THE ORIGIN AND EVOLUTION OF THE BRITISH STARVATION BLOCKADE OF 1793.

by

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THE ORIGIN AND EVOLUTION
OF THE BRITISH STARVATION BLOCKADE OF 1793.

Introduction

One of the greatest factors in the Great War, and one of its most striking aspects, has been the British starvation blockade against Germany. No other aspect of the war has called forth more diplomatic and public discussion or led to more searching of history for precedents. Strange to say, the most significant precedent with respect to such a policy has been commonly disregarded. This is the starvation blockade attempted by Great Britain in 1793 against Revolutionary France. The story of this highly interesting parallel to the situation today is the subject of the present thesis. An attempt has been made to trace the origin of that blockade and to discover why it was adopted. The supply of food, (bread in particular) in France in the years of the Revolution prior to the war with England has been reviewed. It has been found that there was a severe shortage during almost the whole of this period and that Great Britain was carefully observing this condition. The main purpose of this thesis, therefore, is to show that Great Britain formulated her policy of blockade even before she entered into the war; that it was suggested to her by the shortage of foods, especially breadstuffs, in France; and that the policy was first worked out with her allies -- their cooperation being gained before it was openly proclaimed to the neutrals. The study includes the tracing of the devel-
opment of the policy, its decline and final modification, the French counter-system, and finally the relations with the neutrals resulting from the operation of the policy.

In 1793 such a policy of blockade was practically without precedents. This was not the first example of provisions being treated as contraband, but it was the first deliberate attempt to starve an entire nation to terms by cutting off her source of food supply by means of such a blockade. According to the Danish minister, such a policy had been suggested once by Frederick IV of Denmark during a war with Sweden, but because of the remonstrance of practically every neutral power, including Great Britain, it had not been attempted. This is the nearest discoverable precedent for the blockade of 1793. On the other hand, the policy as established by Great Britain is itself of importance as a precedent for similar policies adopted later. It was a forerunner of the principle of blockade in the famous Continental system of the Napoleonic wars, of the blockade of the southern ports during our own civil war, and today, as has already been shown, is a precedent for Great Britain's extensive blockade of the Central Powers. For, while modifications and developments have been added to the original policy as attempted by Great Britain, nevertheless the fundamental purpose and principles have remained the same.


2. Annual Register, 1793, pp. 182, or Martens, Traité, V, 577.
CHAPTER I.
ORIGINS OF THE POLICY.

It is a recognized fact that one of the prime causes of the French Revolution and one of the factors that contributed to its excesses was the precarious state of French agriculture which caused severe shortages of grains and other foodstuffs. A large percentage of the riots that broke out in the spring and summer of 1789 were directly occasioned by a desire to secure bread. The cry of famine arose from all sections of the country. Farm machinery and methods of cultivation were extremely poor. Arthur Young reckoned it would take 10,500,000,000 francs to place the agriculture of France on a level with that of England. It is estimated that at least one fourth of the soil was left absolutely idle. What this meant can be appreciated when we find stated that the average production of an acre of ground in France in the middle of the nineteenth century was just about double what it was in the latter part of the eighteenth. Yet there was no corresponding increase in population. Taxes and rents in 1789 were unreasonable and the peasant was not given a fair chance. He was too poor to purchase machinery of any kind, he was unable to combat injurious birds and insects, and the nobles on hunting excursions laid waste his crops at will.

The situation was especially bad in the years 1788 and 1789. A study of estimates made upon the crops of those years reveals the fact that the production of grain was only
about one half the amount usually produced. This was not enough to satisfy the domestic needs and in order to prevent actual famine it became necessary to import grain from abroad.

The poor crop in 1788 was followed by one of the most severe winters in the history of France. Extremely cold weather set in early in December and continued, with the exception of a brief period in January, until late in March. Almost all communications were cut off. "Dinners were suppressed and the money laid out in feeding and warming the poor, whose labors were suspended by the rigors of the season. Loaded carriages passed the Seine on the ice, and it was covered with thousands of people from morning to night, skating and sliding." Thomas Jefferson, who was the American minister in France at the time pictured the situation very vividly. He described the winter as "of such severe cold as was without example in the memory of man or in the written records of history". As all outdoor labor was suspended, and the poor were without wages, they were of course without either bread or fuel. "The Government found its necessities aggravated by that of procuring immense quantities of firewood and of keeping great fires at all the cross-streets, around which the people gathered in crowds to avoid perishing with cold. Bread too was to be bought and distributed daily gratis, until a relaxation of the season should enable the people to work". Bread rose to an enormous price. So great was its scarcity "that from the highest to the lowest citizen, the bakers were permitted to deal but a scanty allowance,
and in cards of invitation to dine in the richest houses the guest was notified to bring his own bread. To eke out the existence of the people, every person who had the means was called on for a weekly subscription which the curés collected and employed in providing messes for the nourishment of the poor, and vied with each other in devising such economical compositions of food as would subsist the greatest number with the smallest means. The cold weather was followed by a series of ice gorges and floods, and much mischief was done in many of the river valleys, where bridges were destroyed and property of all kinds was swept away.

The people as well as the Government early realized the probability that a famine was imminent. Many of those who held grain hoarded it away to guarantee the supplying of their own needs; others, seeing an opportunity for speculation and gain bought up and held all they were able to secure. As a result prices were encouraged to soar higher and higher. With the approach of spring bread riots became numerous and by June and July they were general throughout the country. The temper of the people became terrible. It became practically impossible to transport grain and other supplies without an army convoy. Markets and bakeshops were broken into and looted, and those who were accused of hoarding grain were in danger of losing their lives. Often times large quantities of grain were actually destroyed through the excesses of these disturbances. An example of this is shown in a despatch sent home by the British minister on March 19. He reported that a barge loaded with 2,000 sacks of grain at St. Quentin, belong-
ing to a very rich "native", who was accused of speculative profits, was seized by the populace and thrown into the river. Of course, this type of lawlessness only served to aggravate the shortage. The temper of the people was at such a high pitch that often times most serious disturbances were occasioned by the most insignificant provocations. A noteworthy example of this can be found in the so called Reveillon riot in Paris in the latter part of April, 1789. The riot was started by a rumor that spread among the working classes in Paris that Reveillon, a rich paper manufacturer, had suggested that wages be lowered to fifteen sous per day and had declared that a man and his family could live on that amount a day. The laborers were at once inflamed into a rage and without inquiring into the truth of the rumor, flew to Reveillon's house in vast numbers, completely destroying it and everything found in his magazines and workshops, without however, "secreting a pin's worth to themselves". The riot continued for some time and it was found necessary to call out the regular troops to quell it. In the sharp action which ensued a large number of the rioters were killed — one hundred according to one report, while another gives two hundred. Another striking example is that narrated by Gouverneur Morris in October of the same year. A cry was raised that a broker named Denis Francois had secreted bread. His shop was mobbed and a few loaves were found put aside for the family consumption. Regardless of the fact that he had been all night at work for the purpose of supplying the greatest possible quantity of bread, he was beheaded according to custom and his head was carried in triumph through the streets. It is also said that his wife died from
the shock when his head was presented to her, stuck on a pole. Nor was this the climax of such excesses for the situation became more and more critical until after the harvest in August 1789. Moreover, as the crop was again poor, the situation was only temporarily relieved and late in autumn it was again in a very grave condition.

The Government of the Ancient Regime attempted to regulate and relieve the situation but its rules were almost totally disregarded. In the brief period from September 1788 till May 1789, four measures were adopted. The first taken was that of September 7, 1788. By it, all foreign exportations of grain were prohibited until otherwise ordered by the King. It was carefully provided that this was not to hinder the internal circulation of grains. Imported foreign grains might be reexported freely in exemption of all duties. A second decree was issued November 23, 1788. It was again provided that all exportations of domestic grain should be prohibited and in addition it was enacted that the internal circulation of grain should be facilitated. All buying and selling of grain was to be in the markets and the markets were to be supervised by the police. Particular protection was promised to importers of grain from foreign states and to those engaged in transporting it from one province to another. The decree was to remain in force one year only and the King was to have the right to renew it then if necessary. The inhabitants of places where grain was held were to make out a statement of the grain necessary for their consumption. The same police rules as for the provisioning of Paris were to hold, and all the farmers and proprietors were called
When it was found that the desired results were not being obtained a third decree was issued April 23, 1789. Those who had arranged to supply local markets with grain were not to be affected by this decree. The graineries and depots of all others were to be investigated by the proper officials and records were to be taken. Internal circulation was to be entirely free except for whatever local precautions might be found necessary. Harsh treatment was decreed for those who attempted to intimidate proprietors and farmers, or to excite disorders in the markets, in the streets, or on the roads. Execution of the decree was ordered to be by the commissioners sent out to the provinces, the justices of the peace, the chiefs of the municipalities, the mounted police and various other officials. But so many protests were made against the measures taken by the Government that it was powerless to secure their enforcement. Gouverneur Morris, who was then in France looking after the interests of certain American exporters wrote that the "conversation turns on, among other things, the want of grain. M. Necker is a good deal blamed, in my opinion undeservedly. One foolish thing has indeed been committed, and that is the only one which they do not find fault with. It is the order for searching the barns of the farmers."

Meanwhile another factor was coming into play. The famed Estates General met at Versailles in May, 1789. It was destined to soon be transformed into the National Assembly and to assume active control of the functions of the government. The
problem of food administration was first presented to the Estates General on June 6. On that day M. Decoulmiers described to the clergy the deplorable condition of the people and advocated that immediate measures for relief be taken. Deputations were sent to the King and the other orders to present the question to them, but no action was taken. It is interesting to note that many of the Third Estate were suspicious of this move by the clergy and denounced it as a political scheme, for this was during the deadlock over the method of organization. One member declared that it was necessary, before they should deliberate on the plan of the clergy, to summon them into the room of the Estates General with the Third Estate\(^19\). June 19, however, Barrère presented the subsistence problem to the Third Estate in a forceful address and as a result a special commission was appointed to investigate the condition of the subsistences\(^20\). This commission, after securing a report from Necker on the measures that had been taken by the government and after an investigation of the situation, made a report on July 4. They advocated that immediate action be taken and that relief be secured by the National Assembly. This, it will be recalled was at a crisis of the revolution. The connection between the food shortage and the great events of July 12 - 14 is well established. The commission declared that this problem should be met before all others. However, after discussions on July 4 and 7, doubtless because of the great events that followed, the question was again dropped without action being taken\(^{21}\).
The food-stuffs question was not again taken up until August 22, after complete control had been gained by the National Assembly. This time results were more satisfactory, for, after discussions on August 22, 28, and 29, the important decree of August 29, was passed. It provided that the internal circulation of grains was to be entirely free and that obstructionists should be branded as criminals. Heavy fines were provided for. The exportation of grain and flour was prohibited and those who were engaged in transporting grain from one district to another by sea were to be placed under strict regulations. They were required to carry certificates from the first port to the second in order that a check might be had upon them. On the part of the National Assembly, from this time on, more attention was given to the question of subsistences. September 2 the Committee of Agriculture and Commerce was created. Also, on September 18, after considerable discussion and debate, a decree, supplementary to that of August 29, was passed, which provided for strict enforcement of the measures adopted in the earlier act. It also provided that all grain transported near the border was to follow the formalities prescribed for transportation by sea in Article II of the decree of August 29. Extra precautions were to be added to these formalities. Thus, certificates were to be required from the municipal officers at the place of departure, while bond was to be given to cover the value of the goods, and this bond was to be held till the certificate from the municipal officers in the town of designation had been secured and presented. Attempted exportation was to be punished by confiscation. Re-exportation was to be permitted to importers if they conformed to the es-
tablished rules and formalities. This decree, proving inadequate, was followed by that of October 5, which provided that the acts of August 29, and September 18, should be enforced in all the municipalities. Those who violated the provisions of these acts were declared to be "desturbers of the public order". The aid of executive authority and military power was promised to the municipalities to secure the purchase of grain and flour, and to insure safety in the markets and safety in the transportation of grains bought.

It was also provided that the names of those who were in any way trying or who had tried to obstruct the circulation of grain or to encourage its exportation were to be secured and reported. Placards were to be posted in all the markets giving the essential terms of the regulations made by this decree and those of August 29, and September 18. It was added that the President of the National Assembly should write a circular letter to all the municipalities in the interest of the circulation of grain, and another to the villages around Paris to secure their cooperation in supplying Paris with bread. Doubtless this led to the additional supplementary decree passed November 16, providing that two thirds of the proceeds from the confiscations provided for in the decree of September 18, were to go to the informer securing the seizure. The remainder was to go to the hospitals and the poor of the place where the seizure was made. The King was instructed to send this decree to all the tribunals, municipalities, and administrative corps of the kingdom, who were to post it in public
places and to take all the measures necessary to secure its execution. Even this decree, however, was not able to secure the enforcement of the regulations desired. Drastic measures were now considered. It was proposed on December 4, that the death penalty be decreed for the unlawful exportation of grain. This proposal was discussed on December 4, 10, and 28, but no action was taken.

Unfortunately, even these regulations proved inadequate. The shortage of food from the fall of 1789 until the spring and summer of 1790 was quite as bad as it had been the previous year. The famous march of the "bread women" of Paris to Versailles for the King occurred October 5 and 6, and the food riots continued in increasing numbers. Meanwhile the administrative department of the government, breaking down almost completely, proved powerless to secure the enforcement of its regulations. In a letter to Robert Morris, written about the middle of October, Gouverneur Morris ably analyzed the situation: "I am persuaded", he said, "this government must feel secure in the articles of subsistence before they take the measures needful for the order which is indispensable. Everything now is as if it were out of joint—army, finances, etc., etc. They have no fixed system to get through the difficulties, but live upon expedients and are at the mercy of projectors. A country so situated may starve in province while another suffers from its abundance. There is no order anywhere".

In the autumn of 1790, the economic distress was considerably relieved for, happily, the harvest of that year was much better than the two previous ones had been. However, on account
of the unsettled condition of affairs and the lack of adequate means of transportation many sections of the country continued to suffer because of the want of food. The situation is well described by the following extracts from the despatches of Lord Gower, the British minister in France at this time. On August 20, 1790 he wrote: "A courier, it is said, arrived on Sunday last from Bordeaux with letters to the ministry complaining of the want of specie; that without it, it was impossible to provide themselves with the necessaries of life; that being in great distress for the want of corn, they had sent to upper Languedoc to purchase it, but the people of the country would not accept of assignats, in consequence of which they desire leave to stop and apply to their own use the supply of piastres expected from Spain". On September 17, 1790 he wrote: "At Angers there has been a riot upon the old pretense of the dearness of corn. It is certain that there are people who are using their utmost endeavours to make an artificial scarcity of it; men go about the country and buy large quantities from the farmers at a considerable price, a quarter of which they pay and oblige them to lay up the corn in magazines till a fixed time when they are to receive payment for the other three quarters". Again on October 8, he wrote:"The rioters in Languedoc, having done much damage to the canal and interrupted the free circulation of grain, they have been obliged to empower provisionally the former judges to try them and all other disturbers of the public peace".

In the summer of 1790, along with other notable reconstructive measures adopted by the French Government, were those improving the conditions of agriculture. A distinct program...
of internal improvement was entered upon. Swamps were drain-
ed, manufacturing ventures were encouraged, roads and high-
ways were improved, and canals were projected. This program
was continued and enlarged upon through the year 1791 and into
the year of 1792.

The crops of 1791 however were again poor, especially in
the southern parts of the country. As a result the prospect of
a famine, though more distant than in 1789, was nevertheless
extremely alarming. Prices rose rapidly and it was often found
necessary to call in the National Guard to prevent riots in the
markets. The government was flooded with memoirs and peti-
tions complaining of suffering on account of the shortage and
demanding aid and relief. It is interesting to note that it
was even suggested that the establishments of distillation be
suppressed for a time in order to save grain — especially rye,
barley, and wheat. Concerning the situation Lord Gower wrote
from Paris, March 9, 1792: "General anarchy is increasing. Riots
under the pretense of a monopoly of corn are growing in number.
The farmers are forced to sell their grain by armed peasants. The
government has utterly broken down in handling the situa-
tion."  

The crops of 1792 were again very poor. The flow of pe-
titions and memoirs to the government continued. The short-
age was particularly severe in the south, in Normandy, and in
Haute Guyenne. Lawlessness and riots threatened many sections
of the country. Colonel George Monro who was a spy in France
in the pay of the British government made the following report
September 10, 1792: "They seem apprehensive that the scarcity of grain will breed much confusion, and its effects I believe have already begun to be felt, towards the south; the minister of the interior has stated to the assembly that Lyons, and Nevers, with many other parts are far from being supplied as they used to be, and that riots and murders on that account are continually happening. This however he does not impute to the badness of the crops, but to the schemes of their enemies, added to the vast demand of grain for the army and the capital, as also the last years scarcity in the south; though it is well known they have had bad crops this year in many places, and the troops and cavalry who were without subordination destroyed a vast deal of grain while green, and in addition to that a good quantity has been carried out of the country."41 October 23, Morris, who was then American minister to France wrote that "the country, late the seat of war, is totally consumed. Never abundant, it is now so bare that the inhabitants will be reduced to the utmost straits, and although the northern frontier is not yet in the same state, it would be not far from it before the end of January, if the whole French army, late in the center, were stationed there."42

In such straits was France at the opening of the year 1793 when war was declared against England. It had been clearly demonstrated that she was not self-sustaining and all efforts made to become so had proved futile. Some attempts made to regulate movements of grain and improve internal conditions have been shown. Had there been space for such a study, it would have been interesting also to have followed the attempts that
were made to conserve and find substitute foods. But a third aspect of the problem is of greater interest for us. It has been seen that there was an almost continuous shortage of grain and foodstuffs between 1788 and 1793. The government almost from the beginning foresaw that its attempts at internal regulation would prove inadequate. It realized that its only alternation was to secure supplies from abroad. Necker's report on subsistences, presented by Dupont de Nemours to the national assembly July 4, 1789 reveals the early realization of that fact by the government of the ancient regime. It shows likewise its attempts to remedy the situation by securing foreign aid. Necker stated that it was foreseen that there was not enough grain from the harvest of 1788 and in reserve to feed the people until the harvesting of the next crop in 1789. As a result the King issued a decree November 23 placing a premium of 40 sous per quintal on grain brought in from the United States of America. This decree was to remain in force until the latter part of June 1789. (It was extended April 20, to be in force till September 1). It is significant that this decree, the very first measure taken, should have been one to encourage trade with the United States.

A second decree was issued January 11, 1789, placing a premium of 15 sous per quintal on winter wheat, 12 sous per quintal on rye, and 20 sous per quintal on flour imported from any country of Europe. (These premiums were doubled in amount by the decree of April 20). This measure was to remain in force until September 1.

Thinking these measures not sufficient, the King created special commissions to buy up grain for him direct in foreign
The work of these commissions was quite effective. The following figures show the results of their efforts from November 1788 till July 1, 1789:

**Amounts of grain received in France:**

- **Flour**: 91,343 quintals.
- **Wheat**: 673,154 quintals.
- **Barley**: 53,247 quintals.
- **Rye**: 154,113 quintals.
- **Rice**: 5,513 quintals.

**Amounts loaded in European ports and expected at any moment:**

- **Flour**: 5,427 quintals.
- **Wheat**: 48,794 quintals.
- **Rye**: 6,353 quintals.
- **Barley**: 3,689 quintals. Total amount secured 1,041,633 quintals.

**Amounts bought, but not shipped:**

- **Flour**: 1,500 quintals.
- **Wheat**: 71,614 quintals.
- **Rye**: 21,850 quintals.
- **Rice**: 3,850 quintals.

**Amounts ordered bought, but from which no report had been received:**

- **Flour**: 59,500 quintals.
- **Wheat**: 150,280 quintals.
- **Rye**: 38,086 quintals.
- **Rice**: 16,150 quintals.

Grand total of King's transactions — 1,404,483 quintals. Most of this grain was secured from the north — from Holland, The Austrian Netherlands, and the Hanseatic cities. For a time,
also, flour was secured from England but the price soon rose to such a figure as to prohibit exportation under the Corn Laws, for unfortunately the grain shortage was not confined to France alone. A similar situation existed in Spain and it soon became particularly difficult to secure supplies in the German cities because of the demands for the armies on the Polish frontier. Moreover because of the hostile acts of the Algerian pirates a source of supply from the Italian states was practically cut off.

By the fall of 1789 almost no foreign source of securing grain remained except the United States. In a memoir presented by the ministers of the King to the National Assembly October 24, it was declared that the imports were not sufficient to meet the needs, that Spain and Switzerland were unable to furnish anything; that exportations from Prussia and the German States were forbidden; that England still refused to export grains; that the markets of Holland were closed; and that aid from the north had failed to materialize. The seriousness of the situation, and the responsibilities and duties of the assembly were emphasized.

Some minor efforts were made in the spring of 1789 to secure shipments of grain from America by negotiations with Jefferson but no definite contracts were arranged. All of the supplies secured from America at that time came from private commercial ventures. Gouverneur Morris, who had been in France since January was furthering the interests of Robert Morris and others in securing tobacco and flour contracts, but it was not until October that he engaged in serious negotiations with the French government to secure flour and
grain from the United States. Concerning an interview with Necker, October 8, Morris made the following statement: "They see their way to a supply till March next, but then they must have aid. In conversing with him on the means, he proposed an interview with me and mentioned that I wished to see him on the subject of the debt from America. Necker immediately observed that perhaps I would take the debt in payment of supplies. Thus we stand. Am to see him Saturday".

This was the first of a series of interviews between Morris and Necker, Le Coulteux, and others on the subject of the American debt and supplies. It seemed impossible to reach an agreement upon the amount of the debt due France but they were successful in coming to terms for the securing of supplies. A first contract for a shipment of 30,000 barrels of flour to France was concluded between Morris and Le Coulteux about October 15. Necker, who was extremely desirous of securing bread-stuffs from America proposed to send ships for flour on the part of the King but Morris opposed this plan declaring it would occasion alarm and cause a rapid rise in prices. He suggested that the ships should be chartered in such a way as to be bound to take wheat, flour, or tobacco and then they might proceed in the usual line of mercantile speculation. A second contract or tentative contract for 30,000 barrels of flour must have been secured through Morris according to his report of an interview with Necker October 27.

The negotiations continued well into the winter of 1789-1790. The following brief statements made by Morris will reveal an idea of the importance with which the French ministers...
must have regarded the supplies to be secured from America, November 3, he wrote: "After dinner M. Necker tries to tie me down to fixed periods for the arrival of flour and for the payment. I tell him I wish to have a house to contract with me. He says I run no risk and he will have the agreement signed by the King. --- M. Vauviliers received me with the compliment as being the person who is to feed France". November 8, he again wrote: "Necker is anxious about the first shipment of flour contracted for from America. He wishes to bind the agreement and secure promptness by a fine or penalty—— proposes £2,000".

In February 1790 Morris left Paris on a mission to Holland and England, and further negotiations were of course suspended. While the shipments of grain from the United States to France at this time were not extremely large, they were important. A comparison of the amounts shipped to France during this year and the year following is quite significant:

<table>
<thead>
<tr>
<th></th>
<th>American Exports to France</th>
<th>American Exports to France</th>
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<tbody>
<tr>
<td>August 1789 to September 30, 1790:</td>
<td>September 30, 1790 to September 30, 1791:</td>
<td></td>
</tr>
<tr>
<td>Wheat</td>
<td>136,908 bu.</td>
<td>54 bu.</td>
</tr>
<tr>
<td>Flour</td>
<td>61,049 bbl.</td>
<td>2,927 bbl.</td>
</tr>
<tr>
<td>Corn</td>
<td>10,350 bu.</td>
<td>5,945 bu.</td>
</tr>
<tr>
<td>Rice</td>
<td>9,964 tierces</td>
<td>4,843 tierces</td>
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It will be remembered that the French crops of 1790 were quite good. This accounts largely for the decline in the grain shipments the year following. Not until May 1791 is it that we find Morris again negotiating with the French ministers on the subject of supplies. For a time we find him interested in securing rations for the French navy but his proposals were fin-
ally rejected when presented to the King. He continued his negotiations — largely with Montmorin — throughout the summer and autumn of 1791. It is interesting to note that October 18, Morris reports Montmorin as saying that with La Marck gone there was no one he could trust except Morris. Morris undoubtedly had considerable influence with the French ministers and was able to extend the American trade with France very noticeably. The amount of grain shipped from the United States to France between September 30, 1791 and September 30, 1792, was as follows:

Wheat 11,269 bu.
Corn 63,370 bu.
Rice 8,504 tierces.
Flour 25,616 bbl.

This was a large advance over the previous year but still fell considerably short of the amount shipped in 1789 - 1790. The reliance upon America as a source of supply became almost complete in the autumn of 1792. Concerning the situation Morris wrote to Jefferson September 27, 1792, "An opponent more dreadful than any of the armies which can be sent against this country, or any of the parties by which it may be distracted, seems to be preparing his vengeance. Famine is among the things on which to calculate. The crop in Sicily was short; that of the southern provinces, always insufficient, is much less than usual. The supplies usually drawn from the coast of Barbary, will, I am told, be totally cut off by those powers, who, in consequence of the affair of August 10, mean to break with this country. The grain provinces of the north and the east, if not possessed by the enemy, will be totally exhausted by the two armies;
and Poland, whose graneries are shut up till the next spring, will be engrossed by the enemy to furnish his own magazines. I consider it therefore as next to certain, that the want here will be very great during the ensuing year; and as this must by the end of December become apparent to everybody, most other resources will then be shut by the hand of mercantile speculation. Hence it would seem that our merchants would act wisely in sending hither cargoes of flour.  

The French minister to the United States at this time, Ternant, was very active in securing contracts for the shipment of grain. His correspondence was literally filled with accounts of such negotiations. A few brief summaries of some of his reports will give an idea of the character of his transactions. February 25, 1793 he reported that the firm Conyngham and Nesbit (of Philadelphia) had forwarded 22,000 bushels of grain, 8,000 barrels of flour, and 900 barrels of beef. The contract, he stated, was the same as that of the second of November, preceding, between the ministry of marine and the American agent, Swan and Company. He declared that during the coming spring France would receive from America 50,000 barrels of flour, 50,000 bushels of grain, and 6,000 barrels of beef. March 13, he mentioned a statement he was enclosing to the French Government of the amount of supplies secured by a certain Colonel Smith since February 1. He also mentioned that two new ships — one loaded with wheat and the other with flour— had been sent on their way to Nantes by Conyngham and Nesbit. Four others would follow immediately. He expected this company to complete its contracts by April 15. April 1, he reported that
Six boats carrying 20,000 bushels of wheat and 10,000 barrels of flour had already been sent by Conyngham and that he hoped that regardless of the shortage of ships, the remainder of the company's contract would be on the sea by April 20, at least. The subsistences bought by Smith, on the other hand, had been delayed.  

May 18, Genet, who had succeeded Ternant, wrote that the "good American Farmers" had offered him much grain. He declared he had tentative contracts for over 600,000 bushels of supplies but was prevented from shipping such an amount by the shortage of vessels. The report in the American State Papers places the figures for actual shipment to France between September 30, 1792, and September 30, 1793, as follows:

- Wheat 117,485 bu.
- Flour 69,072 bbl.
- Corn 6,251 bu.
- Rice 15,774 tinsces.

This was just about on a level with the shipments of grain to France in the year 1789-1790.

Such was the condition of France as England saw her prior to the war of 1793. What wonder that England should deem a starvation blockade policy wise and practical? Every condition seemed to point toward the success of such a policy. It had been proven that, regardless of the measures taken by the French Government, France was not self-sustaining. She was surrounded on all sides by enemies and practically her only route for the securing of foreign supplies was by sea. For, the United States, it appeared, was the only sure source upon which she could rely. And besides, on the way thither lurked Great Britain who possessed the most formidable navy afloat. The only possible result
seemed obvious.

4. ibid. pp. 524, 532, 533.
5. ibid. pp. 515 - 520.
9. ibid. pp. 149, 153, 156.
14. Morris, Diary and Letters, I, 63 - 64.
15. ibid. pp. 82, 111, 119, 156, 158.
22. ibid. pp. 474, 508, 511.
23. ibid. pp. 511.
34. ibid. I, 349, 353, 457. II, 801.
   cf. also X.XIII, 404, 662. LI. 408, 797. LXXI, 615. (indexes under captions, "subsistences", "Grains", etc.)

38. Gerbaux and Schmidt. II, 498, 635


42. Morris, Writings. II, 235.

43. Boiteau, pp. 522.

44. It will be recalled that this was the moment of the Second Partition of Poland.


46. ibid. IX, 519 - 521.

47. ibid. VIII, 197, 208.


50. These references reveal the fact that there were beginnings towards negotiations for supplies in April and May 1789.


52. ibid. pp. 181, 191, 194.

53. ibid. pp. 197.

54. ibid. pp. 205 - 207.


56. ibid. pp. 215, 221 - 222.

57. Amer. State Papers, Com. and Nav. I, 26, 113, 114, 122


59. ibid. pp. 439, 441, 460, 467, 472, 476, 478, 480.

60. ibid. pp. 465.


62. Morris, Writings. II, 224 0 225.

63. Colonel Swan had been dealing with the French Government concerning supplies as early as January 1791. Morris, Diary and Letters. I, 376.


65. ibid. pp. 214.

CHAPTER II.

EVIDENCES OF A DELIBERATE BRITISH POLICY.

A provision of the treaty of peace between France and England, signed at Paris 1783, was that a commercial agreement should be drawn up between the two countries within two years. Vergennes, French minister of Foreign Affairs, was especially anxious to secure this arrangement. Pitt was cautious at first, but negotiations were finally entered into in 1786 which resulted in a commercial treaty, signed at Versailles September 26, 1786. Its chief negotiators were William Eden, (Lord Auckland), from whom the treaty takes its common name, and the French economists Dupont de Nemours. By its provisions complete freedom of navigation between the European domains of the two countries was secured. The inhabitants of one nation might reside or travel freely in the other without either passports or licenses. The most favored nation clause was provided for French wines and linen. Duties on hardware, cutlery, etc. were not to be over 10% ad valorem; those on cottons, woolens, cambrics and muslins not over 12%; while silks remained prohibited as formerly. The highest import retained was 30% on beer. An attempt was made to define contraband and prohibited goods, and to regulate smuggling, privateering, and piracy. Generally speaking, the treaty was received very favorably in England, especially because of the opportunity it gave to find a market for manufactured goods across the channel. This was not, however, true in France. Great opposition was found especially among the manufacturers there who declared
they were not able to compete with superior English goods on a 12% margin. Arthur Young, who was making his famous tour of France at the time, often mentioned, in his narrative, the complaints he heard in manufacturing towns. It appears probable that the treaty did prove ruinous especially for French cotton and woolen industries. The wine growers were practically the only Frenchmen who were really satisfied and they were soon disillusioned for England found a means of evading this in order to still favor Portuguese wines. It is certain that the treaty was one of the elements that furthered the dissatisfaction which finally resulted in the Revolution and it was a direct cause of the development of a strong anti-English sentiment which finally culminated in the war of 1793.

Pitt must have viewed the financial collapse which overtook France almost immediately after 1786, with secret satisfaction. In September 1788 he wrote to Grenville in terms which implied that the recovery of the credit of France, then expected under the fostering care of Necker, would be a very serious blow, implying as it did the resumption of her aggressive schemes in the East. However, the policy adopted by Pitt during the early stages of the Revolution was one of silent and passive observation.

The possibility of adding to the difficulties of France by means of a starvation blockade was probably first suggested to the British ministers in June of 1789. In that month the exportation of flour from England was cut off through the operation of the Corn Laws. The affect upon France was immediate. Necker, who was struggling against odds with the food problem sent an urgent
personal appeal to Pitt June 25, begging him to raise the embargo. Pitt, ignoring Necker, sent a cold, formal reply to Luzerne, French minister of Foreign Affairs. He vowed the "strongest desire to be able to recommend sending the supply of flour desired by Necker", and declared he had "had hopes from information at first given him by Mr. Wilson that it would be practical, but having afterwards received some contrary information, he thought it necessary that the subject should be examined by the committee of council for the affairs of trade whose inquiry was not closed till that morning" (July 3). He concluded by saying he had "the mortification to find that, according to accounts of persons most conversant with the corn trade, the present supply compared with the demand and the precarious prospect of the harvest rendered it impossible to propose to Parliament to authorize any exportation".

July 6, the question was taken up in Parliament but all attempts to secure relief for France failed. Mr. S. H. Rose declares that these beginnings of Pitt's relations with French democracy are to be regretted. A gift of 20,000 sacks of flour, outright, would have been the best bargain of his career and would have brought about a genuine "entente cordiale". Naturally, the opposite effect was secured. Prejudices against the English became general in France. Wild rumors were spread about attempts made to destroy the French ships and dockyards at Brest, and Pitt was accused of directly financing the disorders that were threatening the country on all sides. According to a letter written by R. Hobart to W. W. Grenville, December 2, 1789, from Dublin Castle, Ireland, there was probably ground at least for the complaint that special efforts were being made to prevent exportations of grain and flour to the French ports. Hobart mentioned that the
Irish crops were very late and, as much of the thrashing remained undone, the exact amount of the supply was not known. An embargo had been considered but it was thought best to permit the automatic embargo under the Corn Law to operate. After discussing the advisability of shipments to England he stated that the French were making efforts to secure large quantities of grain. "Many storehouses", he said, "are now full, with a view to exportation at a convenient opportunity. --- It is to be apprehended that persons who have large contracts may think it worth their while to send corn into the market at a low price, in order to avail themselves of the export. To counteract this expedient, a sum of money has been advanced to a confidential person, who has undertaken to raise the markets in all parts of the kingdom, and, by constantly watching them, to keep them up above the exportation price."

Further insight into the tendencies of Pitt's policy is gained from a study of the correspondence of the British ministers in France during this period, which reveals clearly that these envoys were carefully watching and reporting upon the condition of the French food supply. Their reports were not confined to the situation in and about Paris, but, on the contrary, included accounts for all sections of the country. As early as November 27, 1788 Dorset mentioned an increase in the price of bread and December 11, reported it up another sou. It was then at 14 sous per pound. He understood it was to be raised to 16 and was to be kept there. The distress of the poor was very great and robberies were increasing in an alarming degree. Other reports on the same subject followed December 25, 1788
and January 15, 1789. On several occasions, between January 22 and February 5, he described the destruction caused by floods near Orleans, Bordeaux, Besançon, and Tours. He reported, March 19, corn riots at Rheims, Vendome and St. Quentin; April 2, riots again at Rheims and also at Sanlis and Pontoise; May 7, discontent in lower Normandy and the destruction of a large quantity of flour at Caen; May 28, a riot at Marseilles; June 4, disturbances at Lagny and near Fontainebleau; and June 18, an extreme scarcity of grain in certain parts of Picardy.

In September 1789 Dorset was succeeded by Fitzgerald, who was in turn replaced by Lord Gower in June 1790. Many of the dispatches of Lord Gower have been cited heretofore in connection with the description of the food situation between 1790 and 1792. It will be remembered that he reported on August 20, 1790, a shortage of specie and grain at Bordeaux, On September 11, a corn riot at Angers, and on October 8, additional riots in Languedoc.

October 5, he mentioned disorders that had broken out among the marines but warned that with discipline established the French would be able to put a considerable fleet on the seas. The anti-English sentiment that prevailed in France at the time, (due largely to the Eden Treaty), is strikingly revealed by the two following extracts from Gower's reports. January 23, 1791, he narrated that "a very large importation from England of buttons for the national uniforms" had made it necessary for every possible precaution to be taken in order to prevent tumults in Paris. The journeymen manufacturers had threatened to destroy the shops of all those who sold English goods. On April 15, 1791 he mentioned alarm and disquietude because of the increase of the
British Navy. According to Montmorin, the French were considering an augmentation of their armaments at Brest. Lord Gower constantly kept himself in touch with crop conditions and the plans of the French concerning their subsistences. His reports of September 9, 1791, and March 9, 1792 are noteworthy in portraying the situation after the harvest of 1791; and Mono's accounts of September 8, and 10 - 12, 1792, are excellent in revealing conditions after the harvest of 1792. It is certain that the British ministers and special agents were not drawing up these reports for the sheer pleasure of doing so. Undoubtedly it was realized that this information would stand Great Britain in good stead when war should break out with France. From the latter part of September 1792 the evidence is conclusive that these facts were being used as a basis for the formulation of the policy which was afterwards openly adopted.

"I imagine the French are getting arms from England", declared the British spy, Monro, in a note on September 22. "They will also get corn if they can. Indeed I know some has already been procured. If it is therefore wished to prevent the exportation of these articles, they cannot be too strict on the coasts of England, Scotland, and Ireland, as I know the French will almost give any price for them. ——— A scarcity of everything still prevails —— and the farmers, of course, now bring nothing to market". Several of the towns were mentioned as being on the verge of civil war. Disturbances and unrest were common everywhere, and the women had even sacked several warehouses at Lyons.

This note of September 22, was followed, on November 9, by the British order in council prohibiting the exportation of grain to
Another element, however, enters into the issuing of this order of November, 1792, namely, Great Britain's own food problem. A review of prices proves that wheat was selling on an average at a lower rate in 1792 than it had in any year since 1787. Nevertheless, a mild shortage was experienced beginning in October of that year and some agitation throughout the country demanded that exportations be cut off to conserve the home supply. It served more as an excuse than as a cause. Technically, the order was illegal and it was found necessary to secure the passage of an act by Parliament January 9, 1793 indemnifying all persons who had been concerned in advising or carrying the order into execution. The significance of this act—its hostile spirit—is readily seen. The drift towards war between England and France in November and December of 1792 was rapid. The issuance of the French propagandist decree of December 1792 is often cited as the main cause for war. It is interesting in this connection to note that the issuance of the British orders prohibiting exportation or coastwise trade in military stores, which are always issued before a declaration of war, came on December 6-7, several days in advance of the French decree. It is certain, moreover, that the British ministers had decided upon war and the method of its conduct at a much earlier date. Grenville, upon defending, in the House of Lords, the order that prohibited the exportation of grain to France, admitted that it extended to foreign grain intended for France being shipped in English bottoms and in English waters at the time, and declared that it was foreseen
that war was being meditated against England. Hence it would have been madness to have permitted France to lay in stores of grain for her fleets and armies which were soon to be employed against Great Britain. He claimed the order did not extend to foreign grain shipped in foreign bottoms. Only one such ship was stopped and that one by mistake. As soon as the mistake was discovered the ship was permitted to proceed. Pitt advanced similar arguments in his defense of the order in the House of Commons.

The principles of a starvation blockade were formally declared in the British-Russian treaty of March 25, 1793. Taking into account the distance between St. Petersburg and London and the season of the year, it cannot be doubted that the adoption of a joint policy as important as this was worked out and agreed to in the autumn of 1792.

M. Chauvelin, the French minister at London, portrayed the French attitude toward the measures that had been adopted by Great Britain, in a note of protest written January 7, 1793, to Lord Grenville. After mentioning the proclamation of November 15, he declared that "several vessels, lawfully freighted, and ready to depart for France, the government whereof had ordered considerable purchases of those commodities in the ports of England", had been stopped notwithstanding the law which enacted that the ports should not be shut till fifteen days after the date of the proclamation; and the British ministers had themselves acknowledged the irregularity of some of their measures, by applying to Parliament for an act of indemnity. "However, the French government, relying at the time on the good
disposition of the British ministry, beheld in those measures of vigor, only the effects of foresight and wisdom of the English administration, and did not think it necessary to remonstrate". He then referred to a second proclamation, as to which I have found no evidence, which he declared excepted all foreign wheat from the prohibition of exportation. This virtually guaranteed "to all Europe the security of transports, by removing, in an authentic and solemn manner, all the doubts to which the first proclamation might have given rise; ———. Four weeks after that declaration, some vessels, laden with foreign grain, on account of France, were stopped in the English ports; and when the merchants, who were commissioned, made their claims, they were coldly answered that it was by order of the government". "France, My Lord," he wrote, "might still have persuaded herself that some recent and unexpected information upon the state of provisions in Great Britain had obliged the administration to take such extraordinary measures; but the English government itself took care to prove to Europe that it had not other motive than an hostile partiality against France, if it is true that the customs houses received orders to permit the exportation of foreign wheat to all ports, except those of France. This fact, my Lord, has been attested to me by respectable authorities; and however accumulated may be the marks of malevolence and jealousy which France has seen for some time in the conduct of the British cabinet, I shall harbour doubts of it. I should, the first moment of my knowing it, have waited upon you, my Lord, to be assured from yourself of its certainty, or of its falsehood, if the determination taken by his Britannic Majesty, in the present circum-
stances, to break off all communication between the governments of the two countries, had not rendered friendly and open steps the more difficult, in proportion as they became more necessary. Think, my Lord, that in the bosom of peace, far from all appearance of war, the English Government has profited of the good faith of the merchants of Europe, and of the security of a neighboring and friendly nation, to bring into its ports those commodities of which it supposed or knew the want in that country, if now that same ministry should take advantage of the first hostile measures, which they had either taken themselves, or provoked, to detain such commodities, in the hope, perhaps, that, in the midst of the agitations of that country, it would suffice, to excite the fear of want, to create it; they should only obtain as the reward of such an act of perfidy, even by the success of their enterprise, the shame of having employed means which even in the midst of a terrible war, an enlightened and generous nations must abhor, and of having sunk the credit of the English commerce, by violating the sacred asylum of its markets.

In the correspondence that followed Grenville refused to give other than an evasive answer. Chauvelin was notified to depart from London and the French declaration of war followed February 1. Among the causes for war enumerated in the declaration following, were: Great Britain had "sought to thwart the various purchases of grain, arms, and other merchandise ordered in England, whether by French citizens or by the agents of the French Republic". She had "caused the arrest of several barges and vessels loaded with grain for France, while, contrary to the
tenor of the treaty of 1786, the exportation thereof to other foreign countries" had continued. She had, "in order to hamper still more effectively the commercial operations of the Republic in England, caused the circulation of the assignats to be prohibited by an act of Parliament."

The war policy that Great Britain was about to follow was apparent to many men at the time. Gouverneur Morris who was in Paris wrote to Jefferson, February 13: "The war with England exists and it is now proper perhaps to consider its consequences; to which effect we must examine the objects likely to be pursued by England, for in this country notwithstanding the gasconades, a defensive war is prescribed by necessity. Many suppose the French colonies will be attacked, but this I do not believe. There are higher considerations to be attended to. In one shape or another this nation will make a bankruptcy. Strange as it may seem, the present is, on the part of France, a war of Empire, and if she defends herself she commands the world. I am persuaded that her enemies consider this as the real state of things and will therefore bend their efforts toward a reduction of her power, and this may be compassed in two ways — either by obliging her to assume a burden of debt to defray the expense they are at on her account, or else a dismemberment. The latter appears the more certain mode. As to the conduct of the war, I believe it to be on the part of the enemy as follows: First the maritime powers will try to cut off all supplies of provisions and take France by famine; that is to say, excite revolt among the people by that strong lever. I think I can per-
ceive some seeds already sown to produce that fruit. As to the colonies, I believe that France will not attempt to defend them, and their whole commerce falls naturally into the lap of America, unless the British prevent it, and I think they will find it more convenient to neglect that small object to pursue the great ones which open themselves to view in this quarter. 28

The aims of the British ministry were known at home, at quite an early date. The French food situation was discussed freely in Parliament and the charge was even made in the House of Lords (but denied by Grenville) that a secret treaty had been drawn up with Prussia and the Netherlands by which all provisions to France were to be cut off while special effort were to be made to forward supplies to provision Prussian and Austrian magazines. It is interesting to note that on the same day, (February 12), Lord Stormont declared that "the distresses of that country, (France), were already immeasurable". A Frenchman "had said, that to prevent a scarcity of other provisions, they should live two days in each week on rice and potatoes". Pinckney, American minister at London, apprehending the situation, wrote to Jefferson, March 13, warning that he expected "some of the belligerent powers" to stop American vessels" and asked instructions which would meet the question from various points of view. In the meantime he intended to contend for the amplest freedom of neutral nations. Jefferson did not believe it possible that such a policy would be adopted, declaring in answer May 7, that "such a stoppage to an unblocked fort would be so unequivocal an infringement of the neutral rights that we cannot conceive it will be attempted".
So obvious, moreover, was the British policy that the French counter-system was, in fact, formally proclaimed before the first of the British starvation orders was issued. Its initial measure was the decree of May 9, 1793. In the preamble of this decree it was charged that the flags of neutral powers were not respected by the enemy and the following examples were listed:

1. Two cargoes of flour arriving at Falmouth in Anglo-American vessels, and purchased before the war for the service of the marine in France, had been detained in England by the government which would not pay for them, except at a price below that at which flour had been sold.

2. A vessel from Papenburg, called the Therisia, commanded by Captain H. Kob, laden with divers effects belonging to Frenchmen was conducted to Dover March 2, last by an English cutter.

3. An English privateer also carried into Dover, March 18, the Danish ship Mercury expedited from Dunkirk on the 17th with a cargo of wheat for Bordeaux.

4. The ship John, laden with near 6,000 quintals of American wheat, bound from Falmouth to St. Malo, was taken by an English frigate, and conducted to Guernsey, where the agents of the government simply promised to pay the value of the cargo because it was not on account of the French.

5. French passengers on a Genoese ship had been mistreated by the crew of a British privateer.

6. Divers reports which were successively made by the maritime cities of the Republic announced that these same acts of inhumanity and injustice were daily multiplied and repeated.
with impunity throughout the seas.

Concerning this decree Gouverneur Morris wrote to M. Lebrun, French minister of foreign affairs, May 14, 1793: "I am ignorant, Sir, of the reasons which might explain the motives that led to the making of the decree, (of May 9), but I think I foresee that the regulations just adopted by the Convention respecting eatables will be eagerly followed by its maritime enemies, and that in the future the speculations of neutral commerce will, in fact, depend on the naval superiority of the belligerent powers".

Lord Auckland, British minister at The Hague, in a note May 16, to Grenville, referred to the same measure in the following terms: "This decree should lessen the complaints of the neutral powers in the several cases where we may find it expedient to pursue a reciprocity of system".

The attitude of the neutral world to this policy may be seen from a pamphlet written by Tench Coxe, a prominent American revenue official, in 1805, and entitled "An examination of the conduct of Great Britain respecting Neutrals". Coxe made the sweeping charge that Great Britain was the "first beginner of the illegitimate measures pursued to embarrass and despoil the neutral commerce of the United States since 1791 -- that she was deprived of every pretense, in reason, or under the law of nations, to a right of retaliation, in respect to her enemies, or as a matter which they impartiality of neutrals ought to permit to her". He denied that the British order and proclamation of November 1793 was occasioned by a scarcity at home. "On November 15", he said, "Grain was declared inadmissable in Liverpool, at the low duties, and England permitted foreign grain to be freely cleared out in 1792 for all other places except the ports
of France, even to supply the enemies of that country". Other
evidence which has been cited proves that he was not absolutely
correct in this contention but a shortage of food was certainly
not the only cause for the issuance of the order. He declared
that England "was matur ing the plan of famine, at the expense of
neutral rights, through the summer of 1792", and that the reality
of the intention of distressing France by prohibitory measures
was "indisputably proved by the English refusal to permit the
exportation of blankets, cloths, and cordage, to France, in 1792,
contrary to law and treaty". He claimed there was among the
records of the state department and in the British and American
collections of state papers, "clear and positive evidence that
England had deliberately matured and consummated the system of
violating the neutral commerce above six weeks before the French
decree of May 9, 1793, and this too in the most unprecedented
manner". Lord Grenville had "explicitly and unreservedly" ad-
mitted to the American minister, Pinckney, that the captures of
neutral vessels as directed by the British order of June 8, 1793,
to that end, were fully understood by both Russia and Great Brit-
ain to be within the intention of the convention between them
signed at London the 25th of the preceding March.

Wile Coxe is radical in his statements, his general thesis
cannot be denied. All the evidence points to the one inevitable
conclusion that the starvation blockade was the result of long
and carefully premeditated plans, suggested by the continued
precarious condition of the subsistences in France. Now that
the origin and aim of the policy has been reviewed, we must
turn to trace its development and its complete establishment,
as formally declared to the world.

1. The time limit was later extended to three years.
4. ibid. pp. 542.
5. ibid. pp. 543, citing Pitt Mss. 102, 163.
6. ibid. pp. 543-545. This is one of the earliest hints we have concerning the legend of "Pitt's Gold".
9. ibid. pp. 146, 147, 149, 153, 156.
13. ibid. pp. 36.
16. ibid. pp. 255. It will be remembered that Monro was residing at this time in France as a spy in the pay of the British government. Under the circumstances his letters and notes are very significant.
17. State Papers relative to the War. I, 265.
22. 33 George III. Chapter 3.
27. ibid. pp. 267 ff.
37. Auckland, Correspondence III, 63.
38. While Coxe is radical in his statements, it must be remembered that he was in a position to know the facts. During practically the whole of the period of the blockade he was American Commissioner of the Revenue and made a special study of commercial affairs. See. Amer. State Papers, Com. and Nav. I, 248, 264, 312, 342, and Amer. Hist. Assoc., Report, 1903. II, 479.
40. ibid. pp. 14. No mention of such a refusal has been found elsewhere.
41. ibid. pp. 7 - 9, 11.
The French declaration of War of February 1, 1793 was followed by a counter British declaration on February 11 made in the following terms: "Whereas diverous injurious proceedings have lately been had in France, in derogation of his Majesty's crown, and of the just rights of his subjects; and whereas several unjust seizures have been there made of the ships and goods of his Majesty's subjects, contrary to the law of nations, and to the faith of treaties; and whereas the said acts of unprovoked hostility have been followed by an open declaration of war against his Majesty, and his ally, the Republic of the United Provinces; His Majesty therefore being determined to take such measures as are necessary for vindicating the honor of his crown, and for procuring reparation and satisfaction for his injured subjects, is pleased, by and with the advice of his privy council, to order, and it is hereby ordered, that general reprisals be granted against the ships, goods, and subjects of France, so that as well his Majesty's fleet and ships, as also all other ships and vessels that shall be commissioned by letters of marque or general reprisal, or otherwise by his majesty's commissioners for executing the office of Lord High Admiral of Great Britain, shall and may lawfully seize all ships, vessels, and goods, belonging to France or to any persons being subjects of France, or inhabiting within any of the territories of France, and bringing the same to judgment in any of the courts of admiralty.
within his Majesty's dominions". Provision was made also for the granting of letters of marque and reprisal, for instructing courts of admiralty to take cognisance, and for other instructions that might be deemed necessary. Supplementary to the issuance of this order was the establishment of a general embargo also on February 11. The king in his message to Parliament, on the same day, respecting the Declaration of War with France, declared that the necessary measures and steps for maintaining Great Britain's honor had been taken. Thus, immediately after war was declared between France and England, important measures, preliminary to the establishment of a starvation blockade, were adopted by the English Government.

However, Great Britain deemed it necessary to secure a guarantee of cooperation from her allies concerning such a blockade before she formally proclaimed its establishment to the neutrals. Negotiations with Russia bore fruit in a treaty with that country signed at London March 25, 1793. By article three of this treaty the two countries reciprocally agreed to close all their ports against French ships. They were "not to permit the exportation, in any case, from their said ports for France, of any military or naval stores, or of corn, grain, salt meat, or other provisions; and to take all other measures in their power for injuring the commerce of France and bringing her, by such means, to just conditions of peace". By article four of the same treaty they further agreed "to unite all their efforts to prevent other powers, not implicated in this war, from giving, on this occasion of common concern to every civilized state, any protection whatever, directly or indirectly, in consequence of their
neutral, to the commerce or property of the French, on the sea, or in the ports of France". Tench Coxe in his pamphlet, to which reference has been made in earlier connections, placed great emphasis upon the importance of this treaty. He declared that "It was in execution and fulfillment of this convention of March, 1793 that the British additional orders of June 8, 1793 were issued". He referred to it as the basis on which "all neutral spoiliations were founded". Indeed its significance was great. The tendency too often has been to underestimate its importance. This convention, and not the British additional orders of June 8, should be given first place in the establishment of the Starvation Blockade of 1793.

Other treaties concluded by Great Britain soon followed the one drawn up with Russia. A subsidy agreement of minor importance concluded with the Elector of Brunswick, March 4, 1793, was followed by one of a similar nature with the Landgrave of Hesse Cassel, on April 10. On April 25, a treaty of five articles was drawn up with the King of Sardinia. In return for a yearly payment of £200,000 Sardinia obligated herself to maintain a force of 50,000 men in the field and a considerable fleet upon the Mediterranean during the whole of the war. No hint was given however, of an intention to blockade France. Of more importance was the treaty signed with Spain at Aranjuez on May 25. By articles four and five of this treaty the cooperation of that country in the plan of blockade was definitely gained. It is significant to note that these two articles were exact copies of articles three and four of the British-Russian convention of March 25, 1793, previously cited.
Thus with the cooperation of Russia and Spain guaranteed, and, doubtless, with the assistance of many of the other allies promised, Great Britain determined to openly proclaim her plans for a starvation blockade early in June 1793. The noted "Additional Instructions to the Commanders of his Majesty's ships and privateers that have or may have letters of marque against France" were issued June 8, 1793.

It was provided by article one that it should be lawful to stop and detain all vessels laden wholly or in part with corn, flour, or meal, bound to any port in France, or any port occupied by French armies. Vessels so stopped were to be sent to the British port most convenient where the supplies were to be bought or the cargo, on security, permitted to resail to a port of some country in amity with His Majesty. Article two provided that ships attempting to enter blockaded ports, regardless of the character of their cargoes were to be seized and confiscated. Ships of Denmark and Sweden were partially exempt from this provision. They were to be turned back upon a first attempt to enter a blockaded port but were to be seized if the attempt was repeated. Article three provided that ships met on the high seas, sailing for ports placed under blockade since the date of their sailing should be unmolested if they agreed to change their designation and sail to some unblockaded port.

Fearing that the Privy Council had overstepped its authority in the issuance of these instructions, Parliament made the following provision on June 17, in an act "for the encouragement of seamen, and for the better and more effectually manning His..."
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His Majesty's navy" : Which Article XXXV - "Provided always and be it enacted, that nothing in this act contained shall be construed to restrain His Majesty, His heirs and successors, from giving such further rules and directions from time to time to his respective courts of admiralty and vice-admiralty, for the adjudication and condemnation of prizes, as by His Majesty, His heirs and successors, with the advice of his or their privy council, shall be thought necessary or proper". This was a very significant recognition of powers by Parliament, and as a result there no longer remained an opportunity to question the legality of these and similar instructions or orders issued by His Majesty in council.

By midsummer of 1793 the successful development of the blockade seemed assured. In fact, so well did Great Britain believe that she had the situation on the seas under her control that on July 5, she removed the general embargo placed the 11th of the previous February on ships in her own ports. Moreover, additional guarantee of the success of the policy was soon secured by the negotiation of more treaties. July 12, 1793 Great Britain secured the successful conclusion of a treaty at Naples with the Kingdom of the Two Sicilies. It was agreed that common cause should be made against France and that military and naval cooperation, especially in the Mediterranean, be secured. The king of the Sicilies agreed to maintain certain forces during the war in return for British funds and the promise of a British fleet in the Mediterranean. The following important provision was made in article five: "His Sicilian Majesty will prohibit his subjects from
all commerce with France, of what nature soever; and will not
even permit the ships of other nations to export from the ports
of the Two Sicilies to the ports of France any sort of provi-
sions, or military or naval stores”.

The British treaty with the Sicilies was followed two days
later, July 14, by one with the King of Prussia. Mention
was made, in this treaty, of a previous agreement between the
two governments to close their ports and prevent the exportation
of provisions to France. This agreement was renewed. Otherwise
the provisions concerning subsistences and supplies were prac-
tically the same as the corresponding provisions in the Russian
and Spanish treaties. This treaty was followed on August 30,
by still another treaty signed at London between Great Britain
and the Emperor of Germany. Articles two and three of this
agreement were exact duplicates, respectively, of articles three
and four of the Russian treaty of the preceding March.

The last of this series of treaties making provision for
the establishment and enforcement of Great Britain's projected
starvation blockade was concluded at London September 26, 1793
between His Britannic Majesty and the Queen of Portugal. Co-
operation in the convoying of ships and the closing of all
Portuguese ports against French privateers and men of war were
secured by this agreement. Also of significance was the fol-
lowing provision: “Her most faithful Majesty will prohibit
her subjects from exporting from her ports for the ports of
France,—any military stores, or even corn, or salt meats,
or any other provisions. Her said Majesty also engages not to
give, or permit to her subjects to give, any protection what-
soever, either directly or indirectly, to the trade of property of the French on the sea or in the ports of France, and will take in consequence of what is declared in this article, the most severe measures, in order to maintain the above mentioned prohibition in its full force".

Of some interest in the establishment of the blockade, but not of great importance, was the "Declaration of the Grand Master of the Sovereign Order of Malta to the court of Naples", dated September 12, 1793. The Grand Master declared that as soon as he had heard of the dismissal of the French agents from Naples he had followed suite. All the ports of the island had been closed, and would remain closed, to French ships of war and privateers, during the entire length of the war. Moreover, he declared no minister from the existing French Government would be received under any circumstances.

Thus, in the autumn of 1793, with the cooperation and assistance of practically all her allies guaranteed, Great Britain believed the time was ripe for the extension of the blockade policy to the French colonies. Additional instructions to the commanders of all British ships of war and privateers that had letters of marque against France were issued November 6. It was provided that they should "stop and detain all ships laden with goods, the produce of any colony belonging to France, or carrying provisions or other supplies for the use of any such colony", and should bring the same, with their cargoes, to legal adjudication into the British courts of admiralty.

With the issuance of those instructions of November 6,
1793. the British starvation blockade had reached its greatest extension. In fact, Great Britain soon found it impossible to maintain so extensive a system and a movement toward modification and final limitation was inaugurated. Before we consider this phase of the question, however, it will be necessary to investigate the policy of retaliation adopted by France and the measures taken by neutrals, to discover, if possible, the factors that caused Great Britain to so modify and limit her carefully developed plans for starving the Republicans of France into submission.

1. State Papers relative to the War. I, 114.
2. P. C. Register. XXX, ca. 430.
10. State Papers relative to the War. I, 5;
   Parl. Hist. XXX, 1024.
11. Martens, Traites. V, 469;
   State Papers relative to the War. I, 10;
   Parl. Hist. XXX, 1033.
15. These "Instructions" are generally known as the "British Provision Order".
18. This special provision was in accordance with earlier treaties between Great Britain and Denmark, and Great Britain and Sweden.
19. 33 George III. Chapter 66.
22. State Papers relative to the War. I, 15.
26. State Papers relative to the War. I, 16.
29. State Papers relative to the War. I, 19.
20. In so doing Great Britain revived and extended the so-called "Rule of 1756". According to this rule a nation whose colonies were closed to foreign trade in times of peace, could not open the trade of the said colonies to foreign nations in times of war. Upon blockading the French colonies in 1793 Great Britain claimed that while they had been opened to outside trade before the beginning of the war they had been so opened by France in direct expectation of an outbreak of hostilities, and hence were not entitled to exemption from the operation of this Rule of 1756.


22. For this phase of the question see the discussion in Chapter V. The modification of the British policy occurred in the years, 1794 to 1796.
CHAPTER IV.

REACTION AGAINST THE SYSTEM

In order to combat the blockage as established by Great Britain, France, at an early date, took steps towards the development of a counter system. In fact, as has been previously stated, the decree establishing this system was issued prior to the issuance of the noted British instructions of June 8, 1793. Moreover, as in the development of the British system, this decree proclaiming the policy to be followed was preceded by measures of a preparatory nature. It is certain that the French government, from the very opening of the hostilities, realized that Great Britain was seriously considering the adoption of a policy of starvation. It was natural, therefore, that immediate steps should be taken towards the development of a policy of retaliation. Among the first of the measures taken by France were those of January 31, and February 14, and 19, 1793, providing for the issuance of letters of marque, the entrance of prizes into the ports of the Republic, and the organization of prize courts; that of February 2, according premiums to those who brought in enemy ships loaded with subsistences; that of February 13, extending all premiums and encouragements accorded
to commerce after January 1, 1791; and those of February 19, and March 26, for the opening of all French colonial ports to the vessels of the United States and for the cultivation of especially friendly relations between the latter nation and France in order to encourage trade and secure the provisioning of the said colonies with supplies carried on board American vessels. Various other decrees followed throughout March and April of 1793, providing for the exclusion of enemy goods from the ports of France, the encouragement of trade, the organization and regulation of the customs service.

These early measures soon led to the well known French decree of May 9, 1793 which served as the foundation for the counter system as developed by France. The provisions of that famous measure were as follows:

Article 1. - French ships of war and privateers were to bring in neutral ships loaded in whole or in part with provisions belonging to neutral nations and destined to enemy ports, or with merchandise belonging to an enemy.

Article 2. - Enemy merchandise was proclaimed good prize for the captor. Neutral provisions brought in under Article 1, were to be paid for according to their value in the place to which they had been destined.

Article 3. - Neutral vessels were to be released in all cases. Freight charges were to be paid and just indemnification was to be allowed for detention.
Article 4.—Within three days after rendering their decision tribunals in prize cases were to send one copy of inventory of the said articles of provisions or merchandise to the minister of marine, and another to the minister for Foreign affairs.

Article 5.—This law was to apply to all seizures subsequent to the declaration of war and was to cease to have effect as soon as the enemy declared that neutral goods bound for French ports were free, as likewise were French goods on board neutral ships.

A striking characteristic of the French policy at the time is well revealed by the measures that were adopted supplementary to this decree of May 9, 1793. Because of opposition from America to the decree and on account of a particular desire on the part of the French to maintain the most friendly relations with the western republic, it was enacted on May 23, that the vessels of the United States should be exempted from the dispositions of the decree of May 9. However, within a week, on May 28, this exemption was withdrawn. It was again granted on July 1, 1793, in favor of the United States, in practically the same terms as on May 23, but its enjoyment by American seamen was again destined to be short lived, for, on July 27, it was again, and this time definitely, withdrawn. France, indeed was in a very difficult position. Her supply of provisions of all kinds was seriously low and it was therefore necessary to effectively combat Great Britain's
starvation blockade. On the other hand, it was also essential that the most friendly relations be maintained with the neutral powers for they constituted the only available source from which supplies were to be obtained. To render the system of Great Britain non-effective without, at the same time, incurring the enmity of the nations with which France was at peace was certainly not a task to be accomplished with ease. This largely accounts for the seeming lack of consistency in the policy of the French ministers in 1793. As long as imported supplies continued to be essential to the welfare of France, occasional concessions and modifications in the interest of neutrals were absolutely necessary.  

The decree of May 9, was soon followed by additional measures further developing the French counter system. On May 19, it was decreed that all exportations of butter, lard, tallow, arms and munitions of all kinds, copper plate, and money should be prohibited. Moreover, the exportation of all other commodities was to be reduced by one half. This decree was followed by others of a similar nature on August 15, and September 3, 1793. All supplies considered as prime necessities, such as bread, meats, fruits, sugar, etc. as well as iron and other metals were added to the list of prohibited exports. Quite significant in the decree of September 3, was the clause whereby neutral ships importing provisions were to be granted special concessions in connection with the type of goods they were to be permitted to export. September 21, and
October 18, acts of navigation, aiming at the further development of French commerce, were passed. Also of importance among the measures adopted at this time were the laws of the maximum - the most important one being that of September 29, 1793, establishing the maximum price at which various commodities, that were enumerated, might be sold throughout France. Various other measures of importance in combating the British blockade, but too numerous for consideration in the present thesis, were passed in the fall of 1793 and throughout the whole of the year 1794. Measures were taken for the requisitioning of merchant ships, for improving the condition of the navy, for prohibiting coastwise trade except under convoy, for the better organization of the customs service, for the compulsory exportation of products that were in excess of home needs in France, and for numerous similar purposes.

The decline and modification of the French system occurred almost simultaneously with the decline and modification of the British system. Fortunately for France, her harvests of 1794 were unusually abundant. Moreover, the French armies, because of their surprising successes were able to send back considerable quantities of supplies of various kinds from beyond the borders of the country. Thus, as it became evident that submission would not be forced through starvation, the needs of maintaining a counter-system on the
part of France was found to be no longer imperative and by degrees the restrictions upon exportation were removed and the measures against neutral trade on the high seas were modified. The repeal of the Laws of the Maximum occurred on December 29, 1794, soon to be followed, on January 2 and 3, 1795, by the partial repeal of the fundamental decree of May 9, 1793.

The complete modification of the French system was effected in 1796 after France had forced most of her continental enemies to sign terms of peace. In practically every one of the peace treaties concluded by the French, provision was made for a commercial convention embodying terms most favorable to France. Many of the smaller nations were forced, in addition, to furnish to the victorious republic as a part of their war indemnities large amounts of grain and other supplies. Thus all possibility for the success of a policy of starvation against France vanished for the time. No longer was there a dependence upon neutrals for a source of supply. This state of affairs, naturally, had a very important influence upon the modification of the policy maintained by France against Great Britain. As there was no longer need of care lest neutrals be antagonized, France entered upon a program of commerce destruction. The first measure taken was the decree of July 2, 1796, proclaimed by the Directory as follows: "The Executive Directory, considering that, if it becomes the faith of the French nation to respect treaties or
conventions which secure to the flags of some neutral or friendly powers commercial advantages, the result of which is to be common to the contracting powers, those same advantages, if they should turn to the benefit of our enemies, either through the weakness of our allies, or of neutrals, or through fear, through interested views, or through whatever motives, would, in fact, warrant the inexecution of the articles in which they were stipulated, decrees as follows: All neutral or allied powers shall, without delay, be notified that the flag of the French Republic will treat neutral vessels, either as to confiscation, as to searches, or capture, in the same manner as they shall suffer the English to treat them.\[19\]

On March 2, 1797 this decree was supplemented by a measure ordering that neutral ships laden in whole or part with enemy goods should be captured, and that all such property found on board should be deemed good prize.\[20\] A still further extension of the French policy was effected by a decree proclaimed January 17, 1798, providing that all vessels loaded with goods of English production, regardless of their ownership should be considered good prize. Also, all foreign vessels that had touched at English ports were to be excluded from France.\[21\]

These harsh measures against neutral shipping, forming the prime cause for the strained relations that resulted between France and the United States and other neutrals in 1797 and 1798, mark the final modification of the French system of this period.

Quite as significant as the discussion of the French
counter-system in connection with a study of Great Britain's starvation policy is a review of the measures adopted by the Neutrals in reaction to the British blockade. Undoubtedly, of most importance among these measures were those adopted by the United States of America. Upon the outbreak of war in 1793, as we have seen in a previous chapter, the United States was the source from which France was obtaining a large percentage of her foreign grains, flour, and other supplies. For the maintenance of this trade the Americans were quite as eager as the Frenchmen. Moreover, because of American Revolutionary memories and because of the republicanism of the French movement against absolutism, there was a strong pro-French party in America from the very beginning of the European struggle. With the establishment of the British restrictions upon trade the growth of this party became rapid and the probability of war against Great Britain was soon a common topic of conversation throughout the United States. The American government, however, under the wise direction of President Washington, was determined to maintain its neutrality if it were at all possible. A proclamation to that effect was issued on April 22, 1793, almost immediately after notification of the British and French declarations of war had been received by the American State Department.

Nevertheless, from the very first the American government took a positive and persistent stand against the British, and also French, restrictions placed upon neutral trade. Pinckney's
letter to Jefferson written March 13, 1793, in which he foresaw the policy about to be adopted by Great Britain, has been cited, as has also Jefferson's answer of May 7, in which he declared "such a stoppage to an unblockaded port would be so unequivocal an infringement of the neutral rights that he could not conceive that it would be attempted". 23 Pinckney, as American Minister to England, was very active in combating the British restrictions as they were being established. On July 5, 1793, he wrote to Jefferson inclosing a copy of the noted instructions of June 8, which, he mentioned, had not been finally issued to the admiralty for enforcement until June 28. He declared: "I urged every argument that suggested itself to me, in support of the neutral rights which I contended were injured in this instance; pointed to inconveniences that would attend the execution of the instructions; and urged that the case put by Vattel, of a well grounded hope of reducing the enemy by famine, did not exist, provisions being now cheaper in the ports of France than in those of England. Lord Grenville, on being asked, said Spain would pursue the same line of conduct; and upon its being objected, that even their late convention with Russia did not extend to this object, he answered that, though it was not expressly mentioned, it was fully understood by both parties to be within the intention of it." 24 Again in a letter of July 22, to Lord Grenville, Pinckney pointed out the great importance of the grain trade to the United States and the impossibility, in his
opinion, of starving France into submission. He charged, moreover, that the British starvation policy was absolutely illegitimate in its general nature. In answer, July 31, Grenville indicated clearly that the British Government was determined to maintain its policy as established. He declared that it did not go as far as was permissible without effecting a violation of the principles of International Law. In a subsequent, undated, "Representation by Mr. Pinckney to Lord Grenville", Pinckney again remonstrated against the instructions of June 8, and pressed the charge that they were contrary to the principles of International Law. He declared that if the United States remained strictly neutral it would be necessary to stop all shipments of grain to both England and France, if they were to be cut off from either country. He insisted that grains under no circumstances could be classed as contraband and maintained that American conformity to the British instructions would be virtually equivalent to a declaration of war by the United States against France. Unfortunately, Pinckney's remonstrances failed to bring a favorable response from the British Government. In letters to Jefferson on August 15, and 28, and September 25, 1793, he admitted his failure, giving evidence that the British were determined to maintain their system of blockade as established and that it would be impossible to secure a desirable modification.

Pinckney's despatches to the Secretary of State must
have been considerably delayed on their way to the United States, for none of those written after the establishment of the British blockade had yet reached Jefferson's hands by the end of the first week in September, 1793. However, unauthentic news of the British additional instructions had reached him and on September 7, 1793 he wrote to Pinckney asking him to demand an explanation from the British Government in order to verify the genuineness of the reputed instructions. Mr. Jefferson declared he could scarcely believe it possible that Great Britain would attempt to maintain a policy "so manifestly contrary to the law of nations".

If he really had any doubts he did not need to wait long to be disillusioned, for, only a few days later, on September 12, the British minister to America, George Hammond, forwarded to him an official copy of the instructions of June 8, accompanied by a letter defending their legality. Hammond maintained that the condition of France was "notoriously such as to lead to the employment of this mode of distressing her by the joint operations of the different powers engaged in the war". Since the measure referred to grains only, he contended that it did not even go the full limit permissible under International law. Jefferson acknowledged receiving Hammond's communication by a short note written September 22, in which he declared that the matter was of fundamental importance to the United States. He also mentioned the letter he had written to Pinckney and added that the negotiations would be
handled through London. 31 It was soon realized in America, however, that more than ordinary measures of persuasion would be necessary to convince the British ministers that they should modify their plans for starving France into submission.

Urged on by the action of Great Britain, Secretary of State Jefferson, on December 16, only a few days after the opening of Congress, presented to that body a report on commerce, the central theme of which was that retaliatory measures ought to be adopted toward those who discriminated against and injured American trade. As a result seven resolutions, incorporating the more important principles of this report, were presented by James Madison to the House of Representatives on January 3, 1794. Of these resolutions, the one most significant for the present study was that numbered seven, which was as follows: "Resolved, as the opinion of this committee, that provision ought to be made for liquidating and ascertaining the losses sustained by citizens of the United States from the operation of particular regulations of any country contravening the Law of Nations, and that such losses be reimbursed in the first instance, out of the additional duties on the manufactures, productions, and vessels of the nation, establishing such unlawful regulations". The other six resolutions advocated certain restrictions upon foreign trade such as higher duties upon imports, especially from those powers which did not have commercial treaties with the United States, and retaliatory
measures against those nations restricting American trade. Long and almost continuous debates resulted upon these resolutions throughout January and during a few days in February and March. Various amendments were proposed on different occasions but none of the resolutions were adopted.

The crisis in the situation, however, was not reached until the terms of the British additional instructions of November 6, 1793 became known in America. These instructions were secretly withheld from the American minister at London until December 25, and as a result were not known in the United States, officially at least, until March of 1794. When their provisions did finally become known a storm of wrath against Great Britain immediately arose. Indeed, so critical was the situation that many of the most conservative and cool-headed men in the country were convinced that war was inevitable. Undoubtedly war would have resulted had not Great Britain withdrawn the offensive instructions of November 6, and substituted others of a far milder nature. Indeed, Americans were so aroused that after the reports of this concession were received public opinion was restrained and finally quieted only with the greatest difficulty.

The general attitude of the people was reflected in congress by the passage on March 26, of an act establishing a thirty day embargo upon all ships in American ports that were engaged in foreign trade. A supplementary resolution, passed March 31, provided for the bonding of all coastwise
trading vessels for an amount equal to twice the value of the vessels and cargoes in order to provide guarantees against violations of the terms of the embargo. Moreover, on March 27, a resolution was proposed, but not passed, in the House of Representatives for the sequestration of all debts due from the citizens of the United States to subjects of Great Britain. Payment of all such debts was to be made into the Treasury of the United States, there to be held as a pledge for the indemnification of such American citizens as should suffer from the ships of war, privateers, etc. who were "acting under the commission or authority of the British King, in controversion of the law of Nations, and in violation of the rights of neutrality". Again, on April 7, a resolution was proposed in the House for the establishment of non-intercourse between the citizens of the United States and the citizens of Great Britain, and after long and heated debates extending over a period of two weeks, the resolution was finally passed on April 21, by a vote of 58 to 38. The same resolution was defeated in the Senate on April 28, only by the casting vote of the vice-president. In the meantime, a resolution had been passed in the House on April 17, and in the Senate on April 18, extending the duration of the embargo established March 26 until May 25. Moreover, before the adjournment of Congress an act was passed and approved on June 4, 1794, empowering the President to lay or revoke embargoes at his
President Washington, who had consistently and earnestly worked to prevent war was then interested in a special mission, headed by John Jay, which he was sending to Great Britain in an attempt to secure an adjustment of the difference between the two nations. Although Jay did not sail for England until early in June, the President had outlined his plans concerning the mission in a message to the Senate as early as April 16. In his instructions to the American envoy, Washington emphasized that among the main reasons for his mission were the vexations and spoilations committed on American commerce by the authority of instructions from the British Government. "Compensation for all the injuries sustained, and captures, will be strenuously pressed by you", Washington instructed Jay "... You will mention with due stress the general irritation of the United States at the vexations, spoliations, captures, etc. and being on the field of negotiation you will be more able to judge, than can be prescribed now, how far you may state the difficulty which may occur in restraining the violence of some of our exasperated citizens". The general principles that should be followed in case a commercial treaty was concluded were outlined and this alternative suggestion was made: "You will have no difficulty in gaining access to the ministers of Russia, Denmark, and Sweden at the court of London. The principles
of the armed neutrality would abundantly cover our neutral rights. If, therefore, the situation of things with respect to Great Britain should dictate the necessity of taking the precaution of foreign cooperation upon this head; if no prospect of accommodation should be thwarted by the danger of such a measure being known to the British court; and if an entire view of all our political relations shall in your judgment permit the step, you will sound those ministers upon the probability of an alliance with their nations to support those principles."

Upon arriving in England, Jay was quite optimistic concerning the prospects for the success of his mission and wrote back to Washington on June 23, that he was inclined to believe that the mercantile injuries would be fully redressed. After considerable negotiations throughout the summer of 1794, between Jay and the British ministers - especially Lord Grenville - the convention known in America as the Jay treaty was finally concluded and signed November 19, 1794. Provision was made in article 7, of this treaty for the appointment of five commissioners to act upon all claims that might be presented against Great Britain for irregular captures or condemnations. Moreover, in article 17, an attempt was made to define what constituted contraband. In reference to provisions the following arrangement was made: "Whereas the difficulty of agreeing upon the precise cases in which alone provisions and other articles, not generally contraband, may be regarded as such,
renders it expedient to provide against the inconvenience and misunderstanding which might hence arise, it is further agreed, that whenever any such articles so becoming contraband according to the existing laws of nations, shall for that reason be seized, the same shall not be confiscated, but the owners thereof shall be speedily and completely indemnified". Also, ship owners should be paid in full for all articles taken or destroyed with a reasonable mercantile profit and freight, demurrage, and other charges added. Thus while Jay had been able to secure some concessions from the British ministers, the full demands of America were far from satisfied. As a result the treaty was destined to receive a most unwelcome reception at the hands of the American people. Its ratification was secured with difficulty and its American negotiator, who before had been seriously considered as a successor to Washington as president, was radically attacked from one end of the country to the other.

The attitude of America at this time undoubtedly had an influence upon Great Britain and thus was at least a contributing factor in bringing about a modification of that country's starvation blockade of France. The Earl of Wycomb in an address in Parliament early in the year 1794, warned that the Americans were not disposed to be trifled with. Moreover, Fox, only a few days later, in a speech in the House of Commons, discussing instances of the contempt of the Pitt ministry for the laws of nations, declared: "Their
system of aggression on the rights of independent states they followed up with respect to America, by issuing an order to seize on American vessels bound to the French West-India islands. This order, however, they were afterwards prevailed upon to withdraw, in consequence of being informed by the merchants, that congress could never brook so wanton an aggression, so unprovoked an insult; and that the measure, if persisted in, must infallibly produce a rupture between America and this country". Likewise, on various other occasions the serious condition of American relations was alluded to and the need of maintaining the best of feelings between the two countries was emphasized.

Another important factor in bringing about a modification of the British starvation policy was the attitude of European neutrals and the measures taken by them. Of most significance among these measures were those adopted by Denmark and Sweden, and as the relations of these nations to the blockade policy are so closely interwoven it will be well for us to consider them jointly. On February 22, 1793, the King of Denmark issued a proclamation to the Danish and Norwegian maritime cities concerning their "conduct touching commerce and navigation during the actual war". On April 23, the Swedish monarch followed with a declaration announcing his determination to observe a most strict neutrality. In explanation of the Swedish declaration, her envoy extraordinary to the Netherlands, Count Frederick Loewenhielm,
declared in a letter of instruction written April 27 to a Swedish agent at Amsterdam, that Sweden would nevertheless expect her flag to be duly respected during the war and would not suffer the least insult, but on the contrary, would expect her trade, which a neutral had a right to maintain, to remain unmolested. 51

In July 1793, memorials were forwarded to the courts of both Denmark and Sweden by Great Britain announcing and explaining the British instructions of June 8, and formally proclaiming the starvation blockade against France. 52 In reply Sweden despatched a note both mild and evasive in character. But Denmark returned a bold protest and issued a counter-declaration which she forwarded to Great Britain on July 28. His Danish Majesty could not understand why the British King should issue such orders to his fleet when they were absolutely contrary to his former instructions and to his treaties with Denmark. It was urgently requested that his British Majesty should do away with all things that might lead to a rupture of good relations between the two nations. 54

Identical notes of a similar character to those sent by Great Britain were forwarded also by Russia to Sweden on July 30, and to Denmark on August 10. 55 It was announced that a fleet of twenty five ships of the line and some frigates was about to be despatched to cruize in the North Sea and to cut off all French navigation. The latter was to be seized
"regardless of the disguising use of other flags". Neutral ships were to be boarded and those freighted for France were to be returned to port or directed to some other neutral country. It was urged that the powers "not daring to enter the struggle fully" should at least break off all commerce and intercourse with the "perturbators of the public rest".

In answer Sweden again objected only mildly while Denmark entered a protest of a more serious character on August 23, declaring that the restrictions to the commerce in grains involved for Denmark sacrifices of her rights, her independence, and her treaties, and were therefore most earnestly protested against.

In December of 1793, Denmark came near being involved in serious complications with the allies because of a declaration published on the 10th of the same month by a Frenchman styling himself "minister plenipotentiary from the French Republic, at the court of Denmark". The purpose of the declaration was to encourage trade between France and the neutrals of the north. Fortunately, the Danish minister of Foreign Affairs, Count Bernstorff, was able to smooth over the situation by explaining that the "would be" French minister had not as yet been recognized and that the Danish government was in absolutely no way responsible for, or connected with the issuance of the said publication.

By March, 1794, the continued restrictions upon trade
in the Baltic and North seas had caused the Northern neutrals to become so exasperated that they determined to unite the naval forces at their command in an attempt to secure protection for their commerce. Consequently a treaty between the two nations was concluded with this purpose in view and signed at Copenhagen on March 27. According to this arrangement each nation was to fit out a fleet of eight ships of the line with a proportionate number of frigates. The two fleets were to be placed on an equal footing and full cooperation was to be secured. However, force was to be used by the combined fleets only after a failure of conciliation and of all other peaceful means. It was provided that the convention should remain in force as long as the existing struggle continued.

Yet, even this measure did not secure the desired results, and in the latter part of July 1794, Denmark again sent a strong protest to Great Britain. The Danish minister at London was ordered to demand from the British Government a peremptory answer to the following questions: (1) Would Great Britain make restitution of the captured Danish ships? (2) Would she give the demanded indemnification? and (3) Would she put a stop to the capturing of Danish ships which were not laden with goods "deemed contraband by the several treaties"? Again in September of 1794, the Danish minister was reported as remonstrating to the court of London: "That the vessels that were pretended to have been engaged in the contraband
trade had not been restored, notwithstanding the late declara-
tion; and that neither the cargoes, nor demurrage for those
carried into the ports of Great Britain had been as yet liqui-
dated". 60

The fact that these protests and the retaliatory mea-
sures adopted by the northern neutrals were of influence in
bringing about a modification of Great Britain's starvation
blockade is beyond question. Also of some slight influence,
in securing a modification of this blockade was the attitude
of the southern European neutrals - Genoa, Tuscany, and Turkey.
Genoa and Tuscany, being small states and near the seat of
operations, were not able to obtain from any of the bellig-
erents, as is usually the case in a great world war, much
recognition of their rights as neutrals. For example, early
in October 1793, the neutrality of Genoa was grossly violated
by both the British and the French in a sea fight within
Genoese waters. Remonstrance was immediately made to the
British minister, Mr. Drake, but he answered that neutrality
could exist only in wars between lawful powers, and since
there could be no such thing in wars against French usurpers,
all peoples should join against them. Genoa thereupon appealed
to all the allied governments demanding that her neutrality be
respected but no satisfactory answer was received from any
court, excepting that of Spain. Genoa was again involved in
difficulties in January and February 1794. In fact, her
harbor was even blockaded for a time by a British fleet because she persisted in attempting to maintain her commercial and other neutral rights. 61

Tuscany had refused to cooperate with France at an earlier date and had on January 26, 1793 and again on May 22, issued declarations of neutrality. Nevertheless, she was severely denounced by the British minister, Lord Hervey, backed by the Russian chargé d'affaires and other allied representatives, simply because she refused to openly join the allies. 62 On October 8, 1793 a final ultimatum was issued by Hervey to the Tuscan minister of Foreign Affairs, charging that large quantities of corn needed by the allied fleet had been secretly sent from Tuscan ports to France, and declaring that if the French minister at Florence was not dismissed and all relations broken off with France within twelve hours, an offensive against the port of Leghorn would be conducted by the combined British and Spanish fleets. Realizing the helpless condition of their little country the governing officials of Tuscany hurriedly returned a note agreeing to the full British demands. 63

Another neutral that was accused of pro-French sympathies was Turkey. The Russian ambassador to Constantinople refused to accept a declaration of neutrality issued by the divan to all the Allied ministers in January 1794, and declared that the Empress, taking up the cause of all sovereigns,
could not permit the neutrality of a power capable of molesting her frontiers. Demand was made that an embargo be laid immediately on all French vessels in Turkish ports. This demand was flatly refused, as was also a similar one made by the Russian minister in June of the same year. In the following autumn the same fate met still another demand of the same character, made this time by the British Ambassador at Constantinople.

While not of importance for a study of the modification of the British blockade, the British-Swiss relations of 1793 are at least of some interest. An attempt was made by Lord Robert Fitzgerald to secure a closing of the Swiss borders to all relations with France, but in a rather evasive answer the Swiss Republic declared that an exact and rigid neutrality would be maintained and the frontiers would be carefully guarded "to prevent any difficulties by a correspondence inseparable from local relations".

Yet another phase of the neutral reaction to the starvation blockade were the negotiations promoted by France largely with the object of forming a league of neutrals which should force Great Britain to abandon her obnoxious restrictions upon trade and commerce. Evidence has been found in various connections indicating that such negotiations did actually occur, but, on account of a lack of available direct correspondence and other public documents that would
undoubtedly result from attempts to form such a league, the actual facts respecting these negotiations cannot be established. What is certain and most important, however, is that reports of such negotiations were constantly reaching England from sources deemed dependable. The natural influence of such negotiations upon British policies and measures is obvious. Having thus seen something of the nature of the French counter-system, and of the measures adopted by neutrals with respect to the British blockade, it is our next task to trace the influence of such French and neutral action in the modification of Britain's starvation policy.

1. Because of a lack of space it will be impossible to include in this thesis more than a brief summary of the French counter-system. An extensive study of this phase of the question has been planned and partially completed.
4. ibid. pp. 137.
5. ibid. pp. 139, 144.
7. ibid. pp. 147.
11. ibid.
12. ibid.
13. ibid.
14. ibid.
Duvergier, Lois, V, 266, VI, 159, 192, 193.
cf. also index vol. 2, pp. 502.
Anderson, Documents, pp. 187.
Cambridge Mod. Hist. VIII, 271.
Of a somewhat similar nature in the United States at
the present time is the governmental regulation of the
price of wheat.
Duvergier, Lois, VII, 365, 367.
Moore, Arbitrations, V, 4414.
18. An excellent list of all French legislation touching
commercial affairs during the period 1790-1802 is given
in the Bull. d'Hist. 1912. This list furnishes an
excellent opportunity for the tracing of legislative
history of the French counter-system. It must, however,
be supplemented in places. cf. pp. 40 ff.
Moore, Arbitrations, V, 4419.
Moore, Arbitrations, V, 4421.
23. Moore, Digest. VII, 675.
24. State Papers relative to the War. II, 393.
29. ibid. pp. 386.
34. Annals of Congress. IV, 76, 530, 531.
35. ibid. pp. 79, 556.
37. ibid. pp. 89, 561, 602.
Annual Register 1794, pp. 246-247.
State Papers relative to the War, II, 403.
40. Correspondence of some importance was again being con-
ducted at about this time between the American state
department and the British minister, Hammond. cf. Amer.
41. State Papers relative to the War. II, 402. Annual Register, 1794, pp.246.
42. Jay, Correspondence, IV, 10 ff.
44. ibid. pp.38, 41.
47. Updyke, Diplomacy of War of 1812. pp.68-70.
49. Martens, Tractés, V. 569,582.
50. Martens, Tractés, V. 584.
51. Martens, Tractés, V. 574, 577.
52. Martens, Tractés, V. 585, 590.
53. Martens, Tractés, V. 599.
56. Martens, Tractés, V. 620.
57. State Papers relative to the War. I, 371.
58. Ibid. pp. 372.
59. State Papers relative to the War. I, 368,369,370.
60. Martens, Tractés, V. 606.
61. State Papers relative to the War. II 355. The source does not specify the treaties in question.
62. A little prior to this time - early in August 1794 - notes of a somewhat similar character to those of 1793 were again sent by Great Britain and Russia to both Denmark and Sweden. cf. Annual Register, 1794. pp. 241, and State Papers Relative to the War. II, 361.
63. State Papers relative to the War, I. 385-386. II, 340, 343, 344, 345, 348, 349.
64. Critical Review, 1794. X.590.


68. cf. above references in Fortescue Mss.
These references and the secret bulletins from which they are taken are very significant. On page IV, in the introduction to this second volume of the Fortescue Mss. the manuscripts commission makes the following comment: "Perhaps the most remarkable documents describing affairs in Paris will be found to be in series of bulletins in French which reached Grenville by way of Genoa, through Francis Drake, our resident there. The first of them is dated September 2, 1793, and they give detailed accounts of the sittings of the committee of nine, or of Public Safety, drawn up, Drake assures Lord Grenville, by no less a person than the Secretary of that committee (Dumas), who concealed his real principles under the cloak of the most extravagant Jacobinism". Also of significance is the fact that the author of these bulletins followed closely the condition of the supply of subsistence in France. His reports in the spring of 1794 conveyed the impression that France was suffering but would not be starved into submission, cf. ibid. pp. 564, 575, also 520, 522, 531, 539, 544, 548, 561, 568, 573, 581, 584, 586, 590.
CHAPTER V.
MODIFICATION OF THE POLICY.

In the development of the British system, as has been seen in a former chapter, there were the following main steps: (1) The ordinary initial war measures such as the establishment of an embargo on all British-French trade and the orders for the capture of French vessels. (2) The provisions order of June 8, 1793 preceded and supplemented by various treaties. And (3) The extension of the policy to colonial trade as an amplification of the rule of war of 1756, by the Order by Council of November 6, 1794. Finding it impossible, because of the opposition of Neutrals, especially the United States, to maintain the position toward French colonial trade as adopted in the latter orders of November 1793, Great Britain, so early as January 8, 1794 repealed those regulations and substituted others of a less extensive nature. According to the new orders, or additional instructions as they were termed, the commanders of British ships of war and privateers were ordered to bring in, for lawful adjudication, all ships with West Indian products coming directly from the said islands, and bound to any port in Europe. Moreover, all ships and cargoes were to be brought in that were laden with "est Indian goods owned by citizens of France, regardless of the port for which said ships and
cargoes were bound. Ships attempting to enter ports of the particular islands that should be under blockade either by Great Britain or her allies were to be taken and confiscated according to article II of the instructions of June 8, 1793. Also, all vessels laden wholly or in part with naval or military stores, bound to any port in the said islands were to be seized and sent into the most convenient British ports, in order that they, together with their cargoes, might be proceeded against, "according to the rules of nations". ¹

It will readily be observed that by these regulations only the direct trade between the French colonies and Europe was prohibited. The indirect trade, so highly coveted by America, remained free and unrestricted. These rules, with only a single slight modification in favor of European neutrals, remained unaltered throughout the whole of the period under consideration. The one modification made was by the Order in Council of January 25, 1798. It provided that all vessels laden with merchandise of any possession of France, Spain, or the United Netherlands, and coming from any port of such colonies to any port in Europe, not a port of Great Britain, or of that country to which such neutral ships belonged, were to be apprehended and brought in for adjudication. In like manner all vessels having on board enemy's goods, vessels attempting to enter blockaded ports, and vessels
having on board naval or military stores were to be seized.\(^2\)

Meanwhile, however, the instructions providing for the strictly starvation aspect of the British policy were undergoing far more extensive modifications. It has already been seen in the preceding chapter how the counter-system established by France against Great Britain and the opposition of the neutrals were strong influences tending to prevent the success of the English plans to starve the French people into submission. Other influences were working towards the same ends. Even at home Great Britain was obliged to contend with a strong anti-war party that had considerable influence in Parliament and was radically opposed to all such methods of reducing an enemy to terms. Indeed, at a later date, one of its distinguished members, the Earl of Stanhope, even went so far as to openly denounce such a blockade, in a speech in the House of Lords, as "horrid, detestable, . . . . and accursed".\(^4\)

It must also be remembered in this connection, that the means of maintaining a continuous blockade on the high seas, today, are far different from what they were a century and a quarter ago. Very frequently then, the bulk of the British fleet would be forced to remain in port steadily for months at a time because of storms, cold weather, and other unfavorable circumstances.\(^5\) Moreover, the French privateers
were extremely numerous and active, and oftentimes the British navy had about as much as it could do convoying its own merchantmen. An idea of the extent of the danger which menaced British merchantmen will be gained when it is realized that insurance rates upon shipping rose to such a height as to be practically prohibitive. Yet another problem presented itself in the enforcement of the blockade along the Italian and French coasts in the Mediterranean. Small islands and numerous bays made blockade-running very tempting in this region. Realizing that under such conditions France would not be readily reduced to terms, Great Britain finally yielded to pressure by issuing on August 6, 1794, additional instructions to her vessels of war and privateers. These regulations, in full, were as follows: "Whereas by an article of our instructions to the commanders of our ships of war and privateers having letters of marque against France, given to our court at St. James, the 8th day of June 1793, we thought fit to declare that it should be lawful to stop and detain all ships laden wholly or in part with corn, flour, or meal bound to any port in France, or any port occupied by the armies of France, and to send them to such ports as should be most convenient, in order that such corn, meal, or flour might be purchased on behalf of our government, and the ships be released, after such purchase, and after a due allowance for freight, or that the masters of such ships, on giving due security, to be
approved by our court of admiralty, should be permitted to dispose of their cargoes of corn, meal, or flour in the ports of any power in amity with us. We, not judging it expedient to continue for the present the purchase of the said cargoes on behalf of our government, are pleased to revoke the said article, until our further order therein, and to declare that the same shall no longer remain in force. But we strictly enjoin all our commanders of our ships of war and privateers to observe the remaining articles of the said instructions, and likewise all other instructions which we have issued and which still continue in force".

This order in council, it will readily be seen, abolished, for the time being, the strictly starvation aspect of the British blockade. This phase of the policy, however, was destined to be revived for a short period in the following year. The main cause for its reestablishment was the acute food shortage experienced by Great Britain, herself, throughout the year 1795. There was very little prospect of reducing France by famine at this time, but it was hoped that sufficient supplies might be diverted from that nation's trade to aid materially in relieving the British situation. So great, indeed, was the scarcity of all food-stuffs that Parliament found it necessary to take the matter of relief into serious consideration. Quite significant was one of the resulting measures whereby the members of Parliament entered into an agreement to save food in their own families.
whenever possible by mixtures of flour, substitutes and strict economy in the use of cereals, and to actively use all their influence in order to persuade other people to do likewise.

Before discussing this revival of the starvation aspect of the blockade, however, it will be well to examine the character of the treaties concluded by Great Britain in 1794 and 1795, for, it will be recalled that the original starvation policy was largely worked out by treaty arrangements and it is important to see if this international support of the policy was maintained or extended. A "three cornered agreement", so to speak, was concluded between Great Britain, Holland and Prussia on April 19, 1794, and, on the same day, a separate convention was drawn up between the two former of these powers. In neither of these arrangements was there any provision either for the establishment or for the enforcement of a blockade such as Great Britain had been maintaining against France. Moreover, on February 18, 1795, in a convention concluded by the British King with Russia, the only article in any way touching upon the subject of trade was one for the forming of an ordinary commercial treaty between the two nations. Indeed, the only treaty of this period making arrangement for any naval cooperation whatever, was that for a defensive alliance between the Emperor of Germany and His Britannic Majesty, signed at Vienna May 20, 1795, whereby it
was agreed between the two crowns that neither the one or
the other should permit the vessels or merchandise belonging
to its ally, or to the people or subjects of its ally, and
which should be taken at sea by any ships of war or priva­
teers whatsoever, "belonging to enemies or rebels", to be
brought into its harbors; nor any ship of war or privateer
to be therein armed in order to cruize against the ships and
property of such ally or his subjects; nor that there be
conveyed by its subjects, or in their ships, to the enemies
of its ally, any provisions, or military or naval stores. It
was added that, "For these ends, as often as it shall be re­
quired, by either of the allies, the other shall be bound
to renew express prohibitions, ordering all persons to conform
themselves to this article, upon pain of exemplary punishment,
in addition to the full restitution and satisfaction to be
made to the injured parties". It will be noted that even
here no provision was made for the restriction of any trade
other than that of the two contracting powers. Hence it is seen
that the modification of the British policy is shown in the
character of Great Britain's new treaties and conventions
as well as in the additional instructions to her navy.

Preliminary to the revival of the starvation phase of
the blockade was the Order in Council of February 9, 1795
directed against Dutch shipping. This order, in the usual
form of additional instructions to the commanders of all
British ships of war and privateers, provided that Dutch
ships were to be brought in and detained provisionally. For all parts of the cargoes which were allied or neutral property, speedy restitution was promised. Moreover, all ships laden with naval or military stores bound for Holland were to be brought into British ports in order that the said cargoes might be likewise detained. Also, full indemnification was to be given to owners and masters of all such ships belonging to allied or neutral powers. As a result of this measure large numbers of American and other neutral vessels bound for Dutch ports were required to turn from their course and sail into British harbors. Following the above measure, another order in council was issued February 18, placing a general embargo upon all vessels in British ports.

It has been impossible to determine the exact date of the order in council securing the revival of the starvation aspect of the blockade because of the fact that the text was not published, but it must have been issued either in the latter part of April or the early part of May 1795. Judging from the cases that arose under it, this order must have read somewhat as follows: 'His Majesty's ships of war and privateers are hereby directed to stop and detain all vessels laden wholly or in part with corn, flour, meal or other articles of provisions and bound to any port in France, and to send them to such ports as might be most convenient, in order that such corn or other articles might be purchased in behalf of the government'. At any rate, one fact regarding this
order that is well known is that the British navy acting under the authority given by this measure began seizing neutral vessels and cargoes right and left upon the high seas. Moreover, regardless of numerous protests and threats, much of this shipping was actually condemned to confiscation by the British courts of Admiralty.

Concerning the influence of America in securing the repeal of this Order in Council, Tench Coxe made the following statements: "The President received the (Jay) treaty early in March, 1795. No objection to it being promulgated, and the senate being called to receive it for ratification, there was every reason generally to presume, that it was so far agreeable to the President, that he would offer it without objection to that body . . . . Such being the appearance of things in the beginning of March, it may be fairly presumed that the British Government relied in May (two months after the call of the senate) with firm confidence, that the treaty would be ratified before anything England might then do, could be known in America.

In this state of things the new orders of the British king in council of May 1795, for carrying in our provision vessels, were issued . . . . . He, (President Washington) made an immediate and solemn stand, and caused it to be made known to the British minister, that he would not return the treaty while those orders were continued in force. The
British minister here, suggested the advice of revoking them for a time, to give a factitious moment of their non-existence, for the ratification of the treaty! He explicitly proposed, however, that they should then be renewed.

The date of the repeal of the Order in Council reviving the starvation phase of the blockade is covered with even more obscurity than the date of its promulgation. About the only evidence that has been found concerning this subject is the following extract from one of Washington's letters, written December 22, 1795: "As the British Government has repealed the order for seizing our provision vessels, little more need be said on that head than that it was the principle which constituted the most obnoxious and exceptionable part thereof, and the predicament in which this country was thereby placed in her relations with France. Admitting, therefore, that the compensation to some individuals was adequate to what it might have been in another quarter, yet the exceptions to it on these grounds remained the same". As travel was slow in those times, the actual date of the repeal of the orders in question must have been sometime in October or early in November of 1795.

The decline of the entire British system of blockade, excepting that phase effecting colonial trade was very rapid after the beginning of 1796. It will be recalled that in this year and the preceding one France had concluded treaties of
peace on most favorable terms with most of her continental enemies. Great Britain realized, therefore, that it was absurd to entertain the idea that her hated rival could be starved into submission by a purely naval blockade. Hence, by degrees, the blockade was gradually relaxed, a regular license system was inaugurated, and practically all attempts to restrict neutrals trading in subsistences were, for the time being, abandoned.

2. ibid. pp:264-265.
4. Ibid. XXXI,1132.
8. P.C. Register, XXXIV,7.
These instructions are often printed under the date August 18. The latter is the date of publication.
Martens, Traites, V, 604.
State Papers relative to the War. II, 173.
Annual Register, 1794,pp.170.
J.Q.Adams, Writings, I,407.
The following table will show the extent of the rapid rise in English prices.

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<td>48, 5</td>
<td>37, 8</td>
<td>24, 9</td>
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(all prices listed are per "quarter" in measure)

12. ibid. XXXI, 453,436.
15. ibid. pp.168.
Holland, it will be remembered, had come under French control in January 1795.
P.C. Register. XXXVI, 11,344,387,456,468,527, 536. cf. also vols. XXXVII-XXXIX.
17. ibid. XXXV,117.
Paullin and Paxson, Guide pp.117.
J.Q.Adams, Writings, I, 375,437.
Jay, Correspondence, IV, 180-181.
Washington, Writings, XIII,96.
MoMaster, Hist. of People of U:S. II,259.
20. T. Coxe, pp.33-34.
Beginnings of the system of Licensed trade date from about October or November 1796.
35 George III. Chapter 80.
CHAPTER VI.

SIGNIFICANCE OF THE POLICY.

Having traced the development and decline of the British starvation policy, we turn next to an investigation of its significance. In this connection the first important question is, logically, "Was the policy effective?" In attempting to solve this question it will be necessary to investigate the shortage of food in France as occasioned by the starvation blockade during the period while it was being actively maintained. This will involve an examination of evidence upon the possibilities of blockade running, the result of attempts to secure supplies from other parts of Europe by land, and the condition of the French harvests. It has formerly been pointed out that at the time of the beginning of the great struggle between Great Britain and France, France was suffering severely because of a shortage of foodstuffs, especially grains; all her neighboring states had joined the ranks of her enemies; it was practically imperative that she secure supplies of food from abroad; and Great Britain possessed a navy believed capable of ruling the seas. In short, all conditions seemed to point towards the success of Britain's policy.

Indeed, the blockade did involve real hardship for France. Had this not been true there would have been no occasion nor incentive for the formulation of a counter-system. The evidence is convincing that the situation which was so bad in the fall of 1792, became more and more critical
throughout the summer and autumn of 1793, the following winter and likewise the spring of 1794. The Government was virtually swamped with petitions complaining of the suffering due to the food shortage and appealing for immediate aid. The leaders of the French Republic realized the seriousness of the situation and did what they could to secure relief. Many measures for the solution of the subsistence problem were projected, some of which were enacted, but it was found very difficult to obtain at once the results desired.

Sir Gilbert Elliott, an Englishman who was following the situation in France with interest wrote to Lord Auckland on December 24, 1793 that the "Distresses of the state of France which must ultimately do the business, are not diminished by our evacuation of Toulon. On the contrary they have now the famine and clamour of that populous place added to their former difficulties." Only a few days before, on November 12, the American minister, Gouverneur Morris, had written from Paris that the French ministers had a sincere desire to be on the most cordial terms with the United States. "America," he said, "is the only source from whence supplies of provisions can be drawn to feed this city, (Paris) on which so much depends. The coming winter will be, I believe, dreadful, and the spring, should the war continue, must open with dreadful scarcities, if not general want. To the sufferings,
unavoidable from many other causes, no small addition will be made by the laws limiting prices, enforced by the iron hand of necessity." On January 21, 1794 he again wrote as follows: "The fear of famine seems ot be general, and although I flatter myself that its greatest ravages may be avoided, yet, I do not readily see how the resistance of the next campaign is to be effected, if the whole force engaged against France should continue its operation." Still another letter of significance in this connection is that written from Brussels by a certain Englishman named Crawford on March 11, 1794: "The internal state of France," he wrote, "is so pregnant of events, that undoubtedly some fortunate circumstance may happen, which, if improved, may bring the contest to a conclusion much earlier than can be at present foreseen,............ an advocate, (inhabitant of this place) who left Paris on the 4th, says that the scarcity of almost all sorts of provisions, except bread, is extreme and their prices extravagant; that people are sometimes very tumultuous, and in one of their late riots threatened, if not speedily supplied, "de manger les cadavres des membres de la convention." ............ seems by several private letters I have seen that agents of the committee of Public Safety have brought immense quantities of grain, gunpowder, and saltpeter, in the north, and even our friends the Dutch are suspected as assisting them as carriers. France has certainly received very considerable supplies from foreign countries, otherwise the scarcity would have been much greater than it is."6
Happily for France, with the opening of the summer months of 1794, the most severe shortage of food destined to be experienced by Frenchmen during the operation of the British starvation system, had been safely passed. The French harvests of that year, as well as those of the year following, were quite satisfactory and that fact, coupled with other circumstances and developments that are about to be considered rendered the immediate improvement of conditions within the New Republic certain. Many of these other factors contributing to the failure of the British policy have been discussed in former connection within the present thesis, but it will not be out of place to again list them here. First to be considered, and undoubtedly of most significance, is the evidence proving that Great Britain was not able to maintain her blockade sufficiently "air-tight," so to speak, as to prevent all cargoes of supplies from reaching French ports. Indeed, British officials themselves frankly admitted that it was impossible to take every vessel that was violating the provisions of the various orders in council. It will be recalled, moreover, that attention has been drawn to the fact that the bulk of His Majesty's navy was unable to be at sea for considerable periods of time. So noticeable was this that many Englishmen became impatient and charged Admiral Howe, the commander of the fleet, with a lack of aggression. On the other hand, Lord Hood, who was in control of naval activities in the Mediterranean was thought to be too bold
and aggressive. Very interesting and characteristic of the situation is the following bit of doggeral which had its origin at the time:

"While Howe shuns a meeting,
Advancing, retreating,
Hood beats his competitor hollow;
Straight forward he goes,
Still follows his nose:
Oh! that Howe had a nose he could follow."

Noteworthy of Howe's slowness to grasp an opportunity is the fact that after his famous victory of June 1, 1794 over the French naval force he failed to intercept and capture the large fleet of merchant vessels being convoyed by the latter, and permitted its escape, safely, to the harbor of Brest.9

Moreover, evidence can be found revealing that at various other times ships loaded with grains arrived in French ports.10

Statistics taken from the collections of American State Papers show that the exportations of grains and flour from the United States for France between 1793 and 1795 were as follows:11

<table>
<thead>
<tr>
<th></th>
<th>September 1793 to September 1794</th>
<th>September 1794 to September 1795</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wheat</td>
<td>51,764 bu.</td>
<td>41,929 bu.</td>
</tr>
<tr>
<td>Corn</td>
<td>4,000 &quot;</td>
<td>513,351 &quot;</td>
</tr>
<tr>
<td>Rice*</td>
<td>369 tierces</td>
<td>26,814 tierces</td>
</tr>
<tr>
<td>Flour</td>
<td>83,026 bbl.</td>
<td>163,626 bbl.</td>
</tr>
</tbody>
</table>

*Rice was not one of the grains prohibited by England.
French agents were especially active in securing contracts and making purchases in the United States in the autumn of 1794 and in the following year, 1795.

Realizing the importance to the effectiveness of the starvation blockade of the activities of neutral merchantmen, British statesmen soon became bitter in their attacks upon their trade. On April 9, 1794, Sir Morton Eden wrote to Lord Auckland from Vienna: "In the name of God, why do we not check the trade of the Danes with France? If we show ourselves to be determined they will give in, and certainly the Empress of Russia, if necessary, must be forced into the war against them, since her interests, as far as trade goes, are in the Baltic as deeply engaged as ours." Following, on April 15, 1794, Lord Henry Spencer wrote from Stockholm to Auckland, making the following declaration: "What you say about the neutrals gives me great pleasure. Their conduct has certainly been equally impolitic and unfair, and if a great nation should at length be tired of being sported with, they may severely repent the duplicity and sordidness of their present system."13

Second among the factors, that are to be considered, as contributing to the final failure of the British starvation policy are the requisitions and indemnities that were collected by France as a result of the wonderful successes of her armies upon the continent. French Generals early adopted the plan of feeding their men, when they were off their native
soil, as far as possible from the country through which they were marching, and in practically every treaty of peace concluded by France, provision for the establishment of trade and commercial relations on the most favorable terms was made. Many of the smaller states that were completely defeated were required to pay large indemnities in money, provisions, and military stores. Such, for example, was the fate of Holland. In the treaty of The Hague, concluded May 16, 1795, the Dutch were required to pay 100,000,000 florin in coin, furnish full military and naval co-operation against the British, and fulfill in toto the requisitions made directly to the Estates General before signing the treaty. A decree issued by the committee of Public Safety on June 11, following, provided that all merchandise seized in Holland, except that needed for the army was to be immediately sent overland or by canal to France. The city of Lille was to serve as a general depot for these supplies and arrangements were to be made there for their storing and final sale to the public. In the peace which the Duke of Parma was forced to sign May 9, 1796, the Duke agreed to furnish France, among other things 10,000 quintals of wheat; 5,000 quintals of oats, 2000 bullocks, and 1,700 horses. Following on July 27, by the provisions of an armistice the Circle of Suabia granted to General Moreau 150,000 quintals of grain (two-thirds of which was to be wheat and one-third rye), 100,000 sacks of oats, 5,000 oxen, and 8,000 horses. Again, in an armistice between France and
Bavaria, dated September 7, 1796, the latter was forced to furnish France 2,000,000 quintals of grain (also two-thirds wheat and one-third rye), 100,000 sacks of oats, 3,300 horses, and 200,000 quintals of hay, besides considerable store of boots, shoes, etc. Can it be wondered, therefore, why the idea of a starvation blockade of France should have been almost entirely abandoned in the years 1795 and 1796?

A phase of the French counter-system which is also worthy of special mention as a factor contributing to the failure of the British system was the effectiveness of the attacks of French privateers upon Great Britain's commerce. According to Lloyd's list the number of British merchantmen taken by the French between 1793 and 1800, was 3,466, but of this number, 700 were afterwards recaptured. Norman's estimate for these losses is somewhat larger. His list follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>1793</th>
<th>1794</th>
<th>1795</th>
<th>1796</th>
<th>1797</th>
<th>1798</th>
<th>1799</th>
<th>1800</th>
</tr>
</thead>
<tbody>
<tr>
<td>British merchantmen taken by the French</td>
<td>352</td>
<td>644</td>
<td>640</td>
<td>489</td>
<td>949</td>
<td>688</td>
<td>730</td>
<td>666</td>
</tr>
<tr>
<td>French privateers taken by the British</td>
<td>44</td>
<td>9</td>
<td>23</td>
<td>41</td>
<td>134</td>
<td>136</td>
<td>104</td>
<td>65</td>
</tr>
</tbody>
</table>

Regardless of which authority is the nearer correct, it is obvious that the British losses were seriously large. As a result insurance rates rose to such a height as to be practically prohibitive and a problem, almost equal in magnitude to the submarine problem of the present day, presented itself to
His Majesty’s navy for solution.

Other factors contributed also to the modification of the blockade: (1) There was the difficulty of stopping trade in the Mediterranean, especially that carried on by small fast sailing ships along the Italian and French coasts. 20 (2) There were the radical attacks upon this system of blockade by the opposition party in Parliament led by Charles Fox, the Earl of Derby, the Marquis of Lansdowne, Earl Stanhope, and others. 21 (3) There must be reckoned the retaliatory measures adopted by the French government and directed against British trade. (4) And there must be considered the hostile attitude taken by the neutrals, especially Denmark and the United States, as a result of the enforcement of His Britannic Majesty’s additional instructions to his ships of war and privateers.

Having completed our review of the evidence, it is believed that an answer to the question, "Was the starvation blockade effective?" with which this chapter opened, may now safely be attempted. In the first few months after the establishment of Great Britain’s system, it is certain that a direct effect was exerted upon conditions in France. Otherwise France would not have been so active in developing counter-measures in retaliation. However, because of the factors that we have just taken into consideration, the effectiveness of the said system, which had been at no time complete, soon became seriously impaired and at least by the opening of the year 1796, the
failure of the blockade to accomplish its purpose became so complete and so obvious as to be entirely beyond question.

A second point also of significance in connection with the present study is the legality of the policy maintained by Great Britain. British statesmen in control of the government never admitted that the legality of their measures could in any way be questioned under International Law. Indeed, they even maintained that their starvation blockade, since it applied only to grain, flour, and meal, did not extend to the full limit permissible under the rules of the said law. The basis for their contentions was largely the following citation from Vattel, who was at the time recognized as the most influential authority on the subject of International Law: "Commodities particularly useful in war, and the carrying of which to an enemy is prohibited, are called contraband goods. Such are arms, ammunition, timber for ship building, every kind of naval stores, horses, and even provisions, in certain junctures, when we have hopes of reducing the enemy by famine." The neutral powers denied that provisions could under any circumstances be declared contraband, and maintain, moreover, that even if this point should be conceded, Great Britain's blockade was illegal for an opportunity of reducing France by famine did not exist.

For a true test of the legality of the British system it will be necessary to turn to modern authorities upon International Law. The following extracts are cited from Moore's
International Law Digest: "In 1793 and 1795 the English Government indefensibly extended the application of the doctrine held by the English courts in respect to provisions as conditional contraband, to the point of seizing all vessels laden with provisions which were bound to a French port, alleging as their justification that there was a prospect of reducing the enemy by famine. A serious disagreement occurred in consequence with the United States, which maintained that provisions could only be treated as contraband when destined for a place actually invested or blockaded: the excesses of the English Government cast discredit on the doctrine under shelter of which they screened themselves. Manning adopts it, but not without evident hesitation. Wheaton seems to think that provisions can only be contraband when sent to ports actually besieged or blockaded; and M. M. Ortolan, Bluntschli, and Calvo declare this to be undoubtedly the case." By the Modern Law of nations, provisions are not, in general, deemed contraband; but they may become so, although the property of a neutral, on account of the particular situation of the war, or on account of their destination. If destined for the ordinary use of life in the enemy's country, they are not, in general, contraband. Another exception from being treated as contraband is, where the provisions are the growth of the neutral exporting country. But if they be the growth of the enemy's country, and more especially if the property of his subjects,
and destined for enemy's use, there does not seem any good reason for the exemption."\textsuperscript{26} Also concerning the order in council of 1795, Wheaton declares: "It appears, then, that so far as the authority of text-writers could influence the question, the order in council of 1795 could not be rested upon any just notion of contraband; nor could it, in that view be justified by the reason of the thing on the approved usage of nations."\textsuperscript{27} It is hence evident that all authorities are not in accord upon the question of the legality of Great Britain's system of blockade of France in the years 1793 - 1795. However, as Moore points out, a large majority of the best writers upon the subject of International Law refuse to support the position taken by the Pitt government.

Finally, and of still greater significance than the question of the legality of the policy maintained by Great Britain is the similarity between that policy and the system of blockade established by the Allied Powers against Germany in the Great War of 1914. Many of the problems have been the same, many of the objections on the part of neutrals have been similar, and many of the methods employed in the enforcement have been strikingly alike. Nevertheless, no comparison can be drawn between the effectiveness of the blockade of today and the blockade of 1793. While the latter was never so complete as to cut off all French trade, the success of the former in securing the destruction of all German commerce upon the high seas has been wonderful. The present day
policy had its origin in the British Order in the council of August 20, 1914. That order provided for the acceptance of the principles of the Declaration of London, of 1907, with modifications and for the extension of the lists of both absolute and conditional contraband goods "consigned to or for an agent of the enemy state or to or for a merchant or other person under the control of the authorities of the enemy state" were to be subject to capture. Since all merchants under the present war regulations in Germany are, in fact, agents of the government, this virtually meant that all commercial relations between the German Empire and the outside world must cease. Many of the neutrals, including the United States immediately protested against the enforcement of this measure, but, although modifying orders have been issued from time to time since, the fundamental principles herein established have remained the same.\(^\text{28}\)

A striking similarity between the blockade of 1793 and that of 1914 has been in the method of enforcement. In both instances enforce enforcement has been by lines of blockade maintained upon the high seas and not by naval forces actually stationed before the enemy's ports. The lines established in the present great war have been across the English channel, and from the northern end of Scotland to the south-western coast of the Scandinavian peninsula. Supplementary to the system of blockade, moreover, has been the establishment of vast and secret mine areas throughout the North and Irish Seas and in the English Channel.
Great Britain has been far more successful in her relations with the neutrals in connection with the situation today than she was a century and a quarter ago. Possibly this has been due, partly at least, to the utter duplicity and lack of tact on the part of the Imperial government of Germany. Indeed, so horrible and barbaric has been the latter's policy of retaliation, principally by means of the submarine, that a reaction of indignation and wrath against everything that is German has developed throughout the world. It is natural, therefore, that the technical violations of the rules of International Law by the orders in council issued by Great Britain should be lightly excused when placed in comparison with such practices as the sinking of the Lusitania, the subjugation of Belgium, and the devastation of northern France.

What will be the result of Great Britain's policy of blockade today, cannot, of course, be determined at this early hour. With the armed forces of the opponents still locked in deadly combat, it is mere speculation to attempt to foretell just what the outcome will be. As the results of the great war are even more or less in doubt, it will be wise to refrain now from guessing upon the importance of the present system of blockade as a factor in determining what those results shall be. The aim of our study in this connection is merely to emphasize the significance of the British Starvation Blockade of France in 1793 to 1795 as the first noted precedent for such a system as that of the present war.
Let special attention be given to two facts revealed in this letter—1st.—Bread was more plentiful than other supplies in France. 2nd.—Provisions, including grains, were reaching France regardless of the British blockade. cf. also the following note written by Lord Auckland to Lord Henry Spencer on March 28, 1794: "With respect to the enemy, we have reason to believe that their embarrassments are extreme. They want food and money, 

my private opinion has long been that we shall gain everything if we can gain time. The neutral nations, as they call themselves, and particularly Denmark, are doing everything that they can do to feed the war. I make no doubt that we shall ultimately find means to discharge the obligation. In the meantime, many of their ships are brought in every day, and I do not believe that many escape the redoubled vigilance of our cruisers." Auckland, Correspondence. III, 197.
17. State Papers relative to War. V, pp. IV.
    Martens, Traité. VI, 286.
18. State Papers relative to War. V, pp. XII.
    Martens, Traité. VI, 294.
    cf. also the following: Armistice and treaty between
    France and Boden. State Papers relative to War
    V, pp. VII, VIII.
    Armistice between French Republic and Circle of Fran-
    conia. ibid pp. V.
    Armistice between Duke of Württemburg and General
    Moreau, ibid. pp. I.
    A long list of acts passed by the convention of France
    between 1793 and 1795, for the regulation of prize
    courts, the sale of captured vessels, etc. is given in
    224, 225, 229, 232, 263, 274.
20. cf. for example: Mahan, Influence of Sea Power upon
    Fr. Rev. and Empire, I, 196.
21. cf. notes 3 and 4 for chapter V.
22. State Papers relative to the War II, 391, 393.
CONCLUSION.

Having completed our study of the Origin and Development of the British Starvation Blockade of 1793, it will be well to summarize the special points which are believed to be of most importance. From the material taken into consideration the following conclusions are evident:

(1). The starvation policy of 1793 was occasioned by the great economic distress, especially the shortage of foodstuffs, in France during the early years of the Revolution.

(2). War was foreseen by British statesmen and the system of blockade was planned and carefully worked out months before it was formally declared to the world.

(3). The establishment of the policy was really secured by the treaty signed at London between Great Britain and Russia on March 25, 1793.

(4) In the development of the policy two factors played important parts. First, the treaties concluded by Great Britain with her allies; and second, the British orders in council termed "Additional Instructionsto His Majesty's ships of war and privateers."

(5) The blockade failed to meet the expectations of its authors mainly because of the French successes upon land and the serious opposition of the neutrals to the system. Other factors were: the influence of the counter-system developed by France, the opposition of the minority party in Great Britain, itself, and the natural difficulty of maintaining
such a blockade with the type of war-vessels then used.

(6) The part played by America was of more importance than is generally recognized. As France was largely dependent upon the United States as a source of supplies in the early months of 1793, the British policy was directed primarily against American trade. Moreover, the hostile attitude of the United States was of more influence in securing the modification of Great Britain's system than that of any of the other neutrals.

(7) Finally, the policy of 1793 is of particular significance to us today because of the fact that it is really the earliest known precedent for Great Britain's system of Blockade in the Great War of 1914.
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