarily was, or should have been, to maintain communication with the outside world; to support commerce, which in turn should sustain the financial potency that determines the issues of war.

The truth of this observation is shown by one single fact, which will receive recurrent mention from time to time in the narrative. Owing partly to the necessities of the British Government, and partly as a matter of favor extended to the New England States, on account of their antagonism to the war, the commercial blockade of the coast was for a long time — until April 25, 1814 — limited to the part between Narragansett Bay and the boundary of Florida, then a Spanish colony. During this period, which Madison angrily called one of “invidious discrimination between different parts of the United States,” New England was left open to neutral commerce, which the British, to supply their own wants, further encouraged by a system of licenses, exempting from capture the vessels engaged, even though American. Owing largely to this, though partly to the local development of manufactures caused by the previous policy of restriction upon foreign trade, which had diverted New England from maritime commerce to manufactures, that section became the distributing centre of the Union. In consequence, the remainder of the country was practically drained of specie, which set to the northward and eastward, the surplusage above strictly local needs finding its way to Canada, to ease the very severe necessities of the British military authorities there; for Great

Britain, maintaining her own armies in the Spanish peninsula, and supporting in part the alliance against Napoleon on the Continent, could spare no coin to Canada. It could not go far south, because the coasting trade was destroyed by the enemy's fleets, and the South could not send forward its produce by land to obtain money in return. The deposits in Massachusetts banks increased from \$2,671,619, in 1810, to \$8,875,589, in 1814; while in the same years the specie held was respectively \$1,561,034 and \$6,393,718.¹

It was a day of small things, relatively to present gigantic commercial enterprises; but an accumulation of cash in one quarter, coinciding with penury in another, proves defect in circulation consequent upon embarrassed communications. That flour in Boston sold for \$12.00 the barrel, while at Baltimore and Richmond it stood at \$6.50 and \$4.50, tells the same tale of congestion and deficiency, due to interruption of water communication; the whole proving that, under the conditions of 1812, as the United States Government had allowed them to become, through failure to foster a navy by which alone coast defence in the true sense can be effected, the coast frontier was essentially the weak point. There Great Britain could put forth her enormous naval strength with the most sensible and widespread injury to American national power, as represented in the financial stability which constitutes the sinews of war. Men enough could be had; there were one hundred thousand registered seamen belonging to the country; but in the preceding ten years the frigate force had decreased from thirteen of that nominal rate to nine, while the only additions to the service, except gunboats, were two sloops of war, two brigs, and four schooners. The construction of ships of the line, for six of which provision had been made under the administration which expired in 1801, was aban-

¹ Niles' Register, vol. vii. p. 195.

doned immediately by its successor. There was no navy for defence.

Small vessels, under which denomination most frigates should be included, have their appropriate uses in a naval establishment, but in themselves are inadequate to the defence of a coast-line, in the true sense of the word "defence." It is one of the first elements of intelligent warfare that true defence consists in imposing upon the enemy a wholesome fear of yourself. "The best protection against the enemy's fire," said Farragut, "is a rapid fire from our own guns." "No scheme of defence," said Napoleon, "can be considered efficient that does not provide the means of attacking the enemy at an opportune moment. In the defence of a river, for instance," he continues, "you must not only be able to withstand its passage by the enemy, but must keep in your own hands means of crossing, so as to attack him, when occasion either offers, or can be contrived." In short, you must command either a bridge or a ford, and have a disposable force ready to utilize it by attack. The fact of such preparation fetters every movement of the enemy.

At its very outbreak the War of 1812 gave an illustration of the working of this principle. Tiny as was the United States Navy, the opening of hostilities found it concentrated in a body of several frigates, with one or two sloops of war, which put to sea together. The energies of Great Britain being then concentrated upon the navy of Napoleon, her available force at Halifax and Bermuda was small, and the frigates, of which it was almost wholly composed, were compelled to keep together; for, if they attempted to scatter, in order to watch several commercial ports, they were exposed to capture singly by this relatively numerous body of American cruisers. The narrow escape of the frigate "Constitution" from the British squadron at this moment, on her way from the Chesapeake to

New York, which port she was unable to gain, exemplifies precisely the risk of dispersion that the British frigates did not dare to face while their enemy was believed to be at hand in concentrated force. They being compelled thus to remain together, the ports were left open; and the American merchant ships, of which a great number were then abroad, returned with comparative impunity, though certainly not entirely without losses.

This actual experience illustrates exactly the principle of coast defence by the power having relatively the weaker navy. It cannot, indeed, drive away a body numerically much stronger; but, if itself respectable in force, it can compel the enemy to keep united. Thereby is minimized the injury caused to a coast-line by the dispersion of the enemy's force along it in security, such as was subsequently acquired by the British in 1813-14, and by the United States Navy during the Civil War. The enemy's fears defend the coast, and protect the nation, by securing the principal benefit of the coast-line — coastwise and maritime trade, and the revenue thence proceeding. In order, however, to maintain this imposing attitude, the defending state must hold ready a concentrated force, of such size that the enemy cannot safely divide his own — a force, for instance, such as that estimated by Gouverneur Morris, twenty years before 1812.¹ The defendant fleet, further, must be able to put to sea at a moment inconvenient to the enemy; must have the bridge or ford Napoleon required for his army. Such the United States had in her seaports, which with moderate protection could keep an enemy at a distance, and from which escape was possible under conditions exceedingly dangerous for the detached hostile divisions; but although possessing these bridge heads leading to the scene of ocean war, no force to issue from them existed. In those eleven precious years during which

¹ Ante, p. 71.

Great Britain by American official returns had captured 917 American ships,¹ a large proportion of them in defiance of International Law, as was claimed, and had impressed from American vessels 6,257 seamen,² asserted to be mostly American citizens, the United States had built two sloops of 18 guns, and two brigs of 16; and out of twelve frigates had permitted three to rot at their moorings. To build ships of the line had not even been attempted. Consequently, except when weather drove them off, puny divisions of British ships gripped each commercial port by the throat with perfect safety; and those weather occasions, which constitute the opportunity of the defendant sea power, could not be improved by military action.

Such in general was the condition of the sea frontier, thrown inevitably upon the defensive. With the passing comment that, had it been defended as suggested, Great Britain would never have forced the war, let us now consider conditions on the Canadian line, where circumstances eminently favored the offensive by the United States; for this war should not be regarded simply as a land war or a naval war, nor yet as a war of offence and again one of defence, but as being continuously and at all times both offensive and defensive, both land and sea, in reciprocal influence.

Disregarding as militarily unimportant the artificial boundary dividing Canada from New York, Vermont, and the eastern parts of the Union, the frontier separating the land positions of the two belligerents was the Great Lakes and the river St. Lawrence. This presented certain characteristic and unusual features. That it was a water

¹ American State Papers, Foreign Relations, vol. iii. p. 584.

² Niles' Register, vol. ii. p. 119. "Official Returns in the Department of State" are alleged as authority for the statement. Monroe to Foster, May 30, 1812, mentions "a list in this office of several thousand American seamen who have been impressed into the British service." American State Papers, Foreign Relations, vol. iii. p. 454.

line was a condition not uncommon; but it was exceptionally marked by those broad expanses which constitute inland seas of great size and depth, navigable by vessels of the largest sea-going dimensions. This water system, being continuous and in continual progress, is best conceived by applying to the whole, from Lake Superior to the ocean, the name of the great river, the St. Lawrence, which on the one hand unites it to the sea, and on the other divides the inner waters from the outer by a barrier of rapids, impassable to ships that otherwise could navigate freely both lakes and ocean.

The importance of the lakes to military operations must always be great, but it was much enhanced in 1812 by the undeveloped condition of land communications. With the roads in the state they then were, the movement of men, and still more of supplies, was vastly more rapid by water than by land. Except in winter, when iron-bound snow covered the ground, the routes of Upper Canada were well-nigh impassable; in spring and in autumn rains, wholly so to heavy vehicles. The mail from Montreal to York, — now Toronto, — three hundred miles, took a month in transit.¹ In October, 1814, when the war was virtually over, the British General at Niagara lamented to the Commander-in-Chief that, owing to the refusal of the navy to carry troops, an important detachment was left “to struggle through the dreadful roads from Kingston to York.”² “Should reinforcements and provisions not arrive, the naval commander would,” in his opinion, “have much to answer for.”³ The Commander-in-Chief himself wrote: “The command of the lakes enables the enemy to perform in two days what it takes the troops from Kingston

¹ Kingsford's History of Canada, vol. viii, p. 111.

² Drummond to Prevost, Oct. 20, 1814. Report on Canadian Archives, 1896, Upper Canada, p. 9.

³ Ibid., Oct. 15.

sixteen to twenty days of severe marching. Their men arrive fresh; ours fatigued, and with exhausted equipment. The distance from Kingston to the Niagara frontier exceeds two hundred and fifty miles, and part of the way is impracticable for supplies."¹ On the United States side, road conditions were similar but much less disadvantageous. The water route by Ontario was greatly preferred as a means of transportation, and in parts and at certain seasons was indispensable. Stores for Sackett's Harbor, for instance, had in early summer to be brought to Oswego, and thence coasted along to their destination, in security or in peril, according to the momentary predominance of one party or the other on the lake. In like manner, it was more convenient to move between the Niagara frontier and the east end of the lake by water; but in case of necessity, men could march. An English traveller in 1818 says: "I accomplished the journey from Albany to Buffalo in October in six days with ease and comfort, whereas in May it took ten of great difficulty and distress."² In the farther West the American armies, though much impeded, advanced securely through Ohio and Indiana to the shores of Lake Erie, and there maintained themselves in supplies sent over-country; whereas the British at the western end of the lake, opposite Detroit, depended wholly upon the water, although no hostile force threatened the land line between them and Ontario. The battle of Lake Erie, so disastrous to their cause, was forced upon them purely by failure of food, owing to the appearance of Perry's squadron.

From Lake Superior to the head of the first rapid of the St. Lawrence, therefore, the control of the water was the decisive factor in the general military situation. Both on

¹ Prevost to Bathurst, Aug. 14, 1814. Report on Canadian Archives, 1896, Lower Canada, p. 36.

² Travels, J. M. Duncan, vol. ii. p. 27.

the upper lakes, where water communication from Sault Sainte Marie to Niagara was unbroken, and on Ontario, separated from the others by the falls of Niagara, the British had at the outset a slight superiority, but not beyond the power of the United States to overtake and outpass. Throughout the rapids, to Montreal, military conditions resembled those which confront a general charged with the passage of any great river. If undertaken at all, such an enterprise requires the deceiving of the opponent as to the place and time when the attempt will be made, the careful provision of means and disposition of men for instant execution, and finally the prompt and decisive seizure of opportunity, to transfer and secure on the opposite shore a small body, capable of maintaining itself until the bulk of the army can cross to its support. Nothing of the sort was attempted here, or needed to be undertaken in this war. Naval superiority determined the ability to cross above the rapids, and there was no occasion to consider the question of crossing between them. Immediately below the last lay Montreal, accessible to sea-going vessels from the ocean. To that point, therefore, the sea power of Great Britain reached, and there it ended.

The United States Government was conscious of its great potential superiority over Canada, in men and in available resources. So evident, indeed, was the disparity, that the prevalent feeling was not one of reasonable self-reliance, but of vainglorious self-confidence; of dependence upon mere bulk and weight to crush an opponent, quite irrespective of preparation or skill, and disregardful of the factor of military efficiency. Jefferson's words have already been quoted. Calhoun, then a youthful member of Congress, and a foremost advocate of the war, said in March, 1812: "So far from being unprepared, Sir, I believe that in four weeks from the time a declaration of war is heard on our frontier, the whole of Upper Canada" — half-

way down the St. Lawrence — “and a part of Lower Canada will be in our power.” This tone was general in Congress; Henry Clay spoke to the same effect. Granting due preparation, such might indeed readily have been the result of a well-designed, active, offensive campaign. Little hope of any other result was held by the British local officials, and what little they had was based upon the known want of military efficiency in the United States. Brock, by far the ablest among them, in February declared his “full conviction that unless Detroit and Michilimackinac be both in our possession at the commencement of hostilities, not only Amherstburg” — on the Detroit River, a little below Detroit — “but most probably the whole country, must be evacuated as far as Kingston.”¹ This place is at the foot of Ontario, close to the entrance to the St. Lawrence. Having a good and defensible harbor, it had been selected for the naval station of the lake. If successful in holding it, there would be a base of operations for attempting recovery of the water, and ultimately of the upper country. Failing there, of course the British must fall back upon the sea, touch with which they would regain at Montreal, resting there upon the navy of their nation; just as Wellington, by the same dependence, had maintained himself at Lisbon unshaken by the whole power of Napoleon.

There was, however, no certainty that the Lisbon of Canada would be found at Montreal. Though secure on the water side, there were there no lines of Torres Vedras; and it was well within the fears of the governors of Canada that under energetic attack their forces would not be able to make a stand short of Quebec, against the overwhelming numbers which might be brought against them. In December, 1807, Governor General Craig, a soldier of tried experience and reputation, had written: “Defective as it is, Quebec is the only post that can be considered ten-

¹ Life of Sir Isaac Brock, p. 127.

able for a moment. If the Americans should turn their attention to Lower Canada, which is most probable, I have no hopes that the forces here can accomplish more than to check them for a short time. They will eventually be compelled to take refuge in Quebec, and operations must terminate in a siege."¹ Consequent upon this report of a most competent officer, much had been done to strengthen the works; but pressed by the drain of the Peninsular War, heaviest in the years 1809 to 1812, when France elsewhere was at peace, little in the way of troops had been sent. As late as November 16, 1812, the Secretary for War, in London, notified Governor General Prevost that as yet he could give no hopes of reinforcements.² Napoleon had begun his retreat from Moscow three weeks before, but the full effects of the impending disaster were not yet forecast. Another three weeks, and the Secretary wrote that a moderate detachment would be sent to Bermuda, to await there the opening of the St. Lawrence in the spring.³ But already the United States had lost Mackinac and Detroit, and Canada had gained time to breathe.

Brock's remark, expanded as has here been done, defines the decisive military points upon the long frontier from Lake Superior to Montreal. Mackinac, Detroit, Kingston, Montreal — these four places, together with adequate development of naval strength on the lakes — constituted the essential elements of the military situation at the opening of hostilities. Why? Mackinac and Detroit because, being situated upon extremely narrow parts of the vital chain of water communication, their possession controlled decisively all transit. Held in force, they commanded the one great and feasible access to the northwestern country. Upon them turned, therefore, the movement of what was then its chief industry, the fur trade; but more important

¹ Report on Canadian Archives, 1893, Lower Canada, p. 1.

² Ibid., p. 75.

³ Ibid.

still, the tenure of those points so affected the interests of the Indians of that region as to throw them necessarily on the side of the party in possession. It is difficult for us to realize how heavily this consideration weighed at that day with both nations, but especially with the British; because, besides being locally the weaker, they knew that under existing conditions in Europe — Napoleon still in the height of his power, never yet vanquished, and about to undertake the invasion of Russia — they had nothing to hope from the mother country. Yet the leaders, largely professional soldiers, faced the situation with soldierly instinct. "If we could destroy the American posts at Detroit and Michilimackinac," wrote Lieutenant-Governor Gore of Upper Canada, to Craig, in 1808, "many Indians would declare for us;" and he agrees with Craig that, "if not for us, they will surely be against us."¹

It was Gore's successor, Brock, that wrested from the Americans at once the two places named, with the effect upon the Indians which had been anticipated. The dependence of these upon this water-line communication was greatly increased by various punitive expeditions by the United States troops in the Northwest, under General Harrison, in the autumn and winter of 1812-13. To secure further the safety of the whites in the outer settlements, the villages and corn of the hostile natives were laid waste for a considerable surrounding distance.² They were thus forced to remove, and to seek shelter in the Northwest. This increase of population in that quarter, relatively to a store of food never too abundant, made it the more urgent for them to remain friends of those with whom it rested to permit the water traffic, by which supplies could come forward and the exchange of commodities go on. The fall of Michilimackinac, therefore, determined

¹ Report on Canadian Archives, 1893, Lower Canada, p. 3.

² Brackenridge, War of 1812, pp. 57, 63, 65, 66.

their side, to which the existing British naval command of the upper lakes also contributed; and these causes were alleged by Hull in justification of his surrender at Detroit, which completed and secured the enemy's grip throughout the Northwestern frontier. This accession of strength to the British was not without very serious drawbacks. Shortly before the battle of Lake Erie the British commissaries were feeding fourteen thousand Indians — men, women, and children. What proportion of these were warriors it is hard to say, and harder still how many could be counted on to take the field when wanted; but it is probable that the exhaustion of supplies due to this cause more than compensated for any service received from them in war. When Barclay sailed to fight Perry, there remained in store but one day's flour, and the crews of his ships had been for some days on half allowance of many articles.

The opinion of competent soldiers on the spot, such as Craig and Brock, in full possession of all the contemporary facts, may be accepted explicitly as confirming the inferences which in any event might have been drawn from the natural features of the situation. Upon Mackinac and Detroit depended the control and quiet of the Northwestern country, because they commanded vital points on its line of communication. Upon Kingston and Montreal, by their position and intrinsic advantages, rested the communication of all Canada, along and above the St. Lawrence, with the sea power of Great Britain, whence alone could be drawn the constant support without which ultimate defeat should have been inevitable. Naval power, sustained upon the Great Lakes, controlled the great line of communication between the East and West, and also conferred upon the party possessing it the strategic advantage of interior lines; that is, of shorter distances, both in length and time, to move from point to point of the lake shores, close to which

lay the scenes of operations. It followed that Detroit and Michilimackinac, being at the beginning in the possession of the United States, should have been fortified, garrisoned, provisioned, in readiness for siege, and placed in close communication with home, as soon as war was seen to be imminent, which it was in December, 1811, at latest. Having in that quarter everything to lose, and comparatively little to gain, the country was thrown on the defensive. On the east the possession of Montreal or Kingston would cut off all Canada above from support by the sea, which would be equivalent to insuring its fall. "I shall continue to exert myself to the utmost to overcome every difficulty," wrote Brock, who gave such emphatic proof of energetic and sagacious exertion in his subsequent course. "Should, however, the communication between Montreal and Kingston be cut off, the fate of the troops in this part of the province will be decided."¹ "The Montreal frontier," said the officer selected by the Duke of Wellington to report on the defences of Canada, "is the most important, and at present [1826] confessedly most vulnerable and accessible part of Canada."² There, then, was the direction for offensive operations by the United States; preferably against Montreal, for, if successful, a much larger region would be isolated and reduced. Montreal gone, Kingston could receive no help from without; and, even if capable of temporary resistance, its surrender would be but a question of time. Coincidentally with this military advance, naval development for the control of the lakes should have proceeded, as a discreet precaution; although, after the fall of Kingston and Montreal, there could have been little use of an inland navy, for the British local resources would then have been inadequate to maintain an opposing force.

Considered apart from the question of military readiness,

¹ Life of Brock, p. 193.

² Smyth, Précis of the Wars in Canada, p. 167.

in which the United States was so lamentably deficient, the natural advantages in her possession for the invasion of Canada were very great. The Hudson River, Lake George, and Lake Champlain furnished a line of water communication, for men and supplies, from the very heart of the resources of the country, centring about New York. This was not indeed continuous; but it was consecutive, and well developed. Almost the whole of it lay within United States territory; and when the boundary line on Champlain was reached, Montreal was but forty miles distant. Towards Kingston, also, there was a similar line, by way of the Mohawk River and Lake Oneida to Oswego, whence a short voyage on Ontario reached the American naval station at Sackett's Harbor, thirty miles from Kingston. As had been pointed out six months before the war began, by General Armstrong, who became the United States Secretary of War in January, 1813, when the most favorable conditions for initiative had already been lost, these two lines were identical as far as Albany. "This should be the place of rendezvous; because, besides other recommendations, it is here that all the roads leading from the central portion of the United States to the Canadas diverge—a circumstance which, while it keeps up your enemy's doubts as to your real point of attack, cannot fail to keep his means of defence in a state of division."¹ The perplexity of an army, thus uncertain upon which extreme of a line one hundred and fifty miles long a blow will fall, is most distressing; and trebly so when, as in this case, the means of communication from end to end are both scanty and slow. "The conquest of Lower Canada," Sir James Craig had written, "must still be effected by way of Lake Champlain;" but while this was true, and dictated to the officer charged with the defence the necessity of keeping

¹ Armstrong to Eustis, Jan. 2, 1812. Armstrong's Notices of the War of 1812, vol. i. p. 238.

the greater part of his force in that quarter, it would be impossible wholly to neglect the exposure of the upper section. This requirement was reflected in the disposition of the British forces when war began; two thirds being below Montreal, chiefly at Quebec, the remainder dispersed through Upper Canada. To add to these advantages of the United States, trivial as was the naval force of either party on Champlain, the preponderance at this moment, and throughout the first year, was in her hands. She was also better situated to enlarge her squadrons on all the lakes, because nearer the heart of her power.

Circumstances thus had determined that, in general plan, the seaboard represented the defensive scene of campaign for the United States, while the land frontier should be that of offensive action. It will be seen, with particular reference to the latter, that the character of the front of operations prescribed the offensive in great and concentrated force toward the St. Lawrence, with preparations and demonstrations framed to keep the enemy doubtful to the last possible moment as to where the blow should fall; while on the western frontier, from Michilimackinac to Niagara, the defensive should have been maintained, qualifying this term, however, by the already quoted maxim of Napoleon, that no offensive disposition is complete which does not keep in view, and provide for, offensive action, if opportunity offer. Such readiness, if it leads to no more, at least compels the opponent to retain near by a degree of force that weakens by so much his resistance in the other quarter, against which the real offensive campaign is directed.

Similarly, the seaboard, defensive in general relation to the national plan as a whole, must have its own particular sphere of offensive action, without which its defensive function is enfeebled, if not paralyzed. Having failed to create before the war a competent navy, capable of seizing

opportunity, when offered, to act against hostile divisions throughout the world, it was not possible afterwards to retrieve this mistake. Under the circumstances existing in 1812, the previous decade having been allowed by the country to pass in absolute naval indifference, offensive measures were necessarily confined to the injury of the enemy's commerce. Had a proper force existed, abundant opportunity for more military action was sure to occur. The characteristics of parts of the American coast prevented close blockade, especially in winter; and the same violent winds which forced an enemy's ships off, facilitated egress under circumstances favoring evasion. Escape to the illimitable ocean then depended at worst upon speed. This was the case at Boston, which Commodore Bainbridge before the war predicted could not be effectually blockaded; also at Narragansett, recommended for the same reason by Commodore John Rodgers; and in measure at New York, though there the more difficult and shoaler bar involved danger and delay to the passage of heavy frigates. In this respect the British encountered conditions contrary to those they had known before the French Atlantic ports, where the wind which drove the blockaders off prevented the blockaded from leaving. Once out and away, a squadron of respectable force would be at liberty to seek and strike one of the minor divisions of the enemy, imposing caution as to how he dispersed his ships in face of such a chance. To the south, both the Delaware and Chesapeake could be sealed almost hermetically by a navy so superior as was that of Great Britain; for the sheltered anchorage within enabled a fleet to lie with perfect safety across the path of all vessels attempting to go out or in. South of this again, Wilmington, Charleston, and Savannah, though useful commercial harbors, had not the facilities, natural or acquired, for sustaining a military navy. They were not maritime centres; the commerce of the South,

even of Baltimore with its famous schooners, being in peace carried on chiefly by shipping which belonged elsewhere — New England or foreign. The necessities of a number of armed ships could not there be supplied; and furthermore, the comparatively moderate weather made the coast at once more easy and less dangerous for an enemy to approach. These ports, therefore, were entered only occasionally, and then by the smaller American cruisers.

For these reasons the northern portion of the coast, with its rugged shores and tempestuous weather, was the base of such offensive operations as the diminutive numbers of the United States Navy permitted. To it the national ships sought to return, for they could enter with greater security, and had better prospects of getting out again when they wished. In the Delaware, the Chesapeake, and on the Southern coast, the efforts of the United States were limited to action strictly, and even narrowly, defensive in scope. Occasionally, a very small enemy's cruiser might be attacked; but for the most part people were content merely to resist aggression, if attempted. The harrying of the Chesapeake, and to a less extent of the Delaware, are familiar stories; the total destruction of the coasting trade and the consequent widespread distress are less known, or less remembered. What is not at all appreciated is the deterrent effect upon the perfect liberty enjoyed by the enemy to do as they pleased, which would have been exercised by a respectable fighting navy; by a force in the Northern ports, equal to the offensive, and ready for it, at the time that Great Britain was so grievously preoccupied by the numerous fleet which Napoleon had succeeded in equipping, from Antwerp round to Venice. Of course, after his abdication in 1814, and the release of the British navy and army, there was nothing for the country to do, in the then military strength of the two nations, save to

make peace on the best terms attainable. Having allowed to pass away, unresented and unimproved, years of insult, injury, and opportunity, during which the gigantic power of Napoleon would have been a substantial, if inert, support to its own efforts at redress, it was the mishap of the United States Government to take up arms at the very moment when the great burden which her enemy had been bearing for years was about to fall from his shoulders forever.

CHAPTER VI

EARLY CRUISES AND ENGAGEMENTS: THE "CONSTITUTION" AND "GUERRIÈRE." HULL'S OPERATIONS AND SURRENDER

WAR was declared on June 18. On the 21st there was lying in the lower harbor of New York a division of five United States vessels under the command of Commodore John Rodgers. It consisted of three frigates, the "President" and "United States," rated of 44 guns, the "Congress" of 38, the ship-rigged sloop of war "Hornet" of 18, and the brig "Argus" of 16. This division, as it stood, was composed of two squadrons; that of Rodgers himself, and that of Commodore Stephen Decatur, the latter having assigned to him immediately the "United States," the "Congress," and the "Argus." There belonged also to Rodgers' particular squadron the "Essex," a frigate rated at 32 guns. Captain David Porter, one of the most distinguished names in American naval annals, commanded her then, and until her capture by a much superior force, nearly two years later; but at this moment she was undergoing repairs, a circumstance which prevented her from accompanying the other vessels, and materially affected her subsequent history.

It may be mentioned, as an indication of naval policy, that although Rodgers and Decatur each had more than one vessel under his control, neither was given the further privilege and distinction, frequent in such cases, of having a captain to command the particular ship on which he

himself sailed. This, when done, introduces a very substantial change in the position of the officer affected. He is removed from being only first among several equals, and is advanced to a superiority of grade, in which he stands alone, with consequent enhancement of authority. Rodgers was captain of the "President" as well as commodore of the small body of vessels assigned to him; Decatur held the same relation to the frigate "United States," and to her consorts. Though apparently trivial, the circumstance is not insignificant; for it indicates clearly that, so far as the Navy Department then had any mind, it had not yet made it up as to whether it would send out its vessels as single cruisers, or combine them into divisions, for the one operation open to the United States Navy, namely, the destruction of the enemy's commerce. With divisions permanently constituted as such, propriety and effective action would have required the additional dignity for the officer in general charge, and they themselves doubtless would have asked for it; but for ships temporarily associated, and liable at any moment to be scattered, not only was the simple seniority of naval rank sufficient, but more would have been inexpedient. The commodores, now such only by courtesy and temporary circumstance, would suffer no derogation if deprived of ships other than their own; whereas the more extensive function, similarly curtailed, would become a mere empty show, a humiliation which no office, civil or military, can undergo without harm.

This indecision of the Department reflected the varying opinions of the higher officers of the service, which in turn but reproduced different schools of thought throughout all navies. Historically, as a military operation, for the injury of an enemy's commerce and the protection of one's own, it may be considered fairly demonstrated that vessels grouped do more effective work than the same number scattered. This is, of course, but to repeat the general

military teaching of operations of all kinds. It is not the keeping of the several vessels side by side that constitutes the virtue of this disposition; it is the placing them under a single head, thereby insuring co-operation, however widely dispersed by their common chief under the emergency of successive moments. Like a fan that opens and shuts, vessels thus organically bound together possess the power of wide sweep, which insures exertion over a great field of ocean, and at the same time that of mutual support, because dependent upon and controlled from a common centre. Such is concentration, reasonably understood; not huddled together like a drove of cattle, but distributed with a regard to a common purpose, and linked together by the effectual energy of a single will.

There is, however, in the human mind an inveterate tendency to dispersion of effort, due apparently to the wish to do at once as many things as may be; a disposition also to take as many chances as possible in an apparent lottery, with the more hope that some one of them will come up successful. Not an aggregate big result, and one only, whether hit or miss, but a division of resources and powers which shall insure possible compensation in one direction for what is not gained, or may even be lost, in another. The Navy Department, when hostilities were imminent, addressed inquiries to several prominent officers as to the best means of employing the very small total force available. The question involved the direction of effort, as well as the method; but as regards the former of these, the general routes followed by British commerce, and the modes of protecting it, were so far understood as to leave not much room for differences of opinion.

Rodgers may have been unconsciously swayed by the natural bias of an officer whose seniority would insure him a division, if the single-cruiser policy did not prevail. Of the replies given, however, his certainly was the one most

consonant with sound military views.¹ Send a small squadron, of two or three frigates and a sloop, to cruise on the coast of the British Islands, and send the light cruisers to the West Indies; for, though he did not express it, in the gentle breezes and smooth seas of the tropics small cruisers have a much better chance to avoid capture by big ships than in the heavy gales of the North Atlantic. This much may be termed the distinctly offensive part of Rodgers' project. For the defensive, employ the remainder of the frigates, singly or in squadron, to guard our own seaboard; either directly, by remaining off the coast, or by taking position in the track of the trade between Great Britain and the St. Lawrence. Irrespective of direct captures there made, this course would contribute to protect the access to home ports, by drawing away the enemy's ships of war to cover their own threatened commerce. Alike in the size of his foreign squadron, and in the touch of uncertainty as to our own coasts, "singly or in squadron," Rodgers reflected the embarrassment of a man whose means are utterly inadequate to the work he wishes to do. One does not need to be a soldier or a seaman to comprehend the difficulty of making ends meet when there is not enough to go round.

Decatur and Bainbridge, whose written opinions are preserved, held views greatly modified from those of Rodgers, or even distinctly opposed to them. "The plan which appears to me best calculated for our little navy to annoy the trade of Great Britain," wrote Decatur,² "would be to send them out distant from our own coast, singly, or not more than two frigates in company, without specific instructions; relying upon the enterprise of their officers. Two frigates cruising together would not be so easily traced by an enemy as a greater number; their movements would be

¹ Captains' Letters, June 3, 1812. Navy Department MSS.

² *Ibid.*, June 8, 1812.

infinitely more rapid; they would be sufficiently strong in most instances to attack a convoy, and the probability is they would not meet with a superior cruising force. If, however, they should meet a superior, and cannot avoid it, we would not have to regret the whole of our marine crushed at one blow." Bainbridge is yet more absolute. "I am anxious to see us all dispersed about various seas. If we are kept together in squadron, or lying in port, the whole are scarcely of more advantage than one ship. I wish all our public vessels here [Boston] were dispersed in various ports, for I apprehend it will draw speedily a numerous force of the enemy to blockade or attack."¹ At the moment of writing this, Rodgers' squadron was in Boston, having returned from a cruise, and the "Constitution" also, immediately after her engagement with the "Guerrière."

It will be observed that, in spirit even more than in letter, Rodgers' leading conception is that of co-operation, combined action. First, he would have a Department general plan, embracing in a comprehensive scheme the entire navy and the ocean at large, in the British seas, West Indies, and North Atlantic; each contributing, by its particular action and impression, to forward the work of the others, and so of the whole. Secondly, he intimates, not obscurely, though cautiously, in each separate field the concerted action of several ships is better than their disconnected efforts. Decatur and Bainbridge, on the contrary, implicitly, and indeed explicitly, favor individual movement. They would reject even combination by the Department — "no specific instructions, rely upon the enterprise of the officers." Nor will they have a local supervision or control in any particular; two frigates at the most are to act together, singly even is preferable, and they shall roam the seas at will.

¹ Captains' Letters, Sept. 2, 1812. Navy Department MSS.

There can be little doubt as to which scheme is sounder in general principle. All military experience concurs in the general rule of co-operative action; and this means concentration, under the liberal definition before given — unity of purpose and subordination to a central control. General rules, however, must be intelligently applied to particular circumstances; and it will be found by considering the special circumstances of British commerce, under the war conditions of 1812, that Rodgers' plan was particularly suited to injure it. It is doubtless true that if merchant vessels were so dispersed over the globe, that rarely more than one would be visible at a time, one ship of war could take that one as well as a half-dozen could. But this was not the condition. British merchant ships were not permitted so to act. They were compelled to gather at certain centres, and thence, when enough had assembled, were despatched in large convoys, guarded by ships of war, in force proportioned to that disposable at the moment by the local admiral, and to the anticipated danger. Consequently, while isolated merchant ships were to be met, they were but the crumbs that fell from the table, except in the near vicinity of the British Islands themselves.

Such were the conditions while Great Britain had been at war with France alone; but the declaration of the United States led at once to increased stringency. All licenses to cross the Atlantic without convoy were at once revoked, and every colonial and naval commander lay under heavy responsibility to enforce the law of convoy. Insurance was forfeited by breach of its requirements; and in case of parting convoy, capture would at least hazard, if not invalidate, the policy. Under all this compulsion, concentrated merchant fleets and heavy guards became as far as possible the rule of action. With such conditions it was at once more difficult for a single ship

of war to find, and when found to deal effectually with, a body of vessels which on the one hand was large, and yet occupied but a small space relatively to the great expanse of ocean over which the pursuer might roam fruitlessly, missing continually the one moving spot he sought. For such a purpose a well-handled squadron, scattering within signal-distance from each other, or to meet at a rendezvous, was more likely to find, and, having found, could by concerted action best overcome the guard and destroy the fleet.

On June 22, 1812, the Navy Department issued orders for Rodgers,¹ which are interesting as showing its ideas of operations. The two squadrons then assembled under him were to go to sea, and there separate. He himself, with the frigates "President," "Essex," and "John Adams," sloop "Hornet," and the small brig "Nautilus," was to go to the Capes of the Chesapeake, and thence cruise eastwardly, off and on. Decatur's two frigates, with the "Argus," would cruise southwardly from New York. It was expected that the two would meet from time to time; and, should combined action be advisable, Rodgers had authority to unite them under his broad pendant for that purpose. The object of this movement was to protect the commerce of the country, which at this time was expected to be returning in great numbers from the Spanish peninsula; whither had been hurried every available ship, and every barrel of flour in store, as soon as the news of the approaching embargo of April 4 became public. "The great bulk of our returning commerce," wrote the secretary, "will make for the ports between the Chesapeake and our eastern extremities; and, in the protection to be afforded, such ports claim particular attention."

The obvious comment on this disposition is that protection to the incoming ships would be most completely

¹ Navy Department MSS.

afforded, not by the local presence of either of these squadrons, but by the absence of the enemy. This absence was best insured by beating him, if met; and in the then size of the British Halifax fleet it was possible that a detachment sent from it might be successfully engaged by the joint division, though not by either squadron singly. The other adequate alternative was to force the enemy to keep concentrated, and so to cover as small a part as might be of the homeward path of the scattered American trade. This also was best effected by uniting our own ships. Without exaggerating the danger to the American squadrons, needlessly exposed in detail by the Department's plan, the object in view would have been attained as surely, and at less risk, by keeping all the vessels together, even though they were retained between Boston Bay and the Capes of the Chesapeake for the local defence of commerce. In short, as was to be expected from the antecedents of the Government, the scheme was purely and narrowly defensive; there was not in it a trace of any comprehension of the principle that offence is the surest defence. The opening words of its letter defined the full measure of its understanding. "It has been judged expedient so to employ our public armed vessels, as to afford to our returning commerce all possible protection." It may be added, that to station on the very spot where the merchant vessels were flocking in return, divisions inferior to that which could be concentrated against them, was very bad strategy; drawing the enemy by a double motive to the place whence his absence was particularly desirable.

The better way was to influence British naval action by a distinct offensive step; by a movement of the combined divisions sufficiently obvious to inspire caution, but yet too vague to admit of precision of direction or definite pursuit. In accordance with the general ideas formulated in his letter, before quoted, Rodgers had already fixed upon a

plan, which, if successful, would inflict a startling blow to British commerce and prestige, and at the same time would compel the enemy to concentrate, thus diminishing his menace to American shipping. It was known to him that a large convoy had sailed from Jamaica for England about May 20. The invariable course of such bodies was first to the north-northeast, parallel in a general sense to the Gulf Stream and American coast, until they had cleared the northeast trades and the belt of light and variable winds above them. Upon approaching forty degrees north latitude, they met in full force the rude west winds, as the Spanish navigators styled them, and before them bore away to the English Channel. That a month after their starting Rodgers should still have hoped to overtake them, gives a lively impression of the lumbering slowness of trade movement under convoy; but he counted also upon the far swifter joint speed of his few and well-found ships. To the effective fulfilment of his double object, defensive and offensive, however, he required more ships than his own squadron, and he held his course dependent upon Decatur joining him.¹

On June 21 Decatur did join, and later in the same day arrived a Department order of June 18 with the Declaration of War. Within an hour the division of five ships was under way for sea. In consequence of this instant movement Rodgers did not receive the subsequent order of the Department, June 22, the purport of which has been explained and discussed. Standing off southeasterly from Sandy Hook, at 3 A.M. of June 23 was spoken an American brig, which four days before had seen the convoy steering east in latitude 36°, longitude 67°, or about three hundred miles from where the squadron then was. Canvas was crowded in pursuit, but three hours later was sighted in the northeast a large sail heading toward the squadron. The

¹ Captains' Letters, J. Rodgers, Sept. 1, 1812. Navy Department MSS.



THE CHASE OF THE *BELVIDERA*.

Drawn by Carlton T. Chapman.

course of all the vessels was changed for her; but she, proving to be British, — the “*Belvidera*,” rated 32, and smaller than any one of the American frigates, — speedily turned and took flight. Pursuit was continued all that day and until half an hour before midnight, the “*President*” leading as the fastest ship; but the British vessel, fighting for her life, and with the friendly port of Halifax under her lee, could resort to measures impossible to one whose plan of distant cruising required complete equipment, and full stores of provisions and water. Boats and spare spars and anchors were thrown overboard, and fourteen tons of drinking water pumped out. Thus lightened, after being within range of the “*President’s*” guns for a couple of hours, the “*Belvidera*” drew gradually away, and succeeded in escaping, having received and inflicted considerable damage. In explanation of such a result between two antagonists of very unequal size, it must be remembered that a chasing ship of those days could not fire straight ahead; while in turning her side to bring the guns to bear, as the “*President*” several times did, she lost ground. The chased ship, on the other hand, from the form of the stern, could use four guns without deviating from her course.

After some little delay in repairing, the squadron resumed pursuit of the convoy. On June 29, and again on July 9, vessels were spoken which reported encountering it; the latter the evening before. Traces of its course also were thought to be found in quantities of cocoanut shell and orange peel, passed on one occasion; but, though the chase was continued to within twenty hours’ sail of the English Channel, the convoy itself was never seen. To this disappointing result atmospheric conditions very largely contributed. From June 29, on the western edge of the Great Banks, until July 13, when the pursuit was abandoned, the weather was so thick that “at least six days out of seven” nothing was visible over five miles

away, and for long periods the vessels could not even see one another at a distance of two hundred yards. The same surrounding lasted to the neighborhood of Madeira, for which the course was next shaped. After passing that island on June 21 return was made toward the United States by way of the Azores, which were sighted, and thence again to the Banks of Newfoundland and Cape Sable, reaching Boston August 31, after an absence of seventy days.

Although Rodgers's plan had completely failed in what may properly be called its purpose of offence, and he could report the capture of "only seven merchant vessels, and those not valuable," he congratulated himself with justice upon success on the defensive side.¹ The full effect was produced, which he had anticipated from the mere fact of a strong American division being at large, but seen so near its own shores that nothing certain could be inferred as to its movements or intentions. The "Belvidera," having lost sight of it at midnight, could, upon her arrival in Halifax, give only the general information that it was at sea; and Captain Byron, who commanded her, thought with reason that the "President's" action warranted the conclusion that the anticipated hostilities had been begun. He therefore seized and brought in two or three American merchantmen; but the British admiral, Sawyer, thinking there might possibly be some mistake, like that of the meeting between the "President" and "Little Belt" a year before, directed their release.

A very few days later, definite intelligence of the declaration of war by the United States was received at Halifax. At that period, the American seas from the equator to Labrador were for administrative purposes divided by the British Admiralty into four commands: two in the West Indies, centring respectively at Jamaica and Barbados; one at

¹ Letter of Sept. 1, 1812. Navy Department MSS.

Newfoundland; while the fourth, with its two chief naval bases of Halifax and Bermuda, lay over against the United States, and embraced the Atlantic coast-line in its field of operations. Admiral Sawyer now promptly despatched a squadron, consisting of one small ship of the line and three frigates, the "Shannon," 38, "Belvidera," 36, and "Æolus," 32, which sailed July 5. Four days later, off Nantucket, it was joined by the "Guerrière," 38, and July 14 arrived off Sandy Hook. There Captain Broke, of the "Shannon," who by seniority of rank commanded the whole force, "received the first intelligence of Rodgers' squadron having put to sea."¹ As an American division of some character had been known to be out since the "Belvidera" met it, and as Rodgers on this particular day was within two days' sail of the English Channel, the entire ignorance of the enemy as to his whereabouts could not be more emphatically stated. The components of the British force were such that no two of them could justifiably venture to encounter his united command. Consequently, to remain together was imposed as a military necessity, and it so continued for some weeks. In fact, the first separation, that of the "Guerrière," though apparently necessary and safe, was followed immediately by a disaster.

Rodgers was therefore justified in his claim concerning his cruise. "It is truly unpleasant to be obliged to make a communication thus barren of benefit to our country. The only consolation I, individually, feel on the occasion is derived from knowing that our being at sea obliged the enemy to concentrate a considerable portion of his most active force, and thereby prevented his capturing an incalculable amount of American property that would otherwise have fallen a sacrifice." "My calculations were," he wrote on another occasion, "even if I did not succeed in destroying the convoy, that leaving the coast as we did would tend to distract the

¹ James, *Naval History* (edition 1824), vol. v. p. 283.

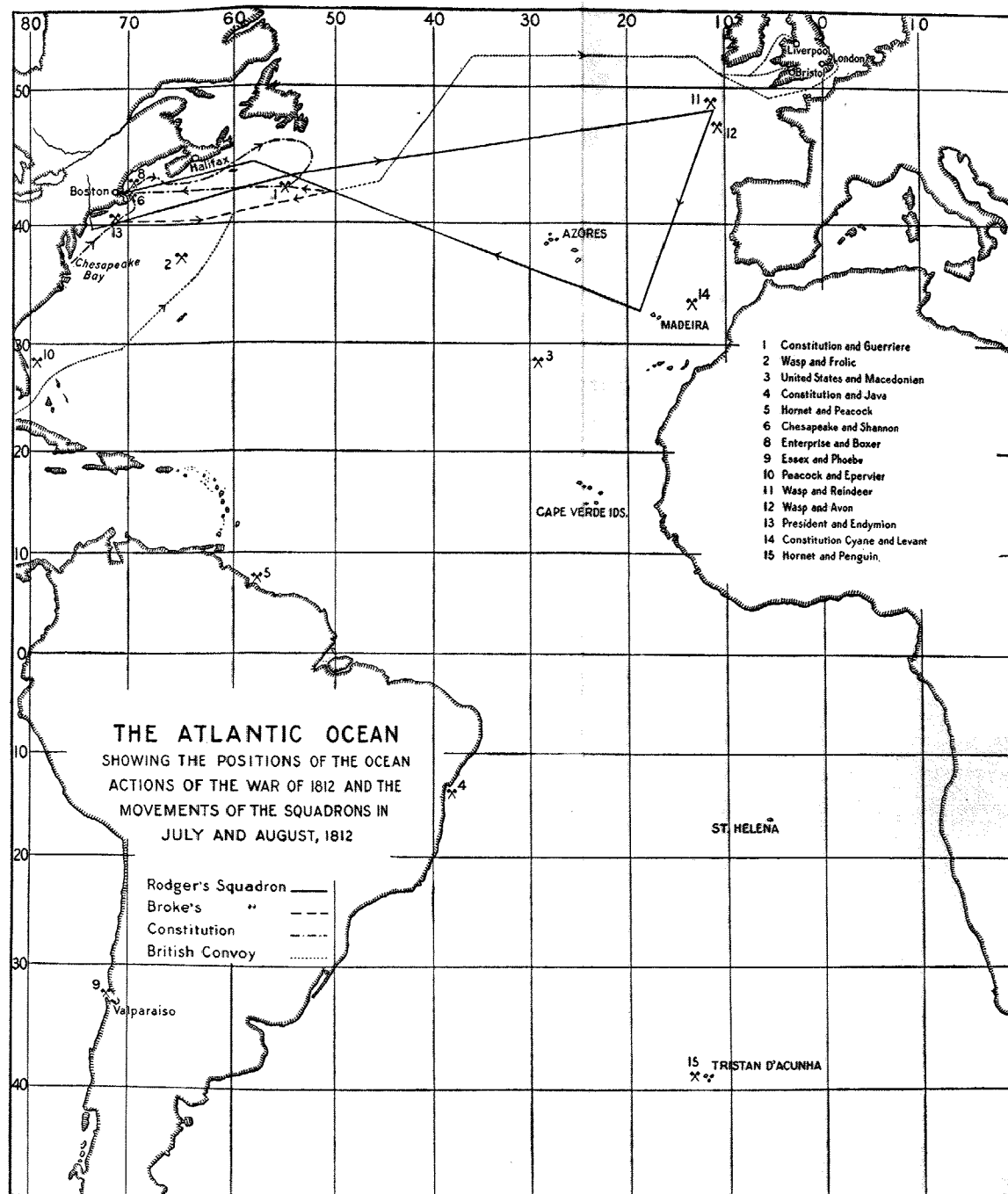
enemy, oblige him to concentrate a considerable portion of his active navy, and at the same time prevent his single cruisers from lying before any of our principal ports, from their not knowing to which, or at what moment, we might return.”¹ This was not only a perfectly sound military conception, gaining additional credit from the contrasted views of Decatur and Bainbridge, but it was applied successfully at the most critical moment of all wars, namely, when commerce is flocking home for safety, and under conditions particularly hazardous to the United States, owing to the unusually large number of vessels then out. “We have been so completely occupied in looking out for Commodore Rodgers’ squadron,” wrote an officer of the “*Guerrière*,” “that we have taken very few prizes.”² President Madison in his annual message³ said: “Our trade, with little exception, has reached our ports, having been much favored in it by the course pursued by a squadron of our frigates under the command of Commodore Rodgers.”

Nor was it only the offensive action of the enemy against the United States’ ports and commerce that was thus hampered. Unwonted defensive measures were forced upon him. Uncertainty as to Rodgers’ position and intentions led Captain Broke, on July 29, to join a homeward-bound Jamaica fleet, under convoy of the frigate “*Thalia*,” some two or three hundred miles to the southward and eastward of Halifax, and to accompany it with his division five hundred miles on its voyage. The place of this meeting shows that it was pre-arranged, and its distance from the American coast, five hundred miles away from New York, together with the length of the journey through which the additional guard was thought necessary, emphasize the effect of Rodgers’ unknown situation upon

¹ Captains’ Letters, Sept. 14, 1812. Navy Department MSS.

² *Naval Chronicle* (British), vol. xxviii. p. 426.

³ Nov. 4, 1812.



the enemy's movements. The protection of their own trade carried this British division a thousand miles away from the coast it was to threaten. It is in such study of reciprocal action between enemies that the lessons of war are learned, and its principles established, in a manner to which the study of combats between single ships, however brilliant, affords no equivalent. The convoy that Broke thus accompanied has been curiously confused with the one of which Rodgers believed himself in pursuit;¹ and the British naval historian James chuckles obviously over the blunder of the Yankee commodore, who returned to Boston "just six days after the 'Thalia,' having brought home her charge in safety, had anchored in the Downs." Rodgers may have been wholly misinformed as to there being any Jamaica convoy on the way when he started; but as on July 29 he had passed Madeira on his way home, it is obvious that the convoy which Broke then joined south of Halifax could not be the one the American squadron believed itself to be pursuing across the Atlantic a month earlier.

Broke accompanied the merchant ships to the limits of the Halifax station. Then, on August 6, receiving intelligence of Rodgers having been seen on their homeward path, he directed the ship of the line, "Africa," to go with them as far as 45° W., and for them thence to follow latitude 52° N., instead of the usual more southerly route.² After completing this duty the "Africa" was to return to Halifax, whither the "Guerrière," which needed repairs, was ordered at once. The remainder of the squadron returned off New York, where it was again reported on September 10. The movement of the convoy, and the "Guerrière's" need of refit, were linked events that

¹ Naval Chronicle, vol. xxviii. p. 159; James, vol. v. p. 274.

² Sir J. B. Warren to Admiralty, Aug 24, 1812. Canadian Archives MSS. M. 389. 1, p. 147.

brought about the first single-ship action of the war; to account for which fully the antecedent movements of her opponent must also be traced. At the time Rodgers sailed, the United States frigate "Constitution," 44, was lying at Annapolis, enlisting a crew. Fearing to be blockaded in Chesapeake Bay, a position almost hopeless, her captain, Hull, hurried to sea on July 12. July 17, the ship being then off Egg Harbor, New Jersey, some ten or fifteen miles from shore, bound to New York, Broke's vessels, which had then arrived from Halifax for the first time in the war, were sighted from the masthead, to the northward and inshore of the "Constitution." Captain Hull at first believed that this might be the squadron of Rodgers, of whose actual movements he had no knowledge, waiting for him to join in order to carry out commands of the Department. Two hours later, another sail was discovered to the northeast, off shore. The perils of an isolated ship, in the presence of a superior force of possible enemies, imposed caution, so Hull steered warily toward the single unknown. Attempting to exchange signals, he soon found that he neither could understand nor be understood. To persist on his course might surround him with foes, and accordingly, about 11 P.M., the ship was headed to the southeast and so continued during the night.

The next morning left no doubt as to the character of the strangers, among whom was the "*Guerrière*;" and there ensued a chase which, lasting from daylight of July 18th to near noon of the 20th, has become historical in the United States Navy, from the attendant difficulties and the imminent peril of the favorite ship endangered. Much of the pursuit being in calm, and on soundings, resort was had to towing by boats, and to dragging the ship ahead by means of light anchors dropped on the bottom. In a contest of this kind, the ability of a squadron to concentrate numbers on one or two ships, which can first approach and



THE FORECASTLE OF THE *CONSTITUTION* DURING THE CHASE.

Drawn by Henry Reuterdaahl.

cripple the enemy, thus holding him till their consorts come up, gives an evident advantage over the single opponent. On the other hand, the towing boats of the pursuer, being toward the stern guns of the pursued, are the first objects on either side to come under fire, and are vulnerable to a much greater degree than the ships themselves. Under such conditions, accurate appreciation of advantages, and unremitting use of small opportunities, are apt to prove decisive. It was by such diligent and skilful exertion that the "Constitution" effected her escape from a position which for a time seemed desperate; but it should not escape attention that thus early in the war, before Great Britain had been able to re-enforce her American fleet, one of our frigates was unable to enter our principal seaport. "Finding the ship so far to the southward and eastward," reported Hull, "and the enemy's squadron stationed off New York, which would make it impossible to get in there, I determined to make for Boston, to receive your further orders."

On July 28 he writes from Boston that there were as yet no British cruisers in the Bay, nor off the New England coast; that great numbers of merchant vessels were daily arriving from Europe; and that he was warning them off the southern ports, advising that they should enter Boston. He reasoned that the enemy would now disperse, and probably send two frigates off the port. In this he under-estimated the deterrent effect of Rodgers' invisible command, but the apprehension hastened his own departure, and on August 2 he sailed again with the first fair wind. Running along the Maine coast to the Bay of Fundy, he thence went off Halifax; and meeting nothing there, in a three or four days' stay, moved to the Gulf of St. Lawrence, to intercept the trade of Canada and Nova Scotia. Here in the neighborhood of Cape Race some important captures were made, and on August 15 an American brig retaken, which

gave information that Broke's squadron was not far away. This was probably a fairly correct report, as its returning course should have carried it near by a very few days before. Hull therefore determined to go to the southward, passing close to Bermuda, to cruise on the southern coast of the United States. In pursuance of this decision the "Constitution" had run some three hundred miles, when at 2 P.M. of August 19, being then nearly midway of the route over which Broke three weeks before had accompanied the convoy, a sail was sighted to the eastward, standing west. This proved to be the "Guerrière," on her return to Halifax, whither she was moving very leisurely, having traversed only two hundred miles in twelve days.

As the "Constitution," standing south-southwest for her destination, was crossing the "Guerrière's" bows, her course was changed, in order to learn the character of the stranger. By half-past three she was recognized to be a large frigate, under easy sail on the starboard tack; which, the wind being northwesterly, gives her heading from west-southwest to southwest. The "Constitution" was to windward. At 3.45 the "Guerrière," without changing her course, backed her maintopsail, the effect of which was to lessen her forward movement, leaving just way enough to keep command with her helm (G 1). To be thus nearly motionless assured the steadiest platform for aiming the guns, during the period most critical for the "Constitution," when, to get near, she must steer nearly head on, toward her opponent. The disadvantage of this approach is that the enemy's shot, if they hit, pass from end to end of the ship, a distance, in those days, nearly fourfold that of from side to side; and besides, the line from bow to stern was that on which the guns and the men who work them were ranged. The risks of grave injury were therefore greatly increased by exposure to this, which by soldiers is called enfilading, but at sea a raking fire; and to avoid



CAPTAIN ISAAC HULL.

From the engraving by D. Edwin after the painting by Gilbert Stuart.

such mischance was one of the principal concerns of a captain in a naval duel.

Seeing his enemy thus challenge him to come on, Hull, who had been carrying sail in order to close, now reduced his canvas to topsails, and put two reefs into them, bringing by the wind for that object (C 1). All other usual preparations were made at the same time; the "Constitution" during them lying side to wind, out of gunshot, practically motionless, like her antagonist. When all was ready, the ship kept away again, heading toward the starboard quarter of the British vessel; that is, she was on her right-hand side, steering toward her stern (C 2). As this, if continued, would permit her to pass close under the stern, and rake, Captain Dacres waited until he thought her within gunshot, when he fired the guns on the right-hand side of the vessel — the starboard broadside — and immediately wore ship; that is, turned the "Guerrière" round, making a half circle, and bringing her other side toward the "Constitution," to fire the other, or port, battery (G 2). It will be seen that, as both ships were moving in the same general direction, away from the wind, the American coming straight on, while the British retired by a succession of semicircles, each time this manoeuvre was repeated the ships would be nearer together. This was what both captains purposed, but neither proposed to be raked in the operation. Hence, although the "Constitution" did not wear, she "yawed" several times; that is, turned her head from side to side, so that a shot striking would not have full raking effect, but angling across the decks would do proportionately less damage. Such methods were common to all actions between single ships.

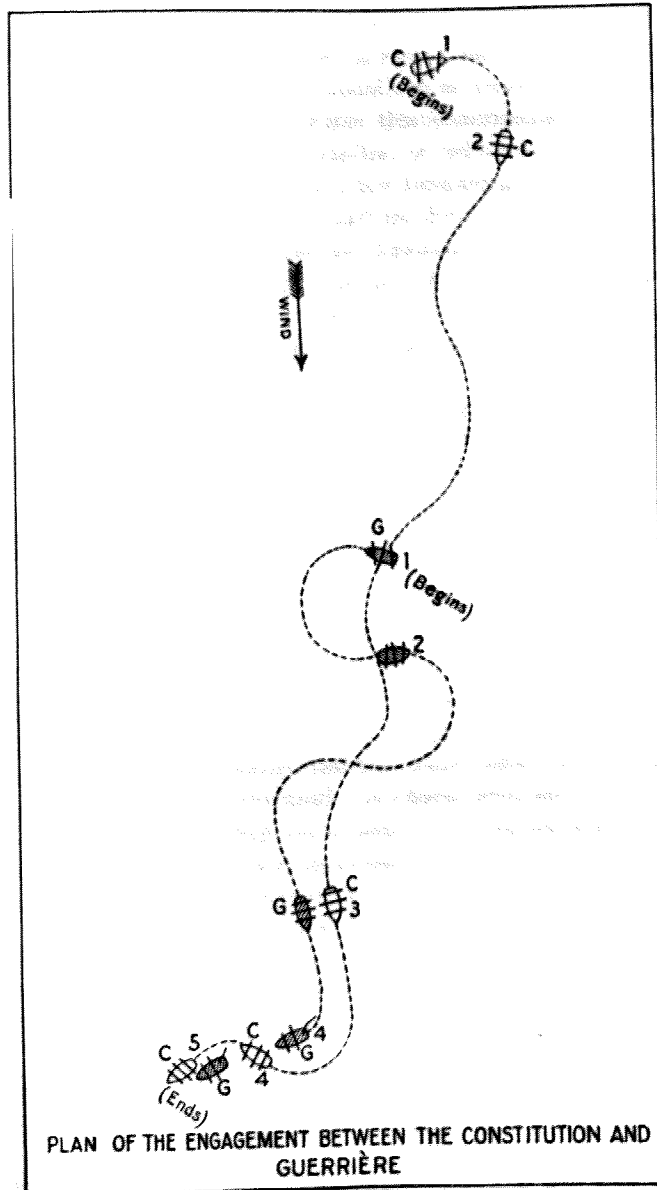
These proceedings had lasted about three quarters of an hour, when Dacres, considering he now could safely afford to let his enemy close, settled his ship on a course nearly before the wind, having it a little on her left side (G 3).

The American frigate was thus behind her, receiving the shot of her stern guns, to which the bow fire of those days could make little effective reply. To relieve this disadvantage, by shortening its duration, a big additional sail — the main topgallantsail — was set upon the “*Constitution*,” which, gathering fresh speed, drew up on the left-hand side of the “*Guerrière*,” within pistol-shot, at 6 P.M., when the battle proper fairly began (3). For the moment manœuvring ceased, and a square set-to at the guns followed, the ships running side by side. In twenty minutes the “*Guerrière*’s” mizzen-mast¹ was shot away, falling overboard on the starboard side; while at nearly the same moment, so Hull reported, her main-yard went in the slings.² This double accident reduced her speed; but in addition the mast with all its hamper, dragging in the water on one side, both slowed the vessel and acted as a rudder to turn her head to starboard. — from the “*Constitution*.” The sail-power of the latter being unimpaired would have quickly carried her so far ahead that her guns would no longer bear, if she continued the same course. Hull, therefore, as soon as he saw the spars of his antagonist go overboard, put the helm to port, in order to “oblige him to do the same, or suffer himself to be raked by our getting across his bows.”³ The fall of the “*Guerrière*’s” mast effected what was desired by Hull, who continues: “On our helm being put to port the ship came to, and gave us an opportunity of pouring in upon his larboard bow several broadsides.” The disabled state of the British frigate, and the promptness of the American captain, thus enabled the latter to take a raking position upon the port (larboard) bow of the enemy; that is, ahead, but on the left side (4).

¹ Of the three masts of a “ship,” the mizzen-mast is the one nearest the stern.

² The middle, where the yard is hung.

³ Hull’s report, Aug. 28, 1812. Captains’ Letters, Navy Department MSS.



The "Constitution" ranged on very slowly across the "Guerrière's" bows, from left to right; her sails shaking in the wind, because the yards could not be braced, the braces having been shot away. From this commanding position she gave two raking broadsides, to which her opponent could reply only feebly from a few forward guns; then, the vessels being close together, and the British forging slowly ahead, threatening to cross the American's stern, the helm of the latter was put up. As the "Constitution" turned away, the bowsprit of the "Guerrière" lunged over her quarter-deck, and became entangled by her port mizzen-rigging; the result being that the two fell into the same line, the "Guerrière" astern and fastened to her antagonist as described.⁽⁵⁾ In her crippled condition for manœuvring, it was possible that the British captain might seek to retrieve the fortunes of the day by boarding, for which the present situation seemed to offer some opportunity; and from the reports of the respective officers it is clear that the same thought occurred to both parties, prompting in each the movement to repel boarders rather than to board. A number of men clustered on either side at the point of contact, and here, by musketry fire, occurred some of the severest losses. The first lieutenant and sailing-master of the "Constitution" fell wounded, and the senior officer of marines dead, shot through the head. All these were specially concerned where boarding was at issue. This period was brief; for at 6.30 the fore and main-masts of the British frigate gave way together, carrying with them all the head booms, and she lay a helpless hulk in the trough of a heavy sea, rolling the muzzles of her guns under. A sturdy attempt to get her under control with the spritsail¹ was made; but this resource, a bare possibility to a dismasted ship in

¹ The spritsail was set on a yard which in ships of that day crossed the bowsprit at its outer end, much as other yards crossed the three upright lower masts. Under some circumstances ships would forge slowly ahead under its impulse. It was a survival from days which knew not jibs.

a fleet action, with friends around, was only the assertion of a sound never-give-up tradition, against hopeless odds, in a naval duel with a full-sparred antagonist. The "Constitution" hauled off for half an hour to repair damages, and upon returning received the "Guerrière's" surrender. It was then dark, and the night was passed in transferring the prisoners. When day broke, the prize was found so shattered that it would be impossible to bring her into port. She was consequently set on fire at 3 P.M., and soon after blew up.

In this fight the American frigate was much superior in force to her antagonist. The customary, and upon the whole justest, mode of estimating relative power, was by aggregate weight of shot discharged in one broadside; and when, as in this case, the range is so close that every gun comes into play, it is perhaps a useless refinement to insist on qualifying considerations. The broadside of the "Constitution" weighed 736 pounds, that of the "Guerrière" 570. The difference therefore in favor of the American vessel was thirty per cent, and the disparity in numbers of the crews was even greater. It is not possible, therefore, to insist upon any singular credit, in the mere fact that under such odds victory falls to the heavier vessel. What can be said, after a careful comparison of the several reports, is that the American ship was fought warily and boldly, that her gunnery was excellent, that the instant advantage taken of the enemy's mizzen-mast falling showed high seamanlike qualities, both in promptness and accuracy of execution; in short, that, considering the capacity of the American captain as evidenced by his action, and the odds in his favor, nothing could be more misplaced than Captain Dacres' vaunt before the Court: "I am so well aware that the success of my opponent was owing to fortune, that it is my earnest wish to be once more opposed to the 'Constitution,' with the same officers and crew under my command,



THE BURNING OF THE GUERRIÈRE.

Drawn by Henry Reuter-dahl.

in a frigate of similar force to the 'Guerrière.'"¹ In view of the difference of broadside weight, this amounts to saying that the capacity and courage of the captain and ship's company of the "Guerrière," being over thirty per cent greater than those of the "Constitution," would more than compensate for the latter's bare thirty per cent superiority of force. It may safely be said that one will look in vain through the accounts of the transaction for any ground for such assumption. A ready acquiescence in this opinion was elicited, indeed, from two witnesses, the master and a master's mate, based upon a supposed superiority of fire, which the latter estimated to be in point of rapidity as four broadsides to every three of the "Constitution."² But rapidity is not the only element of superiority; and Dacres' satisfaction on this score, repeatedly expressed, might have been tempered by one of the facts he alleged in defence of his surrender—that "on the larboard side of the 'Guerrière' there were about thirty shot which had taken effect about five sheets of copper down,"—far below the water-line.

Captain Hull with the "Constitution" reached Boston August 30, just four weeks after his departure; and the following day Commodore Rodgers with his squadron entered the harbor. It was a meeting between disappointment and exultation; for so profound was the impression prevailing in the United States, and not least in New England, concerning the irreversible superiority of Great Britain on the sea, that no word less strong than "exultation" can do justice to the feeling aroused by Hull's victory. Sight was lost of the disparity of force, and the pride of the country fixed, not upon those points which the attentive seaman can recognize as giving warrant for

¹ Dacres' Defence before the Court Martial. Naval Chronicle, vol. xxviii. p. 422.

² "Guerrière" Court Martial. MS. British Records Office.

confidence, but upon the supposed demonstration of superiority in equal combat.

Consolation was needed; for since Rodgers' sailing much had occurred to dishearten and little to encourage. The nation had cherished few expectations from its tiny navy; but concerning its arms on land the advocates of war had entertained the unreasoning confidence of those who expect to reap without taking the trouble to sow. In the first year of President Jefferson's administration, 1801, the "peace establishment" of the regular army, in pursuance of the policy of the President and party in power, was reduced to three thousand men. In 1808, under the excitement of the outrage upon the "Chesapeake" and of the Orders in Council, an "additional military force" was authorized, raising the total to ten thousand. The latter measure seems for some time to have been considered temporary in character; for in a return to Congress in January, 1810, the numbers actually in service are reported separately, as 2,765 and 4,189; total, 6,954, exclusive of staff officers.

General Scott, who was one of the captains appointed under the Act of 1808, has recorded that the condition of both soldiers and officers was in great part most inefficient.¹ Speaking of the later commissions, he said, "Such were the results of Mr. Jefferson's low estimate of, or rather contempt for, the military character, the consequence of the old hostility between him and the principal officers who achieved our independence."² In January, 1812, when war had in effect been determined upon in the party councils, a bill was passed raising the army to thirty-five thousand; but in the economical and social condition of the period the service was under a popular disfavor, to which the attitude of recent administrations doubtless contributed greatly, and recruiting went on very slowly. There was substantially

¹ *Memoirs of Gen. Winfield Scott*, vol. i. p. 31.

² *Ibid.*, p. 35.

no military tradition in the country. Thirty years of peace had seen the disappearance of the officers whom the War of Independence had left in their prime; and the Government fell into that most facile of mistakes, the choice of old men, because when youths they had worn an epaulette, without regarding the experience they had had under it, or since it was laid aside.

Among the men thus selected were Henry Dearborn, for senior major general, to command the northern division of the country, from Niagara to Boston Bay and New York; and William Hull, a brigadier, for the Northwestern frontier, centring round Detroit. The latter, who was uncle to Captain Hull of the "*Constitution*," seems to have been chosen because already civil Governor of Michigan Territory. President Madison thus reversed the practice of Great Britain, which commonly was to choose a military man for civil governor of exposed provinces. Hull accepted with reluctance, and under pressure. He set out for his new duties, expecting that he would receive in his distant and perilous charge that measure of support which results from active operations at some other point of the enemy's line, presumably at Niagara. In this he was disappointed. Dearborn was now sixty-one, Hull fifty-nine. Both had served with credit during the War of Independence, but in subordinate positions; and Dearborn had been Secretary of War throughout Jefferson's two terms.

Opposed to these was the Lieutenant Governor of Upper Canada, Isaac Brock, a major-general in the British army. A soldier from boyhood, he had commanded a regiment in active campaign at twenty-eight. He was now forty-two, and for the last ten years had served in North America; first with his regiment, and later as a general officer in command of the troops. In October, 1811, he was appointed to the civil government of the province. He was thoroughly familiar with the political and military condi-

tions surrounding him, and his mind had long been actively engaged in considering probable contingencies, in case war, threatening since 1807, should become actual. In formulated purpose and resolve, he was perfectly prepared for immediate action, as is shown by his letters, foreshadowing his course, to his superior, Sir George Prevost, Governor General of Canada. He predicted that the pressure of the Indians upon the western frontier of the United States would compel that country to keep there a considerable force, the presence of which would naturally tend to more than mere defensive measures. With the numerical inferiority of the British, the co-operation of the Indians was essential. To preserve Upper Canada, therefore, Michilimackinac and Detroit must be reduced. Otherwise the savages could not be convinced that Great Britain would not sacrifice them at a peace, as they believed her to have done in 1794, by Jay's Treaty. In this he agreed with Hull, who faced the situation far more efficiently than his superiors, and at the same moment was writing officially, "The British cannot hold Upper Canada without the assistance of the Indians, and that they cannot obtain if we have an adequate force at Detroit."¹ Brock deemed it vital that Amherstburg, nearly opposite Detroit, should be held in force; both to resist the first hostile attack, and as a base whence to proceed to offensive operations. He apprehended, and correctly, as the event proved, that Niagara would be chosen by the Americans as the line for their main body to penetrate with a view to conquest. This was his defensive frontier; the western, the offensive wing of his campaign. These leading ideas dictated his preparations, imperfect from paucity of means, but sufficient to meet the limping, flaccid measures of the United States authorities.

To this well-considered view the War Department of

¹ Hull to the War Department, March 6, 1812. Report of Hull's Trial, taken by Lieut. Col. Forbes, 42d U. S. Infantry. Hull's Defence, p. 31.

the United States opposed no ordered plan of any kind, no mind prepared with even the common precautions of every-day life. This unreadiness, plainly manifested by its actions, was the more culpable because the unfortunate Hull, in his letter of March 6, 1812, just quoted, a month before his unwilling acceptance of his general's commission, had laid clearly before it the leading features of the military and political situation, recognized by him during his four years of office as Governor of the Territory. In this cogent paper, amid numerous illuminative details, he laid unmistakable emphasis on the decisive influence of Detroit upon the whole Northwest, especially in determining the attitude of the Indians. He dwelt also upon the critical weakness of the communications on which the tenure of it depended, and upon the necessity of naval superiority to secure them. This expression of his opinion was in the hands of the Government over three months before the declaration of war. As early as January, however, Secretary Eustis had been warned by Armstrong, who subsequently succeeded him in the War Department, that Detroit, otherwise advantageous in position, "would be positively bad, unless your naval means have an ascendancy on Lake Erie."¹

Unfortunately for himself and for the country, Hull, upon visiting the capital in the spring, did not adhere firmly to his views as to the necessity for a lake navy. After the capitulation, President Madison wrote to his friend, John Nicholas, "The failure of our calculations with respect to the expedition under Hull needs no comment. The worst of it was that we were misled by a reliance, authorized by himself, on its [the expedition] securing to us the command of the lakes."² General Peter B. Porter,

¹ Armstrong's *Notices of the War of 1812*, vol. i. p. 237.

² *The Writings of Madison* (ed. 1865), vol. ii. p. 363. See also his letter to Dearborn, Oct. 7, 1812. *Ibid.*, p. 547.

of the New York militia, a member also of the House of Representatives, who served well on the Niagara frontier, and was in no wise implicated by Hull's surrender, testified before the Court Martial, "I was twice at the President's with General Hull, when the subject of a navy was talked over. At first it was agreed to have one; but afterwards it was agreed to abandon it, doubtless as inexpedient."¹ The indications from Hull's earlier correspondence are that for the time he was influenced by the war spirit, and developed a hopefulness of achievement which affected his former and better judgment.

On May 25, three weeks before the declaration of war, Hull took command of the militia assembled at Dayton, Ohio. On June 10, he was at Urbana, where a regiment of regular infantry joined. June 30, he reached the Maumee River, and thence reported that his force was over two thousand, rank and file.² He had not yet received official intelligence of war having been actually declared, but all indications, including his own mission itself, pointed to it as imminent. Nevertheless, he here loaded a schooner with military stores, and sent her down the river for Detroit, knowing that, twenty miles before reaching there, she must pass near the British Fort Malden, on the Detroit River covering Amherstburg; and this while the British had local naval superiority. In taking this risk, the very imprudence of which testifies the importance of water transportation to Detroit, Hull directed his aids to forward his baggage by the same conveyance: and with it, contrary to his intention, were despatched also his official papers. The vessel, being promptly seized by the boats of the British armed brig "Hunter," was taken into Malden, whence Colonel St. George, commanding the district, sent the captured correspondence

¹ Hull's Trial, p. 127. Porter was a witness for the defence.

² Hull's Trial, Appendix, p. 4.

to Brock. "Till I received these letters," remarked the latter, "I had no idea General Hull was advancing with so large a force."¹

When Brock thus wrote, July 20, he was at Fort George, on the shore of Ontario, near Niagara River, watching the frontier where he expected the main attack. He had already struck his first blow. Immediately upon being assured of the declaration of war, on June 28, he had despatched a letter to St. Joseph's, directing all preparations to be made for proceeding against Mackinac; the final determination as to offensive or defensive action being very properly left to the officer there in command. The latter, thus aware of his superior's wishes, started July 16, with some six hundred men,— of whom four hundred were Indians,— under convoy of the armed brig "Caledonia," belonging to the Northwestern Fur Company. The next day he appeared before the American post, where the existence of war was yet unknown. The garrison numbered fifty-seven, including three officers; being about one third the force reported necessary for the peace establishment by Mr. Jefferson's Secretary of War, in 1801. The place was immediately surrendered. Under all the conditions stated there is an entertaining ingenuousness in the reference made to this disaster by President Madison: "We have but just learned that the important post of Michilimackinac has fallen into the hands of the enemy, but from what cause remains to be known."²

Brock received this news at Toronto, July 29; but not till August 3 did it reach Hull, by the arrival of the paroled prisoners. He was then on the Canada side, at Sandwich, opposite Detroit; having crossed with from fourteen to sixteen hundred men on July 12. This step was taken on the strength of a discretionary order from

¹ Life of Brock, p. 192.

² Writings of James Madison (Lippincott, 1865), vol. ii. p. 543.

the Secretary of War, that if "the force under your command be equal to the enterprise, consistent with the safety of your own post, you will take possession of Malden, and extend your conquests as circumstances may justify." It must be added, however, in justice to the Administration, that the same letter, received July 9, three days before the crossing, contained the warning, "It is also proper to inform you that an adequate force cannot soon be relied on for the reduction of the enemy's posts below you."¹ This bears on the question of Hull's expectation of support by diversion on the Niagara frontier, and shows that he had fair notice on that score. That over-confidence still possessed him seems apparent from a letter to the secretary dated July 7, in which he said, "In your letter of June 18, you direct me to adopt measures for the security of the country, and to await further orders. I regret that I have not larger latitude."² Now he received it, and his invasion of Canada was the result. It is vain to deny his liberty of action, under such instructions, but it is equally vain to deny the responsibility of a superior who thus authorizes action, and not obscurely intimates a wish, under general military conditions perfectly well known, such as existed with reference to Hull's communications. Hull's attempt to justify his movement on the ground of pressure from subordinates, moral effect upon his troops, is admissible only if his decision were consistently followed by the one course that gave a chance of success. As a military enterprise the attempt was hopeless, unless by a rapid advance upon Malden he could carry the works by instant storm. In that event the enemy's army and navy, losing their local base of operations, would have to seek one new and distant, one hundred and fifty

¹ Eustis to Hull, June 24, 1812. From MS. copy in the Records of the War Department. This letter was acknowledged by Hull, July 9.

² Hull's Trial, Appendix, p. 9.

miles to the eastward, at Long Point; whence attempts against the American positions could be only by water, with transportation inadequate to carrying large bodies of men. The American general thus might feel secure against attacks on his communications with Ohio, the critical condition of which constituted the great danger of the situation, whether at Detroit or Sandwich. Hull himself, ten days after crossing, wrote, "It is in the power of this army to take Malden by storm, but it would be attended, in my opinion, with too great a sacrifice under the present circumstances."¹

Instead of prompt action, two days were allowed to pass. Then, July 14, a council of war decided that immediate attack was inexpedient, and delay advisable. This conclusion, if correct, condemned the invasion, and should have been reached before it was attempted. The military situation was this: Hull's line of supplies and re-enforcements was reasonably secure from hostile interference between southern Ohio and the Maumee; at which river proper fortification would permit the establishment of an advanced depot. Thence to Detroit was seventy-two miles, through much of which the road passed near the lake shore. It was consequently liable to attack from the water, so long as that was controlled by the enemy; while by its greater distance from the centre of American population in the West, it was also more exposed to Indian hostilities than the portion behind the Maumee. Under these circumstances, Detroit itself was in danger of an interruption of supplies and re-enforcements, amounting possibly to isolation. It was open to the enemy to land in its rear, secure of his own communications by water, and with a fair chance, in case of failure, to retire by the way he came; for retreat could be made safely in very small vessels or boats, so long as Malden was held in force.

¹ Hull to Eustis, July 22, 1812. Hull's Trial, Appendix, p. 10.

The reduction of Malden might therefore secure Detroit, by depriving the enemy of a base suitable for using his lake power against its communications. Unless this was accomplished, any advance beyond Detroit with the force then at hand merely weakened that place, by just the amount of men and means expended, and was increasingly hazardous when it entailed crossing water. A sudden blow may snatch safety under such conditions; but to attempt the slow and graduated movements of a siege, with uncertain communications supporting it, is to court disaster. The holding of Detroit being imperative, efforts external to it should have been chiefly exerted on its rear, and upon its front only to prevent the easy passage of the enemy. In short, when Detroit was reached, barring the chance of a *coup de main* upon Malden, Hull's position needed to be made more solid, not more extensive. As it was, the army remained at Sandwich, making abortive movements toward the river Canard, which covered the approach to Malden, and pushing small foraging parties up the valley of the Thames. The greatest industry was used, Hull reported, in making preparations to besiege, but it was not till August 7, nearly four weeks after crossing, that the siege guns were ready; and then the artillery officers reported that it would be extremely difficult, if not impossible, to take them to Malden by land, and by water still more so, because the ship of war "Queen Charlotte," carrying eighteen 24-pounders, lay off the mouth of the Canard, commanding the stream.

The first impression produced by the advance into Canada had been propitious to Hull. He himself in his defence admitted that the enemy's force had diminished, great part of their militia had left them, and many of their Indians.¹ This information of the American camp corresponded with the facts. Lieut. Colonel St. George, com-

¹ Hull's Trial, Defence, p. 45.

manding Fort Malden, reported the demoralized condition of his militia. Three days after Hull crossed he had left but four hundred and seventy-one, in such a state as to be absolutely inefficient.¹ Colonel Procter, who soon afterwards relieved him, could on July 18 muster only two hundred and seventy Indians by the utmost exertion, and by the 26th these had rather decreased.² Professing to see no immediate danger, he still asked for five hundred more regulars. At no time before Hull recrossed did he have two hundred and fifty.³ Under Hull's delay these favorable conditions disappeared. British re-enforcements, small but veteran, arrived; the local militia recovered; and the Indians, with the facile changefulness of savages, passed from an outwardly friendly bearing over to what began to seem the winning side. Colonel Procter then initiated the policy of threatening Hull's communications from the lake side. A body of Indians sent across by him on August 4 defeated an American detachment marching to protect a convoy from the Maumee. This incident, coming upon accumulating adverse indications, and coinciding with the bad news received from Mackinac, aroused Hull to the essential danger of his situation. August 8 he recrossed to Detroit. August 9 another vigorous effort was made by the enemy to destroy a detachment sent out to establish communications with the rear. Although the British were defeated, the Americans were unable to proceed, and returned to the town without supplies. In the first of these affairs some more of Hull's correspondence was captured, which revealed his apprehensions, and the general moral condition of his command, to an opponent capable of appreciating their military significance.

Brock had remained near Niagara, detained partly by the

¹ Canadian Archives MSS. C. 676, p. 177.

² *Ibid.*, p. 242.

³ Hull's Trial. Evidence of Lieutenant Gooding, p. 101, and of Sergeant Forbush, p. 147 (prisoners in Malden).

political necessity of meeting the provincial legislature, partly to watch over what he considered the more exposed portion of his military charge; for a disaster to it, being nearer the source of British power, would have upon the fortunes of the West an effect even more vital than a reverse there would exert upon the East. Being soon satisfied that the preparations of the United States threatened no immediate action, and finding that Hull's troops were foraging to a considerable distance east of Sandwich, along the Thames, he had decided to send against them a small body of local troops with a number of Indians, while he himself gathered some militia and went direct by water to Malden. To his dismay, the Indians declined to assist, alleging their intention to remain neutral; upon which the militia also refused, saying they were afraid to leave their homes unguarded, till it was certain which side the savages would take. On July 25 Brock wrote that his plans were thus ruined; but July 29 it became known that Mackinac had fallen, and on that day the militia about York [Toronto], where he then was, volunteered for service in any part of the province. August 8 he embarked with three hundred of them, and a few regulars, at Long Point, on the north shore of Lake Erie; whence he coasted to Malden, arriving on the 13th.

Meanwhile batteries had been erected opposite Detroit, which opened on the evening of August 15, the fort replying; but slight harm was done on either side. Next day Brock crossed the greater part of his force, landing three miles below Detroit. His little column of assault consisted of 330 regulars, 400 militia, and 600 Indians, the latter in the woods covering the left flank.¹ The effective Americans present were by that morning's report 1,060;² while their field artillery, additional to that mounted in the works, was

¹ Life of Brock, p. 250.

² Letter of Colonel Cass to U. S. Secretary of War, Sept. 10, 1812. Hull's Trial, Appendix, p. 27.

much superior to that of the enemy, was advantageously posted, and loaded with grape. Moreover, they had the fort, on which to retire.

Brock's movements were audacious. Some said nothing could be more desperate; "but I answer, that the state of Upper Canada admitted of nothing but desperate remedies."¹ The British general had served under Nelson at Copenhagen, and quoted him here. He knew also, through the captured correspondence, that his opponent was a prey to a desperation very different in temper from his own, and had lost the confidence of his men. He had hoped, by the threatening position assumed between the town and its home base, to force Hull to come out and attack; but learning now that the garrison was weakened by a detachment of three hundred and fifty, despatched two days before under Colonel McArthur to open intercourse with the Maumee by a circuitous road, avoiding the lake shore, he decided to assault at once. When the British column had approached within a mile, Hull withdrew within the works all his force, including the artillery, and immediately afterward capitulated. The detachment under McArthur, with another from the state of Ohio on its way to join the army, were embraced in the terms; Brock estimating the whole number surrendered at not less than twenty-five hundred. A more important capture, under the conditions, was an American brig, the "Adams," not yet armed, but capable of use as a ship of war, for which purpose she had already been transferred from the War Department to the Navy.

In his defence before the Court Martial, which in March, 1814, tried him for his conduct of the campaign, Hull addressed himself to three particulars, which he considered to be the principal features in the voluminous charges and specifications drawn against him. These were, "the delay

¹ Life of Brock, p. 267.

at Sandwich, the retreat from Canada, and the surrender at Detroit.”¹ Concerning these, as a matter of military criticism, it may be said with much certainty that if conditions imposed the delay at Sandwich, they condemned the advance to it, and would have warranted an earlier retreat. The capitulation he justified on the ground that resistance could not change the result, though it might protract the issue. Because ultimate surrender could not be averted, he characterized life lost in postponing it as blood shed uselessly. The conclusion does not follow from the premise; nor could any military code accept the maxim that a position is to be yielded as soon as it appears that it cannot be held indefinitely. Delay, so long as sustained, not only keeps open the chapter of accidents for the particular post, but supports related operations throughout the remainder of the field of war. Tenacious endurance, if it effected no more, would at least have held Brock away from Niagara, whither he hastened within a week after the capitulation, taking with him a force which now could be well spared from the westward. No one military charge can be considered as disconnected; therefore no commander has a right to abandon defence while it is possible to maintain it, unless he also knows that it cannot affect results elsewhere; and this practically can never be certain. The burden of anxieties, of dangers and difficulties, actual and possible, weighing upon Brock, were full as great as those upon Hull, for on his shoulders rested both Niagara and Malden. His own resolution and promptitude triumphed because of the combined inefficiency of Hull and Dearborn. He scarcely could have avoided disaster at one end or the other of the line, had either opponent been thoroughly competent.

There was yet another reason which weighed forcibly with Hull, and probably put all purely military considera-

¹ Hull's Trial. Defence, p. 20.

tions out of court. This was the dread of Indian outrage and massacre. The general trend of the testimony, and Hull's own defence, go to show a mind overpowered by the agony of this imagination. After receiving word of the desertion of two companies, he said, "I now became impatient to put the place under the protection of the British; I knew that there were thousands of savages around us." These thousands were not at hand. Not till after September 1 did as many as a hundred arrive from the north — from Mackinac.¹ In short, unless what Cass styled the philanthropic reason can be accepted, — and in the opinion of the present writer it cannot, — Hull wrote the condemnation of his action in his own defence. "I shall now state what force the enemy brought, or might bring, against me. I say, gentlemen, *might bring*, because it was that consideration which induced the surrender, and not the force which was actually landed on the American shore on the morning of the 16th. It is possible I might have met and repelled that force; and if I had no further to look than the event of a contest at that time, I should have trusted to the issue of a battle. . . . The force brought against me I am very confident was not less than one thousand whites, and as many savage warriors."²

The reproach of this mortifying incident cannot be lifted from off Hull's memory; but for this very reason, in weighing the circumstances, it is far less than justice to forget his years, verging on old age, his long dissociation from military life, his personal courage frequently shown during the War of Independence, nor the fact that, though a soldier on occasion, he probably never had the opportunity to form correct soldierly standards. To the credit account should also be carried the timely and really capable presen-

¹ Hull's Trial. Testimony of Captain Eastman, p. 100, and of Dalliby, Ordnance Officer, p. 84.

² Ibid. Hull's Defence, pp. 59-60.

tation of the conditions of the field of operations already quoted, submitted by him to the Government, which should not have needed such demonstration. The mortification of the country fastened on his name ; but had the measures urged by him been taken, had his expedition received due support by energetic operations elsewhere, events need not have reached the crisis to which he proved unequal. The true authors of the national disaster and its accompanying humiliation are to be sought in the national administrations and legislatures of the preceding ten or twelve years, upon whom rests the responsibility for the miserably unprepared condition in which the country was plunged into war. Madison, too tardily repentant, wrote, "The command of the Lakes by a superior force on the water ought to have been a fundamental part in the national policy from the moment the peace [of 1783] took place. What is now doing for the command proves what may be done."¹

¹ Madison to Dearborn, Oct. 7, 1812. Writings, vol. ii, p. 547.

CHAPTER VII

OPERATIONS ON THE NORTHERN FRONTIER AFTER HULL'S SURRENDER. EUROPEAN EVENTS BEARING ON THE WAR

BY August 25, nine days after the capitulation of Detroit, Brock was again writing from Fort George, by Niagara. About the time of his departure for Malden, Prevost had received from Foster, late British minister to Washington, and now in Nova Scotia, letters foreshadowing the repeal of the Orders in Council. In consequence he had sent his adjutant-general, Colonel Baynes, to Dearborn to negotiate a suspension of hostilities. Like all intelligent flags of truce, Baynes kept his eyes wide open to indications in the enemy's lines. The militia, he reported, were not uniformed; they were distinguished from other people of the country only by a cockade. The regulars were mostly recruits. The war was unpopular, the great majority impatient to return to their homes; a condition Brock observed also in the Canadians. They avowed a fixed determination not to pass the frontier. Recruiting for the regular service went on very slowly, though pay and bounty were liberal. Dearborn appeared over sixty, strong and healthy, but did not seem to possess the energy of mind or activity of body requisite to his post. In short, from the actual state of the American forces assembled on Lake Champlain, Baynes did not think there was any intention of invasion. From its total want of discipline and order, the militia could not be considered formidable when opposed to well-dis-

ciplined British regulars.¹ Of this prognostic the war was to furnish sufficient saddening proof. The militia contained excellent material for soldiers, but soldiers they were not.

Dearborn declined to enter into a formal armistice, as beyond his powers; but he consented to a cessation of hostilities pending a reference to Washington, agreeing to direct all commanders of posts within his district to abstain from offensive operations till further orders. This suspension of arms included the Niagara line, from action upon which Hull had expected to receive support. In his defence Hull claimed that this arrangement, in which his army was not included, had freed a number of troops to proceed against him; but the comparison of dates shows that every man present at Detroit in the British force had gone forward before the agreement could be known. The letter engaging to remain on the defensive only was signed by Dearborn at Greenbush, near Albany, August 8. The same day Brock was three hundred and fifty miles to the westward, embarking at Long Point for Malden; and among his papers occurs the statement that the strong American force on the Niagara frontier compelled him to take to Detroit only one half of the militia that volunteered.² His military judgment and vigor, unaided, had enabled him to abandon one line, and that the most important, concentrate all available men at another point, effect there a decisive success, and return betimes to his natural centre of operations. He owed nothing to outside military diplomacy. On the contrary, he deeply deplored the measure which now tied his hands at a moment when the Americans, though restrained from fighting, were not pre-

¹ Baynes to Prevost. Canadian Archives, C. 377, pp. 27-37.

² Life of Brock, p. 258. Brock first heard of the suspension August 23, at Fort Erie, on his return toward Niagara. Life, p. 274. See also a letter from Brock to the American General Van Rensselaer, in the Defence of General Dearborn, by H. A. S. Dearborn, p. 8.

vented from bringing up re-enforcements to the positions confronting him.

Dearborn's action was not approved by the Administration, and the armistice was ended September 4, by notification. Meantime, to strengthen the British Niagara frontier, all the men and ordnance that could now be spared from Amherstburg had been brought back by Brock to Fort Erie, which was on the lake of that name, at the upper end of the Niagara River. Although still far from secure, owing to the much greater local material resources of the United States, and the preoccupation of Great Britain with the Peninsular War, which prevented her succoring Canada, Brock's general position was immensely improved since the beginning of hostilities. His successes in the West, besides rallying the Indians by thousands to his support, had for the time so assured that frontier as to enable him to concentrate his efforts on the East; while the existing British naval superiority on both lakes, Erie and Ontario, covered his flanks, and facilitated transportation — communications — from Kingston to Niagara, and thence to Malden, Detroit, Mackinac, and the Great West. To illustrate the sweep of this influence, it may be mentioned here — for there will be no occasion to repeat — that an expedition from Mackinac at a later period captured the isolated United States post at Prairie du Chien, on the Mississippi, on the western border of what is now the state of Wisconsin. Already, at the most critical period, the use of the water had enabled Brock, by simultaneous movements, to send cannon from Fort George by way of Fort Erie to Fort Malden; while at the same time replacing those thus despatched by others brought from Toronto and Kingston. In short, control of the lakes conferred upon him the recognized advantage of a central position — the Niagara peninsula — having rapid communication by interior lines with the flanks, or extremities;

to Malden and Detroit in one direction, to Toronto and Kingston in the other.

It was just here, also, that the first mischance befell him; and it cannot but be a subject of professional pride to a naval officer to trace the prompt and sustained action of his professional ancestors, who reversed conditions, not merely by a single brilliant blow, upon which popular reminiscence fastens, but by efficient initiative and sustained sagacious exertion through a long period of time. On September 3, Captain Isaac Chauncey had been ordered from the New York navy yard to command on Lakes Erie and Ontario. Upon the latter there was already serving Lieutenant Melancthon T. Woolsey, in command of a respectable vessel, the brig "Oneida," of eighteen 24-pounder carronades. On Erie there was as yet no naval organization nor vessel. Chauncey consequently, on September 7, ordered thither Lieutenant Jesse D. Elliott to select a site for equipping vessels, and to contract for two to be built of three hundred tons each. Elliott, who arrived at Buffalo on the 14th, was still engaged in this preliminary work, and was fitting some purchased schooners behind Squaw Island, three miles below, when, on October 8, there arrived from Malden, and anchored off Fort Erie, two British armed brigs, the "Detroit" — lately the American "Adams," surrendered with Hull — and the "Caledonia," which co-operated so decisively in the fall of Mackinac. The same day he learned the near approach of a body of ninety seamen, despatched by Chauncey from New York on September 22.¹ He sent to hasten them, and they arrived at noon. The afternoon was spent in preparations, weapons having to be obtained from the army, which also supplied a contingent of fifty soldiers.

The seamen needed refreshment, having come on foot five

¹ Chauncey to the Secretary of the Navy, Sept. 26, 1812. Captains' Letters, Navy Department MSS.

hundred miles, but Elliott would not trifle with opportunity. At 1 A.M. of October 9 he shoved off with a hundred men in two boats, and at 3 was alongside the brigs. From Buffalo to Fort Erie is about two miles; but this distance was materially increased by the strong downward current toward the falls, and by the necessity of pulling far up stream in order to approach the vessels from ahead, which lessened the chance of premature discovery, and materially shortened the interval between being seen and getting alongside. The enemy, taken by surprise, were quickly overpowered, and in ten minutes both prizes were under sail for the American shore. The "Caledonia" was beached at Black Rock, where was Elliott's temporary navy yard, just above Squaw Island; but the wind did not enable the "Detroit," in which he himself was, to stem the downward drift of the river. After being swept some time, she had to anchor under the fire of batteries at four hundred yards range, to which reply was made till the powder on board was expended. Then, the berth proving too hot, the cable was cut, sail again made, and the brig run ashore on Squaw Island within range of both British and American guns. Here Elliott abandoned her, she having already several large shot through her hull, with rigging and sails cut to pieces, and she was boarded in turn by a body of the enemy. Under the conditions, however, neither side could remain to get her off, and she was finally set on fire by the Americans.¹ Besides the vessel herself, her cargo of ordnance was lost to the British. American seamen afterward recovered from the wreck by night four 12-pounders, and a quantity of shot, which were used with effect.

The conduct of this affair was of a character frequent in the naval annals of that day. Elliott's quick discernment of the opportunity to reverse the naval conditions which consti-

¹ Elliott's report of this affair will be found in the Captains' Letters, Navy Department MSS., forwarded by Chauncey Oct. 16, 1812.

tuted so much of the British advantage, and the promptness of his action, are qualities more noticeable than the mere courage displayed. "A strong inducement," he wrote, "was that with these two vessels, and those I have purchased, I should be able to meet the remainder of the British force on the Upper Lakes." The mishap of the "Detroit" partly disappointed this expectation, and the British aggregate remained still superior; but the units lost their perfect freedom of movement, the facility of transportation was greatly diminished, and the American success held in it the germ of future development to the superiority which Perry achieved a year later. None realized the extent of the calamity more keenly than Brock. "This event is particularly unfortunate," he wrote to the Governor General, "and may reduce us to incalculable distress. The enemy is making every exertion to gain a naval superiority on both lakes; which, if they accomplish, I do not see how we can retain the country. More vessels are fitting for war on the other side of Squaw Island, which I should have attempted to destroy but for your Excellency's repeated instructions to forbear. Now such a force is collected for their protection as will render every operation against them very hazardous."¹ To his subordinate, Procter, at Detroit, he exposed the other side of the calamity.² "This will reduce us to great distress. You will have the goodness to state the expedients you possess to enable us to replace, as far as possible, the heavy loss we have sustained in the 'Detroit' . . . A quantity of provisions was ready to be shipped; but as I am sending you the flank companies of the Newfoundland Regiment by the 'Lady Prevost,' she cannot take the provisions." Trivial details these may seem; but in war, as in other matters, trivialities sometimes decide great issues, as the touching of a button may

¹ *Life of Brock*, p. 315.

² *Ibid.*, p. 316.

blow up a reef. The battle of Lake Erie, as before said, was precipitated by need of food.

Brock did not survive to witness the consequences which he apprehended, and which, had he lived, he possibly might have done something to avert. The increasing strength he had observed gathering about Elliott's collection of purchased vessels corresponded to a gradual accumulation of American land force along the Niagara line; the divisions of which above and below the Falls were under two commanders, between whom co-operation was doubtful. General Van Rensselaer of the New York militia, who had the lower division, determined upon an effort to seize the heights of Queenston, at the head of navigation from Lake Ontario. The attempt was made on October 13, before daybreak. Brock, whose headquarters were at Fort George, was quickly on the ground; so quickly, that he narrowly escaped capture by the advance guard of Americans as they reached the summit. Collecting a few men, he endeavored to regain the position before the enemy could establish himself in force, and in the charge was instantly killed at the head of his troops.

In historical value, the death of Brock was the one notable incident of the day, which otherwise was unproductive of results beyond an additional mortification to the United States. The Americans gradually accumulated on the height to the number of some six hundred, and, had they been properly re-enforced, could probably have held their ground, affording an opening for further advance. It was found impossible to induce the raw, unseasoned men on the other side to cross to their support, and after many fruitless appeals the American general was compelled to witness the shameful sight of a gallant division driven down the cliffs to the river, and there obliged to surrender, because their comrades refused to go betimes to their relief.

Van Rensselaer retired from service, and was succeeded

by General Smyth, who now held command of the whole line, thirty miles, from Buffalo to Fort Niagara, opposite Fort George, where the river enters Lake Ontario. A crossing in force, in the upper part of the river, opposite Black Rock, was planned by him for November 28. In preparation for it an attack was to be made shortly before daylight by two advance parties, proceeding separately. One was to carry the batteries and spike the guns near the point selected for landing; the other, to destroy a bridge five miles below, by which re-enforcements might arrive to the enemy.

To the first of these was attached a party of seventy seamen, who carried out their instructions, spiking and dismounting the guns. The fighting was unusually severe, eight out of the twelve naval officers concerned being wounded, two mortally, and half of the seamen either killed or wounded. Although the bridge was not destroyed, favorable conditions for the crossing of the main body had been established; but, upon viewing the numbers at his disposal, Smyth called a council of war, and after advising with it decided not to proceed. This was certainly a case of useless bloodshed. General Porter of the New York militia, who served with distinguished gallantry on the Niagara frontier to the end of the war, was present in this business, and criticised Smyth's conduct so severely as to cause a duel between them. "If bravery be a virtue," wrote Porter, "if the gratitude of a country be due to those who gallantly and desperately assert its rights, the government will make ample and honorable provision for the heirs of the brave tars who fell on this occasion, as well as for those that survive."¹ Another abortive movement toward crossing was made a few days later, and with it land operations on the Niagara frontier ended for the year 1812. Smyth was soon afterward dropped from the rolls of the army.

¹ Porter's Address to the Public. *Niles' Register*, vol. iii. p. 284.

In the eastern part of Dearborn's military division, where he commanded in person, toward Albany and Champlain, less was attempted than at Detroit or Niagara. To accomplish less would be impossible; but as nothing was seriously undertaken, nothing also disastrously failed. The Commander-in-Chief gave sufficient disproof of military capacity by gravely proposing to "operate with effect at the same moment against Niagara, Kingston, and Montreal."¹ Such divergence of effort and dissemination of means, scanty at the best, upon points one hundred and fifty to two hundred miles apart, contravened all sound principle; to remedy which no compensating vigor was discoverable in his conduct. In all these quarters, as at Detroit, the enemy were perceptibly stronger in the autumn than when the war began; and the feebleness of American action had destroyed the principal basis upon which expectation of success had rested — the disaffection of the inhabitants of Canada and their readiness to side with the invaders. That this disposition existed to a formidable extent was well known. It constituted a large element in the anxieties of the British generals, especially of Brock; for in his district there were more American settlers than in Lower Canada.² On the Niagara peninsula, especially, climatic conditions, favorable to farming, had induced a large immigration. But local disloyalty is a poor reed for an assailant to rest upon, and to sustain it in vigorous action commonly requires the presence of a force which will render its assistance needless. Whatever inclination to rebel there might have been was effectually quelled by the energy of Brock, the weakness of Hull, and the impotence of Dearborn and his subordinates.

In the general situation the one change favorable to the

¹ See Eustis's Letter to Dearborn, Aug. 15, 1812. Hull's *Memoirs of the Northwestern Campaign*, p. 87.

² *Life of Brock*, pp. 106, 130, 181.

United States was in a quarter the importance of which the Administration had been slow to recognize, and probably scarcely appreciated even now. The anticipated military laurels had vanished like a dream, and the disinclination of the American people to military life in general, and to this war in particular, had shown itself in enlistments for the army, which, the President wrote, "fall short of the most moderate calculation." The attempt to supplement "regulars" by "volunteers," who, unlike the militia, should be under the General Government instead of that of the States — a favorite resource always with the Legislature of the United States — was "extremely unproductive;" while the militia in service were not under obligation to leave their state, and might, if they chose, abandon their fellow-countrymen outside its limits to slaughter and capture, as they did at Niagara, without incurring military punishment. The governors of the New England States, being opposed to the war, refused to go a step beyond protecting their own territory from hostilities, which they declared were forced upon them by the Administration rather than by the British. For this attitude there was a semblance of excuse in the utter military inefficiency to which the policy of Jefferson and Madison had reduced the national government. It was powerless to give the several states the protection to which it was pledged by the Constitution. The citizens of New York had to fortify and defend their own harbor. The reproaches of New England on this score were seconded somewhat later by the outcries of Maryland; and if Virginia was silent under suffering, it was not because she lacked cause for complaint. It is to be remembered that in the matter of military and naval unpreparedness the great culprits were Virginians. South of Virginia the nature of the shore line minimized the local harrying, from which the northern part of the community suffered. Nevertheless,

there also the coasting trade was nearly destroyed, and even the internal navigation seriously harassed.

Only on the Great Lakes had the case of the United States improved, when winter put an end to most operations on the northern frontier. As in the Civil War a half century later, so in 1812, the power of the water over the issues of the land not only was not comprehended by the average official, but was incomprehensible to him. Armstrong in January, and Hull in March, had insisted upon a condition that should have been obvious; but not till September 3, when Hull's disaster had driven home Hull's reasoning, did Captain Chauncey receive orders "to assume command of the naval force on lakes Erie and Ontario, and to use every exertion to obtain control of them this fall." All preparations had still to be made, and were thrown, most wisely, on the man who was to do the work. He was "to use all the means which he might judge essential to accomplish the wishes of the government."¹ It is only just to give these quotations, which indicate how entirely everything to be done was left to the energy and discretion of the officer in charge, who had to plan and build up, almost from the foundation, the naval force on both lakes. Champlain, apparently by an oversight, was not included in his charge. Near the end of the war he was directed to convene a court-martial on some occurrences there, and then replied that it had never been placed under his command.²

Chauncey, who was just turned forty, entered on his duties with a will. Having been for four years in charge of the navy yard at New York, he was intimately acquainted with the resources of the principal depot from which he must draw his supplies. On September 26, after

¹ Chauncey to Secretary, Sept. 26, 1812. Captains' Letters, Navy Department MSS.

² Chauncey to Secretary, Feb. 24, 1815. Ibid.

three weeks of busy collecting and shipping, he started for his station by the very occasional steamboat of those days, which required from eighteen to twenty hours for the trip to Albany. On the eve of departure, he wrote the Government that he had despatched "one hundred and forty ship-carpenters, seven hundred seamen and marines, more than one hundred pieces of cannon, the greater part of large caliber, with muskets, shot, carriages, etc. The carriages have nearly all been made, and the shot cast, in that time. Nay, I may say that nearly every article that has been sent forward has been made."¹ The words convey forcibly the lack of preparation which characterized the general state of the country; and they suggest also the difference in energy and efficiency between a man of forty, in continuous practice of his profession, and generals of sixty, whose knowledge of their business derived over a disuse of more than thirty years, and from experience limited to positions necessarily very subordinate. From the meagreness of steamer traffic, all this provision of men and material had to go by sail vessel to Albany; and Chauncey wrote that his personal delay in New York was no injury, but a benefit, for as it was he should arrive well before the needed equipment.

On October 6 he reached Sackett's Harbor, "in company with his Excellency the Governor of New York, through the worst roads I ever saw, especially near this place, in consequence of which I have ordered the stores intended for this place to Oswego, from which place they will come by water." Elliott had reported from Buffalo that "the roads are good, except for thirteen miles, which is intolerably bad; so bad that ordnance cannot be brought in wagons; it must come when snow is on the ground, and then in sleds." All expectation of contesting Lake Erie

¹ The details of Chauncey's actions are appended to his letter of Sept. 26, 1812.

was therefore abandoned for that year, and effort concentrated on Ontario. There the misfortune of the American position was that the only harbor on their side of the lake, Sackett's, close to the entrance of the St. Lawrence, was remote from the highways of United States internal traffic. The roads described by Chauncey cut it off from communications by land, except in winter and the height of summer; while the historic water route by the Mohawk River, Lake Oneida, and the outlet of the latter through the Oswego River, debouched upon Ontario at a point utterly insecure against weather or hostilities. It was necessary, therefore, to accept Sackett's Harbor as the only possible navy yard and station, under the disadvantage that the maintenance of it — and through it, of the naval command of Ontario — depended upon this water transport of forty miles of open lake from the Oswego River. The danger, when superiority of force lapsed, as at times it did, was lessened by the existence of several creeks or small rivers, within which coasting craft could take refuge and find protection from attack under the muskets of the soldiery. Sackett's Harbor itself, though of small area, was a safe port, and under proper precautions defensible; but in neither point of view was it comparable with Kingston.

While in New York, Chauncey's preparations had not been limited to what could be done there. By communication with Elliott and Woolsey, he had informed himself well as to conditions, and had initiated the purchase and equipment of lake craft, chiefly schooners of from forty to eighty tons, which were fitted to carry one or two heavy guns; the weight of battery being determined partly by their capacity to bear it, and partly by the guns on hand. Elliott's report concerning Lake Erie led to his being diverted, at his own suggestion, to the mouth of the Genesee and to Oswego, to equip four schooners lying there; for arming which cannon before destined to Buffalo were like-

wise turned aside to those points. When Chauncey reached Sackett's, he found there also five schooners belonging mainly to the St. Lawrence trade, which had been bought under his directions by Woolsey. There was thus already a very fair beginning of a naval force; the only remaining apprehension being that, "from the badness of the roads and the lowness of the water in the Mohawk, the guns and stores will not arrive in time for us to do anything decisive against the enemy this fall."¹ Should they arrive soon enough, he hoped to seek the British in their own waters by November. Besides these extemporized expedients, two ships of twenty-four guns were under construction at Sackett's, and two brigs of twenty, with three gunboats, were ordered on Lake Erie — all to be ready for service in the spring, their batteries to be sent on when the snow made it feasible.

After some disappointing detention, the waters of the inlet and outlet of Lake Oneida rose sufficiently to enable guns to reach Oswego, whence they were safely conveyed to Sackett's. On November 2 the report of a hostile cruiser in the neighborhood, and fears of her interfering with parts of the armaments still in transit, led Chauncey to go out with the "Oneida," the only vessel yet ready, to cut off the return of the stranger to Kingston. On this occasion he saw three of the enemy's squadron, which, though superior in force, took no notice of him. This slackness to improve an evident opportunity may reasonably be ascribed to the fact that as yet the British vessels on the lakes were not in charge of officers of the Royal Navy, but of a force purely provincial and irregular. Returning to Sackett's, Chauncey again sailed, on the evening of November 6, with the "Oneida" and six armed schooners. On the 8th he fell in with a single British

¹ Chauncey to Secretary of the Navy, Oct. 8, 12, 21, 1812. Captains' Letters.

vessel, the "Royal George," of twenty-one guns, which retreated that night into Kingston. The Americans followed some distance into the harbor on the 9th, and engaged both the ship and the works; but the breeze blowing straight in, and becoming heavy, made it imprudent longer to expose the squadron to the loss of spars, under the fire of shore guns, when retreat had to be effected against the wind. Beating out, a British armed schooner was sighted coming in from the westward; but after some exchange of shots, she also, though closely pressed, escaped by her better local knowledge, and gained the protection of the port. The squadron returned to Sackett's, taking with it two lake vessels as prizes, and having destroyed a third — all three possible resources for the enemy.¹

Nothing decisive resulted from this outing, but it fairly opened the campaign for the control of the lakes, and served to temper officers and men for the kind of task before them. It gave also some experience as to the strength of the works at Kingston, which exceeded Chauncey's anticipations, and seems afterward to have exerted influence upon his views of the situation; but at present he announced his intention, if supported by a military force, to attack the enemy's vessels at their anchorage. Although several shot had been seen to strike, Chauncey himself entertained no doubt that all their damages could readily be repaired, and that they would put out again, if only to join their force to that already in Toronto. Still, on November 13, he reported his certainty that he controlled the water, an assurance renewed on the 17th; adding that he had taken on board military stores, with which he would sail on the first fair wind for Niagara River, and that he was prepared to effect transportation to any part of the lake, regardless of the enemy, but not of

¹ Chauncey to Secretary, October 27, November 4, 6, 13. Captains' Letters. Those for November 6 and 13 can be found in Niles, vol. iii, pp. 205, 206.

the weather. The last reservation was timely, for, sailing two days later, the vessels were driven back, one schooner being dismasted. As navigation on Erie opened usually much later than that upon Ontario, there was reasonable certainty that stores could reach the upper lake before they were needed in the spring, and the attempt was postponed till then. Meantime, however, four of the schooners were kept cruising off Kingston, to prevent intercourse between it and the other ports.¹

On December 1 Chauncey wrote that it was no longer safe to navigate the lake, and that he would soon lay up the vessels. He ascertained subsequently that the recent action of the squadron had compelled troops for Toronto to march by land, from Kingston, and had prevented the transport of needed supplies to Fort George, thus justifying his conviction of control established over the water communications. A few days before he had had the satisfaction of announcing the launch, on November 26, of the "Madison," a new ship of the corvette type, of 590 tons, one third larger than the ocean cruisers "Wasp" and "Hornet," of the same class, and with proportionately heavy armament; she carrying twenty-four 32-pounder carronades, and they sixteen to eighteen of the like weight. "She was built," added Chauncey, "in the short time of forty-five days; and nine weeks ago the timber that she is composed of was growing in the forest."² It seems scarcely necessary to point the moral, which he naturally did not draw for the edification of his superiors in the Administration, that a like energy displayed on Lake Erie, when war was contemplated, would have placed Hull's enterprise on the same level of security that was obtained for his successor by Perry's victory a year later, and at much less cost.

¹ Chauncey to Secretary, November 17. Captains' Letters.

² Chauncey to Secretary, Nov. 26, 1812. Ibid.

With the laying up of the fleet on the lakes operations on the northern frontier closed, except in the far West, where General Harrison succeeded to the command after Hull's capitulation. The loss of Detroit had thrown the American front of operations back upon the Maumee; nor would that, perhaps, have been tenable, had conditions in Upper Canada permitted Brock to remain with the most of his force through August and September. As it was, just apprehension for the Niagara line compelled his return thither; and the same considerations that decided the place of the Commander-in-Chief, dictated also that of the mass of his troops. The command at Detroit and Malden was left to Colonel Procter, whose position was defensively secured by naval means; the ship "Queen Charlotte" and brig "Hunter" maintaining local control of the water. He was, however, forbidden to attempt operations distinctively offensive. "It must be explicitly understood," wrote Brock to him, "that you are not to resort to offensive warfare for the purposes of conquest. Your operations are to be confined to measures of defence and security."¹ Among these, however, Brock included, by direct mention, undertakings intended to destroy betimes threatening gatherings of men or of stores; but such action was merely to secure the British positions, on the principle, already noted, that offence is the best defence. How far these restrictions represent Brock's own wishes, or reflect simply the known views of Sir George Prevost, the Governor General, is difficult to say. Brock's last letter to Procter, written within a week of his death, directed that the enemy should be kept in a state of constant ferment. It seems probable, however, that Procter's force was not such as to warrant movement with a view to permanent occupation beyond Detroit, the more so as the roads were usually very bad; but any effort on the part of the Americans to

¹ Life of Brock, p. 293.

establish posts on the Maumee, or along the lake, must be promptly checked, if possible, lest these should form bases whence to march in force upon Detroit or Malden, when winter had hardened the face of the ground.¹

The purpose of the Americans being to recover Detroit, and then to renew Hull's invasion, their immediate aim was to establish their line as far to the front as it could for the moment be successfully maintained. The Maumee was such a line, and the one naturally indicated as the advanced base of supplies upon which any forward movement by land must rest. The obstacle to its tenure, when summer was past and autumn rains had begun, was a great swamp, known locally as the Black Swamp, some forty miles wide, stretching from the Sandusky River on the east to the Indiana line on the west, and therefore impeding the direct approach from the south to the Maumee. Through this Hull had forced his way in June, building a road as he went; but by the time troops had assembled in the autumn progress here proved wholly impossible.

On account of the difficulties of transportation, Harrison divided his force into three columns, the supplies of each of which in a new country could be more readily sustained than those of the whole body, if united; in fact, the exigencies of supply in the case of large armies, even in well-settled countries, enforce "dissemination in order to live," as Napoleon expressed it. It is of the essence of such dissemination that the several divisions shall be near enough to support each other if there be danger of attack; but in the case of Harrison, although his dispositions have been severely censured on this score, south of the Maumee no such danger existed to a degree which could not be safely disregarded. The centre column, therefore, was to

¹ In the Canadian Archives frequent mention is made of expeditions by Procter's forces about the American lines, as of the British shipping on the Lake front during the autumn of 1812.

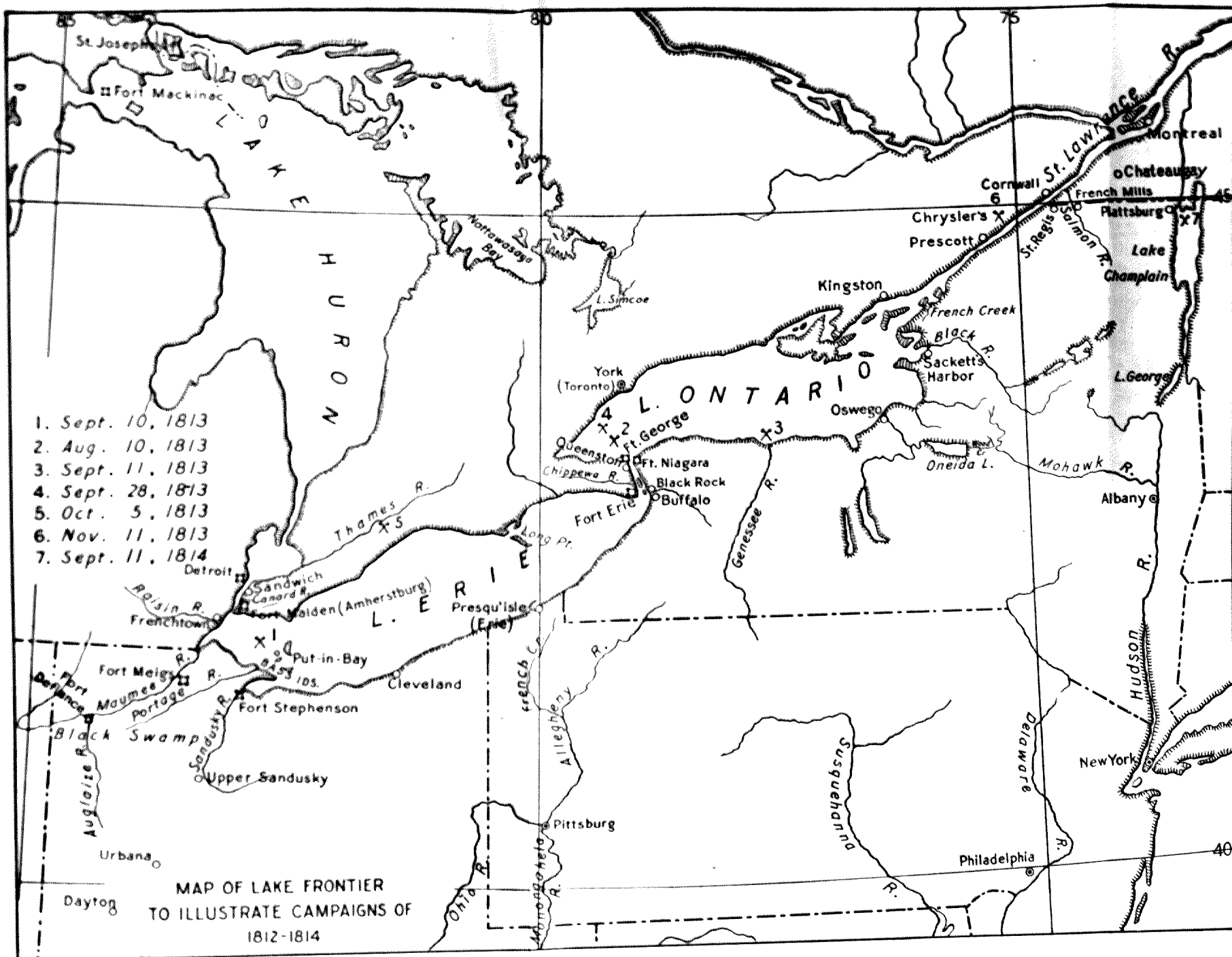
advance over the road opened by Hull; the right by the east of the Sandusky River to its mouth on Lake Erie, east of the swamp, whence it could move to the Maumee; while the left, and the one most exposed, from its nearness to the Indian country, was to proceed by the Auglaize River, a tributary of the Maumee navigable for boats of light draught, to Fort Defiance, at the junction of the two streams. Had this plan been carried out, the army would have held a line from Fort Defiance to the Rapids of the Maumee, a distance of about forty miles, on which fortified depots could be established prior to further operations; and there would have been to it three chains of supply, corresponding to the roads used by the divisions in their march. Fort Defiance, with a work at the Rapids, afterward built and called Fort Meigs, would sustain the line proper; while a subsidiary post, subsequently known as Fort Stephenson, on the Lower Sandusky, was essential to the defence of that road as it approached the lake, and thence westward, where it skirted the lake shore, and was in measure open to raids from the water. The western line of supplies, being liable to attack from the neighboring Indians, was further strengthened by works adequate to repel savages.

Fort Defiance on the left was occupied by October 22, and toward the middle of December some fifteen hundred men had assembled on the right, on the Sandusky, Upper and Lower; but the centre column could not get through, and the attempt to push on supplies by that route seems to have been persisted in beyond the limits of reasonable perseverance. Under these conditions, Harrison established his headquarters at Upper Sandusky about December 20, sending word to General Winchester, commanding at Defiance, to descend the Maumee to the Rapids, and there to prepare sleds for a dash against Malden across the lake, when frozen. This was the sub-

stitution, under the constraint of circumstances, of a sudden blow in place of regulated advance; for it abandoned, momentarily at least, the plan of establishing a permanent line. Winchester moved as directed, reaching the Rapids January 10, 1813, and fixing himself in position with thirteen hundred men on the north bank, opposite Hull's road. Early in the month the swamp froze over, and quantities of supplies were hurried forward. The total disposable force now under Harrison's command is given as sixty-three hundred.

Preparations and concentration had progressed thus far, when an impulsive outburst of sympathy evoked a singularly inconsiderate and rash movement on the part of the division on the Maumee, the commander of which seems to have been rather under the influence of his troops than in control of them. Word was brought to the camp that the American settlement of Frenchtown, beyond the River Raisin, thirty miles away toward Detroit, and now within British control, was threatened with burning by Indians. A council of war decided that relief should be attempted, and six hundred and sixty men started on the morning of January 17. They dispossessed the enemy and established themselves in the town, though with severe losses. Learning their success, Winchester himself went to the place on the 19th, followed closely by a re-enforcement of two hundred and fifty. More than half his command was now thirty miles away from the position assigned it, without other base of retreat or support than the remnant left at the Rapids. In this situation a superior force of British and Indians under Procter crossed the lake on the ice and attacked the party thus rashly advanced to Frenchtown, which was compelled to surrender by 8 A.M. of January 22.

Winchester had notified Harrison of his proposed action, but not in such time as to permit it to be countermanded.



Receiving the news on the morning of January 19, Harrison at once recognized the hazardous nature of the step, and ordered forward troops from Upper and Lower Sandusky; proceeding himself to the latter place, and thence to the Rapids, which he reached early on the 20th, ahead of the re-enforcements. There was nothing to do but await developments until the men from Sandusky arrived. At noon of the 22d he received intelligence of the surrender, and saw that, through the imprudence of his subordinate, his project of crossing the ice to attack the enemy had been crushed by Procter, who had practically annihilated one of his principal divisions, beating it in detail.

The loss of so large a part of the force upon which he had counted, and the spread of sickness among the remainder, arrested Harrison's projects of offensive action. The Maumee even was abandoned for a few days, the army falling back to Portage River, toward the Sandusky. It soon, however, returned to the Rapids, and there Fort Meigs was built, which in the sequel proved sufficient to hold the position against Procter's attack. The army of the Northwest from that time remained purely on the defensive until the following September, when Perry's victory, assuring the control of the lake, enabled it to march secure of its communications.

Whatever chance of success may attend such a dash as that against Malden, planned by Harrison in December, or open to Hull in August, the undertaking is essentially outside the ordinary rules of warfare, and to be justified only by the special circumstances of the case, together with the possibility of securing the results obtained. Frenchtown, as a particular enterprise, illustrates in some measure the case of Malden. It was victoriously possessed, but under conditions which made its tenure more than doubtful, and the loss of the expeditionary corps more than

probable. Furthermore, if held, it conferred no advantage. The position was less defensible than the Maumee, more exposed because nearer the enemy, more difficult to maintain because the communications were thirty miles longer, and, finally, it controlled nothing. The name of occupation, applied to it, was a mere misnomer, disguising a sham. Malden, on the contrary, if effectually held, would confer a great benefit; for in the hands of an enemy it menaced the communications of Detroit, and if coupled with command of the water, as was the case, it controlled them, as Hull found to his ruin. To gain it, therefore, justified a good deal of risk; yet if seized, unless control of the water were also soon established, it would, as compared with Detroit, entail upon the Americans the additional disadvantage that Frenchtown incurred over the Maumee, — an increase of exposure, because of longer and more exposed lines of communication. Though Malden was valuable to the British as a local base, with all the benefits of nearness, it was not the only one they possessed on the lakes. The loss of it, therefore, so long as they possessed decided superiority in armed shipping, though a great inconvenience, would not be a positive disability. With the small tonnage they had on the lake, however, it would have become extremely difficult, if not impossible, to transport and maintain a force sufficient seriously to interrupt the road from the Maumee, upon which Detroit depended.

In short, in all ordinary warfare, and in most that is extraordinary and seems outside the rules, one principle is sure to enforce itself with startling emphasis, if momentarily lost to sight or forgotten, and that is the need of secured communications. A military body, land or sea, may abandon its communications for a brief period, strictly limited, expecting soon to restore them at the same or some other point, just as a caravan can start across the desert

with food and water which will last until another base is reached. There is no surrender of certainty in such a case; but a body of troops thrown into a position where it has no security of receiving supplies, incurs a risk that needs justification, and can receive it only from special circumstances. No position within striking distance of the lake shore was permanently secure unless supported by naval power; because all that is implied by the term "communications" — facility for transporting troops, supplies, and ammunition, rapidity of movement from point to point, central position and interior lines — all depended upon the control of the water, from Mackinac to the rapids of the St. Lawrence.

This truth, announced before the war by Hull and Armstrong, as well as by Harrison somewhat later, and sufficiently obvious to any thoughtful man, was recognized in act by Harrison and the Government after the Frenchtown disaster. The general was not responsible for the blunder of his subordinate, nor am I able to see that his general plans for a land campaign, considered independent of the water, lacked either insight, judgment, or energy. He unquestionably made very rash calculations, and indulged in wildly sanguine assurances of success; but this was probably inevitable in the atmosphere in which he had to work. The obstacles to be overcome were so enormous, the people and the Government, militarily, so ignorant and incapable, that it was scarcely possible to move efficiently without adopting, or seeming to adopt, the popular spirit and conviction. Facts had now asserted themselves through the unpleasant medium of experience, and henceforth it was tacitly accepted that nothing could be done except to stand on the defensive, until the navy of Lake Erie, as yet unbuilt, could exert its power. Until that day came, even the defensive positions taken were rudely shaken by Procter, a far from

efficient officer, but possessed still of the power of the lakes, and following, though over-feeblely, the spirit of Brock's instructions, to attack the enemy's posts and keep things in a ferment.

With the Frenchtown affair hostilities on the Canada frontier ceased until the following April; but the winter months were not therefore passed in inactivity. Chauncey, after laying up his ships at Sackett's Harbor, and representing to the Government the danger to them and to the navy yard, now that frost had extended over the waters the solidity of the ground, enabling the enemy to cross at will, departed to visit his hitherto neglected command on Lake Erie. He had already seen cause to be dissatisfied with Elliott's choice of a navy yard, known usually by the name Black Rock, a quarter of a mile above Squaw Island. The hostile shores were here so close together that even musketry could be exchanged; and Elliott, when reporting his decision, said "the river is so narrow that the soldiers are shooting at each other across." There was the further difficulty that, to reach the open lake, the vessels would have to go three miles against a current that ran four knots an hour, and much of the way within point-blank range of the enemy. Nevertheless, after examining all situations on Lake Erie, Elliott had reported that none other would answer the purpose; "those that have shelters have not sufficient water, and those with water cannot be defended from the enemy and the violence of the weather."¹ Here he had collected materials and gathered six tiny vessels; the largest a brig of ninety tons, the others schooners of from forty to eighty. These he began to equip and alter about the middle of October, upon the arrival of the carpenters sent by Chauncey; but the British kept up such a fire of shot

¹ Elliott to Chauncey, Sept. 14, 1812. Captains' Letters, Navy Department.

and shell that the carpenters quitted their work and returned to New York, leaving the vessels with their decks and sides torn up.¹

They were still in this condition when Chauncey came, toward the end of December; and although then hauled into a creek behind Squaw Island, out of range, there were no workmen to complete them. He passed on to Presqu'Isle, now Erie, on the Pennsylvania shore, and found it in every way eligible as a port, except that there were but four or five feet of water on the bar. Vessels of war within could reach the lake only by being lightened of their guns and stores, a condition impracticable in the presence of a hostile squadron; but the local advantages were much superior to those at Black Rock, and while it could be hoped that a lucky opportunity might insure the absence of the enemy's vessels, the enemy's guns on the Niagara shore were fixtures, unless the American army took possession of them. Between these various considerations Chauncey decided to shift the naval base from Black Rock to Erie; and he there assembled the materials for the two brigs, of three hundred tons each, which formed the backbone of Perry's squadron nine months later.² For supplies Erie depended upon Philadelphia and Pittsburg, there being from the latter place water communication by the Alleghany River, and its tributary the French River, to within fifteen miles, whence the transportation was by good road. Except timber, which grew upon the spot, the materials — iron, cordage, provisions, and guns — came mainly by this route from Pennsylvania; a number of guns, however, being sent from Washington. By these arrangements the resources of New York, relieved

¹ Chauncey to the Secretary, Oct. 22, 1812. Captains' Letters, Navy Department.

² Chauncey to the Secretary, Dec. 25, 1812; Jan. 1 and 8, and Feb. 16, 1813. Captains' Letters.

of Lake Erie, were concentrated upon Lakes Ontario and Champlain.

Chauncey further provided for the defence of Black Rock by its own resources against sudden attack; the army, except a local force of three hundred men, having gone into winter quarters ten miles back from the Niagara. He then returned to Sackett's Harbor January 19, where he found preparations for protection even less satisfactory than upon Lake Erie,¹ although the stake was far greater; for it may safely be said that the fall of either Kingston or Sackett's would have decided the fate of Lake Ontario and of Upper Canada, at once and definitively. It had now become evident that, in order to decide superiority on the water, there was to be between these neighboring and hostile stations the race of ship-building, which became and continued the most marked feature of the war on this lake. Chauncey felt the increasing necessity thus entailed for his presence on the scene. He was proportionately relieved by receiving at this time an application from Commander Oliver H. Perry to serve under him on the lakes, and immediately, on January 21, applied for his orders, stating that he could "be employed to great advantage, particularly on Lake Erie, where I shall not be able to go so early as I expected, owing to the increasing force of the enemy on this lake." This marks the official beginning of Perry's entrance upon the duty in which he won a distinction that his less fortunate superior failed to achieve. At this time, however, Chauncey hoped to attain such superiority by the opening of spring, and to receive such support from the army, as to capture Kingston by a joint operation, the plan for which he submitted to the Department. That accomplished, he would be able to transfer to Lake Erie the force of men needed

¹ See Chauncey's letters of Dec. 1, 1812, and Jan. 20, 1813. Captains' Letters.

to destroy the enemy's fleet there.¹ This expectation was not fulfilled, and Perry remained in practically independent command upon the upper lakes.

The season of 1812 may be said, therefore, to have closed with the American squadron upon Lake Ontario concentrated in Sackett's Harbor, where also two new and relatively powerful ships were building. Upon Lake Erie the force was divided between Black Rock, where Elliott's flotilla lay, and Erie, where the two brigs were laid down, and four other gunboats building. The concentration of these two bodies could be effected only by first taking possession of the British side of the Niagara River. This done, and the Black Rock vessels thus released, there still remained the bar at Erie to pass. The British force on Ontario was likewise divided, between Toronto and Kingston, the vessels afloat being at the latter. Neither place, however, was under such fetters as Black Rock, and the two divisions might very possibly be assembled despite the hostile fleet. On the upper lake their navy was at Amherstburg, where also was building a ship, inferior in force, despite her rig, to either of the brigs ordered by Chauncey at Erie. The difficulties of obtaining supplies, mechanics, and seamen, in that then remote region, imposed great hindrances upon the general British preparations. There nevertheless remained in their hands, at the opening of the campaign, the great advantages over the Americans — first, of the separation of the latter's divisions, enforced by the British holding the bank of the Niagara; and secondly, of the almost insuperable difficulty of crossing the Erie bar unarmed, if the enemy's fleet kept in position near it. That the British failed to sustain these original advantages condemns their management, and is far more a matter of military criticism than the relative power of the two squadrons in

¹ Chauncey to the Secretary, Jan. 21, Feb. 22, 1813. Captains' Letters.

the battle of September 10. The principal business of each commander was to be stronger than the enemy when they met. That the American accomplished this, despite serious obstacles, first by concentrating his force, and second by crossing the bar unimpeded, so that when he encountered his opponent he was in decisively superior force, is as distinctly to his credit as it would have been distinctly to his discredit had the odds been reversed by any fault of his. Perry by diligent efficiency overcame his difficulties, combined his divisions, gained the lake, and, by commanding it, so cut off his enemy's supplies that he compelled him to come out, and fight, and be destroyed. To compare the force of the two may be a matter of curious interest; but for the purpose of making comparisons of desert between them it is a mere waste of ink, important only to those who conceive the chief end of war to be fighting, and not victory.

The disaster at Frenchtown, with the consequent abandonment of all project of forward movement by the Army of the Northwest, may be regarded as the definite termination of the land campaign of 1812. Before resuming the account of the ocean operations of the same period, it is expedient here to give a summary of European conditions at the same time, for these markedly affected the policy of the British Government towards the United States, even after war had been formally declared.

The British Orders in Council of 1807, modified in 1809 in scope, though not in principle, had been for a long while the grievance chiefly insisted upon by the United States. Against them mainly was directed, by Jefferson and Madison, the system of commercial restrictions which it was believed would compel their repeal. Consequently, when the British Government had abolished the obnoxious Orders, on June 23, 1812, with reservations probably

admissible by the United States, it was unwilling to believe that war could still not be avoided; nor that, even if begun in ignorance of the repeal, it could not be stopped without further concession. Till near the end of the year 1812 its measures were governed by this expectation, powerfully re-enforced by momentous considerations of European events, the effect of which upon the United States requires that they be stated.

In June, 1812, European politics were reaching a crisis, the issue of which could not then be forecast. War had begun between Napoleon and Russia; and on June 24 the Emperor, crossing the Niemen, invaded the dominion of the Czar. Great Britain, already nine years at war with France, had just succeeded in detaching Russia from her enemy, and ranging her on her own side. The accession of Sweden to this alliance conferred complete control of the Baltic, thus releasing a huge British fleet hitherto maintained there, and opening an important trade, debarred to Great Britain in great measure for four years past. But on the other hand, Napoleon still, as during all this recent period, controlled the Continent from the Pyrenees to the Vistula, carrying its hosts forward against Russia, and closing its ports to British commerce to the depressing injury of British finance. A young Canadian, then in England, in close contact with London business life, wrote to his home at this period: "There is a general stagnation of commerce, all entrance to Europe being completely shut up. There was never a time known to compare with the present, nearly all foreign traders becoming bankrupt, or reduced to one tenth of their former trade. Merchants, who once kept ten or fifteen clerks, have now but two or three; thousands of half-starved discharged clerks are skulking about the streets. Custom-house duties are reduced upwards of one half. Of such dread power are Bonaparte's decrees, which have of late

been enforced in the strictest manner all over the Continent, that it has almost ruined the commerce of England.”¹

A month before the United States declared war the perplexities of the British Government were depicted by the same writer, in terms which palpably and graphically reflect the contemporary talk of the counting-house and the dinner-table: “If the Orders in Council are repealed, the trade of the United States will flourish beyond all former periods. They will then have the whole commerce of the Continent in their hands, and the British, though blockading with powerful armaments the hostile ports of Europe, will behold fleets of American merchantmen enter in safety the harbors of the enemy, and carry on a brisk and lucrative trade, whilst Englishmen, who command the ocean and are sole masters of the deep, must quietly suffer two thirds of their shipping to be dismantled and lie useless in little rivers or before empty warehouses. Their seamen, to earn a little salt junk and flinty biscuits, must spread themselves like vagabonds over the face of the earth, and enter the service of any nation. If, on the contrary, the Government continue to enforce the Orders, trade will still remain in its present deplorable state; an American war will follow, and poor Canada will bear the brunt.” Cannot one see the fine old fellows of the period shaking their heads over their wine, and hear the words which the lively young provincial takes down almost from their lips? They portray truly, however, the anxious dilemma in which the Government was living, and explain concisely the conflicting considerations which brought on the war with the United States. From this embarrassing situation the current year brought a double relief. The chance of American competition was removed by the declaration of war, and exclusion from the Continent by Napoleon’s reverses.

¹ Ridout, “Ten Years in Upper Canada,” pp. 52, 58, 115.

While matters were thus in northern and central Europe, in the far southwest the Spanish peninsula had for the same four dreary years been the scene of desolating strife, in which from the beginning Great Britain had taken a most active part, supporting the insurgent people with armies and money against the French legions. The weakening effect of this conflict upon the Emperor, and the tremendous additional strain upon his resources now occasioned by the break with Russia, were well understood, and hopes rose high; but heavy in the other scale were his unbroken record of success, and the fact that the War in the Peninsula, the sustenance of which was now doubly imperative in order to maintain the fatal dissemination of his forces between the two extremities of Europe, depended upon intercourse with the United States. The corn of America fed the British and their allies in the Peninsula, and so abundantly, that flour was cheaper in Lisbon than in Liverpool. In 1811, 802 American vessels entered the Tagus to 860 British; and from all the rest of the outside world there came only 75. The Peninsula itself, Spain and Portugal together, sent but 452.¹ The merchants of Baltimore, petitioning against the Non-Intercourse Act, said that \$100,000,000 were owing by British merchants to Americans, which could only be repaid by importations from England; and that this debt was chiefly for shipments to Spain and Portugal.² The yearly export thither, mainly for the armies, was 700,000 barrels of flour, besides grain in other forms.³ The maintenance of this supply would be endangered by war.

Upon the continuance of peace depended also the enjoyment of the relatively tranquil conditions which Great Britain, after years of vexation, had succeeded at last in establishing in the western basin of the Atlantic, and especially in the Caribbean Sea. In 1808 the revolt of

¹ Niles' Register, vol ii. p. 42.

² Ibid., p. 119.

³ Ibid., p. 303.

the Spanish people turned the Spanish West Indies once more to her side; and in 1809 and 1810 the conquest of the last of the French islands gave her control of the whole region, depriving French privateers of every base for local operations against British commerce. In 1812, by returns to September 1, the Royal Navy had at sea one hundred and twenty ships of the line and one hundred and forty-five frigates, besides four hundred and twenty-one other cruisers, sixteen of which were larger and the rest smaller than the frigate class — a total of six hundred and eighty-six.¹ Of these there were on the North American and West India stations only three of the line, fifteen frigates, and sixty-one smaller — a total of seventy-nine.² The huge remainder of over six hundred ships of war were detained elsewhere by the exigencies of the contest, the naval range of which stretched from the Levant to the shores of Denmark and Norway, then one kingdom under Napoleon's control; and in the far Eastern seas extended to the Straits of Sunda, and beyond. From Antwerp to Venice, in various ports, when the Empire fell, Napoleon had over a hundred ships of the line and half a hundred frigates. To hold these in check was in itself a heavy task for the British sea power, even though most of the colonial ports which might serve as bases for their external action had been wrested from France. A hostile America would open to the French navy a number of harbors which it now needed; and at the will of the Emperor the United States might receive a division of ships of a class she lacked entirely, but could both officer and man. One of Napoleon's great wants was seamen, and it was perfectly understood by intelligent naval officers, and by appreciative statesmen like John Adams and Gouverneur Morris, that a fleet of ships of the line, based upon Ameri-

¹ Naval Chronicle, vol. xxviii. p. 248.

² Quoted from Steele's List (British) by Niles' Register, vol. ii. p. 356.

can resources, would constitute for Great Britain a more difficult problem than a vastly larger number in Europe. The probability was contemplated by both the British Commander-in-Chief and the Admiralty, and was doubtless a chief reason for the comparatively large number of ships of the line — eleven — assigned on the outbreak of hostilities to a station where otherwise there was no similar force to encounter.¹ To bring the French ships and this coast-line together was a combination correct in conception, and not impracticable. It was spoken of at the time — rumored as a design; and had not the attention and the means of the Emperor been otherwise preoccupied, probably would have been attempted, and not impossibly effected.

To avert such a conjuncture by the restoration of peace was necessarily an object of British policy. More than that, however, was at stake. The Orders in Council had served their turn. In conjunction with Napoleon's Continental System, by the misery inflicted upon all the countries under his control, they had brought about the desperation of Russia and the resistance of the Czar, who at first had engaged in the Emperor's policy. Russia and France were at war, and it was imperative at once to redouble the pressure in the Peninsula, and to recuperate the financial strength of Great Britain, by opening every possible avenue of supply and of market to British trade, in order to bring the whole national power, economical and military, to bear effectively upon what promised to be a death struggle. The repeal of the Orders, with the consequent admission of American merchant ships to every hostile port, except such few as might be effectively blockaded in accordance with the accepted principles of International Law, was the price offered for the preser-

¹ Croker to Warren, Nov. 18, 1812, and March 20, 1813. British Admiralty MSS. Out-Letters.

vation of peace, and for readmission to the American market, closed to British manufacturers and merchants by the Non-Importation Acts. This extension of British commerce, now loudly demanded by the British people, was an object to be accomplished by the same means that should prevent the American people from constituting themselves virtually the allies of Napoleon by going to war. Should this dreaded alternative, however, come to pass, not only would British trade again miss the market, the loss of which had already caused widespread suffering, but, in common with it, British navigation, British shipping, the chief handmaid of commerce, would be exposed in a remote quarter, most difficult to guard, to the privateering activity of a people whose aptitude for such occupation had been demonstrated in the fight for independence and the old French wars. Half a century before, in the years 1756-58, there had been fitted out in the single port of New York, for war against the French, forty-eight privateers, carrying six hundred and ninety-five guns and manned by over five thousand men.¹

The conditions enumerated constituted the principal important military possibilities of the sea frontier of the United States, regarded as an element in the general international situation when the year 1812 opened. Its importance to France was simply that of an additional weight thrown into the scale against Great Britain. France, being excluded from the sea, could not be aided or injured by the United States directly, but only indirectly, through their common enemy; and the same was substantially true of the Continent at large. But to Great Britain a hostile seaboard in America meant the possibility of all that has been stated; and therefore, slowly and unwillingly, but surely, the apprehension of war with its added burden forced the Government to a

¹ Niles' Register, vol. iii. p. 111. Quoted from a publication of 1759.

concession which years of intermittent commercial restrictions by the United States, and of Opposition denunciation at home, had not been able to extort. The sudden death of Spencer Perceval, the prime minister identified with the Orders in Council, possibly facilitated the issue, but it had become inevitable by sheer pressure of circumstances as they developed. It came to pass, by a conjuncture most fortunate for Great Britain, and most unfavorable to the United States, that the moment of war, vainly sought to be avoided by both parties, coincided with the first rude jar to Napoleon's empire and its speedy final collapse; leaving the Union, weakened by internal dissension, exposed single-handed to the full force of the British power. At the beginning, however, and till toward the end of 1812, it seemed possible that for an indefinite period the efforts of the Americans would receive the support derived from the inevitable preoccupation of their enemy with European affairs; nor did many doubt Napoleon's success against Russia, or that it would be followed by Great Britain's abandoning the European struggle as hopeless.

For such maritime and political contingencies the British Admiralty had to prepare, when the near prospect of war with America threatened to add to the extensive responsibilities entailed by the long strife with Napoleon. Its measures reflected the double purpose of the Government: to secure peace, if possible, yet not to surrender policies considered imperative. On May 9, 1812, identical instructions were issued to each of the admirals commanding the four transatlantic stations, — Newfoundland, Halifax, Jamaica, and Barbados, — warning them of the imminent probability of hostilities, in the event of which, by aggressive action or formal declaration on the part of the United States, they were authorized to resort at once to all customary procedures of war; "to attack,

take or sink, burn or destroy, all ships or vessels belonging to the United States or to the citizens thereof." At the same time, however, special stress was laid upon the urgent wish of the Government to avoid occasions which might induce a collision. "You are to direct the commanders of his Majesty's ships to exercise, except in the events hereinbefore specified, all possible forbearance toward the United States, and to contribute, as far as may depend upon them, to that good understanding which it is his Royal Highness's¹ most earnest wish to maintain."² The spirit of these orders, together with caution not to be attacked unawares, accounts for the absence of British ships of war from the neighborhood of the American coast noted by Rodgers' cruising squadron in the spring of 1812. Decatur, indeed, was informed by a British naval agent that the admiral at Bermuda did not permit more than two vessels to cruise at a time, and these were instructed not to approach the American coast.³ The temper of the controlling element in the Administration, and the disposition of American naval officers since the "Chesapeake" affair, were but too likely to afford causes of misunderstanding in case of a meeting.

¹ The Prince Regent. George III. was incapacitated at this time.

² Admiralty Out-Letters, British Records Office.

³ Rodgers to the Secretary, April 29, 1812. Decatur, June 16, 1812. Captains' Letters.

CHAPTER VIII

OCEAN WARFARE AGAINST COMMERCE — PRIVATEERING — BRITISH LICENSES — NAVAL ACTIONS: "WASP" AND "FROLIC"; "UNITED STATES" AND "MACEDONIAN"

IN anticipation of war the British Admiralty took the military measure of consolidating their transatlantic stations, with the exception of Newfoundland. The Jamaica, Leeward Islands, and Halifax squadrons, while retaining their present local organizations, were subordinated to a single chief; for which position was designated Admiral Sir John Borlase Warren, an officer of good fighting record, but from his previous career esteemed less a seaman than a gallant man. This was apparently his first extensive command, although he was now approaching sixty; but it was foreseen that the British minister might have left Washington in consequence of a rupture of relations, and that there might thus devolve upon the naval commander-in-chief certain diplomatic overtures, which the Government had determined to make before definitely accepting war as an irreversible issue. Warren, a man of courtly manners, had some slight diplomatic antecedents, having represented Great Britain at St. Petersburg on one occasion. There were also other negotiations anticipated, dependent upon political conditions within the Union; where bitter oppositions of opinion, sectional in character, were known to exist concerning the course of the Administration in resorting to hostilities. Warren was instructed on these several points.

It was not until July 25, 1812, that a despatch vessel from Halifax brought word to England of the attack upon the "Belvidera" by Rodgers' squadron on June 24. By the same mail Admiral Sawyer wrote that he had sent a flag of truce to New York to ask an explanation, and besides had directed all his cruisers to assemble at Halifax.¹ The Government recognized the gravity of the news, but expressed the opinion that there was no evidence that war had been decided upon, and that the action of the American commodore had been in conformity with previous orders not to permit foreign cruisers within the waters of the United States. Some color was lent to this view by the circumstance that the "Belvidera" was reported to have been off Sandy Hook, though not in sight of land.² In short, the British Cabinet officially assumed that facts were as they wished them to continue; the course best adapted to insure the maintenance of peace, if perchance not yet broken.

On July 29, however, definite information was received that the United States Government had declared that war existed between the two countries. On the 31st the Cabinet took its first measures in consequence.³ One order was issued forbidding British merchant vessels to sail without convoy for any part of North America or the West Indies; while another laid an embargo on all American merchant ships in British ports, and directed the capture of any met at sea, unless sailing under British licenses, as many then did to Continental ports. No other hostile steps, such as general reprisals or commercial blockade, were at this time authorized; it was decided to await the effect in the United States of the repeal of the obnoxious Orders in Council. This having taken place only on June 23, intelligence of its reception and results could

¹ Naval Chronicle, vol. xxviii. p. 73.

² Ibid.

³ Ibid., pp. 138, 139.

not well reach England before the middle of September. When Parliament was prorogued on July 30, the speech from the throne expressed a willingness still "to hope that the accustomed relations of peace and amity between the two countries may yet be restored."

It is a coincidence, accidental, yet noteworthy for its significance, that the date of the first hostile action against the United States, July 31, was also that of the official promulgation of treaties of peace between Great Britain, Russia, and Sweden.¹ Accompanied as these were with clauses embodying what was virtually a defensive alliance of the three Powers against Napoleon, they marked that turn of the tide in European affairs which overthrew one of the most important factors in the political and military anticipations of the United States Administration. "Can it be doubted," wrote Madison on September 6, "that if, under the pressure added by our war to that previously felt by Great Britain, her Government declines an accommodation, it will be owing to calculations drawn from our internal divisions?"² Of the approaching change, however, no sign yet appeared. The reverses of the French were still in the far future. Not until September 14 did they enter Moscow, and news of this event was received in the United States only at the end of November. A contemporary weekly, under date of December 5, remarked: "Peace before this time has been dictated by Bonaparte, as ought to have been calculated upon by the dealers (*sic*) at St. Petersburg, before they, influenced by the British, prevailed upon Alexander to embark in the War. . . . All Europe, the British Islands excepted, will soon be at the feet of Bonaparte."³ This expectation, generally shared during the summer of 1812, is an element

¹ Naval Chronicle, vol. xxviii. p. 139.

² Writings of Madison (ed. 1865), vol. ii. p. 545.

³ Niles' Register, vol. iii. p. 220.

in the American situation not to be overlooked. As late as December 4, Henry Clay, addressing the House of Representatives, of which he then was Speaker, said: "The British trade shut out from the Baltic — excluded from the Continent of Europe — possibly expelled the Black Sea — perishing in South America; its illicit avenue to the United States, through Canada, closed — was this the period for throwing open our own market by abandoning our restrictive system? Perhaps at this moment the fate of the north of Europe is decided, and the French Emperor may be dictating the law from Moscow."¹ The following night Napoleon finally abandoned his routed army and started on his return to Paris.

War having been foreseen, the British Government took its first step without hesitation. On August 6 the Foreign Office issued Warren's secret instructions, which were substantially the repetition of those already addressed on July 8 to its representative in Washington. It being probable that before they could be received he would have departed in consequence of the rupture, Warren was to submit the proposition contained in them, that the United States Government, in view of the revocation of the Orders in Council, so long demanded by it, should recall the hostile measures taken. In case of acceptance, he was authorized to stop at once all hostilities within his command, and to give assurance of similar action by his Government in every part of the world. If this advance proved fruitless, as it did, no orders instituting a state of war were needed, for it already existed; but for that contingency Warren received further instructions as to the course he was to pursue, in case "a desire should manifest itself in any considerable portion of the American Union, more especially in those States bordering upon his Majesty's North American dominions, to return to

¹ *Annals of Congress*, 1812-13, p. 301.

their relations of peace and amity with this country." The admiral was to encourage such dispositions, and should they take shape in formal act, making overtures to him for a cessation of hostilities for that part of the country, he was directed to grant it, and to enter into negotiations for commercial intercourse between the section thus acting and the British dominions. In short, if the General Government proved irreconcilable, Great Britain was to profit by any sentiment of disunion found to exist.¹

Warren sailed from Portsmouth August 14, arriving in Halifax September 26. On the 30th, he despatched to the United States Government the proposal for the cessation of hostilities. Monroe, the Secretary of State, replied on October 27. The President, he said, was at all times anxious to restore peace, and at the very moment of declaring war had instructed the *chargé* in London to make propositions to that effect to the British Ministry. An indispensable condition, however, was the abandonment of the practice of impressment from American vessels. The President recognized the embarrassment under which Great Britain lay, because of her felt necessity to control the services of her native seamen, and was willing to undertake that hereafter they should be wholly excluded from the naval and merchant ships of the United States. This should be done under regulations to be negotiated between the two countries, in order to obviate the injury alleged by Great Britain; but, meanwhile, impressing from under the American flag must be discontinued during any armistice arranged. "It cannot be presumed, while the parties are engaged in a negotiation to adjust amicably this important difference, that the

¹ Castlereagh to the Admiralty, Aug. 6 and 12, 1812. British Record Office MSS. Warren's Letter to the United States Government and Monroe's reply are in American State Papers, vol. iii. pp. 595, 596.

United States would admit the right, or acquiesce in the practice of the opposite party, or that Great Britain would be unwilling to restrain her cruisers from a practice which would have the strongest tendency to defeat the negotiation." The Orders in Council having been revoked, impressment remained the only outstanding question upon which the United States was absolute in its demand. That conceded, upon the terms indicated, all other differences might be referred to negotiation. Upon this point Warren had no powers, for his Government was determined not to yield. The maritime war therefore went on unabated; but it may be mentioned here that the President's undertaking to exclude British-born seamen from American ships took effect in an Act of Congress, approved by him March 3, 1813. He had thenceforth in hand a pledge which he considered a full guarantee against whatever Great Britain feared to lose by ceasing to take seamen from under the American flag. It was not so regarded in England, and no formal agreement on this interesting subject was ever reached.

The conditions existing upon his arrival, and the occurrences of the past three months, as then first fully known to Warren, deeply impressed him with the largeness of his task in protecting the commerce of Great Britain. He found himself at once in the midst of its most evident perils, which in the beginning were concentrated about Halifax, owing to special circumstances. Although long seemingly imminent, hostilities when they actually came had found the mercantile community of the United States, for the most part, unbelieving and unprepared. The cry of "Wolf!" had been raised so often that they did not credit its coming, even when at the doors. This was especially the case in New England, where the popular feeling against war increased the indisposition to think it near. On May 14, Captain Bain-

bridge, commanding the Boston navy yard, wrote: "I am sorry to say that the people here do not believe we are going to war, and are too much disposed to treat our national councils with contempt, and to consider their preparations as electioneering."¹ The presidential election was due in the following November. A Baltimore newspaper of the day, criticising the universal rush to evade the embargo of April 4, instituted in order to keep both seamen and property at home in avoidance of capture, added that in justice it must be said that most people believed that the embargo, as on former occasions, did not mean war.²

Under the general sense of unpreparedness, it seemed to many inconceivable that the Administration would venture to expose the coasts to British reprisals. John Randolph, repeating in the House of Representatives in secret session a conversation between the Committee on Foreign Relations and the Secretary of State, said: "He was asked whether any essential changes would be made in the sixty days (of the proposed embargo) in the defence of our maritime frontier and seaports. He replied, pretty considerable preparations would be made. He said New York was in a pretty respectable state, but not such as to resist a formidable fleet; but that it was not to be expected that that kind of war would be carried on." The obvious reply was, "We must expect what commonly happens in wars." "As to the prepared state of the country, the President, in case of a declaration, would not feel bound to take more than his share of the responsibility. The unprepared state of the country was the only reason why ulterior measures should be deferred."³ Randolph's recollections of this interview were challenged by members of

¹ Captains' Letters. Navy Department MSS.

² Niles' Register, vol. ii. p. 101.

³ Annals of Congress, 1811-12, p. 1593.

the Committee in other points, but not in these. The Administration had then been in office three years, and the causes of war had been accumulating for at least seven; but so notorious was the unreadiness that a great part of the community even now saw only bluster.

For these reasons the first rush to privateering, although feverishly energetic, was of a somewhat extemporized character. In consequence of the attempt to elude the embargo, by a precipitate and extensive export movement, a very large part of the merchant ships and seamen were now abroad. Hence, in the haste to seize upon enemy's shipping, anything that could be sent to sea at quick notice was utilized. Vessels thus equipped were rarely best fitted for a distant voyage, in which dependence must rest upon their own resources, and upon crews both numerous and capable. They were therefore necessarily directed upon commercial highways near at hand, which, though not intrinsically richest, nor followed by the cargoes that would pay best in the United States, could nevertheless adequately reward enterprise. In the near vicinity of Halifax the routes from the British West Indies to New Brunswick, Nova Scotia, and the St. Lawrence, met and crossed the equally important lines of travel from the British Islands to the same points. This circumstance contributed to the importance of that place as a naval and commercial centre, and also focussed about it by far the larger part of the effort and excitement of the first privateering outburst from the United States. As Rodgers' bold sortie, and disappearance into the unknown with a strong squadron had forced concentration upon the principal British vessels, the cruisers remaining for dispersion in search of privateers were numerically inadequate to suppress the many and scattered Americans. Before Warren's arrival the prizes reported in the United States were one hundred and ninety, and they probably

exceeded two hundred. An analysis of the somewhat imperfect data which accompany these returns indicates that about three fourths were seized in the Bay of Fundy and in the off-lying waters from thence round to Newfoundland. Of the remainder, half, probably, were taken in the West Indies; and the rest out in the deep sea, beyond the Gulf Stream, upon the first part of the track followed by the sugar and coffee traders from the West Indies to England.¹ There had not yet been time to hear of prizes taken in Europe, to which comparatively few privateers as yet went.

One of the most intelligent and enterprising of the early privateers was Commodore Joshua Barney, a veteran of the American Navy of the Revolution. He commissioned a Baltimore schooner, the "Rossie," at the outbreak of the war; partly, apparently, in order to show a good example of patriotic energy, but doubtless also through the promptings of a love of adventure, not extinguished by advancing years. The double motive kept him an active, useful, and distinguished public servant throughout the war. His cruise on this occasion, as far as can be gathered from the reports,² conformed in direction to the quarters in which the enemy's merchant ships might most surely be expected. Sailing from the Chesapeake July 15, he seems to have stood at once outside the Gulf Stream for the eastern edge of the Banks of Newfoundland. In the ensuing two weeks he was twice chased by an enemy's frigate, and not till July 31 did he take his first prize. From that day, to and including August 9, he captured ten other vessels—eleven in all. Unfortunately, the precise locality of each seizure is not given, but it is inferable from the general tenor of the accounts that

¹ These data are summarized from Niles' Register, which throughout the war collected, and periodically published, lists of prizes.

² A synopsis of the "Rossie's" log is given in Niles' Register, vol. iii. p. 158.

they were made between the eastern edge of the Great Banks and the immediate neighborhood of Halifax; in the locality, in fact, to which Hull during those same ten days was directing the "Constitution," partly in pursuit of prizes, equally in search of the enemy's ships of war, which were naturally to be sought at those centres of movement where their national traders accumulated.

On August 30 the "Rossie," having run down the Nova Scotia coast and passed by George's Bank and Nantucket, went into Newport, Rhode Island. It is noticeable that before and after those ten days of success, although she saw no English vessels, except ships of war cruising on the outer approaches of their commerce, she was continually meeting and speaking American vessels returning home. These facts illustrate the considerations governing privateering, and refute the plausible opinion often advanced, that it was a mere matter of gambling adventure. Thus Mr. Gallatin, the Secretary of the Treasury, in a communication to Congress, said: "The occupation of privateers is precisely of the same species as the lottery, with respect to hazard and to the chance of rich prizes."¹ Gallatin approached the subject from the standpoint of the financier and with the abstract ideas of the political economist. His temporary successor, the Secretary of the Navy, Mr. Jones, had been a merchant in active business life, and he viewed privateering as a practical business undertaking. "The analogy between privateering and lotteries does not appear to me to be so strict as the Secretary seems to consider it. The adventure of a privateer is of the nature of a commercial project or speculation, conducted by commercial men upon principles of mercantile calculation and profit. The vessel and her equipment is a matter of great expense, which is expected to be remunerated by the probable chances of profit, after calculating the outfit, insur-

¹ Gallatin, Dec. 8, 1812. *American State Papers, Finance*, vol. ii. p. 594.

ance, etc., as in a regular mercantile voyage."¹ Mr. Jones would doubtless have admitted what Gallatin alleged, that the business was liable to be overdone, as is the case with all promising occupations; and that many would engage in it without adequate understanding or forethought.

The elements of risk which enter into privateering are doubtless very great, and to some extent baffle calculation. In this it only shares the lot common to all warlike enterprise, in which, as the ablest masters of the art repeatedly affirm, something must be allowed for chance. But it does not follow that a reasonable measure of success may not fairly be expected, where sagacious appreciation of well-known facts controls the direction of effort, and preparation is proportioned to the difficulties to be encountered. Heedlessness of conditions, or recklessness of dangers, defeat effort everywhere, as well as in privateering; nor is even the chapter of unforeseen accident confined to military affairs. In 1812 the courses followed by the enemy's trade were well understood, as were also the characteristics of their ships of war, in sailing, distribution, and management.² Regard being had to these conditions, the pecuniary venture, which privateering essentially is, was sure of fair returns — barring accidents — if the vessels were thoroughly well found, with superior speed and nautical qualities, and if directed upon the centres of ocean travel, such as the approaches to the English Channel, or, as before noted, to where great highways cross, inducing an accumulation of vessels from several quarters. So pursued, privateering can be made pecuniarily successful, as was shown by the increasing number and value of prizes as the war went on. It has also a

¹ Jones, July 21, 1813. American State Papers, Finance, vol. ii. p. 645.

² In the memoir of Commodore Barney (p. 252), published by his daughter, it is said that, successful though the "Rossie's" cruise was in its issue, he was dissatisfied with the course laid down for him by his owners, who did not understand the usual tracks of British commerce.

distinct effect as a minor offensive operation, harassing and weakening the enemy; but its merits are more contestable when regarded as by itself alone decisive of great issues. Despite the efficiency and numbers of American privateers, it was not British commerce, but American, that was destroyed by the war.

From Newport the "Rossie" took a turn through another lucrative field of privateering enterprise, the Caribbean Sea. Passing by Bermuda, which brought her in the track of vessels from the West Indies to Halifax, she entered the Caribbean at its northeastern corner, by the Anegada Passage, near St. Thomas, thence ran along the south shore of Porto Rico, coming out by the Mona Passage, between Porto Rico and Santo Domingo, and so home by the Gulf Stream. In this second voyage she made but two prizes; and it is noted in her log book that she here met the privateer schooner "Rapid" from Charleston, fifty-two days out, without taking anything. The cause of these small results does not certainly appear; but it may be presumed that with the height of the hurricane season at hand, most of the West India traders had already sailed for Europe. Despite all drawbacks, when the "Rossie" returned to Baltimore toward the end of October, she had captured or destroyed property roughly reckoned at a million and a half, which is probably an exaggerated estimate. Two hundred and seventeen prisoners had been taken.

While the "Rossie" was on her way to the West Indies, there sailed from Salem a large privateer called the "America," the equipment and operations of which illustrated precisely the business conception which attached to these enterprises in the minds of competent business men. This ship-rigged vessel of four hundred and seventy-three tons, built of course for a merchantman, was about eight years old when the war broke out,

and had just returned from a voyage. Seeing that ordinary commerce was likely to be a very precarious undertaking, her owners spent the months of July and August in preparing her deliberately for her new occupation. Her upper deck was removed, and sides filled in solid. She was given larger yards and loftier spars than before; the greatly increased number of men carried by a privateer, for fighting and for manning prizes, enabling canvas to be handled with greater rapidity and certainty. She received a battery of very respectable force for those days, so that she could repel the smaller classes of ships of war, which formed a large proportion of the enemy's cruisers. Thus fitted to fight or run, and having very superior speed, she was often chased, but never caught. During the two and a half years of war she made four cruises of four months each; taking in all forty-one prizes, twenty-seven of which reached port and realized \$1,100,000, after deducting expenses and government charges. As half of this went to the ship's company, the owners netted \$550,000 for sixteen months' active use of the ship. Her invariable cruising ground was from the English Channel south, to the latitude of the Canary Islands.¹

The United States having declared war, the Americans enjoyed the advantage of the first blow at the enemy's trade. The reduced numbers of vessels on the British transatlantic stations, and the perplexity induced by Rodgers' movement, combined to restrict the injury to American shipping. A number of prizes were made, doubtless; but as nearly as can be ascertained not over seventy American merchant ships were taken in the first three months of the war. Of these, thirty-eight are reported as brought under the jurisdiction of the Vice-Admiralty Court at Halifax, and twenty-four as captured

¹ Account of the Private Armed Ship "America," by B. B. Crowninshield. Essex Institute Historical Collections, vol. xxxvii.

on the Jamaica station. News of the war not being received by the British squadrons in Europe until early in August, only one capture there appears before October 1, except from the Mediterranean. There Captain Usher on September 6 wrote from Gibraltar that all the Americans on their way down the Sea — that is, out of the Straits — had been taken.¹ In like manner, though with somewhat better fortune, thirty or forty American ships from the Baltic were driven to take refuge in the neutral Swedish port of Gottenburg, and remained war-bound.² That the British cruisers were not inactive in protecting the threatened shores and waters of Nova Scotia and the St. Lawrence is proved by the seizure of twenty-four American privateers, between July 1 and August 25;³ a result to which the inadequate equipment of these vessels probably contributed. But American shipping, upon the whole, at first escaped pretty well in the matter of actual capture.

It was not in this way, but by the almost total suppression of commerce, both coasting and foreign, both neutral and American, that the maritime pressure of war was brought home to the United States. This also did not happen until a comparatively late period. No commercial blockade was instituted by the enemy before February, 1813. Up to that time neutrals, not carrying contraband, had free admission to all American ports; and the British for their own purposes encouraged a licensed trade, wholly illegitimate as far as United States ships were concerned, but in which American citizens and American vessels were largely engaged, though frequently under flags of other nations. A significant indication of the nature of this traffic is found in the export returns of

¹ *Naval Chronicle*, vol. xxviii. p. 431.

² *Niles' Register*, vol. iii. p. 320.

³ *Naval Chronicle*, vol. xxviii. p. 257.

the year ending September 30, 1813. The total value of home produce exported was \$25,008,152, chiefly flour, grain, and other provisions. Of this, \$20,536,328 went to Spain and Portugal with their colonies; \$15,500,000 to the Peninsula itself.¹ It was not till October, 1813, when the British armies entered France, that this demand fell. At the same time Halifax and Canada were being supplied with flour from New England; and the common saying that the British forces in Canada could not keep the field but for supplies sent from the United States was strictly true, and has been attested by British commissaries. An American in Halifax in November, 1812, wrote home that within a fortnight twenty thousand barrels of flour had arrived in vessels under Spanish and Swedish flags, chiefly from Boston. This sort of unfaithfulness to a national cause is incidental to most wars, but rarely amounts to as grievous a military evil as in 1812 and 1813, when both the Peninsula and Canada were substantially at our mercy in this respect. With the fall of Napoleon, and the opening of Continental resources, such control departed from American hands. In the succeeding twelvemonth there was sent to the Peninsula less than \$5,000,000 worth.

Warren's impressions of the serious nature of the opening conflict caused a correspondence between him and the Admiralty somewhat controversial in tone. Ten days after his arrival he represented the reduced state of the squadron: "The war assumes a new, as well as more active and inveterate aspect than heretofore." Alarming reports were being received as to the number of ships of twenty-two to thirty-two guns fitting out in American ports, and he mentions as significant that the commission of a privateer officer, taken in a recaptured vessel, bore the number 318. At Halifax he was in an atmosphere of rumors and excitement, fed by frequent communication with eastern ports,

¹ American State Papers, Commerce and Navigation, vol. i. p. 992.

as well as by continual experience of captures about the neighboring shores; the enemies' crews even landing at times. When he went to Bermuda two months later, so many privateers were met on the line of traffic between the West Indies and the St. Lawrence as to convince him of the number and destructiveness of these vessels, and "of the impossibility of our trade navigating these seas unless a very extensive squadron is employed to scour the vicinity." He was crippled for attempting this by the size of the American frigates, which forbade his dispersing his cruisers. The capture of the "*Guerrière*" had now been followed by that of the "*Macedonian*;" and in view of the results, and of Rodgers being again out, he felt compelled to constitute squadrons of two frigates and a sloop. Under these conditions, and with so many convoys to furnish, "it is impracticable to cut off the enemy's resources, or to repress the disorder and pillage which actually exist to a very alarming degree, both on the coast of British America and in the West Indies, as will be seen by the copies of letters enclosed," from colonial and naval officials. He goes on to speak, in terms not carefully weighed, of swarms of privateers and letters-of-marque, their numbers now amounting to six hundred; the crews of which had landed in many points of his Majesty's dominions, and even taken vessels from their anchors in British ports.¹

The Admiralty, while evidently seeing exaggeration in this language, bear witness in their reply to the harassment caused by the American squadrons and private armed ships. They remind the admiral that there are two principal ways of protecting the trade: one by furnishing it with convoys, the other by preventing egress from the enemy's ports, through adequate force placed before them. To disperse vessels over the open sea, along the tracks of

¹ Warren to Croker, Dec. 28 and 29, 1812. Records Office MSS.

commerce, though necessary, is but a subsidiary measure. His true course is to concentrate a strong division before each chief American port, and they intimate dissatisfaction that this apparently had not yet been done. As a matter of fact, up to the spring of 1813, American ships of war had little difficulty in getting to sea. Rodgers had sailed again with his own squadron and Decatur's on October 8, the two separating on the 11th, though this was unknown to the British; and Bainbridge followed with the "Constitution" and "Hornet" on the 26th. Once away, power to arrest their depredations was almost wholly lost, through ignorance of their intentions. With regard to commerce, they were on the offensive, the British on the defensive, with the perplexity attaching to the latter rôle.

Under the circumstances, the Admiralty betrays some impatience with Warren's clamor for small vessels to be scattered in defence of the trade and coasts. They remind him that he has under his flag eleven sail of the line, thirty-four frigates, thirty-eight sloops, besides other vessels, making a total of ninety-seven; and yet first Rodgers, and then Bainbridge, had got away. True, Boston cannot be effectively blockaded from November to March, but these two squadrons had sailed in October. Even "in the month of December, though it was not possible perhaps to have maintained a permanent watch on that port, yet having, as you state in your letter of November 5, precise information that Commodore Bainbridge was to sail at a given time, their Lordships regret that it was not deemed practicable to proceed off that port at a reasonable and safe distance from the land, and to have taken the chance at least of intercepting the enemy." "The necessity for sending heavy convoys arises from the facility and safety with which the American navy has hitherto found it possible to put to sea. The

uncertainty in which you have left their Lordships, in regard to the movements of the enemy and the disposition of your own force, has obliged them to employ six or seven sail of the line and as many frigates and sloops, independent of your command, in guarding against the possible attempts of the enemy. Captain Prowse, with two sail of the line, two frigates, and a sloop, has been sent to St. Helena. Rear-Admiral Beauclerk, with two of the line, two frigates, and two sloops, is stationed in the neighborhood of Madeira and the Azores, lest Commodore Bainbridge should have come into that quarter to take the place of Commodore Rodgers, who was retiring from it about the time you state Commodore Bainbridge was expected to sail. Commodore Owen, who had preceded Admiral Beauclerk in this station, with a ship of the line and three other vessels, is not yet returned from the cruise on which the appearance of the enemy near the Azores had obliged their Lordships to send this force; while the 'Colossus' and the 'Elephant' [ships of the line], with the 'Rhin' and the 'Armide,' are but just returned from similar services. Thus it is obvious that, large as the force under your orders was, and is, it is not all that has been opposed to the Americans, and that these services became necessary only because the chief weight of the enemy's force has been employed at a distance from your station."¹

The final words here quoted characterize exactly the conditions of the first eight or ten months of the war, until the spring of 1813. They also define the purpose of the British Government to close the coast of the United States in such manner as to minimize the evils of widely dispersed commerce-destroying, by confining the American vessels as far as possible within their harbors. The Ameri-

¹ Croker to Warren, Jan. 9, Feb. 10, and March 20, 1813. Records Office MSS.

can squadrons and heavy frigates, which menaced not commerce only but scattered ships of war as well, were to be rigorously shut up by an overwhelming division before each port in which they harbored; and the Admiralty intimated its wish that a ship of the line should always form one of such division. This course of policy, initiated when the winter of 1812-13 was over, was thenceforth maintained with ever increasing rigor; especially after the general peace in Europe, in May, 1814, had released the entire British navy. It had two principal results. The American frigates were, in the main, successfully excluded from the ocean. Their three successful battles were all fought before January 1, 1813. Commodore John Rodgers, indeed, by observing his own precept of clinging to the eastern ports of Newport and Boston, did succeed after this in making two cruises with the "President;" but entering New York with her on the last of these, in February, 1814, she was obliged, in endeavoring to get to sea when transferred to Decatur, to do so under circumstances so difficult as to cause her to ground, and by consequent loss of speed to be overtaken and captured by the blockading squadron. Captain Stewart reported the "Constitution" nearly ready for sea, at Boston, September 26, 1813. Three months after, he wrote the weather had not yet enabled him to escape. On December 30, however, she sailed; but returning on April 4, the blockaders drove her into Salem, whence she could not reach Boston until April 17, 1814, and there remained until the 17th of the following December. Her last successful battle, under his command, was on February 20, 1815, more than two years after she captured the "Java." When the war ended the only United States vessels on the ocean were the "Constitution," three sloops — the "Wasp," "Hornet," and "Peacock" — and the brig "Tom Bowline." The smaller vessels of the

navy, and the privateers, owing to their much lighter draft, got out more readily; but neither singly nor collectively did they constitute a serious menace to convoys, nor to the scattered cruisers of the enemy. These, therefore, were perfectly free to pursue their operations without fear of surprise.

On the other hand, because of this concentration along the shores of the United States, the vessels that did escape went prepared more and more for long absences and distant operations. On the sea "the weight of the enemy's force," to use again the words of the Admiralty, "was employed at a distance from the North American station." Whereas, at the first, most captures by Americans were made near the United States, after the spring of 1813 there is an increasing indication of their being most successfully sought abroad; and during the last nine months of the war, when peace prevailed throughout the world except between the United States and Great Britain, when the Chesapeake was British waters, when Washington was being burned and Baltimore threatened, when the American invasion of Canada had given place to the British invasion of New York, when New Orleans and Mobile were both being attacked, — it was the coasts of Europe, and the narrow seas over which England had claimed immemorial sovereignty, that witnessed the most audacious and successful ventures of American cruisers. The prizes taken in these quarters were to those on the hither side of the Atlantic as two to one. To this contributed also the commercial blockade, after its extension over the entire seaboard of the United States, in April, 1814. The practically absolute exclusion of American commerce from the ocean is testified by the exports of 1814, which amounted to not quite \$7,000,000;¹ whereas in 1807, the last full year of unrestricted trade, they had

¹ American State Papers. Commerce and Navigation, vol. i. p. 1021.

been \$108,000,000.¹ Deprived of all their usual employments, shipping and seamen were driven to privateering to earn any returns at all.

From these special circumstances, the period from June, 1812, when the war began, to the end of April, 1813, when the departure of winter conditions permitted the renewal of local activity on sea and land, had a character of its own, favoring the United States on the ocean, which did not recur. Some specific account of particular transactions during these months will serve to illustrate the general conditions mentioned.

When Warren reached Halifax, there were still in Boston the "Constitution" and the ships that had returned with Rodgers on August 31. From these the Navy Department now constituted three squadrons. The "Hornet," Captain James Lawrence, detached from Rodgers' command, was attached to the "Constitution," in which Captain William Bainbridge had succeeded Hull. Bainbridge's squadron was to be composed of these two vessels and the smaller 32-gun frigate "Essex," Captain David Porter, then lying in the Delaware. Rodgers retained his own ship, the "President," with the frigate "Congress;" while to Decatur was continued the "United States" and the brig "Argus." These detachments were to act separately under their several commodores; but as Decatur's preparations were only a few days behind those of Rodgers, the latter decided to wait for him, and on October 8 the two sailed in company, for mutual support until outside the lines of enemies, in case of meeting with a force superior to either singly.

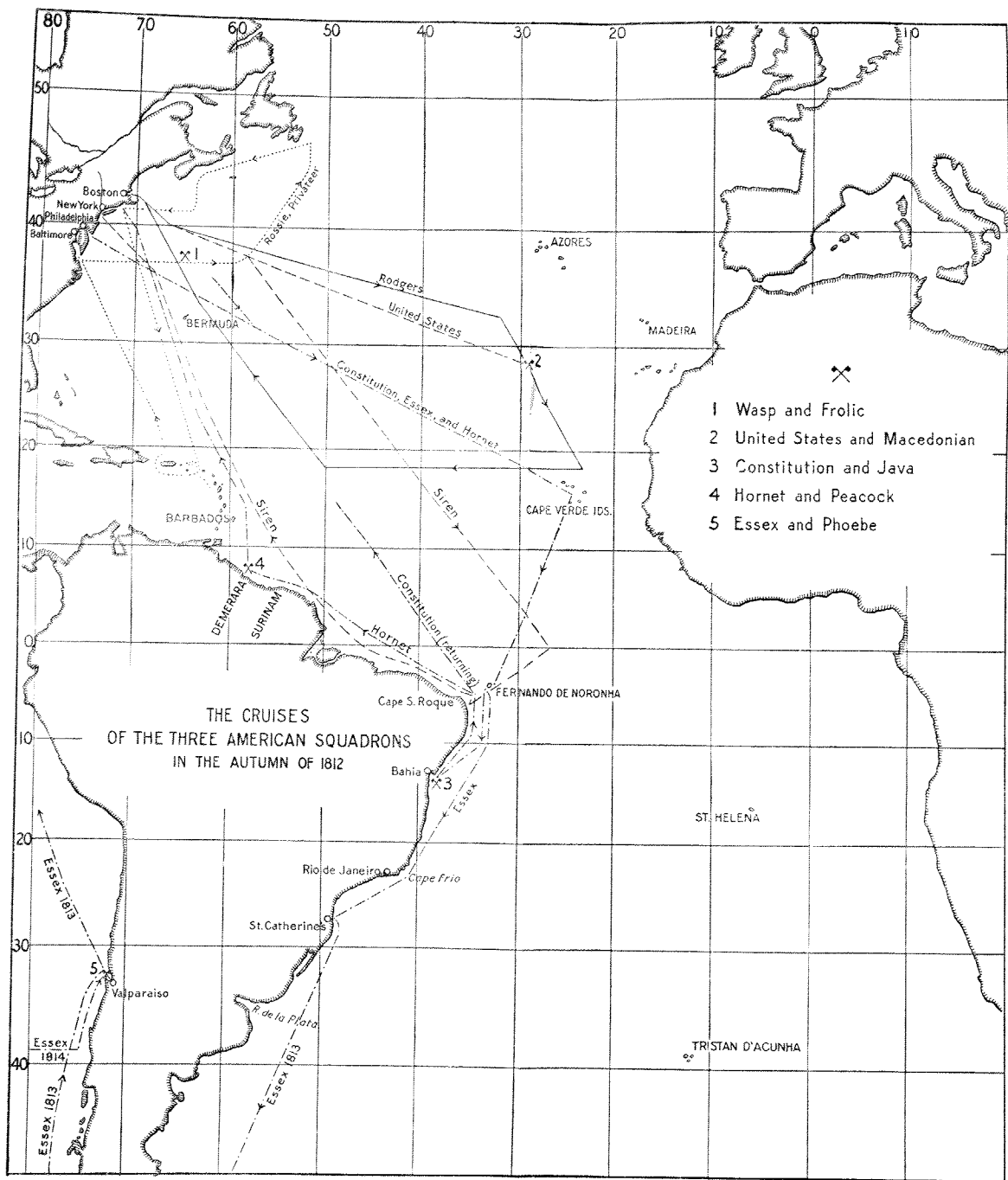
In announcing his departure, Rodgers wrote the Department that he expected the British would be distributed in divisions, off the ports of the coast, and that if reliable information reached him of any such exposed

¹ American State Papers. Commerce and Navigation, vol. i. p. 718.

detachment, it would be his duty to seek it. "I feel a confidence that, with prudent policy, we shall, barring unforeseen accidents, not only annoy their commerce, but embarrass and perplex the commanders of their public ships, equally to the advantage of our commerce and the disadvantage of theirs." Warren and the Admiralty alike have borne witness to the accuracy of this judgment. Rodgers was less happy in another forecast, in which he reflected that of his countrymen generally. As regards the reported size of British re-enforcements to America, "I do not feel confidence in them, as I cannot convince myself that their resources, situated as England is at present, are equal to the maintenance of such a force on this side of the Atlantic; and at any rate, if such an one do appear, it will be only with a view to bullying us into such a peace as may suit their interests."¹ The Commodore's words reflected often an animosity, personal as well as national, aroused by the liberal abuse bestowed on him by British writers.

On October 11 Decatur's division parted company, the "President" and "Congress" continuing together and steering to the eastward. On the 15th the two ships captured a British packet, the "Swallow," from Jamaica to Falmouth, having \$150,000 to \$200,000 specie on board; and on the 31st, in longitude 32° west, latitude 33° north, two hundred and forty miles south of the Azores, a Pacific whaler on her homeward voyage was taken. These two incidents indicate the general direction of the course held, which was continued to longitude 22° west, latitude 17° north, the neighborhood of the Cape Verde group. This confirms the information of the British Admiralty that Rodgers was cruising between the Azores and Madeira; and it will be seen that Bainbridge, as they feared, followed in Rodgers' wake,

¹ Captains' Letters. Navy Department, Oct. 3, 1812.



though with a different ulterior destination. The ground indeed was well chosen to intercept homeward trade from the East Indies and South America. Returning, the two frigates ran west in latitude 17° , with the trade wind, as far as longitude 50° , whence they steered north, passing one hundred and twenty miles east of Bermuda. In his report to the Navy Department Rodgers said that he had sailed almost eleven thousand miles, making the circuit of nearly the whole western Atlantic. In this extensive sweep he had seen only five enemy's merchant vessels, two of which were captured. The last four weeks, practically the entire month of December, had been spent upon the line between Halifax and Bermuda, without meeting a single enemy's ship. From this he concluded that "their trade is at present infinitely more limited than people imagine."¹ In fact, however, the experience indicated that the British officials were rigorously enforcing the Convoy Law, according to the "positive directions," and warnings of penalties, issued by the Government. A convoy is doubtless a much larger object than a single ship; but vessels thus concentrated in place and in time are more apt to pass wholly unseen than the same number sailing independently, and so scattered over wide expanses of sea.

Shortly before his return Rodgers arrested and sent in an American vessel, from Baltimore to Lisbon, with flour, sailing under a protection from the British admiral at Halifax. This was a frequent incident with United States cruisers, national or private, at this time; Decatur, for example, the day after leaving Rodgers, reported meeting an American ship having on board a number of licenses from the British Government to American citizens, granting them protection in transporting grain to Spain and

¹ Captains' Letters. Navy Department, Dec. 31, 1812, and Jan. 2, 1813.

Portugal. The license was issued by a British consular officer, and ran thus:¹

“To the commanders of His Majesty’s ships of war, or of private armed ships belonging to subjects of His Majesty.

“Whereas, from the consideration of the great importance of continuing a regular supply of flour and other dried provisions, to the allied armies in Spain and Portugal, it has been deemed expedient by His Majesty’s Government that, notwithstanding the hostilities now existing between Great Britain and the United States, every degree of encouragement and protection should be given to American vessels laden with flour and other dry provisions, and *bonâ fide* bound to Spain or Portugal, and whereas, in furtherance of the views of His Majesty’s Government, Herbert Sawyer, Esq., Vice Admiral and commander-in-chief on the Halifax station, has addressed to me a letter under the date of the 5th of August, 1812 (a copy whereof is hereunto annexed) wherein I am instructed to furnish a copy of his letter certified under my consular seal to every American vessel so laden and bound, destined to serve as a perfect safeguard and protection of such vessel in the prosecution of her voyage: Now, therefore, in obedience to these instructions, I have granted to the American ship —, —, Master,” etc.

To this was appended the following letter of instructions from Admiral Sawyer:

“Whereas Mr. Andrew Allen, His Majesty’s Consul at Boston, has recommended to me Mr. Robert Elwell, a merchant of that place, and well inclined toward the British Interest, who is desirous of sending provisions to Spain and Portugal for the use of the allied armies in the Peninsula, and whereas I think it fit and necessary that encouragement and protection should be afforded him in so doing,

“These are therefore to require and direct all captains and

¹ From the file of Captains’ Letters, Jan. 1, 1813. Found in the American licensed brig “Julia,” captured by United States frigate “Chesapeake,” Captain Samuel Evans. The vessel was condemned in the United States Courts

commanders of His Majesty's ships and vessels of war which may fall in with any American or other vessel bearing a neutral flag, laden with flour, bread, corn, and pease, or any other species of dry provisions, bound from America to Spain or Portugal, and having this protection on board, to suffer her to proceed without unnecessary obstruction or detention in her voyage, provided she shall appear to be steering a due course for those countries, and it being understood this is only to be in force for one voyage and within six months from the date hereof.

“ Given under my hand and seal on board His Majesty's Ship ‘Centurion,’ at Halifax this fourth day of August, one thousand eight hundred and twelve.

“(Sig.) H. SAWYER, Vice Admiral.”

This practice soon became perfectly known to the American Government, copies being found not only on board vessels stopped for carrying them, but in seaports. Nevertheless, it went on, apparently tolerated, or at least winked at; although, to say the least, the seamen thus employed in sustaining the enemies' armies were needed by the state.¹ When the commercial blockade of the Chesapeake was enforced in February, 1813, and Admiral Warren announced that licenses would no longer enable vessels to pass, flour in Baltimore fell two dollars a barrel. The blockade being then limited to the Chesapeake and Delaware, the immediate effect was to transfer this lucrative traffic further north, favoring that portion of the country which was considered, in the common parlance of the British official of that day, “well inclined towards British interests.”

On October 13, two days after Rodgers and Decatur parted at sea, the United States sloop of war “Wasp,”

¹ Besides the obvious impropriety, the practice was expressly forbidden by law. It was reprobated in strong terms by Justice Joseph Story, of Massachusetts, of the Supreme Court of the United States, affirming the condemnation of the “Julia.” His judgment is given in full in Niles' Register, vol. iv. pp. 393-397.

Captain Jacob Jones, left the Capes of the Delaware on a cruise, steering to the eastward. On the 16th, in a heavy gale of wind, she lost her jib-boom. At half-past eleven in the night of the 17th, being then in latitude 37° north, longitude 65° west, between four and five hundred miles east of the Chesapeake, in the track of vessels bound to Europe from the Gulf of Mexico, half a dozen large sail were seen passing. These were part of a convoy which had left the Bay of Honduras September 12, on their way to England, under guard of the British brig of war "Frolic," Captain Whinyates. Jones, unable in the dark to distinguish their force, took a position some miles to windward, whence he could still see and follow their motions. In the morning each saw the other, and Whinyates, properly concerned for his charges chiefly, directed them to proceed under all sail on their easterly course, while he allowed the "Frolic" to drop astern, at the same time hoisting Spanish colors to deceive the stranger; a ruse prompted by his having a few days before passed a Spanish fleet convoyed by a brig resembling his own.

It still blowing strong from the westward, with a heavy sea, Captain Jones, being to windward, and so having the choice of attacking, first put his ship under close-reefed topsails, and then stood down for the "Frolic," which hauled to the wind on the port tack — that is, with the wind on the left side — to await the enemy. The British brig was under the disadvantage of having lost her main-yard in the same gale that cost the American her jib-boom; she was therefore unable to set any square sail on the rear-most of her two masts. The sail called the boom mainsail in part remedied this, so far as enabling the brig to keep side to wind; but, being a low sail, it did not steady her as well as a square topsail would have done in the heavy sea running, a condition which makes accurate aim more difficult.

The action did not begin until the "Wasp" was within sixty yards of the "Frolic." Then the latter opened fire, which the American quickly returned; the two running side by side and gradually closing. The British crew fired much the more rapidly, a circumstance which their captain described as "superior fire;" in this reproducing the illusion under which Captain Dacres labored during the first part of his fight with the "Constitution." "The superior fire of our guns gave every reason to expect a speedy termination in our favor," wrote Whinyates in his official report. Dacres before his Court Martial asked of two witnesses, "Did you understand it was not my intention to board whilst the masts stood, in consequence of our superior fire and their great number of men?" That superior here meant quicker is established by the reply of one of these witnesses: "Our fire was a great deal quicker than the enemy's." Superiority of fire, however, consists not only in rapidity, but in hitting; and while with very big ships it may be possible to realize Nelson's maxim, that by getting close missing becomes impossible, it is not the same with smaller vessels in turbulent motion. It was thought on board the "Wasp" that the enemy fired thrice to her twice, but the direction of their shot was seen in its effects; the American losing within ten minutes her maintopmast with its yard, the mizzen-topgallant-mast, and spanker gaff. Within twenty minutes most of the running rigging was also shot away, so as to leave the ship largely unmanageable; but she had only five killed and five wounded. In other words, the enemy's shot flew high; and, while it did the damage mentioned, it inflicted no vital injury. The "Wasp," on the contrary, as evidently fired low; for the loss of the boom mainsail was the only serious harm received by the "Frolic's" motive power during the engagement, and when her masts fell, immediately after it, they went close

to the deck. Her loss in men, fifteen killed and forty-three wounded, tells the same story of aiming low.

The "Frolic" having gone into action without a mainyard, the loss of the boom mainsail left her unmanageable and decided the action. The "Wasp," though still under control, was but little better off; for she was unable to handle her head yards, the maintopmast having fallen across the head braces. There is little reason therefore to credit a contemporary statement of her wearing twice before boarding. Neither captain mentions further manœuvring, and Jones' words, "We gradually lessened the space till we laid her on board," probably express the exact sequence. As they thus closed, the "Wasp's" greater remaining sail and a movement of her helm would effect what followed: the British vessel's bowsprit coming between the main and the mizzen rigging of her opponent, who thus grappled her in a position favorable for raking. A broadside or two, preparatory for boarding, followed, and ended the battle; for when the Americans leaped on board there was no resistance. In view of the vigorous previous contest, this shows a ship's company decisively beaten.¹

Under the conditions of wind and weather, this engagement may fairly be described as an artillery duel between two vessels of substantially equal force. James' contention of inferior numbers in the "Frolic" is true in the letter; but the greater rapidity of her firing shows it irrelevant to the issue. The want of the mainyard, which means the lack of the maintopsail, was a more substantial disadvantage. So long as the boom mainsail held, however, it was fairly offset by the fall of the "Wasp's" maintopmast and its consequences. Both vessels carried sixteen 32-pounder carronades, which gave a broadside of

¹ Captain Jones' Report of this action can be found in Niles' Register, vol. iii. p. 217; that of Captain Whinyates in Naval Chronicle, vol. xxix. p. 76.

two hundred and fifty-six pounds. The "Wasp" had, besides, two 12-pounder long guns. The British naval historian James states that the "Frolic" had in addition to her main battery only two long sixes; but Captain Jones gives her six 12-pounders, claiming that she was therefore superior to the "Wasp" by four 12-pounders. As we are not excusing a defeat, it may be sufficient to say that the fight was as nearly equal as it is given to such affairs to be. The action lasted forty-three minutes; the "Frolic" hauling down her colors shortly after noon. Almost immediately afterward the British seventy-four "Poitiers" came in sight, and in the disabled condition of the two combatants overhauled them easily. Two hours later she took possession of both "Wasp" and "Frolic," and carried them into Bermuda. The "Wasp" was added to the British navy under the name of "Loup Cervier" (Lynx).

When Rodgers and Decatur separated, on October 11, the former steered rather easterly, while the latter diverged to the southward as well as east, accompanied by the "Argus." These two did not remain long together. It is perhaps worth noticing by the way, that Rodgers adhered to his idea of co-operation between ships, keeping his two in company throughout; whereas Decatur, when in control, illustrated in practice his preference for separate action. The brig proceeded to Cape St. Roque, the easternmost point of Brazil, and thence along the north coast of South America, as far as Surinam. From there she passed to the eastward of the West India Islands and so toward home; remaining out as long as her stores justified, cruising in the waters between Halifax, Bermuda, and the Continent. These courses, as those of the other divisions, are given as part of the maritime action, conducive to understanding the general character of effort put forth by national and other cruisers. Of these four

ships that sailed together, the "Argus" alone encountered any considerable force of the enemy; falling in with a squadron of six British vessels, two of them of the line, soon after parting with the "United States." She escaped by her better sailing. Her entire absence from the country was ninety-six days.

Decatur with the "United States" kept away to the southeast until October 25. At daybreak of that day the frigate was in latitude 29° north, longitude $29^{\circ} 30'$ west, steering southwest on the port tack, with the wind at south-southeast. Soon after daylight there was sighted a large sail bearing about south-southwest; or, as seamen say, two points on the weather bow. She was already heading as nearly as the wind permitted in the direction of the stranger; but the latter, which proved to be the British frigate "Macedonian," Captain John S. Carden, having the wind free, changed her course for the "United States," taking care withal to preserve the windward position, cherished by the seamen of that day. In this respect conditions differed from those of the "Constitution" and "Guerrière," for there the American was to windward. Contrary also to the case of the "Wasp" and "Frolic," the interest of the approaching contest turns largely on the manœuvres of the antagonists; for, the "United States" being fully fifty per cent stronger than the "Macedonian" in artillery power, it was only by utilizing the advantage of her windward position, by judicious choice of the method of attack, that the British ship could hope for success. She had in her favor also a decided superiority of speed; and, being just from England after a period of refit, was in excellent sailing trim.

When first visible to each other from the mastheads, the vessels were some twelve miles apart. They continued to approach until 8.30, when the "United States," being then about three miles distant, wore — turned round

—standing on the other tack. Her colors, previously concealed by her sails, were by this manœuvre shown to the British frigate, which was thus also placed in the position of steering for the quarter of her opponent; the latter heading nearer the wind, and inclining gradually to cross the "Macedonian's" bows (1). When this occurred, a conversation was going on between Captain Carden, his first lieutenant, and the master;¹ the latter being the officer who usually worked the ship in battle, under directions from the captain. These officers had been in company with the "United States" the year before in Chesapeake Bay; and, whether they now recognized her or not, they knew the weight of battery carried by the heavy American frigates. The question under discussion by them, before the "United States" wore, was whether it was best to steer direct upon the approaching enemy, or to keep farther away for a time, in order to maintain the windward position. By the first lieutenant's testimony before the Court, this was in his opinion the decisive moment, victory or defeat hinging upon the resolution taken. He favored attempting to cross the enemy's bows, which was possible if the "United States" should continue to stand as she at the moment was — on the port tack; but in any event to close with the least delay possible. The master appears to have preferred to close by going under the enemy's stern, and hauling up to leeward; but Captain Carden, impressed both with the advantage of the weather gage and the danger of approaching exposed to a raking fire, thought better to haul nearer the wind, on the tack he was already on, the starboard, but without bracing the yards, which were not sharp. His aim was to pass the "United States" at a distance, wear — turn round from the wind, toward her — when clear of her broadside, and so come up from astern without being

¹ Macedonian Court Martial. British Records Office MSS.

raked. The interested reader may compare this method with that pursued by Hull, who steered down by zigzag courses. The Court Martial censured Carden's decision, which was clearly wrong, for the power of heavy guns over lighter, of the American 24's over the British 18's, was greatest at a distance: therefore, to close rapidly, taking the chances of being raked — if not avoidable by yawing — was the smaller risk. Moreover, wearing behind the "United States," and then pursuing, gave her the opportunity which she used, to fire and keep away again, prolonging still farther the period of slow approach which Carden first chose.

The "United States" wearing, while this conversation was in progress, precipitated Carden's action. He interpreted the manœuvre as indicating a wish to get to windward, which the "Macedonian's" then course, far off the wind, would favor. He therefore hurriedly gave the order to haul up (2), cutting adrift the topmast studdingsail; a circumstance which to seamen will explain exactly the relative situations. That he had rightly interpreted Decatur's purpose seems probable, for in fifteen or twenty minutes the "United States" again wore (*a*), resuming her original course, by the wind on the port tack, the "Macedonian" continuing on the starboard; the two now running on lines nearly parallel, in opposite directions (*b b*). As they passed, at the distance of almost a mile, the American frigate discharged her main-deck battery, her spar-deck carronades not ranging so far. The British ship did not reply, but shortly afterward wore (*c*), and, heading now in the same general direction as the "United States," steered to come up on her port side. She thus reached a position not directly behind her antagonist, but well to the left, apparently about half a mile away. So situated, if steering the same course, each ship could train its batteries on the opponent; but the increased advantage

U United States
M Macedonian (shaded)
a, b, c, etc., synchronous positions
For 1 and 2, see text

Daylight U

Ends U

Ends M

8.30

8.30

2

1

a, b, c, etc., synchronous positions

Wind S.S.E.

Daylight

PLAN OF THE ENGAGEMENT BETWEEN THE UNITED STATES AND MACEDONIAN

PLAN OF THE ENGAGEMENT BETWEEN THE UNITED STATES AND MACEDONIAN

at a distance was with the heavier guns, and when the "Macedonian," to get near, headed more toward the "United States," most of hers ceased to bear, while those of her enemy continued their fire. A detailed description of the "United States's" manœuvres by her own officers has not been transmitted; but in the searching investigation made by Carden's Court Martial we have them probably well preserved. The master of the British ship stated that when the "Macedonian" wore in chase, the "United States" first kept off before the wind, and then almost immediately came back to it as before (*c*), bringing it abeam, and immediately began firing. By thus increasing her lateral distance from the line of the enemy's approach, she was able more certainly to train her guns on him. After about fifteen minutes of this, the "Macedonian" suffering severely, her foresail was set to close (*e*); upon which the "United States," hauling out the spanker and letting fly the jib-sheet, came up to the wind and backed her mizzen-topsail, in order not to move too fast from the advantageous position she had, yet to keep way enough to command the ship (*e*).

Under these unhappy conditions the "Macedonian" reached within half musket-shot, which was scarcely the ideal close action of the day; but by that time she had lost her mizzen-topmast, mainyard, and maintopsail, most of her standing rigging was shot away, the lower masts badly wounded, and almost all her carronade battery, the principal reliance for close action, was disabled. She had also many killed and wounded; while the only visible damage on board the "United States" was the loss of the mizzen-topgallant-mast, a circumstance of absolutely no moment at the time. In short, although she continued to fight manfully for a half-hour more, the "Macedonian," when she got alongside the "United States," was already beaten beyond hope. At the end of the half-hour her fore and

main topmasts fell, upon which the "United States" filled her mizzen-topsail and shot ahead, crossing the bows of the "Macedonian,"¹ and thus ending the fight. Surprise was felt on board the British vessel that a raking broadside was not at this moment poured in, and it was even believed by some that the American was now abandoning the contest. She was so, in the sense that the contest was over; a ship with all her spars standing, "in perfect condition," to use the expression of the enemy's first lieutenant, would be little less than brutal to use her power upon one reduced to lower masts, unless submission was refused. Upon her return an hour later, the "Macedonian's" mizzenmast had gone overboard, and her colors were hauled down as the "United States" drew near.

This action was fought by the "United States" with singular wariness, not to say caution. Her change to the starboard tack, when still some three miles distant, seems to indicate a desire to get the weather gage, as the "Macedonian" was then steering free. It was so interpreted on board the British vessel; but as Carden also at once hauled up, it became apparent that he would not yield the advantage of the wind which he had, and which it was in his choice to keep, for the "United States" was a lumbering sailer. Decatur, unable to obtain the position for attacking, at once wore again, and thenceforth played the game of the defensive with a skill which his enemy's mistake seconded. By the movements of his ship the "Macedonian's" closing was protracted, and she was kept at the distance and bearing most favorable to the American guns. But when her foresail was set, the "United States," by luffing rapidly to the wind — flowing the jib-sheet and hauling out the spanker to hasten this movement — and

¹ James states that this was in order to fill fresh cartridges, which is likely enough; but it is most improbable that the movement was deferred till the last cartridge ready was exhausted — that the battery could not have been fired when crossing the bows.



CAPTAIN STEPHEN DECATUR.

From the painting by Gilbert Stuart in Independence Hall, Philadelphia.

at the same time backing the mizzen-topsail to steady her motions and position, was constituted a moving platform of guns, disposed in the very best manner to annihilate an opponent obliged to approach at a pretty broad angle.

This account, summarized from the sworn testimony before the British court, is not irreconcilable with Decatur's remark, that the enemy being to windward engaged at his own distance, to the greatness of which was to be ascribed the unusual length of the action. Imbued with the traditions of their navy, the actions of the "United States" puzzled the British extremely. Her first wearing was interpreted as running away, and her shooting ahead when the "Macedonian's" topmasts fell, crossing her bows without pouring a murderous broadside into a beaten ship, coupled with the previous impression of wariness, led them to think that the American was using the bad luck by which alone they could have been beaten, in order to get away. Three cheers were given, as though victorious in repelling an attack. They had expected, so the testimony ran, to have her in an hour.¹ Judged by this evidence, the handling of the "United States" was thoroughly skilful. Though he probably knew himself superior in force, Decatur's object necessarily should be to take his opponent at the least possible injury to his own ship. She was "on a cruise"; hence haste was no object, while serious damage might cripple her further operations. The result was, by his official statement, that "the damage sustained was not such as to render return to port necessary; and I should have continued her cruise, had I not deemed it important that we should see our prize in."²

In general principle, the great French Admiral Tourville correctly said that the best victories are those which

¹ "Macedonian" Court Martial.

² Decatur's Report. *Niles' Register*, vol. iii. p. 253.

cost least in blood, timber, and iron; but, in the particular instance before us, Decatur's conduct may rest its absolute professional justification on the testimony of the master of the British ship and two of her three lieutenants. To the question whether closing more rapidly by the "Macedonian" would have changed the result, the first lieutenant replied he thought there was a chance of success. The others differed from him in this, but agreed that their position would have been more favorable, and the enemy have suffered more.¹ Carden himself had no hesitation as to the need of getting near, but only as to the method. To avoid this was therefore not only fitting, but the bounden duty of the American captain. His business was not merely to make a brilliant display of courage and efficiency, but to do the utmost injury to the opponent at the least harm to his ship and men. It was the more notable to find this trait in Decatur; for not only had he shown headlong valor before, but when offered the new American "Guerrière" a year later, he declined, saying that she was overmatched by a seventy-four, while no frigate could lie alongside of her. "There was no reputation to be made in this."²

The "United States" and her prize, after repairing damages sufficiently for a winter arrival upon the American coast, started thither; the "United States" reaching New London December 4, the "Macedonian," from weather conditions, putting into Newport. Both soon afterward went to New York by Long Island Sound. It is somewhat remarkable that no one of Warren's rapidly increasing fleet should have been sighted by either. There was as yet no commercial blockade, and this, coupled with the numbers of American vessels protected by licenses, and the fewness of the American ships of war, may have in-

¹ "Macedonian" Court Martial.

² Captains' Letters, April 9, 1814. Navy Department MSS.

disposed the admiral and his officers to watch very closely an inhospitable shore, at a season unpropitious to active operations. Besides, as appears from letters already quoted, the commander-in-chief's personal predilection was more for the defensive than the offensive; to protect British trade by cruisers patrolling its routes, rather than by preventing egress from the hostile ports.